

CHRISTCHURCH CITY COUNCIL AGENDA

THURSDAY 26 MAY 2011

9.30AM

**BOARDROOM, BECKENHAM SERVICE CENTRE,
66 COLOMBO STREET**

CHRISTCHURCH CITY COUNCIL

Thursday 26 May 2011 at 9.30am
in the Boardroom, Beckenham Service Centre, 66 Colombo Street

Council: The Mayor, Bob Parker (Chairperson).
Councillors Helen Broughton, Sally Buck, Ngaire Button, Tim Carter, Jimmy Chen, Barry Corbett,
Jamie Gough, Yani Johanson, Aaron Keown, Glenn Livingstone, Claudia Reid, Sue Wells and
Chrissie Williams.

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26. 5. 2011

1. **APOLOGIES**
2. **CONFIRMATION OF MINUTES - COUNCIL MEETINGS OF 28.4.2011 AND 12.5.2011**

Attached.

26. 5. 2011

3. DEPUTATIONS BY APPOINTMENT

- Representatives from the Police will address the Council on item 5.

4. PRESENTATION OF PETITIONS

5. POSSIBLE ADDITIONAL PERMANENT ALCOHOL BAN AREAS

General Manager responsible:	General Manager Strategy and Planning
Officer responsible:	Programme Manager Strong Communities
Author:	Terence Moody

PURPOSE OF REPORT

1. To seek direction from the Council on whether further analysis should be undertaken on additional alcohol ban areas by amendment to the Christchurch City Council Alcohol Restrictions in Public Places Bylaw 2009 (the Bylaw) in Akaroa, Okains Bay, Merivale and Papanui.

EXECUTIVE SUMMARY

2. On 28 April 2011, the Council resolved to initiate consultation on a permanent amendment to the Bylaw for the Riccarton/Ilam area which, if adopted, would come into effect when the temporary ban lapses. The Council also noted that proposals to introduce a temporary or permanent alcohol ban in Merivale and amend the alcohol bans in Papanui and Akaroa would be investigated and reported to the Council.
3. Staff will undertake an analysis under section 155 of the Local Government Act 2002 to determine whether an alcohol ban is considered the most appropriate means of controlling the problems identified in the Riccarton/Ilam area and report back to the Council in June 2011. A preliminary investigation of the perceived problems in Okains Bay, Merivale and Papanui suggests that consideration should also be given to these areas in this work. For Okains Bay, it is proposed that consideration be given to a permanent alcohol ban on New Year's Eve as last year's temporary ban was successful in reducing disorder in the area. With regard to Merivale and Papanui, Police advise that there has been some displacement of businesses and people drinking at licensed premises from the central city, along with associated anti-social behaviours. The Police anticipate these issues increasing as further licensed premises move in to these areas to cater to the increased customer base.
4. The Police also support extending the alcohol ban in Akaroa beyond New Year's Eve due to problems associated with people drinking on the beach at other times of the year. The primary problems relate to nuisances such as noise and people lighting fires on the beach late at night. In this case, councillors are asked to consider whether there is sufficient evidence to proceed with a section 155 analysis.
5. If the Council agrees that further consideration be given to alcohol bans in these areas, additional information will be sought from the Police on disorder, assaults, and wilful damage in each of the areas (including Riccarton/Ilam) so that the section 155 analysis can be undertaken. Staff will also consult the relevant Community Boards. Community Boards, Residents' Associations and other stakeholders will also be consulted through the Special Consultative Procedure if amendments are proposed.
6. Subject to adequate information being obtained on each of the areas to support a Council resolution to amend the Bylaw, a combined Special Consultative Procedure and amendment will be undertaken to save costs.

FINANCIAL IMPLICATIONS

7. There are significant costs involved with initiating an amendment to the Bylaw including preparing and printing the Statement of Proposal, Summary of Information and the proposed Amendment of the Bylaw, placing public notices, sending copies to stakeholders, receiving submissions and holding hearings. If changes are adopted, there will be costs associated with publicising the ban(s), advising stakeholders and submitters, and the general public.

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8. The costs for the process to amend the Bylaw by way of a Special Consultative Procedure can be funded through budgetary provision in the City and Community Long-term Policy and Planning activity in the LTCCP. It should be noted that it is significantly more cost effective to carry out one Special Consultative Procedure that covers the introduction or changes to a number of alcohol bans than to consult on them separately.
9. There is no funding specifically for advertising and the provision of signage, including costs of production, erection, and where necessary replacement. The costs of signs will depend on the areas chosen for the ban to cover. It is recommended that suitable capital provision be made in the 2011/12 Annual Plan for signage associated with changes to the Bylaw.
10. In addition to signage, other forms of publicity will be required to communicate the presence of the alcohol bans with the aim of discouraging behaviour that contravenes the regulations. For each of the distinct bans in the metropolitan city area the publicity will cost in the range of \$10-15,000. Publicity in Akaroa might cost approximately half of this. These costs can be funded through budgetary provision in the City and Community Long-term Policy and Planning activity in the LTCCP.
11. The Police will be responsible for enforcing any additional alcohol bans and associated costs.

