

**HAGLEY/FERRYMEAD COMMUNITY BOARD  
22 SEPTEMBER 2010**

**Minutes of a meeting of the Hagley/Ferrymead Community Board  
held on Wednesday 22 September 2010 at 2pm in the Boardroom,  
Linwood Service Centre, 180 Smith Street, Linwood.**

**PRESENT:** Bob Todd (Chairperson), Tim Carter, Rod Cameron, David Cox,  
John Freeman, Brenda Lowe-Johnson and Yani Johanson.

**APOLOGIES:** Yani Johanson arrived at 2.03pm and was absent for clause 13.


Yani Johanson was absent from the meeting for clauses 2, 8, 9, 19  
and part of clause 16.

Prior to commencing the business of the meeting, the Chairperson expressed the Board's sadness for those in distress and hardship as a result of the devastation following the earthquake, and recorded the Board's appreciation to Council Staff for the way they have worked to help people in need in the community.

The Board reports that:

**PART A – MATTERS REQUIRING A COUNCIL DECISION**

**1. FORMAL NAMING OF PARK KNOWN AS PEACOCKS GALLOP**



<b>General Manager responsible:</b>	General Manager City Environment, DDI 941 8608
<b>Officer responsible:</b>	Asset and Network Planning Unit Manager
<b>Author:</b>	Joanne Walton – Consultation Leader Greenspace

**PURPOSE OF REPORT**

1. The purpose of this report is to present the recommendation of the Hagley/Ferrymead Community Board to the Council to formally name the park currently known as Peacocks Gallop.

**EXECUTIVE SUMMARY**

2. Peacocks Gallop is a local park situated on Main Road at the base of Clifton Hill and opposite Shag Rock.
3. Since 2003, several requests have been made by the Sumner-Redcliffs Historical Society to remove the name "Peacocks Gallop" from this park on the basis that it is not historically correct. Further information is provided under the Background (The Issues) section of this report.

## Hagley/Ferrymead Community Board 22.9.2010

### 1 Cont'd

4. The Council has a current naming practice for new parks and reserves, which is to give them the name of the adjoining road. This convention makes it easy for people, and for emergency services, to locate the parks, since the names match the street names. However this area is not known to have been named after Main Road at any time. The Council's policy for the naming of reserves and facilities states that for existing reserves, whether previously formally or informally named, and through common usage are accepted by the community, generally these names will be retained. While no records have been located on the formal naming of the park as Peacocks Gallop, the name appears to have been widely used and accepted by members of the community for some time, and has been shown to have a historical basis. During public consultation on the Monck's Bay to Scarborough Beach Parks Issues and Opportunities document in 2008, 19 out of 25 submissions on this naming issue preferred the name "Peacocks Gallop" to be retained. On the basis of these results, the change of name was not pursued further by staff.
5. Funding was then sought by staff for an interpretation panel for the park as an alternative means of acknowledging aspects of the history of the park, but it became evident that the Sumner-Redcliffs Historical Society still wished to see the name "Peacocks Gallop" removed. It is the view of staff that it is necessary to formally adopt a name for the park before proceeding with any further signage in the park. In conjunction with the formal adoption of a name for the park, staff are now seeking confirmation from the Board that the installation of the interpretation panel is still supported in principle. If this is confirmed, a further report presenting a proposed draft design and seeking funding will be presented to the Board for their recommendation to Council that the project be funded from the Board's Local Discretionary Response Fund.
6. The Sumner-Redcliffs Historical Society have suggested alternative names for the park, but now believe that the park should be known by what they consider to be its original name "Shag Rock Reserve". This name is very similar to "Shag Rock", the name by which the area of beach around Shag Rock opposite is known. However the Coastal Area Ranger Team consider that the two sites are visually and geologically linked in close proximity, and they would have no issues with the use of this name.
7. Overall, taking into account historical research, along with community views and current parks naming policy, it is the view of staff that the name of Peacocks Gallop should be formally adopted for this park.

### FINANCIAL IMPLICATIONS

8. If a name other than Peacocks Gallop is proposed, the financial implications (excluding staff time) would be limited to the cost of installing new park signage. The cost of installing a medium sized double post entrance sign in accordance with the new signage standards for park signs is approximately \$4,368.
9. Currently there is no specific funding in the 2009 -19 LTCCP for the renaming of reserves.
10. Funding may be sought from the local Discretionary Response Fund at a future date to install a new interpretation panel in this park for the further information and benefit of the public.

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

11. Yes, as above.

### LEGAL CONSIDERATIONS

12. The Council Policy for Naming of Parks and Reserves, adopted by the Council in July 1993, states that the Council has the final decision regarding names of parks and reserves. The Council's Register of Delegations states that the following is a Council decision: "*To declare that a reserve shall be known by a specified name and can change the name of any reserve (by resolution): Section 16(10) Reserves Act 1977.*"

1 Cont'd

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

13. Yes, as above.

**ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS**

14. While the naming of features is not specifically mentioned in the LTCCP, the costs associated with this process are covered within the existing operational budgets.

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

15. Not applicable.

**ALIGNMENT WITH STRATEGIES**

16. The recommendations align with the Council's Policy Register's code of practice for the naming and re-naming of reserves, and the *Monck's Bay to Scarborough Beach Parks Issues and Opportunities* document.

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

17. Yes, as above.

**CONSULTATION FULFILMENT**

18. The naming of the park was addressed within the context of the Council's proposed Master Plan for the Monck's Bay to Scarborough Beach Parks, a much wider management and development planning programme for the overall area. Public consultation on the *Monck's Bay to Scarborough Beach Parks Issues and Opportunities* document was undertaken over August/September 2008. The document provided information about the reserve land including the likely origin of the name, and asked the following questions:

*"Should the name be used only for the old roadway, or should it be used for the parkland between the road and the cliffs? Should a new name be chosen for the parkland?"*

A total of 150 submissions were received from the community, 25 of which included comments about the naming of Peacocks Gallop. Of these, a majority of 19 submitters wished to retain the name Peacocks Gallop, with 6 suggesting the name be changed. Four alternative names were suggested; Clifton, Clifton Cliffs, Clifton Park and Soldiers Memorial Reserve. On this basis, it was considered by staff that the matter not be pursued further.

