

REGULATORY AND PLANNING COMMITTEE AGENDA

THURSDAY 1 JULY 2010

AT 9AM

IN THE NO 3 COMMITTEE ROOM, CIVIC OFFICES

Committee: Councillor Sue Wells (Chairperson),
Councillors Helen Broughton, Sally Buck, Ngaire Button, Yani Johanson, Claudia Reid,
Bob Shearing, Mike Wall and Chrissie Williams.

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- PART A - MATTERS REQUIRING A COUNCIL DECISION
- PART B - REPORTS FOR INFORMATION
- PART C - DELEGATED DECISIONS

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1. 7. 2010

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1. APOLOGIES

2. DEPUTATIONS BY APPOINTMENT

1. New Zealand Metropolitan Trotting Club represented by Shane Gloury, Chief Executive Officer, David Rankin, Chairman and Alastair Sherriff, Legal Representative.
2. Canterbury Branch of the Harness Racing Trainers and Drivers Association represented by Anthony Butt, Chairman and Mark Jones.

3. FURTHER REPORT ON THE APPLICATION FOR A CONSENT UNDER THE GAMBLING POLICY BY NZ METROPOLITAN TROTTING CLUB INC

| | |
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| General Manager responsible: | General Manager Regulation and Democracy Services, DDI 941-8462 |
| Officer responsible: | Legal Services Manager |
| Author: | Judith Cheyne, Solicitor, and Paul Rogers, Liquor Licensing Team Leader |

PURPOSE OF REPORT

1. The purpose of this report is to advise the Regulatory and Planning Committee further in relation to the submissions from the NZ Metropolitan Trotting Club Inc (NZMTC) made to the Committee, and on a number of questions asked by the Committee at its meeting on 3 June 2010.

BACKGROUND

To the NZMTC application

2. The NZMTC wrote to the Council in December 2009 requesting that the Council either grant them a territorial authority consent, or that Council vary its Gambling Venue and Totalisator Agency Board (TAB) Venue Policy (Gambling Policy) to allow them to obtain a consent. That letter and a report from staff were considered by the Committee at its meeting on 3 June 2010.
3. NZMTC made a deputation to the Committee, including a written submission, and advised the Committee that they no longer sought a variation of the policy but wanted Council to grant them a territorial authority consent under the Gambling Act 2003. If Council were to grant a territorial authority consent to NZMTC, it would be as an exception to its Gambling Policy.
4. If NZMTC obtain a territorial authority consent it can then apply to the Department of Internal Affairs (DIA) for a class 4 venue licence, to have gaming machines on site at Addington Raceway.
5. There were various matters raised in the NZMTC submission, and also questions that were asked by the Committee, on which the Committee sought a further report from staff. This report should be read together with the staff report that was before the Committee on 3 June 2010 (**Attachment 1**).

To the Gambling Act and its linkage with the Racing Act and racing entities

6. Class 4 gambling is gambling that involves a gaming machine and may only be conducted by a corporate society that holds both an operator's licence for the gambling and a venue licence for the place at which the gambling is conducted.
7. As NZMTC have noted in its submission, racing clubs (and the New Zealand Racing Board) are corporate societies under the Gambling Act 2003 for the purposes of both a class 4 operator's licence or a class 4 venue licence. They also have other "special" recognition under the Gambling Act, as identified in section 9 of the NZMTC written submission.
8. Territorial authorities are required under section 101 of the Gambling Act 2003 to have a class 4 venue policy and under section 65D of the Racing Act 2003 to have a Board venue policy. The Council's Gambling Policy covers the requirements for a policy under both of those Acts, and the Board venue part of the Gambling Policy has not changed since the first policy was adopted in 2004. In the 2009 review the Gambling Policy was identified as "...a *"sinking lid"* policy, and its purpose is to prevent any increase in the numbers of gambling venues or machine numbers in the city."
9. A Board venue is a stand alone TAB operated by the New Zealand Racing Board – territorial authority Board venue policies do not deal with TABs in pubs or clubs or on-course at race tracks. The Racing Act 2003 specifies that a Board venue means the premises that are owned or leased by the New Zealand Racing Board and where the main business carried out at the premises is providing racing betting or sports betting services.

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QUESTIONS FROM THE COMMITTEE/MATTERS RAISED IN THE NZMTC SUBMISSION*Statistics on the numbers of machines per capita*

10. The total number of machines for Christchurch City, including Banks Peninsula, (total population (including those under 18) approximately 372,600 as at 2009) show that as at 31/03/09 Christchurch had 1871 machines, which represents 9.48 per cent of the total number of machines in the country. This is approximately 1 machine for every 200 residents.
11. Since 31 March 2006 machine numbers in the district have dropped from 2099 to the current figure of 1871.
12. Figures for the other cities/districts that had more than 500 machines are:

| District & population (as at 2009) | 2006 Figures | 2009 Figures | No of machines per capita |
|---|---------------------|---------------------|----------------------------------|
| Auckland City (444,100) | 1749 | 1497 (7.58%) | 1/297 |
| Dunedin City (123,700) | 723 | 608 (3.08%) | 1/203 |
| Hamilton City (140,700) | 584 | 556 (2.82%) | 1/253 |
| Lower Hutt City (102,100) | 627 | 541 (2.74%) | 1/189 |
| Manukau City (368,600) | 1023 | 986 (5%) | 1/373 |
| North Shore City (225,800) | 662 | 651 (3.3%) | 1/347 |
| Tauranga (112,600) | 615 | 597 (3.02%) | 1/188 |
| Wellington City (195,500) | 907 | 831 (4.21%) | 1/235 |

(Statistics obtained from the Department of Internal Affairs website and Department of Statistics website)

Response to points/critiques raised in the NZMTC submission

13. Staff have the following comments on points in the written submission, that are not otherwise dealt with below:

| NZMTC submission | Council staff comments |
|---|---|
| Para 7.5 – this is not a new venue; it has had a licence before and the Council made an exception when the Christchurch Working Men's Club (CWMC) were in the same situation and outside the 6 month window | The difference between the NZMTC situation and CWMC is that NZMTC's licence ended in October 2004, which is considerably longer than the timeframe within which the CWMC licence had expired (which was only just outside 6 months at the time they first came to the Council). |

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| <p>Section 9 Generally – Parliament supports the racing industry</p> <p>Para 9.2</p> | <p>Parliament may support the racing industry (which has the traditional background of racing and other sports betting, not running gaming machines), but has left it to territorial authorities to make its own “rules” about the control of gaming machines/class 4 gambling in their districts.</p> <p>Although promoting controlling and conducting race meetings and the payment of stakes is an “authorised purpose” in the Gambling Act 2003, that does not necessarily mean it is “equated” with charitable purposes and non-commercial purposes, as NZMTC state. It is simply another “authorised purpose”, but is not necessarily the same type of authorised purpose as a charitable purpose, etc.</p> |
| <p>Para 10.4 – this is a venue where there have been gaming machines previously</p> | <p>Council staff understand that although NZMTC may have had machines in 2003, and this is clearly shown in the records, they were never in use. From a practical point of view therefore there were not machines in operation at the venue previously, so in that sense this is an increase in machines in Christchurch. It is also an increase in machines from the number of machines in place in 2006 when the Council adopted the current policy and in 2009, when it reaffirmed the 2006 policy.</p> |
| <p>Section 12 – Inaccuracies in staff report</p> <p>Para 12.9</p> | <p>Council staff accepts the NZMTC submission that it is a club under the Gambling Act as well as being a racing club.</p> <p>The difference between NZMTC and Sumner Redcliffs RSA is that NZMTC did have an opportunity to submit on the 2006 Policy, in 2006 (although it does not appear that they did, although the NZ Racing Board did submit). The decision in 2009, following the review, affirmed the 2006 Policy without change.</p> |

If this club merges with another club that does have machines, can they be moved to this site as of right.

14. The Gambling Policy does provide for consent to be granted where two or more corporate societies are merging and require Ministerial approval under section 95 (4) of the Gambling Act 2003. The total number of machines that may operate at the venue must not exceed 18 machines.
15. However, NZMTC can only merge with one other club and have the machines moved to their site if NZMTC already had a class 4 venue licence, which it does not. However, if it merged with two or more other clubs, at least two of which had class 4 venue licences then it could be a possibility. Section 95 of the Gambling Act 2003 states that:
 - “(1) This section applies to 2 or more corporate societies that the Minister is satisfied are clubs and—
 - (a) **2 or more of which hold class 4 venue licences;** and
 - (b) can each demonstrate a significant history of—
 - (i) operating as clubs for club purposes; and
 - (ii) operating the number of machines specified in any class 4 venue licences held immediately before making an application to the Minister under subsection (2); and ...”

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Can the TAB establish gaming machines on the site as of right under the Policy? What is the consent process required if it wanted to do this?