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

12. See above.

LEGAL CONSIDERATIONS

13. Under section 145 of the Local Government Act 2002, the Council may make bylaws for one or more of the following purposes:
 - (a) protecting the public from nuisance
 - (b) protecting, promoting and maintaining public health and safety
 - (c) minimising the potential for offensive behaviour in public places.
14. The process for making, amending or revoking bylaws under the Local Government Act 2002 is outlined in sections 83, 86, 155 and 156 of the Act. Section 155 of the Act requires local authorities to determine that any proposed Bylaw:
 - (a) is the most appropriate way of addressing the perceived problems
 - (b) is in an appropriate form
 - (c) is not inconsistent with the New Zealand Bill of Rights Act 1990.
15. Any proposed amendment to the Bylaw would be made under the bylaw-making power in section 147 of the Local Government Act 2002. This allows a council to make a bylaw for "liquor control purposes". Section 147 essentially allows a council to make a bylaw prohibiting or otherwise regulating or controlling the consumption, possession and carriage of alcohol in public places, including in vehicles in public places. "Public places" in section 147 is confined to land that is under the control of the Council and open to the public, and includes any road, even if it is not under the control of the Council. The bylaw-making power in section 147 also explicitly exempts the transport of unopened bottles or containers of alcohol to or from licensed premises or private residences in an area covered by a bylaw made for liquor control purposes.
16. The purpose of the Bylaw is to control anticipated or potential negative alcohol-related behaviour in any defined areas. Under clause 6 of the Bylaw, in Permanent or Temporary Alcohol Ban Areas, 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.

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17. The Bylaw currently provides that certain areas of the city are "Permanent Alcohol Ban Areas". The Permanent Alcohol Ban areas are
- Central City
 - Hagley Park and Environs
 - South Colombo
 - New Brighton Mall, Marine Parade and Environs
 - Northlands Mall Surrounds
 - Sumner Esplanade
 - Jellie Park
 - Akaroa
 - Spencer Park.
18. The location and the times that the Permanent Alcohol Ban areas apply are set out in the Schedule to the Bylaw. Therefore, any changes to these areas or times would need to be in accordance with section 156 of the Local Government Act 2002.
19. The Bylaw also provides that the Council may declare a Temporary Alcohol Ban Area by resolution. Any such resolution under this provision must describe the specific area that is a Temporary Alcohol Ban Area and the times, days or dates on which the alcohol restrictions apply to any public places in the area.
20. This report also covers matters relating to section 77 of the Local Government Act 2002, which relates to decision-making and requires local authorities to identify all practical options and to assess the options in relation to their costs and benefits, community outcomes, and the impact on the council's capacity. Due to time constraints an options analysis has not been undertaken to date but would form part of the process if the Council determined it wished to examine amendments to the Bylaw.

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

21. As above. It should be noted that a section 155 analysis would be required if an amendment to the Bylaw is sought for any of the proposed additional Permanent Alcohol Ban areas.
22. It should also be noted that since the Bylaw was made in 2009, the Council has not amended or added to any of the Permanent Alcohol Ban Areas. However, the Council has exercised its discretion under clause 5 of the Bylaw to resolve a number of Temporary Alcohol Ban Areas. These were:
- Temporary Alcohol Ban Area for the Band Together Concert in Hagley Park 2010
 - Temporary Alcohol Ban Area for New Year's Eve at Okains Bay 2011
 - Temporary Alcohol Ban Area for Orientation Period at Ilam 2011
 - Temporary Alcohol Ban Area for Riccarton/Ilam from 19 May 2011 to 30 November 2011.

ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS

23. See 21 below.

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

24. Introducing alcohol bans under the Bylaw 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.

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Do the recommendations align with the Council's strategies?

26. Yes – as above.

CONSULTATION FULFILMENT

27. Due to time constraints, only a limited amount of consultation with the New Zealand Police has been undertaken at this time. Should the Council decide to seek amendments to the Bylaw, a full Special Consultative Procedure will be undertaken in accordance with the Local Government Act 2002.

STAFF RECOMMENDATION

28. It is recommended that the Council:
- (a) Note that, on 28 April 2011, the Council resolved to undertake consultation on a permanent alcohol ban in the Riccarton /Ilam area;
 - (b) Note that preliminary discussions with the Police suggest that there are alcohol-related problems in Akaroa, Merivale, Papanui and Okains Bay, which may warrant an amendment to the Christchurch City Council Alcohol Restrictions in Public Places Bylaw 2009;
 - (c) Approve staff undertaking a section 155 Local Government Act 2002 analysis of possible amendments to the Christchurch City Council Alcohol Restrictions in Public Places Bylaw 2009 for Merivale, Papanui, and Okains Bay, in addition to Riccarton/Ilam;
 - (d) Determines whether it considers there is sufficient evidence of nuisance to justify staff undertaking a section 155 Local Government Act 2002 analysis of possible amendment to the for Akaroa; and
 - (e) Agree that suitable provision for capital funding for the cost of signs to implement amendments to the Bylaw be made in the draft Annual Plan.

BACKGROUND

29. On 28 April 2011, the Council considered a report on a temporary alcohol ban in the Riccarton/Ilam area. The report also discussed possible bans in Papanui and Merivale requested by the Police. It was resolved that the Council:
- (a) *That having considered the matters in clause 5(2) of the Christchurch City Alcohol Restrictions in Public Places Bylaw 2009, declares a Temporary Alcohol Ban Area in Riccarton/Ilam, (being the area shown on the attached map to the agenda), applying 24 hours per day and seven days per week, commencing on 19 May 2011 and ending and ending on the 30 November 2011.*
 - (b) *Initiate consultation on a permanent amendment to the Alcohol Restrictions in Public Places Bylaw 2009 for the Riccarton/Ilam area which (if adopted) would come into effect when the temporary ban lapses.*
 - (c) *Note that proposals to introduce a temporary or permanent alcohol ban in Merivale and Akaroa and an amendment to the alcohol ban in Papanui will be investigated and reported to the Council.*
30. Staff have since undertaken a preliminary investigation into the need for alcohol bans in Akaroa, Okains Bay, Merivale, and Papanui. Each area is discussed in turn.