19. The Sumner-Redcliffs Historical Society have been asked for their preference for the name of the park at this time. The Society is of the view that the original name of Shag Rock Reserve should be kept. This name has never been altered or removed to the Society's knowledge. Although the Society has previously suggested the new name of Soldiers Memorial Reserve, they now believe this would require more consultation with associated costs in time and money. The Society believes that the park may have been named Shag Rock Reserve because it is near Shag Rock, or the sand from around Shag Rock was used in the 1930s to fill in the area that is now the park. The Society have noted that their records include an undated newspaper report stating that the Sumner Beautifying Society would be planting native trees on Shag Rock Reserve. Staff have subsequently identified that the newspaper article is from The Press dated 31 August 1940 (p.7) suggesting that the name was in use at that time.

## Hagley/Ferrymead Community Board 22.9.2010

### 1 Cont'd

20. Consultation undertaken with manawhenua for the *Monck's Bay to Scarborough Beach Parks Issues and Opportunities* document did not make specific mention of Peacocks Gallop. Manawhenua did identify the importance of telling of the original histories and occupations of the area, including through interpretation, and the importance of bilingual signage with both Maori and European place names together on signage. The correct use of Te Reo was encouraged, for example, "Rapanui" is not a literal translation of "Shag Rock" but rather is named in memory of their original homeland "Rapanui" or Easter Island.
21. The Clifton Neighbourhood Committee have been asked for their views on the naming of the park, and the Board will be advised of any feedback received prior to considering this report at the meeting of 15 September 2010.

#### STAFF RECOMMENDATION

- (a) That the name of Peacocks Gallop is formally adopted by the Council.
- (b) That the Board confirm support in principle for the installation of an interpretive panel at Peacocks Gallop, and seek a future report to the Board on design and funding.

#### BOARD CONSIDERATION

The Board considered the staff report, and discussed previous consideration of this matter. Staff provided advice on the current processes and protocols for the naming of reserves, and the Monck's Bay to Scarborough Beach Parks Master Plan. The Board heard a deputation and received supporting information on this matter from representatives of the Sumner-Redcliffs Historical Society, clause 3.4 of the minutes of the meeting refers.

It was **decided** on the motion of Bob Todd, seconded by Tim Carter, that the Board confirm support in principle for the installation of an interpretive panel at the park known as Peacocks Gallop, and seek a future report to the Board on design and funding.

It was **moved** by John Freeman, seconded by David Cox, that the Board recommend to the Council that the staff recommendation be adopted. When put to the meeting, the motion was declared **lost**.

#### BOARD RECOMMENDATION

It was **decided** on the motion of Bob Todd, seconded by Brenda Lowe-Johnson, that the Board recommend to the Council that the name Shag Rock Reserve be formally adopted for the park known as Peacocks Gallop.

This report was submitted to the Council meeting of 30 September 2010 by way of Chairperson's report.

1 Cont'd

**BACKGROUND (THE ISSUES)**

**22. Issues raised about the name**

On several occasions since 2003, correspondence has been received by the Council, and deputations made to the Hagley Ferrymead Community Board, from the Sumner-Redcliffs Historical Society on the park currently known as Peacocks Gallop. The Society have expressed their concern about the continued use of the name "Peacocks Gallop" which they believe has no factual historical basis and no relationship to this area. The Society has noted that this matter was first raised with local government in the 1980s. Research by members of the Society indicates that the only known historical names for the area have been Clifton Heights, Harrow Swimming Pool or Shag Rock Reserve. The Society also stated that they had previously requested that the park be named after the McCoomb family but were advised that a McCoomb Memorial Garden already existed within Woolston Park. The use of a new name associated with the unemployed men who had worked in the area in the 1930s was also suggested by the Society.

23. A letter from Council staff to the Society in October 2003 states that according to records, the park was previously known as Shag Rock Reserve, but that name is not appropriate as this refers to the area on which Shag Rock sits, and which is covered by water at high tide. The letter notes that the name Peacocks Gallop is widely used and accepted within the Council and community.

24. Information on Peacocks Gallop was provided to Board members in a memorandum dated 22 November 2006 following a further deputation to the Board meeting of 24 May that year by the Sumner-Redcliffs Historical Society. The Society requested that the signage at the reserve be changed to remove the reference to Peacocks Gallop based on the assumption that it was to the Hon. John Thomas Peacock (1827-1905) who had no direct association with the reserve area. The Board were advised that Peacocks Gallop referred to the portion of stopped road situated between Reserve 4252 and the cliffs (refer **Attachment 1**). The reserve was vested in the Sumner Borough Council under the Sumner Borough Land Vesting Act 1929, although it did not appear that it was filled in and useable until after 1938. Staff supported the Sumner-Redcliffs Historical Society's view that the Hon. JT Peacock could not have galloped on the reserve as it was not in existence during his lifetime, and therefore it should not be named after him. Consideration of signs or plaques to advise of the historical alignment of the old Sumner Road along the base of the cliffs was suggested.

25. On 24 February 2007, the Board considered a report advising on the issue previously raised by the Sumner-Redcliffs Historical Society about the naming of the Peacocks Gallop Reserve and to seek approval for funding from the Board's discretionary funds for two commemorative plaques. The report stated that subsequent research by staff, along with information provided by a descendant of the late John Jenkins Peacock (1798-1868), identified that the name Peacocks Gallop refers to John Jenkins Peacock, not John Thomas Peacock. The Board resolved to note that a previous historical association exists with respect to part of the old Sumner Main Road also known as Peacocks Gallop, and that funding be allocated to meet the costs of two memorial plaques acknowledging "Peacocks Gallop". The Board also resolved that consideration be given to removing the name "Peacocks Gallop" in respect of the reserve area and substituting same with an historical or local interpreted Maori name and discussion on the wording of a suitable plaque, in consultation with the Sumner-Redcliffs Historical Society and other interested organisations.

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**Suggested new name for the park**

26. In March 2007, the Sumner-Redcliffs Historical Society proposed that the park be named in remembrance of those who built it, rather than after any one individual. The present road and the area that is now the park were filled in with sand carted manually from the adjoining beach. The men, who were World War I returned soldiers, were working on Unemployment Scheme "U5" during the Depression of the 1930s. The Society proposed the name "Soldiers Memorial Reserve" in conjunction with a Maori interpretation of "Te Tohu O Nga Toa".

