

## COUNCIL 8. 12. 2011

### 53. CARDBOARD CATHEDRAL SITE OPTIONS CHRISTCHURCH

<b>General Manager responsible:</b>	General Manager City Environment, DDI 941 8608
<b>Officer responsible:</b>	Unit Manager Transport and Greenspace, DDI 941 8096
<b>Author:</b>	David Rowland, Property Consultant, DDI 941 8861

#### PURPOSE OF REPORT

1. The purpose of this report is to update the Council on progress following a request from the ChristChurch Cathedral Diocese for the Council to assist in finding, or provide a site for a temporary cathedral known as the "Cardboard Cathedral" and seek a resolution as to the Councils commitment.

#### EXECUTIVE SUMMARY

2. The Cathedral Diocese have made a request through the Mayor's Office seeking assistance to identify a suitable site for a Cardboard Cathedral, preferably within the central city area. A site is required for a period of up to 10 years and the Cathedral Diocese have a preference that it be located on public land, preferably a prominent central city site with their first choice being Hagley Park adjacent to Victoria Lake.
3. The proposed Cardboard Cathedral has been designed by internationally renowned Japanese Architect Shigeru Ban who is most famous for his innovative work with paper, particularly recycled cardboard paper tubes used to quickly and efficiently house disaster victims and a 'paper church' constructed in Kobe following the 1995 earthquake. The structure proposed for Christchurch will require a site foot print of around 2500 metres squared with a seating capacity for around 700. With parking and other site requirements this site foot print could conceivably double in size.
4. The design of the Cardboard Cathedral is without question innovative, exciting and could be one of the first new structures to be erected as part of the rebuild as it will support and contribute to the recovery of the city and will be a draw card and add vibrancy to the city. Concept Plans for the Cathedral (**Attachment 1**) are attached to this report. It will generate considerable interest from around New Zealand and the World when established and become a key visitor attraction for the city. This concept also has the potential to connect with other visitor attractions and recovery projects in the city. The structure would consist of locally produced cardboard and shipping containers with construction taking approximately four months, the aim being to have the church open from mid 2012. The temporary cathedral may well be used by other community groups and events.
5. Numerous site options have been considered. These include land owned by the Church, the Council and private parties. Comment on the various options is included under the heading "Background to this Report".
6. Notwithstanding the exciting and innovative nature of the overall proposal and the benefits that such a structure will generate to the wider city, it is considered that a substantive case can not be supported to place the Cardboard Cathedral on public lands when all other potential options are considered see **Attachment 3**. Any consent would also set a precedent for other community groups wanting temporary accommodation. Especially considering the precedent this would create for other displaced community groups, the length of time proposed and the loss of amenity value.

#### FINANCIAL IMPLICATIONS

7. There is a financial implication should the Council resolve to release any site under its control and management for up to 10 years. These implications can include the loss of site \$ rental and future development potential. Loss of opportunity and rental ranges from zero rent through to \$250,000 per annum. Should the Council decide to support the Church in acquiring a privately owned site, the cost may be in the order of up to \$5 million.
8. There has been no provision made for these costs to be funded by the Council.

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**Do the Recommendations of this Report Align with 2009-19 LTP budgets?**