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Akaroa

31. There is already an alcohol ban in place in Akaroa, which applies on New Year's Eve from 5.00 pm 31 December to 7.00 am on 1 January each year. The area is mapped in the Bylaw (**map attached – Attachment 1**) and includes Akaroa Beach and the waterfront area (including any wharf or jetty) from Children's Bay to Takapunueke Reserve, the Garden of Tane, Waeckerie Green, Reclamation Parking and Slipway Area, Akaroa Recreation Ground, Jubilee Park, Children's Bay and the War Memorial Grounds.
32. A possible amendment to the alcohol ban was raised in a petition to the Council received at its meeting of 28 April 2011. The petition requested the following:
 1. *A liquor ban from 10pm to 8am in public areas.*
 2. *Trading hours for Hotels restricted to 12am.*
 3. *Liquor outlet sales banned after 10pm.*
 4. *Lower speed limit in the Village to 30 kph or measures to reduce the speed of traffic.*
33. Staff have discussed the proposed alcohol ban with the Police in Akaroa, who are supportive of an extension to the ban.¹ Senior Constable Steve Ditmer advised that the problem is twofold: the first is that young people are choosing to buy alcohol from the supermarket and drink on the beach, usually late at night, rather than drink in licensed premises (because of the expense). Second, when the licensed premises close at night, people come out and continue drinking on the beach. In both cases, people are not breaking any laws, just being somewhat noisy. There does not appear to have been an issue with vandalism or damage to public or private property.
34. In Senior Constable Ditmer's view, an alcohol ban between 10pm and 6am from Labour weekend to Easter, seven days a week, covering the same areas as those currently covered by the New Year's Eve ban would be adequate to address the above issues. This would enable families and tourists to enjoy the summer days and evenings with a glass of wine or a beer. Police could then address problems with any 'troublemakers' later in the night as need be. His view is that once people know there is a ban in place, by and large they honour it. He notes that Wanaka and Queenstown both have bans along these lines which are strongly enforced by Police and which have put a brake on anti-social behaviour. Senior Constable Prior, on the other hand, considered that a year long ban would be appropriate. He advised that the problems occur throughout the year, with people having fires on the beach while drinking during colder weather.
35. If the Council was to amend the bylaw to introduce an alcohol ban in Akaroa it would be doing so to protect the public from nuisance (i.e. noise and disturbance) and minimise the potential for offensive behaviour in public places. The Police have not indicated that they can provide a body of evidence of incidents and arrests (as used extensively in creating the permanent alcohol bans in the existing Bylaw). It is likely that evidence to support the introduction of the bylaw will be limited to the views of the local Police Officers and possibly some local residents and business owners. If the Council is a view that this type of evidence will provide enough confidence for it to significantly increase the number of days covered by the bylaw in Akaroa, then staff can undertake a section 155 analysis and develop a statement of proposal for the Council to consider. If however this type of evidence is likely to be insufficient for the Council to proceed, this should be signalled and the formal process to consider amending the bylaw terminated now.
36. As there is currently an alcohol ban in Akaroa, legal advice suggests that it would be difficult to deal with this issue by the Council resolving to impose a Temporary Alcohol Ban Area. The Council could be seen to be acting unreasonably or outside its powers if it imposes a Temporary Alcohol Ban for longer hours and increased days where the area is already covered by the Permanent Alcohol Ban Area. Consequently, any additional ban will require an amendment to the Bylaw. This will require an analysis under section 155 of the Local Government Act 2002 to determine whether a Bylaw ban is considered the most appropriate means of controlling the problem, and if so, preparing an amendment for consultation under the Special Consultative Procedure.

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¹ Personal communication Constable Steve Ditmer and Senior Constable Lyall Prior

37. The other matters identified in the petition are outside the scope of this report. The petition identified one licensed premise as being a problem to a nearby business, largely through noise but also behaviour from allegedly patrons when leaving the premise. The Liquor Licensing Inspector has been made aware of this complaint and has advised that the current licence is due for renewal on 23 January 2012. While noise complaints have been investigated, there have been relatively few complaints in recent times. These do not provide sufficient grounds to require intervention regarding the licence hours, nor are any other liquor licence issues apparent. The Police have not expressed any concern to the Liquor Licensing Inspectors about issues with the premise. Any proposal to seek a reduction in operating hours, for either on- or off-licences, would need to be considered by the Liquor Licensing Authority provided sufficient evidence could be provided.
38. The matter regarding the reduction in allowable speed limit has been referred to the Traffic Operations Team in the Council's Transport and Greenspace Unit.

Okains Bay

39. As noted above, a Temporary Alcohol Ban was introduced for New Year's Eve 2010/2011 for the Okains Bay area due to considerable disorder on previous occasions. There was a considerable decline in incidents of disorder and drinking in public places last year following the introduction of the ban.
40. Staff consider that making this alcohol ban permanent should be examined for the New Year's Eve period to bring it into line with similar permanent alcohol bans at Spencer Park and Akaroa. The Akaroa Police support this approach.

Merivale

41. There is currently no alcohol ban in Merivale. A Merivale alcohol ban was examined when the Bylaw was introduced in 2009 but, at the time, it was not considered that there was sufficient evidence for a ban in this area.
42. As advised in the report of 28 April 2011, the Police originally sought a temporary alcohol ban in Merivale for 24 hours a day, seven days of the week. The proposed area runs from Papanui Road/St Albans Road intersection to Browns Road to Innes Road, back across Papanui Road to Heaton Street, down to Rossall Street, back up Rugby Street onto Papanui Road then back to the Papanui/St Albans Road intersection (**map attached – Attachment 2**).
43. Discussions have since been held with Inspector Dave Lawry, Area Commander Northern, New Zealand Police, regarding this request. He advises that there has been a significant displacement of people from central city bars creating overcrowding of the bars in the Merivale area. While there is a certain amount of circumstantial evidence of alcohol being consumed in the public places, such as bottles and cans being left in street furniture along Papanui Road, there appears to be little direct evidence. Inspector Lawry has expressed the view that in addition to the increased patronage of licensed premises currently being experienced in Merivale, a significant number of people who visited licensed premises prior to the earthquake have been socialising at home. He believes that over time these people will start to use licensed premises regularly again and further increase the alcohol related issues in Merivale and Papanui.
44. Police have undertaken a survey of 24 Merivale businesses, and three residents in Aikmans Road.² Thirteen businesses reported negative impacts from persons allegedly affected by alcohol, including urination in some public and private places, an increase in rubbish, broken glass and bottles in the area, and vehicles parking in private off-the-road car parks. Some respondents alleged that both underage drinkers and those of age are drinking in public near the Merivale licensed premises. The major problems appear to be occurring on the later days of the week during the evenings.