**Further recommendations by staff**

27. In February 2008, the Board were provided with an update on the matter following a deputation by the Sumner Redcliffs Historical Society on 7 February 2008. Staff had undertaken preliminary research on Peacocks Gallop but now recommended that the installation of plaques, or alternatively interpretive panels, be held over until the matter of changing the name of this park was addressed within the wider context of the proposed Master Plan for the Moncks Bay to Scarborough Beach Parks Plan. The report also identified that the \$2,500 allocated from the Board's Discretionary Fund for the installation of two memorial plaques in the park had not been transferred to the Transport and Greenspace Unit budget due to an administrative error.
28. In addition, further on-site investigations by staff indicated that the proposed locations for the placement of the plaques were in close proximity to the cliff-faces. Staff were concerned that this may be encouraging passing members of the public to linger in locations where they may be at risk from falling rocks. Staff had searched for an alternative safe location along the road frontage of the park and away from the cliff-faces. As the park drops away from the footpath boundary, the possibility of attaching the plaques to the existing stone-pillar lamp standards (restored earlier by the Sumner-Redcliffs Historical Society) was considered. It was identified that this would require careful consideration of the effects on the heritage values of both the lamps and the existing memorial plaques on the stone bases. In addition, the Transport and Greenspace Unit was at that time in the process of developing guidelines and standards for memorial plaques and staff wished to ensure that the installations are consistent with these.

**Consultation under the proposed Master Plan**

29. The naming of the park was then addressed within the context of Council's proposed Master Plan for the Monck's Bay to Scarborough Beach Parks, a much wider management and development planning programme for the overall area. Public consultation on the *Monck's Bay to Scarborough Beach Parks Issues and Opportunities* document was undertaken over August/September 2008. The document provided information about the reserve land including the likely origin of the name, and asked the following questions:

*"Should the name be used only for the old roadway, or should it be used for the parkland between the road and the cliffs? Should a new name be chosen for the parkland?"*

A total of 150 submissions were received from the community, 25 of which included comments about the naming of Peacocks Gallop. Of these, a majority of 19 submitters wished to retain the name Peacocks Gallop, with 6 suggesting the name be changed. Four alternative names were suggested; Clifton, Clifton Cliffs, Clifton Park and Soldiers Memorial Reserve. On this basis, it was the view of staff that the matter of changing the name not be pursued further.

30. Staff subsequently identified that installation of two further commemorative plaques in Peacock's Gallop would not be consistent with Council's *Draft guidelines on the commissioning, design, installation, maintenance and decommissioning of plaques* which require that the number of existing plaques, memorials, artworks and other objects in the vicinity is taken into account, and that plaques not be attached or engraved into natural features.

1 Cont'd

31. Staff suggested to the Sumner-Redcliffs Historical Society in November 2008 and June 2009 that a new historical interpretation panel be installed as an alternative. This was considered by staff to enable the provision of more comprehensive and up to date information, including illustrations, on the many interesting facets of the history of the park. The Society were also advised in June 2009 and November 2009 that the majority of people who responded to the issue of the naming of Peacocks Gallop during consultation on the *Monck's Bay to Scarborough Beach Parks Issues and Opportunities* document identified that they wished this name to remain. The Society did not identify any concerns about this outcome at this time.

**Funding for a proposed interpretation panel**

32. A report seeking funding from the 2009/10 Hagley Ferrymead Community Board Discretionary Fund to complete the installation of an interpretation panel at Peacock's Gallop was considered by the Board on 16 December 2009. It was the belief of staff at that time that the Sumner-Redcliffs Historical Society understood that the name Peacocks Gallop would be retained. However a deputation was made to this meeting by the Sumner-Redcliffs Historical Society outlining their concern about the matter and their understanding that the name "Peacocks Gallop" would be removed. They also considered that as the name Shag Rock Reserve had been given by the Council and had never been removed, the easiest solution would be to keep this name. The Board declined the funding request but resolved to approve the installation of an information panel at locations identified in principle, with the final design to be presented to the Board for approval after consultation with the Sumner-Redcliffs Historical Society.
33. On 16 April 2010, a staff memorandum updated the Board on this issue, advising that given the issues raised in the earlier deputation, staff were of the opinion that it was necessary to formally adopt a name for the park before proceeding any further with an interpretation panel or other any signage in the park. Staff indicated their intention to work with the Sumner-Redcliffs Historical Society on a design for the panel, and seek funding again for its installation, once a name for the park had been formally adopted.
34. Subsequently, at its meeting of 22 April 2010, the Council resolved to make changes to the criteria of the Local Discretionary Response Fund. Under these changes, the Fund does not cover projects or initiatives that will lead to ongoing operational costs to the Council, however Community Boards can recommend to Council for consideration of grants under these circumstances. Transport and Greenspace Unit staff have confirmed that the installation of a panel is likely to lead to ongoing operational costs over time for maintenance, repair and replacement.
35. Therefore, in conjunction with the formal adoption of a name for the park, staff are now seeking confirmation from the Board that the installation of the interpretation panel is still supported in principle. If so, and when the name of the park is formally resolved, staff will work with the Sumner-Redcliffs Historical Society on the content and design of the panel. A further report presenting a proposed draft design and seeking funding will be presented to the Board for their recommendation to Council that the project be funded from the Board's Local Discretionary Response Fund.

**THE OBJECTIVES**

36. The objective is to formally adopt a name for the park currently known as Peacocks Gallop to resolve local concerns about this matter and provide interpretation for the information of the wider community.

1 Cont'd

THE OPTIONS

Option 1

37. Formally adopt the name Peacocks Gallop for this park.

This will allow for the formal recognition and continued use of a name that has through common informal usage been accepted by the community, and has been found to have a historical basis. The risk of confusion amongst the community from a change of name is avoided. This is also consistent with the results of community consultation on the *Monck's Bay to Scarborough Beach Parks Issues and Opportunities* document, where 19 out of the 25 submissions on this issue were in support of retaining the name Peacocks Gallop. However the Sumner-Redcliffs Historical Society do not support this name.