9. No – there is currently no provision for such activity within the Council's LTP Budgets.

**LEGAL CONSIDERATIONS**

10. There are a number of legal considerations should sites in public ownership be considered. The Council is able to deal with Reserves lands under emergency legislation. The Canterbury Earthquake (Reserves Legislation) Order 2011 No 2 was made under the Canterbury Earthquake Response and Recovery Act 2011. The Order in Council expires on 18 April 2016. Pursuant to clause 5(c) of the Order the Council may approve the use or erect a structure on a reserve till April 2016 if the use or structure is necessary in the opinion of the Council to respond in a timely manner to any circumstances resulting from the Canterbury earthquakes. This applies to reserves that are administered by the Council under the Reserves Act 1977 for any purpose not described in paragraphs (a) and (b) of the Order. The use of any reserve for the Cardboard Cathedral falls within this provision.
11. The Council may act under clause 5 of the Order, despite anything to the contrary in the management plan for a reserve, the Reserves Act 1977 or any other enactment under which the reserve is held or that applies to the reserve; or without complying with any requirement in the management plan for a reserve, the Reserves Act 1977 or any other enactment under which the reserve is held or that applies to the reserve (for example, any provision relating to public notification or the hearing of objections).
12. However, when doing so, the Council must take all reasonable steps in the circumstances to protect the integrity of the reserve; and where undertaking remedial work, or if the reserve is adversely affected by the Council's actions, must reinstate the reserve as closely as practicable to its prior condition.
13. The Order in Council expires on 18 April 2016 and therefore any occupation rights granted under it can only be made until that date. Full due process under the Reserves Act 1977, and if necessary the relevant Management Plan on expiry would be required should any structure remain on any reserve. A lease would then be required and public notification to permit a grant would require to be given. This permits the lodgement of submissions both for and against and the process of granting a lease could ultimately be determined by the Minister of Conservation.
14. In all previous cases where the Council has granted rights to occupy and use parks and reserves under this Order, the Council has required the applicant to meet the cost of the reinstatement of the site that they have occupied to the Council's satisfaction. This requirement has been stated in each warrant prepared for such occupation rights, and which both the Council and the applicant have signed.

**Have you considered the legal implications of the issue under consideration?**

15. Yes.

**ALIGNMENT WITH LTP AND ACTIVITY MANAGEMENT PLANS**

16. There is no provision within the present LTP that supports the Council concluding a transaction with the ChristChurch Cathedral Diocese to provide either a site by way of a lease or capital funds to purchase a temporary alternate site.

**Do the recommendations of this report support a level of service or project in the 2009-19 LTP?**

17. No, as there is no such project considered in the LTP.

**ALIGNMENT WITH STRATEGIES**

18. Proposals of this nature are not envisaged in the Council's Public Open Space Strategy 2010 should a reserve be considered as the preferred site.

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**Do the recommendations align with the Council's strategies?**

19. There is no specific alignment with Council strategies, however there are synergies with some Council policies and plans such as Strengthening Communities, the new Central City Plan as well as the Council's and CERA's Recovery Plans.

**CONSULTATION FULFILMENT**

20. There are a number of property options discussed in this report however should any Council Reserve be considered the preferred option initial consultation under the Canterbury Earthquake (Reserves Legislation) Order 2011 is not required to be undertaken. Consultation would be required however should it be determined that the Council wished to grant a lease over any Reserve after April 2016, the expiry of the occupation granted under the Order in Council.
21. No consultation has been undertaken at this stage and, as this matter is of major significance, it has been referred directly to the Council for consideration.

**STAFF RECOMMENDATION**

It is recommended that the Council:

- (a) Decline the request from the ChristChurch Cathedral Diocese for the Council to make available council owned/held land for a temporary cathedral (the proposed "Cardboard Cathedral").
- (b) Resolve not to provide any financial assistance towards the establishment of a temporary cathedral.