² Senior Constable D.L. Brunton, Merivale Alcohol Survey, 4 May 2011

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45. Licensed premises in Merivale are largely situated in, or adjacent to, the Papanui, Aikmans Roads, and Mansfield Avenue corner. However, Police consider that an alcohol ban should cover a much wider area (bounded by Browns and Innes Roads, Heaton, Rossall, Rugby, and St Albans Streets) in order to provide clear boundaries to the ban. Moreover, Police consider that a wide area will help control transport of alcohol into the car park at the Merivale Mall, which has allegedly been used for drinking in public, as well as other private car parks at the rear of shops on the east side of Papanui Road. Alcohol bans are unable to be applied directly to private car parks.
46. If the Council was to amend the bylaw to introduce an alcohol ban in Merivale it would be doing so to protect the public from nuisance, to protect and maintain public health and safety and (critically in this case to) minimise the **potential** for offensive behaviour in public places. The Police may not be able to provide a body of evidence of incidents and arrests (as used extensively in creating the permanent alcohol bans in the existing Bylaw).
47. On balance staff believe there is sufficient evidence to undertake further work to consider and carry out the section 155 analysis on a permanent alcohol ban in Merivale. The evidence for alcohol related offences, as noted above, is largely circumstantial but what is available seems to indicate activities during the later nights of the week. Any alcohol ban should therefore be focused along these times and days (for example Wednesday to Sunday from 6pm to 8am). It is not considered sufficient evidence exists to propose a temporary ban over such a wide area for 24 hours seven days a week.
48. Further discussions with the Police indicate they consider any ban should be permanent rather than temporary. Undertaking a Permanent Ban through amendment to the Bylaw would enable consultation on the suitability of the wide area proposed.

Papanui

49. As there is currently an alcohol ban around the Northlands Mall and surrounds (**map attached – Attachment 3**), any additional ban or change of area in Papanui will require an amendment to the Bylaw. This will require an analysis under section 155 of the Local Government Act 2002 to determine whether a Bylaw ban is considered the most appropriate means of controlling the problem, and if so, preparing an amendment for consultation under the Special Consultative Procedure.
50. Inspector Lawry advises that there has been a considerable increase in businesses moving into the Papanui area, many of which appear to have relocated from the central city. In general, businesses are moving from an area that has had an alcohol ban for some time to an area only partly covered by a ban. In addition, there has been an increase of persons using, or attempting to use, licensed premises in the Papanui area.
51. Inspector Lawry has expressed the view that in addition to the increased patronage of licensed premises currently being experienced in Papanui, a significant number of people who visited licensed premises prior to the earthquake have been socialising at home. He believes that over time these people will start to use licensed premises regularly again and further increase the alcohol related issues in Merivale and Papanui.
52. It should also be noted that since the existing Northlands alcohol ban was established an additional licensed premise has been located just outside the ban area. Inspector Lawry is concerned that further licensed premises will open outside the current alcohol ban area to cater for the higher numbers of people working in and visiting the Papanui area.

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53. The Police have undertaken a survey of business owners in the Papanui area to determine what issues have arisen since the 22 February earthquake.³ The area in which the businesses were contacted was along Main North and Papanui Roads between Langdons and Blighs Roads. The officer undertaking the survey estimated that three quarters of the businesses in the area were able to be contacted for comment. Of the 42 businesses contacted, 33 per cent stated they had no alcohol-related issues, 26 per cent had issues that were occurring before the 22 February earthquake but had not significantly increased, and 40 per cent reported a significant increase in problems including broken beer bottles, rubbish, vomiting and urinating in doorways.
54. Police have suggested that the alcohol ban should apply to the area bounded by St James Avenue, Blighs and Grants Roads, Grassmere Street, Main North and Vagues Roads and the railway line, (**map attached – Attachment 4**). The Police consider that extending the ban area (from the current ban around Northlands Mall) would enable greater control over entry of persons and vehicles into the area where consumption of alcohol in a public place may occur. The Police see this as a preventative measure aimed at dealing with anticipated problems which may be alcohol-related.
55. If the Council was to amend the bylaw to change the area covered by the alcohol ban in Papanui it would be doing so to protect the public from nuisance, to protect and maintain public health and safety and (critically in this case to) minimise the potential for offensive behaviour in public places. The Police may not be able to provide a body of evidence of incidents and arrests (as used extensively in creating the permanent alcohol bans in the existing Bylaw).
56. As with Akaroa, because there is currently an alcohol ban in the Papanui area, legal advice suggests that it would be difficult to deal with this issue by the Council resolving to impose a Temporary Alcohol Ban Area. Consequently, any changes to the area covered by the current ban or the hours of the current ban will require an amendment to the Bylaw. Again, this will require an analysis under section 155 of the Local Government Act 2002 to determine whether a Bylaw ban is considered the most appropriate means of controlling the problem, and if so, preparing an amendment for consultation under the Special Consultative Procedure.
57. On balance staff believe there is sufficient evidence to commence the process of undertaking a section 155 analysis on a permanent alcohol ban in Papanui. As with Merivale, any ban should apply to the later days of the week at the times of most concern (such as Wednesday to Sunday, 6pm to 8am).