Option 2

38. Formally adopt the name Shag Rock Reserve for this park.

This will allow for the use of a name that has been referred to in earlier historical records and addresses the concerns of the Sumner-Redcliffs Historical Society on this matter. This name may not be widely known amongst the community and may result in confusion. A change of name is not consistent with feedback received during consultation on the *Monck's Bay to Scarborough Beach Parks Issues and Opportunities* document.

Option 3

39. Maintain the status quo.

Continuing with the informal use of the name Peacocks Gallop is not considered a viable option as concerns about this informal use have been an ongoing issue for some members of the community for many years. This would be consistent with the results of community consultation on the *Monck's Bay to Scarborough Beach Parks Issues and Opportunities* document, where 19 out of the 25 submissions on this issue were in support of retaining the name Peacocks Gallop. However the name would not be formally adopted or recognised, and similar issues may continue to arise in the future.

THE PREFERRED OPTION

40. The preferred option is **Option 1** – To formally adopt the name Peacocks Gallop for this park.

2. TEMPORARY LIQUOR BAN HAGLEY PARK NORTH BAND TOGETHER CONCERT

General Manager responsible:	General Manager Strategy and Planning, DDI 941 8281
Officer responsible:	Strong Communities Programme Manager
Authors:	Vivienne Wilson and Terence Moody

PURPOSE OF REPORT

1. For the Hagley/Ferrymead Community Board to consider and make a recommendation to the Council on a proposal for a Temporary Alcohol Ban for Hagley Park North from 7am until 10pm on Saturday 23 October 2010 and on Sunday 24 October 2010, to complement the existing permanent ban from 10pm to 7am daily for the Band Together Concert.
2. The outcome of the Board's consideration of this matter will be reported to the Council Meeting of 23 September 2010.





2 Cont'd

**EXECUTIVE SUMMARY**

3. Following the 4 September 2010 earthquake, a concert has been organised for Canterbury, called the Band Together Concert. It will be held on 23 October 2010 in Hagley Park North from noon 12pm until 8pm. (The postponement date is Sunday 24 October 2010 with same times.) It will feature a number of well known New Zealand bands/musicians as well as Christchurch bands. The theme of the event will be to celebrate Canterbury's spirit after the earthquake. The concert will be free and it is estimated that as many as 150,000 people could attend.
4. The Events Team have been in discussions with the Police about the concert. The Police have indicated that they support the concert provided that it is alcohol-free and an alcohol ban was in place to provide them the tool for enforcement. Given the number of people that may attend and that it is a community and family orientated event, it is considered appropriate to make the concert an alcohol-free event.
5. There is a Permanent Alcohol Ban in place that applies to Hagley Park seven days per week but this only applies during the hours of 10pm until 7am each day. This will not cover the hours of the concert. The Council has the power to declare a Temporary Alcohol Ban under clause 5 of the Christchurch City Council Alcohol Restrictions in Public Places Bylaw 2009 ("the Bylaw").
6. A Temporary Alcohol Ban has the same effect as a Permanent Alcohol Ban, but the Temporary Alcohol Ban will apply for a limited time only. The area to which the Temporary Alcohol Ban is proposed to apply is North Hagley Park as set out in the **attached** map. This area is bounded by Park Terrace, Harper Avenue and Deans Avenue. The southern boundary would be Riccarton Avenue (from Deans Avenue) to approximately the Riccarton Cricket Club, then following River Avon around to Armagh Bridge.
7. It is also intended to apply clause 8(1) of the Bylaw to make it easier for the Police to enforce the Alcohol Ban. This means that the Police will be able to use their search powers in respect of containers and vehicles under section 170 of the Local Government Act 2002 ("the LGA 02") immediately and without notice.

**FINANCIAL IMPLICATIONS**

8. Financial provision will be required for public notices and display advertisements as well as appropriate signage. The costs of enforcement rest with the Police under powers in the Local Government Act 2002.

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

9. There is no specific budgetary provision for introducing temporary alcohol bans. The costs of investigating the temporary ban can be absorbed in the Long Term Policy and Planning Activity. The costs of public notices and signage should be absorbed in the Events Activity.

**LEGAL CONSIDERATIONS**

10. The Bylaw is made under the authority of section 147 of the Local Government Act 2002 ("the LGA 02").
11. Under the Bylaw, there is a Permanent Alcohol Ban in Hagley Park and its environs during the hours of 10pm to 7am, seven days per week. The specific area to which the Permanent Alcohol Ban applies is set out in the Schedule to the Bylaw. The effect of the Permanent Alcohol Ban is that no person may:
  - (a) consume alcohol in a public place; or
  - (b) consume alcohol in a vehicle in a public place; or
  - (c) bring alcohol into a public place, whether in a vehicle or not; or
  - (d) possess alcohol in a public place, whether in a vehicle or not.

## Hagley/Ferrymead Community Board 22.9.2010

### 2 Cont'd

12. The times during which the Permanent Alcohol Ban apply do not cover the times the Band Together Concert will take place. However, under clause 5 of the Bylaw the Council is able to declare a Temporary Alcohol Ban in a public place by way of resolution and the same alcohol restrictions will apply. Any such resolution must describe the specific area that is a Temporary Alcohol Ban Area and the times, days or dates during which the alcohol restrictions apply to any public places in the area.
13. Under clause 5(2) of the Bylaw, before the Council declares a Temporary Alcohol Ban Area, the Council will consider:
  - (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); and
    - (iv) the area in which the event is to be held; and
  - (b) the nature and history of alcohol-related problems usually associated with the area, together with any anticipated alcohol-related problems; and
  - (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 resolution; and
  - (d) any information from the Police and other sources about the proposed dates, the event or the area to be covered by the resolution; and
  - (e) whether the Police support the proposed Temporary Alcohol Ban Area; and
  - (f) any other information the Council considers relevant.
14. The Police have various powers to enforce the Bylaw, including the power to search containers and vehicles in public places for alcohol, seize and remove alcohol, and arrest any person who is found to be breaching the Bylaw. Before the Police exercise these powers they must comply with the warning provisions in section 170 of the Local Government Act 2002. However, in certain circumstances as set out in section 170(3), the Police can search immediately and without notice. The Police have requested for this specifically for this event. In order to give the Police this power, the Council would need to resolve that clause 8(1) of the Bylaw applies to the Temporary Liquor Ban.<sup>1</sup>

### 21 Cont'd

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

15. Yes. The proposed Temporary Alcohol Ban will apply to a public place within the meaning of section 147 of the LGA 02. Hagley Park North is an area that is under the control of the Council and it is open to and is used by the public.
16. In terms of clause 5(1) of the Bylaw, the proposed resolution describes the specific area to which the Alcohol Ban will apply and the times and dates that it will apply. It is for a one-off event.