16. The TAB cannot establish gaming machines on site as of right under the Gambling Policy. The New Zealand Racing Board (the Board) is entitled, as of right under the Gambling Policy, to be granted a TAB/Board venue consent, but that does not lead to them being entitled to have gaming machines.
17. The NZMTC appear to be interpreting clauses 1 and 3 of the Gambling Policy incorrectly (see 10.1 of their submission). It seems to be their view that the consent that can be granted to the Board under clause 3 of the policy is a section 98 consent.
18. However, clause 3 of the Gambling Policy is the policy required pursuant to section 65D of the Racing Act 2003. That policy relates to the requirement in section 65A of the Racing Act 2003, that a territorial authority consent is required if the Board proposes to establish a Board venue (a "s65A consent"). This meaning is clear from the use of the words "to establish a Board venue" in clause 3, which wording has been the same since 2004, and was not changed in the draft 2006 policy consulted on or adopted. There is no reference in clause 3 to a class 4 venue licence or establishing a class 4 venue.
19. Clause 1 of the Gambling Policy could be more clearly worded, but it appears that in referring to "except in the circumstance set out below" this refers to the fact that there is to be no increase in class 4 venues or machines except in the circumstance set out in clause 2. It is not the case that clause 2 (or clause 3) means that a consent under section 98 is needed or will be given by the Council. This is clear when the background to the Gambling Policy is examined.
20. In 2006, following consultation on a more liberal policy than the original 2004 policy, the Hearings Panel determined after the submissions process that it was appropriate to continue with a more restrictive policy and recommended:

"That the Council adopt the policy set out in Appendix 2, such policy representing the continuation of the Council's present policy, with the deletion of the former provision relating to applications for consent under section 98(d) of the Gambling Act 2003, as such provision is now redundant."
21. In the report to the Council that resulted in the adoption of the 2004 policy it was noted, in describing the chosen option (the moratorium option – later described by Council as a "sinking lid" policy) that:

*"This approach would mean that all class 4 venues licensed on or before 17 October 2001 would be able to continue. All new venues would be disallowed. No additional gaming machines would be allowed at existing venues. TAB venue consent would be granted. **TABs with electronic gambling machines are subject to the same requirements as class 4 gambling venues**, while other TAB venues may be established in the city, subject to meeting City Plan."*
22. Obtaining a section 65A consent (under clause 3 of the Gambling Policy) does not allow, on its own, a class 4 venue licence to be obtained. Under section 65 of the Gambling Act 2003, only a consent under section 98 allows an applicant to apply for a class 4 venue licence, not a s65A Racing Act consent. Only once the applicant obtains the class 4 venue licence (and there is a class 4 operators licence in place) can gaming machines then be operated at the venue.
23. The correct interpretation of Council's Gambling Policy is that no consents under section 98 will be granted and the only time that new machines or an increase in machines will be allowed is in the situation described in clause 2 of the Policy, when there is a merger of two or more clubs.
24. To answer the second part of the question above, if the TAB/Board wished to establish gaming machines at the Addington Site they would need to apply for a consent in the same way as NZMTC are currently doing, which would be as an exception to the Gambling Policy.

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Is NZMTC required to make a formal consent application?

25. The Gambling Policy provides that all applications for consents (being consents under the Gambling Act 2003 and the Racing Act 2003) must be made on the approved form, and that the consent fee is \$150 (inclusive of GST), which is reviewed annually through the Annual Plan process.
26. In the NZMTC letter dated 23 December 2009, which generated the first report to the committee, NZMTC requested that Council consider either varying its Gambling Policy or granting a consent as an exception to the Gambling Policy. It was not considered appropriate to require a formal application for consent and payment of a fee when it was not clear that a consent was actually being applied for.
27. Now that the NZMTC has made it clear in their written submission that they are applying for a consent, they have been asked to complete a formal application and pay the \$150 fee.

NZMTC's involvement in the review of the Gambling Policy in 2009, and whether that is a special circumstance warranting an exemption in relation to their consent application

28. Any involvement or lack of involvement by NZMTC in the Gambling Policy review last year is not a special circumstance for the Council in deciding whether or not the Council should grant a territorial authority consent under section 98(c) of the Gambling Act 2003 to NZMTC, as an exception (inconsistent decision) to its Gambling Policy.
29. By way of background to the Policy review, the 2009 review was the second statutory review. The first was in 2006, which was done as special consultative procedure and, as noted above, the policy ultimately adopted reaffirmed the Council's previous "sinking lid" policy in respect of gaming machines in the city.
30. For the 2009 review, Council staff, under the direction of the Gambling Venue Policy Review 2009 Working Party, contacted a number of people and sought a number of reports. This was to put the Working Party, and ultimately the Council, in a position to give appropriate consideration to community views on the policy review.
31. Although the chairman of the NZMTC had contacted the chair of the Working Party in 2009 about the review, and its desire to make a submission, NZMTC were never formally contacted by staff or the Working Party about the review. This appears to have resulted from an oversight, rather than any intention to exclude NZMTC. However, other stakeholders that were representative of bodies with pro-gambling interests did have input into the review (see paragraphs 16 and 17 of the 2 June 2010 report). In light of the Council discretions in sections 77-81 of the Local Government Act 2002, the level of consultation, discussion and consideration carried out was considered to meet the requirements in the Act.
32. As outlined in the previous staff report, the Working Party and Council considered 6 alternative options, with the most likely alternative to retaining the "sinking lid" policy, being one that would assist businesses who already had machines. The alternative amendment would cap venues and numbers at present levels and would also allow businesses to relocate their machines. If an amendment to the policy to this effect had been proposed (and ultimately adopted), that would not have assisted the NZMTC, because they do not currently have machines. They would still be in the position that they would need to apply for a consent as an exception to the policy. Only option 4 (having no restrictions on venues or machines) would have assisted the NZMTC, but this was the original proposal in the 2006 policy, that was rejected by the Council, following its consideration of submissions.
33. It should also be noted that option 3, rejected by the Working Party and Council was:

"Amend Clause 2 of the status quo to accommodate section 96 consent applications of the Gambling Act 2003 as suggested by Alastair Sherriff in his legal opinion of 3 October 2007 (page 8):

3 Cont'd

*"2. The Christchurch City Council will grant a consent for up to 18 machines where two or more corporate societies are merging and require Ministerial approval to operate in accordance with section 95(4) of the Gambling Act 2003. The Christchurch City Council will grant a consent for up to 18 machines pursuant to section 98(c) and 100 of the Gambling Act 2003 to a corporate society which is a club which requires Ministerial approval to operate more than 9 gaming machines in accordance with section 96 of the gambling Act 2003. The total number of machines that may operate at the venue, whether section 95 or 96 applies, **must not exceed 18 machines.**"*

34. On the recommendations of both the Working Party and the Regulatory and Planning Committee, the Council concluded that the statutory review required under the Gambling Act 2003, did not lead it to find that any amendment to its policy was required. That meant a special consultative procedure was not required, because there would be no amendments to the policy.
35. The fact that NZMTC were not specifically contacted in 2009 about the review is not a matter that is relevant to its application for a section 98(c) consent. In making a decision on the consent, the Council is required to consider its current Gambling Policy, and, in this instance, it must also consider the matters in section 80 of the Local Government Act 2002. In light of the discussion above, NZMTC's lack of involvement in the Gambling Policy review would not appear to amount to an adequate reason for Council to act inconsistently with its policy.

More detail about the process of Council's consideration of an exemption from the Gambling Policy

36. The Council's current Gambling Policy (adopted in 2006 and reviewed without change in August 2009) does not provide for a territorial authority consent to be granted in this situation to NZMTC. The Council's Gambling Policy is a "sinking lid" policy, and its purpose is to prevent any increase in the numbers of gambling venues or machine numbers in the city. The consent sought by NZMTC, as outlined in the earlier report, could not be granted under the Gambling Policy.
37. The Council could, however, act inconsistently with the Gambling policy, and grant the consent, by applying section 80 of the Local Government Act 2002. Section 80 provides that the local authority must identify certain matters if a decision it is to make is significantly inconsistent with any policy adopted by the Council. Under section 80 the Council needs to:
- a) Clearly identify the inconsistency (in this case if a consent was granted, the inconsistency would be granting the consent contrary to the terms of the Gambling Policy).
 - b) Give reasons for the inconsistency (why has the Council determined it is appropriate to act inconsistently, which requires identification of the factors for, and against, granting a consent (the executive summary of the NZMTC submission, outlines their five key reasons in support of the consent being granted; this report, and the previous staff report also identify factors that would support the consent not being granted).
 - c) Identify any intention to amend the policy to accommodate the decision (if the Council granted the consent, the Council would need to consider whether this type of situation might arise again and whether it needs to amend the policy as a result).

STAFF RECOMMENDATION

That the Committee recommend to the Council that it refuse the New Zealand Metropolitan Trotting Club's application for a consent under section 98(c) of the Gambling Act 2003 by way of making an inconsistent decision with its Gambling Venue and Totalisator Agency Board (TAB) Venue Policy.

4. PLAN CHANGE 6 – LOCATION OF A RESIDENTIAL UNIT

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|-------------------------------------|--|
| General Manager responsible: | General Manager Strategy and Planning DDI 941 8281 |
| Officer responsible: | Programme Manager District Planning |
| Author: | Peter Lovell, Planner |

PURPOSE OF REPORT

1. The purpose of this report is to recommend that the Council make its decision on Plan Change 6, Location of a Residential Unit, and take steps to make the change operative.

EXECUTIVE SUMMARY

2. At its meeting on 23 April 2009 the Council resolved to notify publicly Plan Change 6 (PC 6). This Council initiated change seeks to extend the provisions that were introduced to Rural zones by Variation 90 to the low density Living Zones.
3. Variation 90, which was made operative in 2006, closed a loophole in the rules for Rural zones that had allowed the creation of house lots on a separate site detached from the balance of the land. This loophole had enabled the creation of clusters of dwellings in rural zones in a manner more like an urban area with the balance of the allotment being held elsewhere. Variation 90 altered this situation by changing the status of such an activity from permitted to one requiring a resource consent for a non-complying activity.
4. Variation 90 was limited in its scope in that it only amended the rules for Rural Zones. Plan Change 6 seeks to extend the changes introduced by Variation 90 to the low density Living 1A, RS, HA and HB zones. A copy of the plan change and the Section 32 assessment are attached to this report (**Attachments 1 and 2**).
5. Public notification of PC 6 attracted three submissions which have now all been withdrawn.