Next Steps

58. If the Council agrees that there is sufficient evidence to warrant further consideration of alcohol bans in these areas, staff will undertake a full section 155 analysis, in conjunction with that for the Riccarton/Ilam area and report back in June 2011. Should the Council wish at this stage to propose an amendment to the Bylaw, a full Special Consultative Procedure will be undertaken. It is anticipated that consultation would occur in mid July to August with hearings in early September. This would enable any amendments to take effect in November 2011 before the Temporary Alcohol Ban in Riccarton/Ilam expires.

³ Senior Constable R. Fraser, Liquor Ban Proposal Papanui/Merivale, 4 May 2011

6. ADOPTION OF SCHEDULE OF MEETINGS FOR 2011

General Manager responsible:	General Manager Regulation and Democracy Services
Officer responsible:	Democracy Services Manager
Author:	Clare Sullivan, Council Secretary

PURPOSE OF REPORT

1. The purpose of the report is to seek the adoption by the Council of an amended schedule (**Attachment 1**) setting out the proposed times and dates of ordinary Council meetings and Annual Plan meetings for 2011.

EXECUTIVE SUMMARY

2. Following the focus to recovery after the 22 February earthquake it is necessary for the Council to reconsider the schedule of meetings previously agreed by the Council on 16 December 2010.
3. The attached schedule (**Attachment 1**) assumes:
 - That Council meetings will be held commencing at 9.30am on the second and fourth Thursday of each month, with the meeting on the second Thursday being devoted solely to consideration of community board reports, with all remaining reports/items being submitted to the second meeting on the fourth Thursday.
 - Meetings set aside for the Annual Plan.
 - Meetings set aside for the Central City Recovery Plan.
4. Other dates will still need to be set including for the Canterbury Earthquake Heritage Building Fund, ad hoc committees, working parties, Water Management Committees and a number of special consultative processes. In addition hearings for Special Consultative Procedures panels on proposed Alcohol bans and Commercial Sexual Services bylaw will be held.

CENTRAL CITY RECOVERY PLAN

5. In order to meet the dates set by the Canterbury Earthquake Recovery Act 2011 for the completion of the recovery plan for the Central City, the plan must be completed by the Council by December.
6. The draft plan is due to go out for consultation in mid August. Prior to this there will be workshop requirements of a couple of days.
7. Submissions are likely to close mid-September 2011. There is likely to be a large number of submissions to be heard in a short space of time. Because of this it is suggested that a week of hearings may be needed in late September, and further time in October for consideration may be required as well.
8. The meeting to adopt the plan is likely to take place in November/early December.

FINANCIAL IMPLICATIONS

9. Costs associated with holding meetings are provided for in the LTCCP.

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

10. Yes. Page 159 of the 2009-19 LTCCP.

LEGAL CONSIDERATIONS

6 Cont'd

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

11. Yes.

ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS

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

12. Yes – Democracy and Governance pages 154 to 159 of the 2009-19 LTCCP.

ALIGNMENT WITH STRATEGIES

Do the recommendations align with the Council's strategies?

13. Not applicable.

CONSULTATION FULFILMENT

14. Not applicable.

STAFF RECOMMENDATION

It is recommended that the Council

- (a) Adopt the schedule of meetings for the remainder of 2011 as attached to this report.
- (b) Consider a programme for the Central City Recovery Plan.

7. AMENDMENTS TO THE CONSTITUTING AGREEMENT OF CANTERBURY WASTE JOINT COMMITTEE

General Manager responsible:	General Manager, City Environment Group
Officer responsible:	Unit Manager, City Water and Waste
Author:	Zefanja Potgieter, Senior Resource Planner

PURPOSE OF REPORT

1. To consider and approve the amended Constituting Agreement of the Canterbury Waste Joint Committee, of which the Council is a member.

EXECUTIVE SUMMARY

2. The Canterbury Waste Joint Committee is a joint committee under the Local Government Act 2002 with delegated authority to deal with all matters relating to regional waste minimisation initiatives across the region. These regionally coordinated waste minimisation initiatives are in addition to what territorial authorities are achieving in terms of their individual waste management plans.
3. At present the following ten local authorities are members of the joint committee:
 - (a) Ashburton District Council
 - (b) Canterbury Regional Council
 - (c) Christchurch City Council
 - (d) Hurunui District Council
 - (e) Kaikoura District Council
 - (f) Mackenzie District Council
 - (g) Selwyn District Council
 - (h) Timaru District Council
 - (i) Waimakariri District Council
 - (j) Waimate District Council
4. On 14 February 2011 the Canterbury Waste Joint Committee considered a report to make some changes to its Constituting Agreement, brought about by the 2010 decision of Canterbury Regional Council to withdraw from the joint committee, seeing that solid waste minimisation is a responsibility of territorial authorities, but not a responsibility of regional councils.
5. The proposed changes have been incorporated in the attached amended Constituting Agreement (**Attachment 1**) and are explained in the paragraph below. If the agreement is approved unchanged by all member councils then it is scheduled to come into effect on 1 July 2011. If however one or more member councils propose changes to the agreement then such changes would need to be referred back to the joint committee for consideration in the first instance, and then be re-submitted to all member councils for further consideration. The Waimakariri District Council was first to approve the amended agreement at its meeting in March 2011.
6. The changes to the Constituting Agreement cover the following:
 - (a) Funding

Ecan currently contributes 25 per cent of the annual \$150,000 budget, so as from 1 July 2011 the regional waste minimisation budget would be reduced by its contribution of \$37,500. An annual budget of \$110,000 as from 1 July 2011 is proposed, and the agreement has been updated with recent population statistics, which are used to apportion the budget contribution from member TLA's.