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<sup>1</sup> Note that clause 8 provides as follows:

#### **8. POLICE POWERS OF SEARCH IN TEMPORARY ALCOHOL BAN AREAS**

- (1) This bylaw authorises a member of the Police to exercise the power of search under section 169(2)(a) of the Act for the purposes of section 170(2) of the Act in areas to which a resolution declaring a Temporary Alcohol Ban Area applies.
- (2) Clause 8(1) only applies if the resolution declaring a Temporary Alcohol Ban Area provides that clause 8(1) of this bylaw will apply.

## Hagley/Ferrymead Community Board 22.9.2010

### 2 Cont'd

17. In terms of the considerations under clause 5(2) of the Bylaw, it is noted as follows:
- (a) Clause 5(2)(a)(i) – the proposed ban does relate to an event. The nature of the event is a concert which is community and family orientated.
  - (b) Clause 5(2)(a)(ii) – the number of people expected to attend the event could be in the order of 150,000.
  - (c) Clause 5(2)(a)(iii) – this event is new but given the reason for the event it is a one-off event.
  - (d) Clause 5(2)(a)(iv) – the area in which the event is to be held is Hagley Park North. This area has been used for other events/concerts in the past but generally a Temporary Alcohol Ban has not applied during these events.
  - (e) Clause 5(2)(b) – in the past the nature and history of alcohol related problems associated with Hagley Park North have stemmed from boy racers along Harper Avenue. Other concerts held in Hagley Park North such as Classical Sparks and Christmas in the Park have not had Temporary Alcohol Bans in place, and people have enjoyed alcohol at such events. The Permanent Alcohol Ban applies after 10pm and has therefore has not interfered with concert goers drinking alcohol at these concerts. However, the large number of people anticipated to attend the Band Together Concert could lead to alcohol related problems such as drunken and disorderly behaviour, damage to the trees and other plants in the park, broken glass and litter, people urinating in public.
  - (f) Clause 5(2)(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 resolution. If the Temporary Alcohol Ban is imposed it will prevent concert attendees from enjoying alcoholic beverages at the concert. However, it is considered that the benefits to local residents and to the city at large will outweigh any disadvantages of this restriction. The restriction will be in operation for a relatively short period of time. It is a one-off restriction and will aid in promoting a safe and secure event for the whole of the city. Given the circumstances in which this concert is being held, it is considered important to focus on providing a safe environment.
  - (g) Clauses 5(2)(d) and (e) – given the tight frames involved the Police have not provided any written information about the proposed date of the event, the event or the area to be covered by the resolution except that the Police support a Temporary Alcohol Ban being put in place, and would like it to be alcohol-free event.
  - (h) Clause 5(2)(f) – it is considered a relevant consideration that this Concert will likely have a wider appeal than Classical Sparks or Christmas in the Park which are perhaps more family orientated events. While these events have not had alcohol bans in place, given the wider focus of this event on the community as well as families, it is considered appropriate to consider whether there should be greater restrictions on the consumption of alcohol at the concert.

### CONSULTATION FULFILMENT

18. Ordinarily, the agreed process for establishing a Temporary Liquor Ban 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 a Temporary Liquor Ban, it must then report to the Regulatory and Planning Committee, which, if it agrees, will refer the report to the Council. The process could potentially take a number of weeks to complete.
19. Given the tight time frame it has not been possible for this matter to be investigated at the Community Board level and then a report prepared for the Regulatory and Planning Committee. However, the internal discussions have taken place between the Events Team, the Liquor Licensing Team, Strategy and Planning, and the Legal Services Unit. The Events Team and Strategy and Planning have discussed the matter with the Police and the Police indicated that they were basing their support for the event on the basis that it is alcohol-free and they would have the enforcement tool of the Temporary Alcohol Ban to support their enforcing this at the event.

2 Cont'd

**ALTERNATIVE OPTION**

20. If a Temporary Alcohol Ban is not imposed then alcohol can still be prohibited. The Council as a land owner is able to control who enters its land and the terms on which those persons enter its land. Technically it grants a "licence" to each person who enters Hagley Park. In other words, "a personal permission" to enter. In order for persons to be aware of the terms of entry (ie the terms of the licence), these terms would need to be clearly set out on a notice where event attendees are able to read the terms (and therefore accept the terms) before they enter concert area. These terms of entry could include a power to search and seize alcohol.
21. The disadvantage with this option is the power of the Police to enforce it. If a person breaches the terms of his or her licence, ordinarily the landowner would ask the person to leave the premises. If a person refuses to leave the premises then the landowner could use the provisions of the Trespass Act 1980. Section 3(1) of the Trespass Act 1980 provides that a person commits an offence against this Act who trespasses on any place and, after being warned to leave that place by an occupier of that place, neglects or refuses to do so. The Police have the power to arrest a person committing an offence against the Trespass Act. However, before they may do so, the Council as occupier will need to give the person committing the trespass a warning.
22. The Police have specifically requested for the Temporary Alcohol Ban as opposed to the option of exercising their authority under the Trespass Act and have made this conditional of their support for the proposed concert.

**ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS**

23. See 23 below.

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

24. Introducing a temporary alcohol ban in Hagley Park North could be considered to broadly align to the following LOS in the Strengthening Communities Activity Management Plan, 2.2.3.1. Maintain Safe City Accreditation every 15 years.

**ALIGNMENT WITH STRATEGIES**

25. The Safer Christchurch Strategy aims to see rates of injury and crime decline, for people to feel safe at times in Christchurch City and for Christchurch to have excellent safety networks, support people and services.