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BACKGROUND

22. The ChristChurch Cathedral Diocese approached the Council for assistance to find a suitable site for a temporary cathedral, with a particular preference to secure support for the use of Council owned land.
23. The concepts developed by the Cathedral Diocese of a Cardboard Cathedral are innovative, exciting and will generate considerable interest not only in the building through its iconic and creative design but will assist the rebuild. It will support and contribute to the recovery of the city and will be a draw card and add vibrancy to the city and benefit the recovery of the city in many ways. This structure is intended to reflect the scale, and support the activities of the Church and the community, in the manner of the former cathedral. That Cathedral was the heart of the city and a focal point for many activities and tourists.
24. ChristChurch Cathedral Diocese propose to make the Cardboard Cathedral an "iconic" building for Christchurch, this is evident by its design and unique use of materials. They also propose to commence construction of the cardboard Cathedral at the earliest possible time and are of the view that the Cathedral can be erected by mid 2012. As the seating capacity is for 700 persons it will be used and be available for many social and cultural events beyond those functions undertaken as a Cathedral. This is of particular value given the limited availability of facilities following the earthquakes. Due to the nature of the building it is expected that considerable interest will be generated both within New Zealand and around the world.
25. A number of prominent sites within the central city have been considered. A weighted attributes approach has been applied to all sites and matters considered relevant as part of this exercise have included:
  - (a) Availability of site – eg any legal constraints such as Reserves Act 1977, site clear or available for development within next few months and for occupation for period of 5-10 years;
  - (b) Land area – base footprint of building (approx 45 x 55 metres, 2500 metres squared);
  - (c) Access to all services – sewer, power, storm water and telephone;
  - (d) Prominent location – preferably central city, high visibility to foot and vehicle traffic;
  - (e) Easily accessible with Convenient Parking – including public access and a range of uses;
  - (f) Aesthetics, open setting and noise;
  - (g) Resource consent requirements;
  - (h) Overall Risk Assessment – has standing and public acceptance;
  - (i) Connectivity / Complimentary to other local attractions and facilities.
26. Should the Council offer site assistance for the Cathedral it is vital that the right site is selected to emphasise the building design and locality prominence such a structure will require. One major requirement is the ability of being able to locate a site that is of sufficient size to accommodate the proposal as well as having the appropriate amenities for the project. Not all sites can or will be regarded as suitable.
27. From our analysis a number of sites were immediately eliminated due to site size, configuration, unavailability, ownership factors or proposed developments in the reasonably short term. This applied to (a) to (e) below:
  - (a) Cathedral Square;
  - (b) Victoria Square;
  - (c) Turners & Growers;
  - (d) Botanical Gardens;
  - (e) Christ College Site being the former Girls High School site.

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28. Other sites considered in this exercise are shown in order of ranking preference and these are:
- (a) Privately owned land;
  - (b) Church property corner Madras & Hereford Streets;
  - (c) Church property corner Manchester & Kilmore Streets;
  - (d) Cranmer Square;
  - (e) Latimer Square;
  - (f) Hagley Park;
  - (g) Other possible sites eg in Sydenham Square.
29. **(a) Privately Owned Land** – The ChristChurch Cathedral Diocese advise that they have engaged a real estate agent to locate a suitable private site and there is one possible suitable site available; indicated value being up to \$5 million. The Diocese also advise that they do not have funding for land purchase and seek assistance from the Council if this option was preferred.
30. Should that follow the precedent that such a purchase would set given the critical community building and infrastructure rebuild that is required across the city by the Council would be a major yet considered decision for the Council.
31. It is unknown whether such a decision would be acceptable to the Council's community of interests and also is unknown what the public opinion in 10 years will be should the Council require the Cardboard Cathedral to be dismantled and removed.
32. On balance it is considered that this is not an option for the Council to pursue and is not recommended.
33. **(b) Church Property corner Madras & Hereford Streets** immediately to the south of Latimer square. This large 5058 metres squared now vacant site and owned by the Church Property Trustees. All site buildings have been removed due to the impact of the recent quakes. The Cathedral Diocese have informed the Council that this site is a parish church and planning for a replacement structure began shortly after the damaged buildings were demolished. Plans are now well advanced with the Church Property Trustees to rebuild a church, parish centre and vicarage leaving no room for the Cardboard Cathedral.
34. **(c) Church Property corner Manchester & Kilmore Streets** – All buildings on this 6253 metres squared site owned by the Church Property Trustees have been demolished again as an impact of the recent earthquake events. The Cathedral Diocese has informed the Council that although the Cardboard Cathedral could fit on the site with some redesign, this is a parish site and that the vestry of the parish has autonomy to decide on its future. The advice received indicates that the Cathedral and Bishop Victoria Mathews have had extensive conversations with the parish priest and vestry, indicating that, even though this is a strongly preferred site for the Cardboard Cathedral, the cathedral cannot over ride the authority of the Parish vestry. They apparently wish to continue with their own planning for a church rebuild on the site independent of the desires of the Cathedral.
35. **(d) Cranmer Square** may be considered to offer a number of potential benefits including a suitable size of open space of 1.8192 hectares, prominent location, good connections to the cultural precinct and visitor attractions. There are however a number of significant constraints. Firstly a lack of available nearby on street car parking and high traffic volumes around the eastern side of the park present difficulties for vehicle and pedestrian access. While the planned one-way to two-way conversion of Montreal Street should alleviate the pedestrian access difficulties, it is unlikely to cater for vehicle access into the park and is likely to require the removal of a significant number of the existing on-street car parks. Also the extensive road works that this conversion will require could cause significant disruption to events within the park. Spatially, the fit of the footprint of the Cardboard Cathedral and associated annex building would be tight, barely fitting within the surrounding tree canopy. As a result there may be potential for adverse impacts on the existing trees in relation to soil compaction or physical damage to the tree canopies during construction. The ability of the space to accommodate informal sports and recreation, passive relaxation and aesthetic values would be impacted.