7 Cont'd

(b) Hazardous Waste Subcommittee

The Constituting Agreement currently provides that the Joint Committee's hazardous waste subcommittee is chaired by an Environment Canterbury representative and it has historically been jointly funded by Ecan and the territorial authorities. The attached Agreement deletes Ecan's membership. Ecan will however continue to fund its hazardous waste reduction initiatives, and fund it internally without requiring territorial authority contributions.

The proposal contained in the attached agreement is to provide for an optional, instead of obligatory, hazardous waste subcommittee and it is recommended that the joint committee incorporates hazardous waste issues directly into the committee's responsibilities, and in due course evaluate if a change to re-establish a subcommittee is required. In the past the subcommittee only met once a year.

(c) Membership and quorum

Updated to reflect the reduction in number of representatives from 13 to 11 due to Environment Canterbury withdrawing.

(d) Alternates

Over the years Timaru District Council has maintained and has provided legal advice that the provision in the current Constituting Agreement for alternates (clause 11) is ultra vires and should be deleted. This clause is in fact not required and no attendance issues have been encountered so there is no need for it anymore and it has been removed.

(e) New Clause

To provide for attendance of meetings by phone or video conference. It is recommended that the agreement be amended by adding a clause to allow phone or video attendances. Venues used for phone or video attendances will need to also be publicly notified in the usual manner, and be open to the public.

An introductory section setting out the background to the Constituting Agreement has been updated and shortened.

FINANCIAL IMPLICATIONS

7. The proposed changes have no financial impact on the Council, which will continue to contribute its share to the joint committee's budget as set out in paragraph 21 of the Constituting Agreement. The withdrawal of CRC's membership of the joint committee does however reduce its annual budget and future regional waste minimisation actions will be accommodated within the new budget limit, with no proposed increased contributions from member councils.

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

8. Yes.

LEGAL CONSIDERATIONS

9. The proposed changes to the Constituting Agreement have been drafted in conjunction with the Legal Services Unit.

ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS

10. Not applicable.

7 Cont'd

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

11. No.

ALIGNMENT WITH STRATEGIES

12. The work done by the joint committee aligns with and supports the aims and objectives of the Council's Solid and Hazardous Waste Management Plan 2006.

CONSULTATION FULFILMENT

13. Consultation with all member councils occur through deliberations of the joint committee.

STAFF RECOMMENDATION

It is recommended that the Council approve the attached Constituting Agreement of the Canterbury Waste Joint Committee.

8. EXCHANGE OF LAND – ST LUKES STREET

General Manager responsible:	General Manager City Environment
Officer responsible:	Asset and Network Planning Unit Manager
Author:	Bill Morgan, Property Consultant

PURPOSE OF REPORT

1. The purpose of this report is to approve the exchange of 86 St Lukes Street (Section 2) owned by the Council for Sections 3 and 4 (owned by Horncastle Homes Ltd) as defined in **Attachment Two**.

EXECUTIVE SUMMARY

2. The proposed exchange will enable Horncastle Homes Ltd to complete its subdivision in St Lukes Street comprising 15 sections (**Attachment One**). At the same time it will secure an extended reserve fronting the Linwood Canal which will enable the Council to eventually complete the realignment and enhancement of the canal, a programme commenced some years ago, but not finished because all of the land required had not been secured.
3. Approval to the exchange will conclude the land acquisition programme and will enable the canal project to be finished when funds permit. More importantly it will enable Horncastle Homes to fast track the completion of the subdivision in order to provide much needed housing for Christchurch.

FINANCIAL IMPLICATIONS

4. There are no financial implications with funds being available in the Neighbourhood Park and Waterways budgets to complete the purchase this financial year.

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

5. Yes as indicated above.

LEGAL CONSIDERATIONS

6. There are no legal impediments preventing the proposed exchange.

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

7. Yes there are no issues of concern.

ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS

8. Provide a network of safe, accessible and attractive neighbourhood parks that
 - (a) Offer opportunities for community interaction;
 - (b) Offer places for children's play and passive recreation;
 - (c) Strengthen Christchurch's identity as the Garden City through amenity planting and trees;
 - (d) Protect and enhance the region's heritage;
 - (e) Protect and enhance both exotic and local native biodiversity and waterways; and
 - (f) Ensure design, development and maintenance is undertaken in a sustainable and timely manner.

8 Cont'd

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

9. Provision has been made in the LTCCP for the provision of neighbourhood parks through the new land purchase capital programme, WBS 562/424.

ALIGNMENT WITH STRATEGIES

10. The Public Open Space Strategy where the Council is committed to protecting, enhancing and maintaining the public open space network of Christchurch District for residents and visitors and for environmental and cultural wellbeing.

Do the recommendations align with the Council's strategies?

11. Yes the Strategy recognises that public open space needs to be designed as an interconnected system. In achieving public open space provision, Council recognises and upholds the Garden City identity and natural heritage of urban Christchurch and the garden and natural heritage of townships and rural areas.

CONSULTATION FULFILMENT

12. No consultation is required.

STAFF RECOMMENDATION

It is recommended that the Council:

- (a) Approve the exchange of Sec 2 (Lot 26 DP 370714 Identifier 286540) owned by Council for Sections 3 and 4 on **Attachment Two** with the Council to pay by way of equality of exchange the sum of \$137,550 plus the landscaping costs of \$35,000 making a total of \$172,550 payable to Horncastle Homes Ltd.