FINANCIAL IMPLICATIONS

6. There are no financial implications.

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

7. The recommendations will not impact on the 2009-19 LTCCP budgets.

LEGAL CONSIDERATIONS

8. Clause 10(1) of Schedule 1 to the Resource Management Act 1991 requires the Council to make a decision on a plan change notwithstanding that there are no live submissions and there has been no hearing. As all submissions have been withdrawn the Council's decision, when made, will be beyond challenge as no party has status to appeal and the decision can be approved under Clause 17(2).

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

9. Making a decision on a plan change, approving the change and making the change operative are steps required by the Resource Management Act 1991.

ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS

10. Aligns with City Plan Activity Management Plan.

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

11. Yes. Supports the LTCCP project of preparing maintaining and reviewing the Christchurch City District Plan.

4 Cont'd

ALIGNMENT WITH STRATEGIES

12. Not applicable.

Do the recommendations align with the Council's strategies?

13. Not applicable.

CONSULTATION FULFILMENT

14. The Resource Management Act 1991 sets out a process for consulting with parties affected by changes to District Plans. This process has been followed.

STAFF RECOMMENDATION

That the Committee recommend that the Council:

- (a) Confirm the Section 32 assessment adopted by the Council on 23 April 2009.
- (b) Decide, pursuant to clause 10(1) of the First Schedule to the Resource Management Act 1991, to adopt the amendments to the City Plan introduced by Plan Change 6, Location of a Residential Unit, for the reasons set out in the explanation to the change.
- (c) Approve Plan Change 6, Location of a Residential Unit, pursuant to clause 17(2) of the First Schedule to the Resource Management Act 1991.
- (d) Delegate to the General Manager, Strategy and Planning, the authority to determine the date on which the provision becomes operative.

5. STRATEGY AND PLANNING 2010/2011 WORK PROGRAMME

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|-------------------------------------|---|
| General Manager responsible: | General Manager Strategy and Planning, DDI 941-8281 |
| Officer responsible: | Strategy Support Manager |
| Author: | Richard Ball, Strategy Support Manager |

PURPOSE OF REPORT

1. The purpose of this report is to seek Council approval for the Strategy and Planning Group's 2010-2011 work programme in accordance with the Activity levels of service within the 2009-2019 Long Term Council and Community Plan (LTCCP).

EXECUTIVE SUMMARY

2. The 2009-2019 LTCCP levels of service for both the Community Long Term Policy and Planning (CCLTPP) and District Plan Activities include a target of "the Council approves a work programme by 30 June for the following financial year". This report presents the work programme for the 2010/2011 year.
3. There is a close relationship in the work undertaken between the CCLTPP and District Plan Activities. The proposed work programmes have been developed by looking at priorities across both activities with a view to delivering the optimal work programme. Much of the preliminary land use planning undertaken with the CCLTPP project requires subsequent changes to the District Plan to implement.
4. The CCLTPP activity covers a diverse range of projects undertaken by the Strategy and Planning Group. The underlying drivers for each component are outlined in detail within the attachments, however implementation of core Council policy documents, such as the Greater Christchurch Urban Development Strategy (UDS), underpin much of the proposed programme of work. The programme includes work on the central city revitalisation, suburban regeneration, greenfields planning and Proposed Change 1 to the Canterbury Regional Policy Statement (PC1).
5. The District Plan work programme is focused on completing existing plan changes and preparation for the District Plan review. The current emphasis is on completing existing plan changes to allow resources to be allocated to the review process. Allowance is also made for processing privately requested plan changes, in accordance with Resource Management Act (RMA) requirements.
6. The details of the proposed work programmes for the CCLTPP and District Plan Activities are outlined in **Attachments 1** and **2** respectively. This includes descriptions, key directions and budgets for all the programmes (clusters of similar and related projects) in these activities. For each cluster, cross reference is also made to the relevant LTCCP levels of service. The clusters within each activity are listed below.

Council and Community Long Term Policy and Planning:

Cross Programme Planning
 Economic Policy
 External submissions and advocacy
 Environmental Policy
 Regulatory Policy
 Regional Planning
 Social Policy
 Transport Policy and Advice
 Central City Development
 Development Advice and Policy
 Greenfields and Smaller Centres
 Urban Development Strategy;
 Urban Regeneration (formerly Strategic Intensification Review or SIR)
 Monitoring and Research.

5 Cont'd

District Plan:

Council Plan Changes
Plan Monitoring and Evaluation
Private Plan Changes and Notices of Requirement.

7. It should be noted that there is considerable uncertainty on aspects of the proposed work programme. Examples include: private plan changes being submitted; Environment Court and other legal appeals being made or resolved: and the Council itself seeking further advice on topics that arise. This will result in some of the proposed programme being delayed or displaced by other unanticipated work as the year progresses.

Financial Implications

8. The proposed programmes align with the available budgets within these Activities. There may be projects that have not been able to be accommodated within these budgets, however, any additional projects require corresponding cuts to other parts of the programme. Moreover, staff capacity for more work is an additional constraint in the short term.

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

9. The recommendations align to the 2009-19 LTCCP budgets and other subsequent funding allocations by the Council (such as additional funding for implementation of the City for People project).

Legal Considerations

10. The proposed work programme has taken account of legislative requirements relevant to each Activity, such as the requirement to process private plan changes (RMA), the proposed review of Community Outcomes (Local Government Act) and appeals on Proposed Change 1 to the Canterbury Regional Policy Statement.
11. The proposed programme has also been impacted by recent legislative changes for Environment Canterbury. For example, the removal of rights of appeal on Environment Canterbury's plan changes places greater importance on our input being early and robust. Similarly, the new Act gives the Canterbury Water Management Strategy legislative recognition.

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

12. Yes, as above.

Alignment With LTCCP And Activity Management Plans

13. The recommendations directly align with the LTCCP and Activity Management Plan levels of service.

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

14. Yes, as outlined above.

Alignment With Strategies

15. The programme aligns and supports key Council policy documents such as the UDS.

Do the recommendations align with the Council's strategies?

16. Yes.

Consultation Fulfilment

17. The budgets and levels of service are consistent with those consulted on through the Annual Plan. There is no requirement for further consultation.

5 Cont'd

STAFF RECOMMENDATION

It is recommended that the Committee recommend that the Council:

- (a) Adopt the 2010-2011 work programme outlined in this report for the District Plan and City and Community Long Term Policy and Planning Activities.

6. REPORT TO THE REGULATORY AND PLANNING COMMITTEE FROM THE ALCOHOL POLICY AND LIQUOR CONTROL BYLAW SUBCOMMITTEE ON ALCOHOL-RELATED ISSUES IN THE ILAM AREA

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|-------------------------------------|--|
| General Manager responsible: | General Manager Strategy and Planning DDI 941 8281 |
| Officer responsible: | Programme Manager Strong Communities |
| Author: | Ilam Alcohol Working Party |

PURPOSE

1. This report presents the findings and recommendations of the Alcohol Policy and Liquor Control Bylaw Subcommittee based on the report from the Ilam Alcohol Working Party. The report summarises the information gathered by the working party and discusses possible options for addressing alcohol-related issues in the Ilam area.

EXECUTIVE SUMMARY

2. On 28 May 2009 the Council adopted the Alcohol Restrictions in Public Places Bylaw 2009 (the "Bylaw"). At the same meeting, the Council agreed that further work be undertaken to investigate the possibility of applying the Bylaw to an area around the University of Canterbury in response to residents' concerns.
3. On 23 June 2009, the Liquor Control Bylaw and Alcohol Policy Subcommittee resolved to form the Ilam Alcohol Working Party consisting of Councillors Yani Johanson (Chair), Helen Broughton and Bob Shearing, and Beth Dunn as the nominated member of the Riccarton/Wigram Community Board. The Terms of Reference of the Working Party were:

That further work be undertaken to investigate the possibility of applying the Bylaw to an area in the public places around the University of Canterbury in Ilam, in conjunction with the Liquor Control Bylaw and Alcohol Policy Subcommittee, and that the Subcommittee be authorised to form any appropriate working parties to give effect to this resolution.

4. The Working Party asked a range of interested parties to comment on their perception of alcohol-related problems or nuisances in the Ilam area¹ (with a focus on the past 12 to 18 months) and any evidence of such problems/nuisances. These parties were Community Watch Riccarton, the Ilam and Upper Riccarton Residents Association, the New Zealand Police, the University of Canterbury Students' Association (UCSA), the University of Canterbury and a small group of residents living in the vicinity of the University. A summary of these meetings is appended as **Attachment 1**.
5. Stakeholders differed in their view of the scale and extent of problems but there appears to be a general consensus that there are problems associated with intoxicated people on the streets. Problems predominantly occur late at night and include:
 - damage and disorderly behaviour
 - broken glass and other litter (on the street and footpaths, and in parks)
 - noise (both from parties and people walking by late at night)
 - local residents, particularly elderly residents, feeling scared and intimidated as a result.
6. The Police and other stakeholders noted that there have been particular issues associated with Bush Bar at the Bush Inn relating to large numbers of people congregating and drinking in the car park area. Problems are also associated with intoxicated people walking from the Foundry Bar at the University to the Bush Bar after the Foundry closed for the night, but this appears to have been moderated by the Liquor Licensing Authority bringing back the time to which the Bush Bar may sell alcohol from 2am to 1am.
7. There was a marked difference in view on the scale of alcohol-related problems and the extent to which the situation has improved in recent years. Residents report problems are worse than in previous years but Community Watch, NZ Police, Ilam and Upper Riccarton Residents Association and the UCSA all stated they believed 2009 was a better year and there was a distorted perception of the issues due to media coverage of historical events.