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36. **(e) Latimer Square** offers a sizeable open space, prominent location, with good connections. Additionally this site would provide an attraction for the eastern area of the central city. Due to the extent of damage, construction work could be anticipated for some years in the immediate vicinity. This site is however faced with the same constraints noted above for Cranmer. In the Central City Plan Latimer Square has been committed for a comprehensive landscape redevelopment plan with proposed new areas of seating, children's play, formal and informal sports, and the introduction of a programme of new events including a weekly farmers market. This proposed project received significant public support in the submissions to the Central City Plan and is scheduled to be implemented by 2015.
37. Cranmer Square and Latimer Square are Reserves administered under the Reserves Act. While short term rights could be granted as provided for under the Canterbury Earthquake (Reserves Legislation) Order 2011, (see "Legal Considerations"), it is very likely that there would be locally generated submissions opposing any continued occupation of Cranmer Square by the Cardboard Cathedral. This was particularly evident during the recent Central City Plan project which generated public submissions emphasising the value of these sizeable areas of un-built green public open space.
38. **(f) Hagley Park** – The original Government Domain set aside as Hagley Park was stated in The Canterbury Association Reserves Ordinance of 1855. This declared that *"the land commonly known as Hagley Park..." "...shall be reserved forever as a public park, and shall be open for the recreation and enjoyment of the public"*.
39. Today the purpose of the Park, which is classified as Recreation Reserve under the Reserves Act 1977, is *"for the purpose of providing areas for the recreation and sporting activities and the physical welfare and enjoyment of the public, and for the protection of the natural environment and beauty of the countryside, with emphasis on the retention of open spaces and on outdoor recreational activities, including recreational tracks in the countryside"*.
40. The Park is managed in activity zones that reinforce the overall environment of the Master Plan for the park and, as such, many areas within Hagley Park have or are discounted as not being suitable. The focus returns to the Victoria Lake locality as the only possible setting for the proposed Cardboard Cathedral, (see plan of Hagley Park (**Attachment 2**) attached to this report). This location is the preferred position of all site options by the Cathedral Diocese.
41. Notwithstanding the Cathedral's preferences, there is strong opposition internally to such a building being placed on Hagley Park for potentially 10 years, not least of all the public perception of the loss of a large area of public space within close proximity to the Special Event and Concert Triangle.
42. Matters that have been considered include:  
**Vision for Hagley Park:**
43. The vision for Hagley Park is for it to be an iconic inner-city open space area for the city of Christchurch and to be a place for present and future residents and visitors to the city to visit, recreate in and appreciate.
44. Key elements of this vision are:
  - (a) The Park retains a landscape character that reflects the central city's open space heritage but also is in harmony with the contemporary urban environment;
  - (b) The form of the Park, with its long vistas and margins and avenues of trees, is continued into the future;
  - (c) The present physical extent of the Park is fully and permanently conserved;
  - (d) The Park is a space that is managed effectively for a variety of public recreational uses, with access and facilities provided to a level that is acceptable in terms of impact on the Park's environment;
  - (e) The Park is managed to enhance indigenous wildlife values and provide habitat for indigenous biodiversity.