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

26. Yes – as above.

**STAFF RECOMMENDATION**

It is recommended that the Hagley/Ferrymead Community Board recommends to the Council that it resolves to introduce a Temporary Alcohol Ban in the Hagley Park North area from 7am until 10pm on both Saturday 23 October 2010 and on Sunday 24 October 2010 to complement the existing permanent ban from 10pm to 7am daily for the Band Together Concert.

The staff recommendation in the report considered by the Board was:

It is recommended that the Hagley/Ferrymead Community Board recommends to the Council that it resolves to introduce a Temporary Alcohol Ban in the Hagley Park North area from 7am until 10pm on both Saturday 23 October 2010 and on Sunday 24 October 2010 to complement the existing permanent ban from 10pm to 7am daily for the Band Together Concert.

2 Cont'd

**BOARD RECOMMENDATION**

It was **decided** on the motion of Bob Todd, seconded by David Cox, that the staff recommendation be adopted.

This matter was considered by the Council at its meeting on 23 September 2010.

**PART B - REPORTS FOR INFORMATION**

**3. DEPUTATIONS BY APPOINTMENT**

**3.1 JULIE COMFORT, ON BEHALF OF FRYBERG DEVELOPMENTS LTD AND PETER VAN EEKELN REPRESENTING RANGERS AFC**

Julie Comfort, on behalf of Fryberg Developments Ltd, and Peter Van Eekelen representing Rangers AFC addressed the Board regarding clause 14 - Proposed Road Naming. Ms Comfort outlined a request that the Reserve within the development be named Rangers Reserve to recognise the Rangers Club who had occupied this site for many years. A written statement was submitted to the Board on this matter.

The Chairperson thanked Ms Comfort and Mr Van Eekelen for their deputation to the Board. This matter was considered during discussion on clause 14.

**3.2 CRAIG SMITH AND DAVID SLOSS FROM LINFIELD CULTURAL RECREATIONAL SPORTS CLUB**

Craig Smith and David Sloss from Linfield Cultural Recreational Sports Club addressed the Board regarding clause 16 – Application to the Hagley/Ferrymead Community Board 2010/11 Discretionary Response Fund in support of the staff recommendation.

The Chairperson thanked Mr Smith and Mr Sloss for their deputation to the Board. This matter was considered during discussion on clause 16.

**3.3 LINDA NGATA FROM MANAAKI SOUNDS TRUST**

Linda Ngata from Manaaki Sounds Trust addressed the Board regarding clause 16 – Application to the Hagley/Ferrymead Community Board 2010/11 Discretionary Response Fund in support of the staff recommendation.

The Chairperson thanked Ms Ngata for her deputation to the Board. This matter was considered during discussion on clause 16.

**3.4 TOPSY RULE AND NORMAL WEBB, REPRESENTING THE SUMNER-REDCLIFFS HISTORICAL SOCIETY**

Topsy Rule and Normal Webb, representing the Sumner-Redcliffs Historical Society addressed the Board regarding clause 1 – Formal Naming of Park known as Peacocks Gallop, in opposition to the staff recommendation. Ms Rule outlined the history of the naming of this reserve and requested that the Board consider the name of Shag Rock Reserve. A written statement was submitted to the Board on this matter.

The Chairperson thanked Ms Rule and Mr Webb for the deputation to the Board. This matter was considered during discussion on clause 1.

**4. PRESENTATION OF PETITIONS**

Nil.

**5. NOTICE OF MOTION**

Nil.

**6. CORRESPONDENCE**

**6.1 IAN MCLEOD**

The Board received correspondence from Ian McLeod regarding a discovered seat located in the Port Hills reserves.

It was **decided** on the motion of Bob Todd, seconded by Yani Johanson, that the Board receive the correspondence and support staff investigating if the seat can be repaired and retained, and that the Board and Mr McLeod be advised of the outcome.

**7. BRIEFINGS**

**7.1 JOHN REVELL, CONTRACTS MANAGER URBAN PARKS**

The Board received a briefing and supporting information from John Revell, Contracts Manager Urban Parks, seeking feedback from the Board on the reinstatement of litter bins in urban parks within the Hagley/Ferrymead Ward.

It was **moved** on the motion of Rod Cameron, seconded by Yani Johanson, that the Board request that all 42 litter bins, as outlined in the supporting information, be reinstated. When put to the meeting, the motion was declared **lost** on Division No. 1 by 3 votes to 4, with voting being as follows:

**For (3):** Rod Cameron, John Freeman and Yani Johanson.

**Against (4):** Tim Carter, David Cox, Brenda Lowe-Johnson and Bob Todd.

It was **decided** on the motion of Bob Todd, seconded by Brenda Lowe-Johnson, that the bins be reinstated as per the policy or by resolution of the Board following requests from the community.

It was **decided** on the motion of Yani Johanson, seconded by Rod Cameron, that staff be requested to investigate the possibility of the expansion of the recycling stations into some urban parks.

**8. FREEDOM CAMPING IN WINDSPORTS PARK**

The Board received a report outlining the incidences of freedom camping occurring at Windsports Park and other monitored key coastal areas in the Hagley/Ferrymead ward, and information on any displacement occurring as a result of camping prohibitions in place in the Sumner Reserves car park.

It was **decided** on the motion of Tim Carter, seconded by Brenda Lowe-Johnson, that the Board:

- (a) Receive the report.

**8 Cont'd**

- (b) Note that the draft Freedom Camping Management Plan will be presented to the Regulatory and Planning Committee and the Council in September and that monitoring and reporting will be undertaken as part of that process.

**9. HAGLEY/FERRYMEAD SMALL GRANTS FUND ASSESSMENT COMMITTEE – MEETING REPORT OF 25 AUGUST 2010**

The Board received a report submitting for information and record purposes, the outcomes of the Hagley/Ferrymead Small Grants Fund Assessment Committee meeting held on 25 August 2010.

It was **decided** on the motion of Bob Todd, seconded by Brenda Lowe-Johnson, that the report be received and noted for record purposes.

**10. COMMUNITY BOARD ADVISER'S UPDATE**

The Board **received** updates from the Community Board Adviser on Board related activities. Specific mention was made to the upcoming meeting on 7 October 2010, the August update of current projects, discretionary response fund balances, and current Council consultations.