¹ The area under investigation was broadly defined by the working party as being bounded by Memorial Avenue, Fendalton Road, Deans Avenue, Blenheim Road, Curletts Road, Peer Street and Waimairi Road.

6 Cont'd

8. There is limited data of the evidence available to help determine the scale of problems. Council statistics on complaints about broken glass in the Ilam area indicate that ten or less (non-accident-related) complaints were recorded in each of the past five years. However, due to the fact that broken glass has multiple sources aside from alcohol use and there is limited ability to identify the persons responsible, using broken glass as the defined measure of alcohol issues with students in Ilam is a flawed methodology. Hence, it is not possible to collect this information separately for Ilam within the Council database.
9. Police data on disorder, assaults and wilful damage in the area in the 18 months between 1 January 2008 and 30 June 2009 suggests that the area between Riccarton Road and Blenheim Road is of more concern than the area around the University. The data does not provide a clear picture about whether the situation is improving or getting worse.
10. Residents have stated they feel applying the Bylaw to public places around Ilam would address some of the issues. However, there are mixed views on the cause of the issues being attributed to drinking in public places; most stakeholders feel it is intoxication rather than drinking in a public place that is the underlying issue and an alcohol restriction in public places according to the Bylaw would not address this.
11. Various options aside from instating the Bylaw to the Ilam area have been identified by the Working Party as part of the process of determining appropriate solutions, many of which involve outside agencies and/or lie outside the scope of Council.
12. Two of these tactics have already been actioned due to the critical timing with the start of the university year and orientation week. These were to write to local residents about knowing which agency to contact (either the Council or Police) depending on the issue arising, and to write to the Vice-Chancellor encouraging him to communicate his expectations to students for their alcohol use.
13. One of these options included the establishment of an inter-agency group of key stakeholders that would carry on investigating collaborative tactics to address the issues within the community and to explore ongoing monitoring of the situation in Ilam. As Community and Public Health has taken the initiative to bring together a number of key stakeholder agencies to look at the wider issues of alcohol use amongst university students, it was agreed the best way forward would be to continue this work as part of this overall project with a particular focus on Ilam. This was to avoid duplication of meetings and purpose with the same stakeholders.
14. The Community Development Advisor and the Community Engagement Advisor for Riccarton/Wigram will be the Council's representatives on this inter-agency group, and will be taking a leading role in the management and liaison with the other agencies' representatives, local residents and the Community Board.
15. The key recommendations from the Ilam Alcohol Working Party are:
 - Not to consider applying the Alcohol Restrictions in Public Places Bylaw 2009 (either permanent or temporary) in the Ilam and Riccarton area at this time.
 - To propose that the Council investigate further the installation of CCTV cameras for Ilam Road that will link into the University Security system
 - To propose the kerbside bin collection days are changed from Thursday to earlier in the week.
 - Note the Council is to be a lead agency working with key stakeholders in the community to monitor the situation, compile data and look at collaborative short and long term options to address the ongoing issues within the Ilam area.
 - To reconvene the Ilam Alcohol Working Party in July to review the monitoring and effectiveness of initiatives put in place with a view to giving consideration to the formation of a governance group.
 - To requests that the Call Centre develop an improved system to record nuisance type complaints in the Ilam area that do not generate a request for service.

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BACKGROUND

16. On 28 May 2009 the Council adopted the Alcohol Restrictions in Public Places Bylaw 2009. The bylaw prohibits the consumption of alcohol and restricts the possession and carriage of alcohol in public places within certain areas of the district (Alcohol Ban Areas). At the same meeting, the Council agreed:

That further work be undertaken to investigate the possibility of applying the Bylaw to an area in the public places around the University of Canterbury in Ilam, in conjunction with the Liquor Control Bylaw and Alcohol Policy Subcommittee, and that the Subcommittee be authorised to form any appropriate working parties to give effect to this resolution.

17. On 23 June 2009, the Liquor Control Bylaw and Alcohol Policy Subcommittee resolved to form a working party consisting of Councillors Yani Johanson (Chair), Helen Broughton and Bob Shearing, and a nominated member of the Riccarton/Wigram Community Board. Beth Dunn was subsequently nominated by the Community Board.

Legislative requirements

Power to make a liquor control bylaw

18. The Local Government Act 2002 enables the Council to make bylaws for liquor control purposes. Such bylaws can prohibit, regulate or control:

- (a) the consumption of liquor in a public place
- (b) the bringing of liquor into a public place
- (c) the possession of liquor in a public place
- (d) in conjunction with a prohibition under (a) to (c), the presence or use of a vehicle in a public place (section 147(2)).

19. A public place is defined as a place that is “under the control of the territorial authority” and “open to, or being used by the public, whether or not there is a charge for admission”. It includes a road, whether or not the road is under the control of the territorial authority (section 147(1)).

20. Section 147(3) provides for certain exemptions relating to unopened bottles or containers, including commercial deliveries to licensed premises, carrying alcohol bought from an off-licence, carrying alcohol to or from BYO licensed premises and carrying alcohol to or from private residences. Some of these exemptions require the alcohol to be promptly removed from public places covered by alcohol restrictions.

Procedure for making bylaws

21. Other sections of the Local Government Act 2002 set out the procedure that must be followed in making bylaws.

22. Section 155 (1) provides that, before making a bylaw, the Council must “determine whether a bylaw is the most appropriate way of addressing the perceived problem.” If so, the Council must then determine whether the proposed bylaw (a) is the most appropriate form of bylaw and (b) gives rise to any implications under the New Zealand Bill of Rights Act 1990 (section 155(2)). A bylaw cannot be made that is inconsistent with the New Zealand Bill of Rights Act 1990 (section 155(3)).

23. Section 156 requires that the special consultative procedure, as modified by section 86, be used when making, amending or revoking a bylaw made under the Act. Section 86 requires that the Council's statement of proposal include a draft of the proposed bylaw or a statement that the bylaw is to be revoked, reasons for the proposal and a report on the Council's determinations under section 155. Section 157 sets out requirements for public notice of the bylaw and the availability of copies, once a bylaw has been made.

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Problem definition

24. The Working Party asked a range of interested parties to comment on their perception of alcohol-related problems or nuisances in the Ilam area² (with a focus on the past 12 to 18 months) and any evidence of such problems/nuisances. The working party met with Community Watch Riccarton, the Ilam and Upper Riccarton Residents Association, the New Zealand Police, the University of Canterbury Students' Association (UCSA), the University of Canterbury and a small group of residents living in the vicinity of the University. A summary of these meetings is appended as Attachment 1.

Nature of problems

25. While stakeholders differed in their view of the scale and extent of problems (see below), there appears to be a general consensus that there are problems associated with intoxicated people on the streets. Problems predominantly occur late at night but also during the day at times. Problems include:

- damage and disorderly behaviour
- broken glass and other litter (on the street and footpaths, and in parks)
- noise (both from parties and people walking by late at night)
- local residents, particularly elderly residents, feeling scared and intimidated as a result.

26. Residents living in the area – most of whom live on or near the section of Ilam Road that runs between Riccarton Road and the University – identified a wide range of damage and disorderly behaviour, including:

- damage to trees, fences and letterboxes
- bottles being thrown into residents' gardens and at their windows
- people urinating on parked cars and defecating in parks and gardens
- plants and a watering system being ripped out of a resident's garden
- shopping trolleys being used as barbecues
- people lighting bonfires
- full wheelie bins being tipped over at night
- damage to the road surface as a result of a mattress, couch and other items being burnt.

Location-specific issues

27. As noted above, most of the issues identified by residents relate to the streets and area around Ilam Road between Riccarton Road and the university. Residents commented that issues can vary from street to street.

28. The Police and other stakeholders noted that there have been particular issues associated with Bush Bar at the Bush Inn. The main problem appears to relate to large numbers of people congregating and drinking in the car park area rather than the bar itself. There have also been problems associated with intoxicated people walking from the Foundry Bar at the university to the Bush Bar after the Foundry closed for the night. However, this particular issue appears to have been moderated by the Liquor Licensing Authority bringing back the time to which the Bush Bar may sell alcohol from 2am to 1am.

Times/days of week

29. Stakeholders reported that most problems occur at the end of the week on Thursday, Friday or Saturday nights. There have also been issues on Wednesday nights in the vicinity of the Bush Inn, which seem to have reduced following the reduction to the Bush Bar opening hours.

30. Since the introduction of the new kerbside bin system, Wednesday nights have proved problematic for tipping bins along Ilam roads and other residential streets between the Bush Bar and University halls.

31. Residents report that most incidents occur late at night (after midnight) and that incidents are more likely to occur on warm nights, nights when there is a Super 14 game on, and after a big student event (such as the end of lectures function). Residents noted that Community Watch Riccarton stops patrolling the streets at 11pm, before most incidents arise.

² The area under investigation was broadly defined by the working party as being bounded by Memorial Avenue, Fendalton Road, Deans Avenue, Blenheim Road, Curletts Road, Peer Street and Waimairi Road.

