

6. 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 Councillors of the operation of two bylaws and their associated nuisances in Christchurch city and Banks Peninsula as they relate to Council's bylaw-making powers for a six-month period (1 July 2009-31 December 2009).

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 Council's current data collection system is in meeting the requirements to demonstrate nuisance issues when Council reviews or considers making new bylaws. There was a recognition that previously there had been flaws with 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 Bylaws 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:
 - Waste Management Bylaw 2009
 - Parks and Reserves Bylaw 2008
 - Traffic and Parking Bylaw 2008
 - Alcohol Restrictions in Public Places Bylaw 2009
 - Dog Control Bylaw 2008
 - Public Places Bylaw 2008
6. The first two reports for this month are:
 - Waste Management Bylaw 2009, and
 - Parks and Reserves Bylaw 2008.
 The remaining reports will be delivered to the Regulatory and Planning Committee at the June meeting and these will encompass the remaining four bylaws.
7. As these are the first annual reports of this type, these initial reports report on nuisances from a six month period of bylaw operation and are at a very high level scope, focused on six high-interest bylaws. 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, there may be requests to the Call Centre from the public or Council officers to investigate new nuisances. These new nuisances will be discussed in the annual reports as relevant.
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/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 Committee receives the reports on the operation of the Waste Management Bylaw 2009 and the Parks and Reserves Bylaw 2008.