The Board was advised that since consideration on 14 July 2010 of the Part A report *Kilmore Street – Proposed Changes to Parking* the request for change to parking restrictions had been withdrawn, and the Board's recommendation to the Council on this matter, to be considered at the meeting on 23 September 2010, would be withdrawn.

**11. BOARD MEMBERS' QUESTIONS**

Nil.

**12. BOARD MEMBERS' INFORMATION EXCHANGE**

Rod Cameron thanked the Board for the opportunity to attend the Keep New Zealand Beautiful Conference and Annual General Meeting held in Gisborne on 17 to 19 September, and advised he will provide a written report.

**PART C - REPORT ON DELEGATED DECISIONS TAKEN BY THE BOARD**

**13. CONFIRMATION OF MINUTES – 1 SEPTEMBER 2010**

It was **resolved** on the motion of Rod Cameron, seconded by Tim Carter that the minutes of the Board's ordinary meeting of 1 September 2010 be confirmed.

**14. PROPOSED ROAD NAMING**

The Board considered a report seeking to obtain approval for one new road name and one new lane name to be created through the subdivision of 148A McGregors Road, formerly known as Eric Adams Park or Rangers Park. A deputation was heard on this matter, clause 3.1 refers.

It was **resolved** on the motion of David Cox, seconded by Bob Todd, that the Board approve the proposed road name of Eric Adam Way and proposed lane name of Fitzpatricks Lane.

## Hagley/Ferrymead Community Board 22.9.2010

### 15. CONSIDERATION OF APPLICATIONS FOR NEIGHBOURHOOD WEEK FUNDING

The Board considered a report presenting applications and staff recommendations to the Hagley/Ferrymead Community Board Neighbourhood Week 2010 Fund, and seeking approval for a process should any late applications need to be considered.

It was **resolved** on the motion of Bob Todd, seconded by Rod Cameron, that the Board:

- (a) Allocate the Neighbourhood Week 2010/11 fund as follows:

	<b>Name</b>	<b>Location</b>	<b>Allocation</b>
1	Paul Yeoman	Avonside Drive	\$80.00
2	Jill Boanas	Muritai Terrace	\$90.00
3	Ellen Yule	Digby Place	\$100.00
4	Lloyd Smith	The Esplanade	\$85.00
5	Jenny Hill	Truro Street	\$40.00
6	Gary Charmley	Mt Pleasant Road	\$60.00
7	Maureen E Warburton	Jura Place	\$55.00
8	Ann Griffiths	Wakatu Avenue	\$100.00
9	Jennifer Steele	Flinders Road	\$80.00
10	Paul Marsh	Omeo Crescent	\$100.00
11	Alexandra Gilbert	Rudds Road	\$27.00
12	Rachel Gibson	Woolston Park	\$100.00
13	Trevor Walker	Soleares Avenue	\$120.00
14	Dianne Harwood	Linwood Avenue	\$150.00
15	Jane Cowan-Harris	Kinsey Terrace	\$100.00
16	Lorraine Gibbs	Gloucester Street	\$60.00
17	Jean Nicholls	Beachville Road	\$80.00
18	Lesley McMillan	Avebury House and Park	\$90.00
19	Elizabeth Hughes	Martindale Road	\$100.00
20	Leigh Brown	Moncks Spur Road	\$90.00
21	Karen Theobald	Morgans Vally Local Reserve	\$99.00
22	June Keresoma	Taranui Place	\$100.00
23	Becca Baynton	Heathcote School Grounds	\$184.00
24	John Rasmussen	St Lukes Street	\$90.00
25	Donna Harvey	Keswick Street	\$100.00
26	Lee Lawrence	Rollin Street	\$285.00
27	Mona Contractor	Linwood Avenue	\$220.00
28	Mona Contractor	Linwood Avenue	\$150.00
29	Cor van Eyk	Linwood Baptist Church	\$200.00
30	Carol Le Page	Mt Pleasant Presbyterian Church	\$70.00
31	Anne Russell-Brighty	St Chads Church	\$150.00
32	Alison Nichols-Dunsmuir	Stanmore Avenue	\$0.00
33	Donna Alfrey	Avon Loop Cottage	\$80.00
34	Mary Morrison	Wildberry Street	\$65.00
			<b>\$3,500</b>

- (b) Assign delegated authority to the Board Chairperson and Deputy Chairperson to consider any late applications and allocate funding, should any funds remain, before 8 October 2010.



## Hagley/Ferrymead Community Board 22.9.2010

### 16. HAGLEY/FERRYMEAD DISCRETIONARY RESPONSE FUND 2010/11 APPLICATIONS – LINFIELD CULTURAL RECREATIONAL SPORTS CLUB INC, MANAAKI SOUNDS TRUST, SUMNER COMMUNITY POOL AND MT PLEASANT SCOUT GROUP

The Board considered a report seeking decisions on four applications for funding from its 2010/11 Discretionary Response Fund. The Board heard two deputations relating to these applications, clauses 3.2 and 3.3 refer.

- (a) It was **moved** by David Cox, seconded by Tim Carter, that the Board make a grant of \$10,000 to the Linfield Recreation Sport and Cultural Club for the costs associated with the co-ordination and delivery of the KiwiSport programme.

It was **moved** by way of amendment by Yani Johanson, seconded by Rod Cameron, that the Board make a grant of \$5,000 to the Linfield Recreation Sport and Cultural Club for the costs associated with the co-ordination and delivery of the KiwiSport programme. When this amendment was put to the meeting it was declared **lost**.

When the original motion was put to the meeting, it was declared **carried** on Division No. 2 by 4 votes to 3 with voting being as follows:

**For (4):** Tim Carter, David Cox, Brenda Lowe-Johnson and Bob Todd.

**Against (3):** Rod Cameron, John Freeman and Yani Johanson.

- (b) It was **resolved** on the motion of Brenda Lowe-Johnson, seconded by Tim Carter, that the Board make a grant of \$10,000 from its 2010/11 Discretionary Response Fund to Manaaki Sounds Trust towards the costs associated with 'Matariki at the Marae' celebration in June 2011.

(**Note:** Yani Johanson declared an interest in this item and took no part in discussion or voting on this application.)