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Scale of problems

32. There was a marked difference in view on the scale of alcohol-related problems and the extent to which the situation has improved in recent years. Community Watch Riccarton and the Ilam and Upper Riccarton Residents Association consider that 2009 has been a 'better' year than previous years. Community Watch Riccarton commented that many issues reported in the media are historical and that it appears there are discrepancies between the residents' perceptions of events and the actual events that occur, which may lead to an over-reporting of incidents at times. The University of Canterbury and the UCSA commented that the scale of the problem needs to be kept in perspective, given the large number of students and other young people living in the area, and that at times behavioural problems were incorrectly attributed to students
33. Residents living in the area, on the other hand, report that the situation has worsened in the past five years. One resident expressed particular concern about the impact such issues are having on elderly residents, who have become frightened and intimidated and are considering moving. Residents acknowledge, however, that the recently reduced hours of the Bush Bar has led to fewer problems on Wednesday and Thursday nights.
34. There is limited data available to help determine the scale of problems. Council statistics on complaints about broken glass in the Ilam area indicate that ten or less (non-accident-related) complaints were recorded in each of the past five years. Discussions with residents and the Ilam and Upper Riccarton Residents Association suggest broken glass is under-reported, with residents either unaware that they can call the Council or unprepared to do so because of a perceived lack of response when calls have been made.
35. Police data on disorder, assaults and wilful damage in the area in the 18 months between 1 January 2008 and 30 June 2009 suggests that the area between Riccarton Road and Blenheim Road is of more concern than the area around the university. The data does not provide a clear picture about whether the situation is improving or getting worse.

Cause of problems

36. There appears to be a general consensus that problems are alcohol-fuelled and arise when intoxicated people migrate between licensed premises, parties and other events, and their home. A number of stakeholders commented on how the easy availability and low price of alcohol purchased from supermarkets and bottle stores contributes to high levels of alcohol consumption and 'pre-loading' before going to licensed premises and events.
37. A number of stakeholders noted that it is not necessarily students that are causing all the problems. Community Watch Riccarton, for example, advised that approximately half of those excluded from local bars through the Com-Be-Zone initiative were not students. Residents living near the university, on the other hand, feel that students are the cause of most of the problems they experience and noted that things tend to quieten down at the end of the university year in November.
38. There are also mixed views on whether people are drinking alcohol in the streets and other public places. Community Watch Riccarton and the Police are of the view that the underlying issue is intoxication rather than people consuming alcohol in the streets. The UCSA also sees intoxication as the primary issue. Residents, on the other hand, consider that both intoxication and the consumption of alcohol in the streets are issues of concern and point to the level of broken glass in the streets as evidence of the latter.

Options

39. The Working Party was established for the express purpose of investigating the possibility of applying the Bylaw to the Ilam area. However, in doing so, it is necessary to determine whether applying the Bylaw is the most appropriate way of addressing perceived problems. A number of options have been canvassed in discussions with stakeholders.

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40. Existing mechanisms for addressing alcohol-related issues in the Ilam area include:

- patrols of the area by Community Watch Riccarton
- the Com-Be-Zone initiative
- Police response to specific incidents as they occur
- the presence of a Police officer on-campus, available to encourage responsible behaviour by students and respond to complaints
- the UCSA Neighbourhood Relationship and Responsibility Programme
- University of Canterbury disciplinary procedures.

41. Additional options raised in discussions include:

- ensuring that residents are aware of who to ring to make complaints about specific issues such as broken glass, noise and damage to private property
- extending community patrols through a “guardians of the streets” approach and/or the use of Safe City Officers (while not raised in discussions, the use of Maori wardens is another possible approach)
- placing CCTV cameras in known trouble spots
- Bush Bar security staff and Police making more use of their authority to trespass people from the Bush Inn car park area
- the Vice-Chancellor setting out expectations for student behaviour at the start of every academic year
- making environmental changes to the car park area at the Bush Inn in order to discourage congregation
- approaching the landlords of tenants known to be a source of problems
- restricting the number of liquor licences in the area
- changing the dates of kerbside bin collection from Thursdays to earlier in the week
- providing greater education about the effects of alcohol
- applying the Bylaw to the Ilam area permanently
- applying the Bylaw to the Ilam area temporarily, focused on specific events such as Orientation and/or the Tea Party
- establishing a mechanism for key stakeholders to jointly ‘own’ the problem, determine what actions are necessary and regularly review the situation
- doing nothing – bearing in mind that legislative changes are likely to result from the Law Commission’s review of liquor laws.

42. There are advantages and disadvantages associated with each option and no one option will provide ‘the answer’ to what is a longstanding social problem. A summary analysis of options is provided in **Attachment 2**.

Permanent liquor ban

43. The purpose of the Alcohol Restrictions in Public Places Bylaw is “to reduce alcohol-related harm, damage, disorder and crime and to improve community safety by putting alcohol restrictions in some public places.” The bylaw aims to achieve this by prohibiting the consumption of alcohol and restricting the possession and carriage of alcohol in certain areas of the district.

44. There are mixed views about whether applying the Bylaw would help to address alcohol-related issues in the Ilam area. Residents who met with the working party strongly support this, as does the Ilam and Upper Riccarton Residents Association. However, other stakeholders do not support it. Crucially, applying the Bylaw to the Ilam area is not supported by the New Zealand Police, who would be responsible for its enforcement.

45. The difference in views reflects the different views of the problem to be addressed. As noted above, most stakeholders consider that intoxication is the key problem and that applying the Bylaw would not prevent intoxicated people from walking along the streets at night (and potentially creating a nuisance). In addition, they note that the Police does not have the resources to enforce a permanent alcohol ban in public places, which means that the ban would also be ineffective in preventing people from drinking in the streets (if indeed this is a problem). Moreover, applying the Bylaw would not apply to private land such as the car park area at the Bush Inn, outdoor areas in student flats or any of the university grounds.

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46. Residents who met with the Working Party, on the other hand, consider that there is a problem with people drinking in the streets and that applying the Bylaw would provide an additional tool for the Police to deal with those who are causing (or may go on to cause) problems in the neighbourhood. It may also help to reduce the level of broken glass and other litter in the streets.

How is Ilam different from the other areas where the Bylaw prohibiting alcohol in public places applies?

47. During the working party's meetings, there has been some discussion about how the situation in Ilam compares to the situation in areas where the Bylaw is already in place. The area assessments undertaken for the Alcohol Restrictions in Public Places Bylaw 2009 indicate different issues in different areas:

- In some areas, issues relate to the congregation of people specifically for the purpose of consuming alcohol, leading to problems of broken glass, disorder and other alcohol-related crime. Such areas include the Central City, Hagley Park, New Brighton Mall and beachfront and Jellie Park. There are particular safety issues around the presence of broken glass in popular park and beach areas. At Jellie Park, older youths were apparently supplying alcohol to children using the skate park.
- In two areas – Akaroa and Spencer Park – issues are confined to New Year's Eve, when large numbers of young people have gathered for the purpose of consuming alcohol.
- Some areas have been a meeting point for 'boy racers' and their associates. Consumption of alcohol has been identified as an aggravating factor in the resulting damage and disorder in these areas. Examples include the South Colombo Street area, the Sumner Esplanade and the boundaries of the Central City and Hagley Park.
- With regards to the Northlands Mall area, problems have arisen from a combination of 'party bus' clientele being dropped off in the area and consuming alcohol in the streets, people migrating between bars with takeaway alcohol, and people gathering in the nearby St James Park area to drink.

48. None of the above situations applies to the Ilam area. While there are issues associated with the congregation of drinkers in the Bush Inn car park and for special events at the University, these are not public places, unlike the other areas that are subject to the Bylaw. The existing Bylaw areas are also different in that the Police supported applying the Bylaw to these areas. In these cases, the Police viewed applying the Bylaw prohibiting alcohol in public places as providing an opportunity to remove potential offenders or victims from 'hot spots' and thereby preventing crime from occurring later in the evening.

49. Consideration was also given to implementing the Bylaw to the Merivale Mall area due to alcohol-related problems associated with the migration of people between the various licensed premises in the area. However, it was noted that problems related largely to private land (such as car parks) and that applying the Bylaw was not the most appropriate way of addressing these problems.

Working Party conclusion

50. On balance, the working party considers that there is insufficient evidence to justify permanently applying the Bylaw to the Ilam area at this stage. The Working Party notes that this may be a consequence of the limited systems for capturing the evidence – particularly whether alcohol-related issues in the area are caused by people drinking in public places. Moreover, Police support is critical to ensure that the Bylaw can be enforced. As already noted, the Police do not support applying the Bylaw to the Ilam area. However, continued monitoring of the situation is required to enable the Council to act should the need arise.

Temporary liquor ban

51. The Alcohol Restrictions in Public Places Bylaw 2009 makes provision for the Council to declare a temporary alcohol prohibition public area by resolution. One option is therefore to apply the Bylaw temporarily to help address alcohol-related issues associated with certain special events (for example, Orientation week or the end of year Tea Party).