BACKGROUND (THE ISSUES)

13. The Council some 10 years ago adopted an enhancement programme for Linwood Canal between Dyers Road and St Johns Street part of which has been completed. In addition to improving the aesthetics of the area and creating an improved wildlife habitat the widening of the canal has also increased its storage capacity of the drain in times of flood. It has facilitated a number of pedestrian and cycleway connections and linkages between Dyers Road, St Johns and St Lukes Streets much of which has been developed for housing over the past five years.
14. Initially severances were acquired from three of the properties fronting the canal together with the property at 104a St Johns Street containing 2.0831 ha part of which was required for the project. Difficulties were, however, experienced in acquiring the final property (the Saltness Block) which meant that the enhancement programme could not be completed as one project and as a consequence it was staged with the Dyers Road section being completed first.
15. At the time negotiations were being conducted over the acquisition of the land required from the Saltness Block a 26 Lot subdivision had been approved as depicted on Plan 1. In determining the reserve fund contributions for the subdivision it was decided to complete a land and cash deal with Lot 26 in the subdivision being secured. The reason behind the decision was to facilitate the exchange of Lot 26 for the land required for the enhancement project. It was thought this would be an attractive option for the owner as it not only provided road frontage but also access to services which would enable the property to be subdivided.
16. Negotiations with the owner failed and the block was subsequently sold to Horncastle Homes Ltd. The Company had secured two of the adjoining properties and had completed their subdivision offering land and home packages. The Company is now holding subdivision consent for the remaining Saltness Block providing for 15 sections as depicted on **Attachment Two**. During negotiations with the Company it has been agreed, subject to Council approval, to exchange Council owned section shown as Section 2 for sections 3 and 4 on **Attachment Two** in order to facilitate access to the subdivision.

8 Cont'd

17. The acquisition of Section 3 will enable Council to complete the Canal enhancement project when funds permit as well as creating a neighbourhood reserve and a linkage to St Lukes Street. Section 4 is an open drain over which the Council holds an easement. The acquisition of the additional strip along the eastern boundary of the drain (part of Section 3) will enable the waterway to be enhanced and a walkway created.

PROPOSED SETTLEMENT

18. To determine the respective values of Sections 2, 3 and 4 on **Attachment Two** Council engaged the services of Ford Baker, Registered Public Valuers. In determining the values a hypothetical subdivision approach was taken on a before and after basis. It was determined that the loss of Section 3 from the subdivision would reduce its yield by six Lots. This provided a block value of \$390,000 excluding GST for Section 3. Because Council holds an easement over Section 4 the value was discounted by 50 per cent to \$92,000 excluding GST. The Council owned section was assessed at current market value based upon the sales of other sections in the area at \$187,000 excl GST. Credited against these sums was the reserve fund contribution of \$135,450 payable for the subdivision. The net result is that Council owes Horncastle Homes the sum of \$137,550 plus GST by way of equality of exchange plus the cost of landscaping \$35,000 making a total of \$172,550 as set out below:

Summary of Values		116 St Johns Street	
Land for Proposed Basin			
Block Value of Land to be Taken			\$325,000
Landscaping at cost			\$35,000
(Excludes Land for Horncastle Homes Retention and Strip)			
Area Rate			
Land & Buffer around Stormwater Treatment Area	660 m ²	@ \$0.00 /m ²	= \$0
Land in Strip (Part Sec 3)	488 m ²	@ \$96.10 /m ²	= \$47,500
Buy Drainage Easement (Sec 4) Outright	1825 m ²	@ \$96.10 /m ² X 50%	= \$87,500
Totals			\$495,000
Sale			
86 St Lukes Street			\$215,000
Less GST			\$28,000
Net Price			\$187,000
Difference			\$308,000
Less Reserve Contribution Payable			\$135,450
Ultimate Difference			\$172,550

19. Section 1 and 5 shown on **Attachment Two** is the property acquired at 104a St Johns Street by the Council. Section 5 will be required for the Canal enhancement while Section 1 has the potential to provide 21 sections as depicted. The property will, however require a considerable amount of fill before it could be utilised for these purposes. An options report for the site will be prepared shortly for consideration.

8 Cont'd

THE OBJECTIVES

20. There are two objectives. Firstly to secure the land required for the canal enhancement and reserve purposes and secondly to enable the adjoining subdivision to be completed and so provide some relief for the current housing crisis. The exchange will accomplish and achieve both of these goals.

THE OPTIONS

- 21 Any other option will not achieve the desired outcome.

THE PREFERRED OPTION

22. The preferred option is to proceed with the exchange.

9. PRIVATE PLAN CHANGE 60 – REZONING OF LAND AT HALSWELL JUNCTION ROAD FROM RURAL 2 TO LIVING G (HALSWELL WEST)

General Manager responsible:	General Manager, Strategy and Planning
Officer responsible:	Programme Manager, District Planning
Author:	David Mountfort, Consultant Planner, Mountfort Planning Ltd

PURPOSE OF REPORT

1. This report describes a request to the Council for a private Plan Change (PC 60) to rezone 129 hectares of land at Halswell Junction Road, from Rural 2 to Living G (Halswell West), and recommends the process for dealing with the request in terms of the Resource Management Act 1991 (RMA) provisions. A decision is sought from the Council, pursuant to clause 25 of Schedule 1 of the RMA, on whether the proposed plan change should be publicly notified, and under what status.