- (c) It was **resolved** on the motion of Bob Todd, seconded by Tim Carter, that the Board make a grant of \$2,500 from its 2010/11 Discretionary Response Fund to Sumner Community Pool towards solar heating.
- (d) It was **resolved** on the motion of Brenda Lowe-Johnson, seconded by David Cox, that the Board decline the request from the Mt Pleasant Scout Group towards repair of the rescue boat.

### 17. NEW ZEALAND COMMUNITY BOARDS' BEST PRACTICE AWARDS 2011

The Board considered a report seeking the Board's views as to whether it wishes to submit any entries to the New Zealand Community Board Conference Best Practice Awards 2011.

It was **resolved** on the motion of Bob Todd, seconded by Rod Cameron, that the Matariki at the Marae event be approved as a Burwood/Pegasus and Hagley/Ferrymead Community Boards' Best Practice Awards joint entry at the 2011 New Zealand Community Boards' Conference

### 18. RESOLUTION TO EXCLUDE THE PUBLIC

It was **resolved** on the motion of Bob Todd, seconded by Tim Carter, that the public be excluded from the following parts of the proceedings of this meeting, namely item 19.

The public were excluded from the meeting at 5.42pm.

**Hagley/Ferrymead Community Board 22.9.2010**

**19. RESOLUTION TO BE PASSED - SUPPLEMENTARY REPORT**

The Board considered a report seeking approval to consider the Temporary Liquor Ban Hagley Park North Band Together Concert report at this meeting.

It was **resolved** on the motion of Bob Todd, seconded by David Cox, that the report be received and considered at the meeting of the Hagley/Ferrymead Community Board on 22 September 2010.

The Chairperson thanked Board members and staff for their attendance and contributions, and made a presentation to John Freeman in acknowledgement of his 18 years service as a Member of the Hagley/Ferrymead Community Board

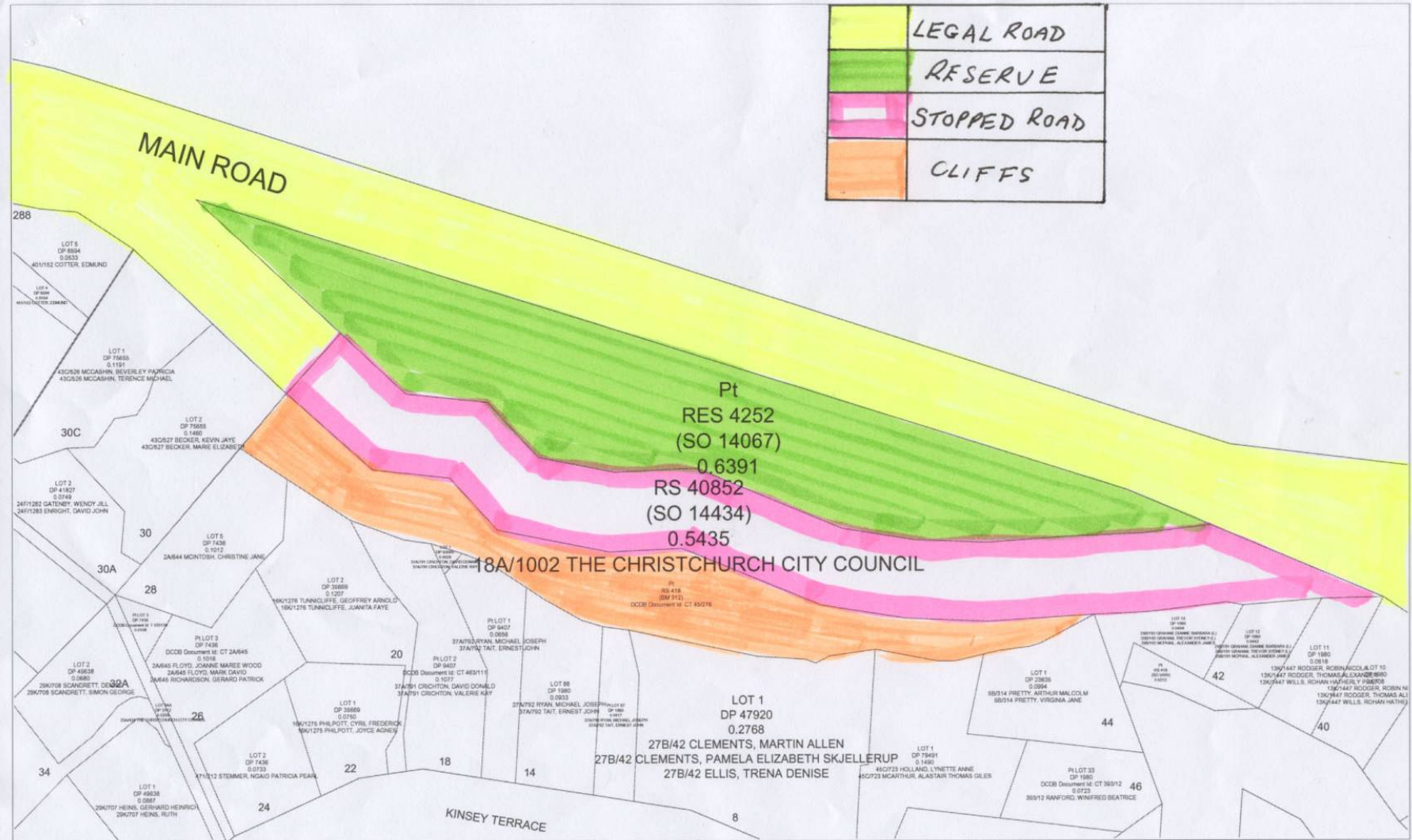
The meeting was declared closed at 5.53pm.

**CONFIRMED THIS DAY OF OCTOBER 2010**

**SIGNED BY THE CHAIRMAN OF THE BOARD AND THE COMMUNITY BOARD ADVISER  
PURSUANT TO STANDING ORDER 3.18.2**

**BOB TODD  
CHAIRPERSON**

**JO DALY  
COMMUNITY BOARD ADVISER**



**ATTACHMENT TO CLAUSE 2  
: HAGLEY PARK ALCOHOL BAN AREA**