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52. The Bylaw requires the Council to consider the following before it declares a temporary alcohol ban in public places area:
- (a) if the proposed ban relates to an event:
 - (i) the nature of the expected event
 - (ii) the number of people expected to attend
 - (iii) the history of the event (if any)
 - (iv) the area in which the event is to be held
 - (b) the nature and history of alcohol-related problems usually associated with the area, together with any anticipated alcohol-related problems
 - (c) whether the benefits to local residents and to the city would outweigh the restrictions the resolution would impose on local residents and other people, including those who may be attending any events, in the area covered by the resolution
 - (d) any information from the Police and other sources about the proposed dates, the event or the area to be covered by the resolution
 - (e) whether the Police support the proposed temporarily applying of the Bylaw to an area
 - (f) any other information the Council considers relevant.
53. The agreed process for temporarily applying the Bylaw to an area is that the relevant Community Board investigates the proposal, including the matters listed above and any implementation requirements such as signage or advertising, and associated costs. If the Community Board agrees that there is a need for this, it must then report to the Regulatory and Planning Committee, which, if it agrees, will refer the report to the Council. The process takes a number of months to complete.
54. There are mixed views about the value of temporarily applying the Bylaw to the Ilam area. On the one hand, any such ban can be timed to coincide with large special events, when there is likely to be large numbers of people consuming alcohol before and after the event, and when the Police have additional resources to enforce the Bylaw. On the other, temporarily applying the Bylaw to an area will not prevent people from becoming intoxicated and subsequently causing damage or other nuisances in the area, and would not apply to privately owned land.
55. Temporarily applying the Bylaw to the Ilam area would only apply to a specific event in a specific year. If the Bylaw were to apply to an event (such as Orientation) every year, then permanently applying the Bylaw that is only in force on certain dates (such as the existing bans on New Year's Eve) would be a more appropriate option.

Working Party conclusion

56. The Working Party is of the view that temporarily applying the Alcohol Restrictions in Public Places Bylaw 2009 may be a useful tool around particular events that exacerbate the behavioural issues. The inter-agency stakeholder group (identified later in this report) is best positioned to approach the Community Board about the application of temporarily applying the Bylaw if and when it believes such a temporary measure is warranted.

Non-regulatory options

57. A number of the options summarised in Attachment 2 require other agencies such as the Police or University to action; hence they are beyond the scope of the Council's authority. However, the Council can provide leadership and support in a collaborative approach with other key stakeholders to develop a package of non-regulatory options to address the issue.

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58. The option for communication to local residents about which agency to contact for the different issues (i.e. broken glass or damage to private property) has been implemented by staff. A letter to Ilam residents was drafted and approved by the Police Southern Area Commander and the University of Canterbury Campus Security Manager. This letter, along with a Safer Christchurch refrigerator magnet highlighting the main numbers to phone for the various issues, was letter-dropped to residents in the area surrounding the University and along Riccarton Road during Orientation Week. Please refer the **Attachment 3** for a copy of the letter and fridge magnet sent to residents.
59. Another option identified and actioned has been the letter sent to the Vice-Chancellor, Dr Rod Carr, by the Working Party chairperson and the Mayor encouraging his communication to students about their responsibilities over alcohol consumption and their behaviour reflecting on the university's position as a good neighbour (refer **Attachment 4**). Dr Carr has confirmed he received the letter in personal communication, but has not written to the students in the current academic year as of yet due to the other tactics employed by the UCSA, the University Security Team and the Student Village Manager appearing to effectively be managing the issues at present. Dr Carr also acknowledged there are times that it is appropriate for the university to be involved and he will consider exploring those options at the times it is needed.
60. An issue that has arisen since the start of the University term has been the vandalism and tipping over of kerbside bins. This is because the collection day of the bins is on Thursday morning, so residents put them out for collection on Wednesday nights, a known heavy drinking night at the Bush Bar. When intoxicated people are travelling back from the Bush Bar, these bins have been knocked over and their contents scattered in the streets. The Police Southern Area Commander has complained about the 'warzone' state of the streets on Thursday mornings. The kerbside collection contractor has reported this has a weekly cost for the extra time his staff needs to clean up after the students. Changing the collection day is a possible action Council can take to address this.
61. One option identified is the establishment of a working group comprising key stakeholders such as the Community Board, the Police, Community and Public Health, the University of Canterbury, the UCSA, residents and licensees. The role of such a working group would be to develop a shared view of the problem, determine what actions are required to address it and review progress over time. Working collaboratively in this way would ensure a more integrated response and may encourage the identification of more creative solutions.
62. A new working group would need to establish mechanisms for gathering better information on the nature of the problem and monitoring the extent to which agreed actions are having an effect in improving the situation. This would enable a more informed assessment of whether applying the Bylaw is necessary in the Ilam area. However, bringing together key stakeholders provides an opportunity to pursue alternative options, regardless of whether or not applying the Bylaw is recommended at this stage.
63. Community and Public Health (CPH) has contracted a tertiary health promoter to focus on university student alcohol consumption in the Christchurch city region. Some of the key identified agencies were brought together for discussion around the wider issues in early February by CPH. Contact was made with the health promoter to suggest collaboration for ongoing issues in Ilam specifically.
64. Initial discussions to gauge interest in a collaborative approach have occurred with key stakeholders from the Police, Community and Public Health, University of Canterbury Campus Security, the UCSA, the University Village (student accommodation) management, and Liquor Licensing staff about working collaboratively as an inter-agency group within the Ilam area. All are in agreement thus far. The option exists for local residents to be involved on neighbourhood-specific tactics and it is anticipated they will be approached in the near future.
65. As this is a local community issue, the Council Community Development Team has agreed to take the lead role on behalf of the Council to work with the inter-agency group. Currently, the Riccarton/Wigram Community Development Advisor is working with the Community Engagement Advisor to develop the Terms of Reference for the key stakeholders to operate under.
66. Ilam residents have expressed concern that they have been talking to the Council (and others) about alcohol-related issues for a number of years now and have yet to see any real progress. While there is a risk that a new working group could be seen as 'more talk', it also provides an opportunity for the local community to take greater ownership of the problem and play a role in finding solutions.

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WORKING PARTY CONCLUSION

67. The working party considers that there would be value in the Council coordinating an inter-agency group to jointly develop a package of non-regulatory options (which might include some of the options summarised in Attachment 2). A key task of this group should be to collect better information on the nature of the problems in order to monitor the effectiveness of any initiatives put in place. If necessary, the group could also reconsider the need for permanent applying the Alcohol Restrictions in Public Places Bylaw 2009 timed to coincide with certain events (such as Orientation) once better information is available.
68. Additionally, the working party request that the kerbside collection days be looked at to address the bin tipping issue occurring on Wednesday evenings.

FINANCIAL IMPLICATIONS

69. There are financial implications for Council for a variety of tactics identified. Immediate resourcing needs include the leading by and involvement of Council staff in the inter-agency group. Additional resourcing for identified recommendations includes the cost of security cameras for the CCTV and communication to residents if the kerbside bin collection days are changed.
70. If Council decides to proceed with applying any form of the Bylaw to the area (either temporarily or permanently), signage and communication costs will need to be factored into the costs of implementing the ban.
71. Some of the initiatives identified have already been implemented; for instance, the communication to Ilam residents about which agency to ring for the different issues. The costs of this tactic have been absorbed within the existing budgets of Safer Christchurch and Strategy and Planning. However, this was limited to a targeted area and if the communication material was to be spread to a wider area, additional resourcing will be needed to do this.

ALIGNMENT WITH COUNCIL STRATEGIES

72. The recommendations align with the Strengthening Communities Strategy 2007 and the Safer Christchurch Strategy 2005.

WORKING PARTY RECOMMENDATION

73. The Working Party recommends that the Subcommittee:
- (a) Does not consider applying the Alcohol Restrictions in Public Places Bylaw 2009 (either permanent or temporary) in the Ilam and Riccarton area at this time.
 - (b) Recommends Council investigates further the provision of additional CCTV cameras for Ilam Road to link into the University Security System.
 - (c) Recommend Council staff investigate changing the kerbside bin collection day from Thursday to earlier in the week to save operational costs for cleanup and vandalism to bins.
 - (d) Note that the Council is to be a lead agency working with key stakeholders in the community to monitor the situation, compile data and look at collaborative short and long term options to address the ongoing issues within the Ilam area.
 - (e) Reconvenes the Ilam Alcohol Working Party in July to review the monitoring and effectiveness of initiatives put in place by hearing from stakeholders and the inter-agency group with a view to giving consideration to the formation of a governance group.
 - (f) Requests that the Call Centre develop an improved system to record nuisance type complaints in the Ilam area that do not generate a request for service.

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SUBCOMMITTEE RECOMMENDATION

74. The Subcommittee recommends to the Regulatory and Planning Committee that it:

- (a) Does not consider applying the Alcohol Restrictions in Public Places Bylaw 2009 (either permanent or temporary) in the Ilam and Riccarton area at this time.
- (b) Recommends Council investigates further the provision of additional CCTV cameras for Ilam Road to link into the University Security System and in the first instance, the request for funding for CCTV cameras be considered by the Riccarton/Wigram Community Board.
- (c) Recommends Council staff investigate changing the kerbside bin collection day from Thursday to earlier in the week to save operational costs for cleanup and vandalism to bins and report back to the Council by the end of July 2010.
- (d) Notes that the Council is to be a lead agency working with key stakeholders in the community to monitor the situation, compile data and look at collaborative short and long term options to address the ongoing issues within the Ilam area.
- (e) Reconvenes the Ilam Alcohol Working Party in July to review the monitoring and effectiveness of initiatives put in place by hearing from stakeholders and the inter-agency group with a view to giving consideration to the formation of a governance group to investigate Community safety and well-being initiatives in the Ilam area and to report back to the Regulatory and Planning Committee by the end of the current term.
- (f) Requests that the Call Centre develop an improved system to record nuisance type complaints in the Ilam area that do and do not generate a request for service.