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**Hagley Park Management Plan:**

45. With the change and growth in society, including the increasing development of the residential and commercial/industrial areas around Hagley Park, there are increasing negative effects on the Park environment that need to be avoided, remedied or mitigated. It is crucial that these are managed effectively to achieve the ongoing protection of the values that the Park provides to the community. The Hagley Park Management Plan is a key tool to achieve this.
46. The purpose of the part of the original Government Domain set aside as Hagley Park was stated in The Canterbury Association Reserves Ordinance of 1855. This declared that *"the land commonly known as Hagley Park..." "...shall be reserved forever as a public park, and shall be open for the recreation and enjoyment of the public"*.
47. Today the purpose of the Park, which is classified as Recreation Reserve under the Reserves Act 1977, is set down in that Act. This is that such reserves are *"for the purpose of providing areas for the recreation and sporting activities and the physical welfare and enjoyment of the public, and for the protection of the natural environment and beauty of the countryside, with emphasis on the retention of open spaces and on outdoor recreational activities, including recreational tracks in the countryside"*.
48. The Council is required to manage it according to this purpose. In doing so, the Council must ensure that it effectively balances the need to cater for the public use of the Park with good management of the effects of this use on the Park environment. This may mean some desired uses of the Park may be deemed inappropriate or need to be restricted.
49. The Council's prime focus for its management of Hagley Park is to achieve the optimum outcome for all members of the public using it and to protect the Park's environment and character for future generations.

**Parking:**

50. The car park close to the Armagh Street bridge has high current usage not only from Park users but also many visitors to the Botanical Gardens. The capacity of the car park will continue to operate at a high level more so when the new Botanic Gardens Information Centre is commissioned. The Armagh Street intersection is non-signalised and is used by a large number of cyclists and pedestrians. It may be that the additional activities generated by the Cardboard Cathedral including associated proximity parking will create conflict at the intersection.

**Events Management:**

51. The Events Team have a significant investment in Hagley Park adjacent to the Special Events Area/Concert Triangle and generally the Entertainment Zone. Over a number of years there has been significant time spent building rapport with the public, local residents, stakeholders and communicating that this is the Events Hub (now the Christchurch Event Village) for the city. In addition the Council have invested considerable time, effort and money to purchase major events which are now based in Hagley Park. The creation of this new events village will continue to support the growth of the city, which is important for the physical welfare and enjoyment of the public in future years.
52. It is considered that the events industry would see this as a major concern/inconvenience, as due to the earthquake all major events in the city now reside within the event village and its surrounding spaces. If events were requested to move or relocate, it would then require the Council to consider possibly displacing sports teams from their playing fields long term.
53. Competing for space and timeframes for running of events would, if this locality was the site for the Cardboard Cathedral, become more evident than Cathedral Square, and there may well be conflict. As an example it is known that the church often held events not only in the week but in the weekends and were not required to advise Council of their events. If major events, eg the Ellerslie International Flower Show, were to continue to stay on the current site there would be continuous disruptions for both the organisers and the Church.

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54. **(g) Other Possible Sites:** The Council does have other potential sites that could possibly be available. These are:

(i) **Sydenham Square** on the corner of Colombo and Brougham Street. It has a total site area of 9084 metres squared and is an alternative site that the Cathedral Diocese have considered as a potential site for the Cardboard Cathedral and for their own reasons have discounted this option.

It was considered that there are better options available rather than this site and, considering the Council's intentions for the site, it had also been discounted.

(ii) **Crowne Plaza Site, Victoria Square** – a large prominent corner site of some 5730 metres squared. This site is not available given that the site remains under lease and demolition of the hotel building has not commenced.

55. In summary locating the Cardboard Cathedral on any Council owned land would set a precedent for other community groups wanting temporary accommodation or possibly financial assistance. In addition it should be considered that any application to place semi permanent buildings within the existing parks network could well generate some conflict as reserves are for the enjoyment of all members of the wider community.

56. Against all this site analysis, comment and consideration is the need for the Council to consider and balance the Council's city wide communities of interest and the present and future needs of our own residents versus that of the Cathedral Diocese community, who wish to erect a semi permanent cardboard cathedral for up to 10 years, focussing on Hagley Park

57. It is recognised and considered that the Cathedral Diocese, in conjunction with the Church Property Trustees, has other land holdings in the central city which could be utilised for the proposed Cardboard Cathedral without the need to seek assistance from the Council. Notwithstanding that the Cathedral Diocese have not been able to convince local church vestry that sites within the Church community should be made available for the cardboard Cathedral, that correctly is a matter for them to resolve.