7. BYLAWS: ANNUAL PERFORMANCE AND DATA ANALYSIS REPORT 2009

| | |
|-------------------------------------|---|
| General Manager responsible: | General Manager Strategy and Planning Group, DDI 941-8281 |
| Officer responsible: | Programme Manager, Strong Communities, Strategy and Planning Group |
| Author: | Alice Mortlock, Assistant Policy Analyst, Strategy and Planning Group |

PURPOSE OF REPORT

1. The purpose of this report is to inform the Regulatory and Planning Committee of the operation of four bylaws and their associated nuisances in Christchurch City and Banks Peninsula as they relate to the Council's bylaw-making powers for a six month period (1 July 2009 to 31 December 2009) (**Attachment 1**).

EXECUTIVE SUMMARY

2. At a special Council meeting to consider proposed new bylaws on 19 June 2008, the Council made a series of resolutions seeking a review of, and report back on, the bylaw review process. The Council's resolution of 19 June 2008 requested that Officers review how adequate the Council's current data collection system is in meeting the requirements to demonstrate nuisance issues when the Council reviews or considers making new bylaws. There was a recognition that previously there had been flaws with the Council's data collection system regarding the detection of nuisances and the recording of complaints and offences.
3. A Council Resolution made on 27 August 2009 instructed staff to provide a report on the operation and enforcement of each Christchurch City Council Bylaw to the Regulatory and Planning Committee on an annual basis.
4. Each annual report will be used to inform the bylaw reviews, and Councillors' knowledge of each bylaw's operation and nuisances in Christchurch City and Banks Peninsula as they relate to Council's bylaw-making powers in a clear, plain-English, and style-consistent format.
5. Data for these annual reports has been largely taken from the complaints lodged in the Customer Service Request System (CSR). The period of time investigated is from 1 July 2009 to 31 December 2009. Due to the short time-frame for the first annual reports, data concentrated on complaints as they relate to the following high interest bylaws:
 - (a) Waste Management Bylaw 2009
 - (b) Parks and Reserves Bylaw 2008
 - (c) Traffic and Parking Bylaw 2008
 - (d) Alcohol Restrictions in Public Places Bylaw 2009
 - (e) Dog Control Bylaw 2008
 - (f) Public Places Bylaw 2008.
6. The four reports for this month concern:
 - (a) Traffic and Parking Bylaw 2008
 - (b) Alcohol Restrictions in Public Places Bylaw 2009
 - (c) Dog Control Bylaw 2008
 - (d) Public Places Bylaw 2008.

The other two Bylaws were addressed at the Regulatory and Planning Committee meeting on 6 May 2010.
7. These initial reports report on nuisances from a six month period of bylaw operation and are at a very high level scope. These initial reports could provide benchmark data for the next full annual reports. Feedback is sought from the Committee on the usefulness of the information and the way it is presented.
8. During the period investigated, Council staff may have identified new nuisances. These new nuisances will be discussed in the annual reports as identified and if relevant.

7 Cont'd

9. It must be acknowledged that there are disadvantages with gathering data only from the CSR System. For example, the data in the CSR System illustrates some people's level of irritation with an issue, but are not necessarily an indication that an issue is a nuisance city-wide.
10. Efforts will be made with the full annual reports to examine other possible sources of data, for example contractor data, data collection campaigns, unit databases, residents surveys, and other tailored research and investigations.

FINANCIAL IMPLICATIONS

11. There are no direct financial implications of this report.

ALIGN TO 2009-19 LTCCP

12. Yes.

LEGAL CONSIDERATIONS

13. There is no legal requirement to produce reports of this type. The process for bylaw-making under the Local Government Act 2002 requires good evidence of issues and nuisances.

ALIGNMENT TO LTCCP AND AMP'S

14. There is no direct alignment. The report is consistent with good practice on regulation issues.

CONSULTATION FULFILMENT

15. Consultation has been undertaken internally.

STAFF RECOMMENDATION

It is recommended that the Regulatory and Planning Committee receives the reports on the operation of the Traffic and Parking Bylaw 2008, the Alcohol Restrictions in Public Places Bylaw 2009, the Dog Control Bylaw 2008, and the Public Places Bylaw 2008.

8. STRUCTURES ON ROADS POLICY 2010

| | |
|------------------------------------|---|
| General Manager responsible | General Manager City Environment, DDI 941-8608 |
| Officer responsible | Asset and Network Planning Manager |
| Authors | Tina von Pein, Weng-Kei Chen, Zefanja Potgieter |

PURPOSE OF REPORT

1. This report aims to seek the Regulation and Planning Committee's approval for the proposed Structures on Roads Policy 2010 (**Attachment A**).

EXECUTIVE SUMMARY

2. With the 2006 amalgamation of Banks Peninsula District Council (BPDC) and Christchurch City Council (the Council) some operational policies specific to each area remained in existence for the respective areas.
3. With the adoption of the Public Places Bylaw 2008 (the bylaw) the policies related to structures on roads were identified as needing review to ensure they appropriately give effect to the bylaw. The Council therefore appointed a Public Places Policies Working Party which has worked with staff on the review of this policy and the other operational policies that relate to matters covered by the bylaw.
4. On 4 March 2010 the Committee considered the draft policy and requested that feedback from all Community Boards be obtained, with feedback listed in **Attachment B**. Valuable contributions were received from the Community Boards, resulting in improvements to the policy.
5. The proposed Structures on Roads Policy 2010 provides a single policy for the whole of the city and incorporates and replaces the following:

(a) Current Council policies:

- (i) Airspace over Public Roads - Granting Rights.
- (ii) Structures on Roads (Ramp, Retaining Walls, Garage, Parking Platform etc).

Note: "Use of Legal Road as Licensed Premises policy": The ability of the Council to revoke a permit to occupy legal road as licensed premises as currently contained in this policy now forms part of each individual permit issued by the Council and is therefore not retained.

(b) Current BPDC policies (all part of the Banks Peninsula roading Policy):

- (i) Structures on Legal Roads in Urban Areas - License to Occupy Policy.
- (ii) Retaining Walls - Responsibility Policy.
- (iii) Fencing Policy.

The proposed policy therefore provides clarity and consistency in the management of applications for structures on or above roads throughout the Council area.

6. For most of its content the proposed policy incorporates the current Council policies with updated wording and minor changes. The provisions in the existing 'city' and 'peninsula' policies are overall similar in nature. There are also some additions e.g. the provisions relating to verandas and fences, and inclusion of the Banks Peninsula fences policy into the new policy for the whole city. Current provisions in both Council and BPDC policies which addresses council operational procedures (and do not belong in policy statements) were not retained.

8 Cont'd

7. This policy addresses only structures of permanent nature on or above roads and therefore does not deal with temporary structures on roads such as those associated with restaurants and cafes occupying sidewalks, which is planned for consideration and consultation during 2011. The policy also does not address boat sheds.
8. In summary, the proposed policy achieves a streamlining and consolidation of policies, and incorporates:
 - (a) Provisions relating only to verandas previously in the Public Places Bylaw 1992.
 - (b) Changed provisions relating to fences.
 - (c) New provisions on the use of airspace over roads for architectural features.
 - (d) New provisions for infrastructural services and other structures.
 - (e) Various improvements recommended by the Community Boards as detailed in Attachment B.

Key stakeholder groups were contacted in writing about the proposed review, and no concerns were received.

9. It is not proposed to have a Special Consultative Procedure for the Structures on Roads Policy. The policy will become operative once adopted by the Council, where after relevant stakeholders will be notified in writing.

FINANCIAL IMPLICATIONS

10. Current policy enforcement is undertaken on a 'response to a complaint' basis. It is anticipated that this will remain the same with the adoption of a reviewed policy, with no anticipated additional expenses.

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

11. Yes.

LEGAL CONSIDERATIONS

12. The Public Places Bylaw 2008 came into force on 1 July 2008. Clause 8 of the bylaw provides for operational policies to be formulated, relating to matters regulated by the bylaw. Such policies must be adopted by Council resolution, and may include information on application procedures, administrative arrangements, terms and conditions related to activities in public places, definition of terms and other guidance information.
13. The consideration and adoption of such policies must be done in accordance with the Council's usual decision-making processes under the Local Government Act 2002.

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

14. Initial analysis of this policy and the potential review requirements have been considered in relation to the Council Policy on Determining Significance, and the level of formal consultation that may be required has also been considered.

ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS

15. The following LTCCP chapters are relevant: 5.3 City Promotions – 5.3.2 Promoting the City as an attractive place to live, learn and work.– 9.0 Enforcement and Inspections – Protect public health & safety; enforce compliance.

8 Cont'd

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

16. As above.

ALIGNMENT WITH STRATEGIES OR OTHER BYLAWS

17. The Structures on Roads Policy is aligned to the following Christchurch City Council strategies, plans and policies:
- (a) Central City Revitalisation Strategy.
 - (b) Safer Christchurch Strategy.
 - (c) Pedestrian Strategy.
 - (d) Parking Strategy.
 - (e) Equity and Access for People with Disabilities Policy.
 - (f) Long Term Council Community Plan.
18. This policy gives effect to the Public Places Bylaw 2008 and should be read in conjunction with the Council's General Bylaw 2008, the Traffic and Parking Bylaw 2008, the Parks and Reserves Bylaw 2008, and the relevant rules, policies and objectives in the District Plan/City Plan.

Do the recommendations align with the Council's strategies?

19. Yes

CONSULTATION FULFILMENT

20. Attachment B contains the feedback received from Community Boards. Potentially affected external parties and associations were invited to provide feedback on any concerns, and no concerns were raised.

STAFF RECOMMENDATION

That the Committee recommends to the Council that it:

- (a) Adopt the attached Structures on Roads Policy 2010.
- (b) Revoke the following policies:
 - (1) Christchurch City policies:
 - (i) Airspace over Public Roads - Granting Rights.
 - (ii) Structures on Roads (Ramp, Retaining Walls, Garage, Parking Platform etc).
 - (2) The following sections of the Banks Peninsula Roding Policy):
 - (i) Structures on legal Roads in Urban Areas - License to Occupy Policy.
 - (ii) Retaining Walls - Responsibility Policy.
 - (iii) Fencing Policy.

8 Cont'd

BACKGROUND

21. On 1 July 2008 the Christchurch City Council Public Places Bylaw 2008 became operative.
22. The bylaw enables the management of public places in order to balance the various different, and sometimes competing, lawful uses for which public places may be used. It seeks to provide for reasonable controls to protect health and safety, to protect the public from nuisance and to provide for the regulation of trading in public places.
23. Following the adoption of the bylaw a new operational policy was proposed to be developed from a review of the 12 relevant existing policies and associated matters. The policies all relate to the clauses in the bylaw that regulate commercial activities and obstructions in public places (clauses 6 and 7). This report only deals with the specific policies of the 12 that deal with structures on roads. The remaining policies have either already been considered by the Council (*Trading and Events in Public Places* in February 2010) or will be considered later in 2010/2011.
24. The current policies were developed before the amalgamation of Banks Peninsula District Council and the Christchurch City Council, and all were developed before the adoption of the new bylaw. The policies therefore needed to be reviewed to ensure that they are still necessary, appropriate and that they are fit for purpose. The review of the policies addresses the following criteria:
 - (a) Rationalise the current policies where needed.
 - (b) Establish whether current practice and needs align with the policies.
 - (c) Assess whether any new matters need to be included.
 - (d) Establish whether the policies align with the bylaw.
 - (e) Take account of internal (Council) needs and external (stakeholder) needs.
25. In addition to these 12 policies, related operational issues have been identified that would benefit from being included in or adopted into the new operational policy, resulting in some new areas of consideration.
26. On 2 February 2009, the Regulatory and Planning Committee agreed to appoint a working party to work with staff to discuss the review of operational policies that relate to matters covered by the Public Places Bylaw 2008. The members of the Public Places Policies Working Party are Councillors Wells, Wall, Shearing, Reid and Johanson. The Working Party concluded its deliberations during 2009 with a meeting on 4 December 2009. Due to the considerable workload of reviewing all 12 policies, the Council on 24 September 2009 approved a timetable to split consideration of the 12 policies into a first group to be finalised by June 2010 (including those considered in this report), with the remainder to be considered in 2011 after the 2010 local government elections.
27. The proposed Christchurch City Council Structure on Roads Policy 2010 provides a single policy for the whole of the city and incorporates and replaces the following:
 - (a) Current Council policies:
 - (i) Airspace over Public Roads - Granting Rights.
 - (ii) Structures on Roads (Ramp, Retaining Walls, Garage, Parking Platform etc).

Note: "Use of Legal Road as Licensed Premises policy": The ability of the Council to revoke a permit to occupy legal road as licensed premises as currently contained in this policy now forms part of each individual permit issued by the Council and is therefore not retained.

8 Cont'd

- (b) Current BPDC policies (all part of the Banks Peninsula Roading Policy):
 - (i) Structures on legal Roads in Urban Areas - License to Occupy Policy.
 - (ii) Retaining Walls - Responsibility Policy.
 - (iii) Fencing Policy.

The proposed policy provides clarity and consistency in the management of applications for structures on and over roads throughout the Christchurch City Council area.

- 28. For most of its content the proposed policy incorporates the current Council policies with updated wording and minor changes. The provisions in the existing 'city' and 'peninsula' policies are materially the same. There are also some additions e.g. the provisions relating to verandas and fences, as set out in the Background section below. Current provisions in both the Council and BPDC policies which addresses council operational procedures (and do not belong in policy statements) were not retained.
- 29. In summary the proposed policy achieves an overdue streamlining and consolidation of policies and introduces (1) provisions relating only to verandas previously in the 1992 Public Places Bylaw; (2) changed provisions relating to fences which are taken from the Banks Peninsula policy and is now proposed for the whole city, (3) new provisions on the use of airspace over roads for architectural features; (4) new provisions for infrastructural and other structures and (5) various recommendations from Community Boards.

THE OBJECTIVES

- 30. The key objectives of the public places policy review are to:
 - (a) Review and update, as appropriate, the policy clauses and to enable a working policy that is supported by the Council and the community.
 - (b) Bring together the current policies and practices for both the former BPDC and the Council.
 - (c) Align the policy with current Council plans and strategies.
- 31. The key objective of this policy is to manage structures on and above roads and to develop a single policy to assist the public in identifying what can happen where and under what conditions.

THE OPTIONS

- 32. Two options have been identified in relation to managing structures on roads.
 - (a) The adoption of a new Council policy.
 - (b) Maintain the status quo with some editing to factually update of current policies.

THE PREFERRED OPTION

- 33. The preferred option is the adoption of the proposed Council policy. The proposed policy is attached to this report.

ASSESSMENT OF OPTIONS

The Preferred Option

- 34. The preferred option is the adoption of a new Council wide policy (as tabled with this report). In addition to updating the wording and minor changes to the text this policy brings together the key elements of current policies and practices and incorporates new policy clauses which will assist with developing clarity and consistency in policy understanding and application.

8 Cont'd

| | Benefits (current and future) | Costs (current and future) |
|----------------------|---|---|
| Social | Clarity to community as to the policy, how to apply and how it applies. Alignment of policies between the former BPDC policies and Council policies will assist clarity and ease of use and application. | Communication of policies is part of Council core business. |
| Cultural | None specific. | None specific. |
| Environmental | Policy will enable more robust and transparent management of structures on roads | None specific. |
| Economic | Consolidated policy. | None specific. |

Extent to which community outcomes are achieved:

This policy option aligns with the following Community Outcomes:

-A Safe City – we live free from crime, violence, abuse and injury. We are safe at home and in the community. Risks from hazards are managed and mitigated.

-An Attractive and well designed City – Christchurch has a vibrant centre, attractive neighbourhoods and well-designed transport networks. Our life styles and heritage are enhanced by our urban environment.

-A City for recreation, fun and creativity – We value leisure time and recognise that the arts, sports and other recreational activities contribute to our economy, identity, health and wellbeing.

- A Prosperous City – We have a strong economy that is based on a range of successful and innovative businesses. We value sustainable wealth creation, invest in ourselves and in our future.

Impact on the Council's capacity and responsibilities:

The development of a consolidated policy will enable Council to better manage structures on roads through more transparent and consistent processes and procedures.

Effects on Māori:

No specific effects noted.

Consistency with existing Council policies:

The policy pulls together the key elements of the current policies and practices of the Council into a consolidated policy document and incorporates some new provisions consistent with existing Council policies.

Views and preferences of persons affected or likely to have an interest:

No comments were received from relevant stakeholders invited to comment. As only minor changes are proposed from the existing policies and as there have been no issues with the operation of those policies it is not likely to have any significant effects.

Maintain the Status Quo with some editing (not preferred option)

35. The option of maintaining the status quo with some editing would mean maintaining the series of policies and current practices that apply to the post-amalgamation Council area, and some specific policies that only apply to pre-amalgamation areas. Within this option it would be logical to update the policies (desk top activity) to ensure that historical and no longer relevant clauses are not included.

8 Cont'd

| | Benefits (current and future) | Costs (current and future) |
|---|---|---|
| Social | Communities should be aware of the current policies / practices as most have been operational since the early 1990's. | Continued segregation of the City / District Council areas as per pre-amalgamation. |
| Cultural | None specific. | None specific. |
| Environmental | Current status will continue to promote the areas of CCC and the former BPDC as two separate regions. | None specific. |
| Economic | None specific. | None specific. |
| <p>Extent to which community outcomes are achieved: This policy option aligns with the following Community Outcomes: -A Safe City – we live free from crime, violence, abuse and injury. We are safe at home and in the community. Risks from hazards are managed and mitigated. -An Attractive and well designed City – Christchurch has a vibrant centre, attractive neighbourhoods and well–designed transport networks. Our life styles and heritage are enhanced by our urban environment. -A City for recreation, fun and creativity – We value leisure time and recognise that the arts, sports and other recreational activities contribute to our economy, identity, health and wellbeing. - A Prosperous City – We have a strong economy that is based on a range of successful and innovative businesses. We value sustainable wealth creation, invest in ourselves and in our future.</p> <p>Impact on the Council's capacity and responsibilities: Maintaining the status quo will mean business as usual for council enforcement and policy development.</p> <p>Effects on Māori: No specific effects noted.</p> <p>Consistency with existing Council policies: The current policies broadly align with existing council strategies and plans, however the factual update is recommended, should this option be chosen, as many of the clauses are either out of date or no longer relevant.</p> <p>Views and preferences of persons affected or likely to have an interest: No comments were received from relevant stakeholders invited to comment.</p> | | |

At Least one Other Option (or an explanation of why another option has not been considered)

36. No other option has been considered as the Council has previously adopted (24 September 2008) the recommendations to review the policies.