EXECUTIVE SUMMARY

2. Proposed Change 60 ("PC 60") is a request for rezoning of 129 hectares of land as Living G (Halswell West). The land is bounded by Murphy's Rd, Quaifes Rd, the Knights Stream and Halswell Junction Rd. It is immediately across Halswell Junction Rd from the Awatea Block, recently rezoned under Change 5 to the City Plan. The land is identified for urban development in the South West Area Plan (SWAP), the Urban Development Strategy (the UDS) and Proposed Change No 1 to the Canterbury Regional Policy Statement (PC1). The location is shown on an aerial photo in **Attachment 1** and on the maps in **Attachment 3**.
3. Like other examples of the Living G zone, PC 60 proposes a range of residential densities, a small commercial area, and extensive areas of open space that include a naturalised surface water management system, neighbourhood parks, walkways and cycle-ways. Approximately 1375 household units are proposed to be constructed, at a density of 15 households per hectare, in accordance with PC 1.
4. The applicant has consulted extensively with Council officers in the preparation of this plan change. In particular, the infrastructure layout has been designed largely to officers' satisfaction, bearing in mind the needs not just of the Halswell West Block but also to integrate with adjacent lands in the south-west, in accordance with the SWAP.
5. The Proposed Change conforms in most respect with the UDS and PC 1. All of the land is within the Metropolitan Urban Limits set out in PC 1. The most significant departure from those documents is in the area of sequencing. The UDS and PC 1 proposed that most of the land in the South West Halswell Greenfields Area, which includes PC60, be deferred until after 2021 and the applicant has proposed no staging to achieve this.
6. The urban design of the proposal appears attractive and should work well. Careful attention has been given to designing an attractive network of open spaces integrated with the surface water management system. Walking, cycling and public transport are catered for and there is a clear roading hierarchy. The more intensive forms of development, including the highest density residential areas, and the commercial and community footprint areas, are to be subject to restricted discretionary activity controls.
7. One significant matter that has not been completed is consultation with tangata whenua. The applicant has relied on the South West Area Plan which included research into tangata whenua issues and consultation with Ngai Tahu. The land within SWAP was accepted as being generally suitable for development, subject to more detailed consultation with tangata whenua at the time of development. The applicant had initial difficulty establishing contact with the appropriate iwi organisations and this was further delayed by the February earthquake. This has been rectified and the applicant is now consulting with relevant Ngai Tahu organisations. A further information request was made concerning tangata whenua issues and a response received. If necessary any amendments to the proposal arising out of this process can be made through submissions, either by the iwi or the applicant.

9 Cont'd

8. The purpose of this report is not to consider the requested plan change on its merits. Rather, it is to recommend which of the options under clause 25(2)-(4) of Schedule 1 of the RMA is to apply to the processing the plan change application. Consideration of merits of the application will occur after submissions have been received, as a part of the decision making process by the hearings panel.
9. Under the Resource Management Act 1991 (the RMA) the applicant has made the request to change the City Plan. It has responded to requests for further information and collaborated with Council officers to modify the proposals at their suggestions.
10. The process options available to the Committee are set out in Schedule 1, clause 25, subclauses (2), (3) and (4) and clause 24 of the RMA, and are summarised below. The Committee may recommend to the Council that PC 60 be either:
 - (a) Rejected in whole or in part on one of the limited grounds set out in the Act; or
 - (b) Dealt with as if it were an application for a resource consent (in which case the provisions of Part 6 of the Act would apply accordingly); or
 - (c) Modified with the agreement of the person who made the request; or
 - (d) Adopted in whole or in part, as if it were a plan change made by the Council itself (this means accepting the responsibility and costs of processing it); or
 - (e) Accepted, in whole or in part, and that the Council proceed to notify the request, or part of the request, under clause 26, at the cost of the applicant.
11. It is considered that options (a) to c) are not available or are inappropriate in this case and that the choice is between (d) and (e). Option (e) is recommended. The full implications of the options under clauses 24 and 25 of the First schedule of the Act are discussed below.

FINANCIAL IMPLICATIONS

12. Should the Council resolve to notify the plan change there are legal processes which must be followed in accordance with the First Schedule of the RMA. This is a standard process that all plan changes must follow and if the processes are correctly followed, no particular financial risks are foreseen.
13. There would be costs arising at various stages of the plan change process relating to the preparation of officer reports and a hearing in response to submissions. The scale of costs would depend on the level of complexity of the submissions received. As this is a private plan change, these costs are largely recoverable from the applicant. Costs associated with responding to any Environment Court appeals received are not recoverable, except in instances where the court may award costs.
14. Should the Council resolve to adopt the plan change as its own, it will need to absorb all the processing costs (up until the Appeals stage).

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

15. Yes. The 2010/11 budget for the District Planning work programme, adopted by the Council and provided for in the LTCCP, includes funding for processing this plan change. As this is a private plan change request, these costs are largely recoverable.

LEGAL CONSIDERATIONS

16. There is a legal process set out in the RMA which must be followed. It includes public notification of the plan change followed by submissions, reporting, hearings, decisions and possible appeals. Provided the process is followed correctly there are no particular legal risks associated with this plan change. Should the Council decide not to publicly notify the application for any reason, the decision would be appealable to the Environment Court.

9 Cont'd

ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS

17. The matter accords with the LTCCP and relevant Activity Management Plans.

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

18. The proposal is part of the district planning levels of service in the LTCCP.

ALIGNMENT WITH STRATEGIES

19. The application is in accordance with the Urban Development Strategy, the South West Christchurch Area Plan and embodies the principles of other key strategies such as the Open Space Strategy.

CONSULTATION FULFILMENT

20. RMA consultation with tangata whenua is underway and can be completed during the process which will follow notification. Consultation by the applicant with Council has been excellent.
21. The applicant has directly contacted the owners of properties in the vicinity of the site by way of a letter and has responded to replies received.
22. No consultation has occurred with the Riccarton/Wigram Community Board. However the proposal accords substantially with the Urban Development Strategy, the South West Area Plan and Proposed Change 1 to the Regional Policy Statement, all of which will be familiar to the Community Board. In addition the applicant has requested that the proposal be dealt with as quickly as possible so that the site can be available for earthquake recovery.

STAFF RECOMMENDATION

It is recommended that the Council:

- (a) Accepts the attached Section 32 assessment for public notification;
- (b) Accepts Private Plan Change 60 – Rezoning Rural 2 land to Living G (Halswell West) pursuant to Schedule 1, Clause 25(2)(b) of the Resource Management Act 1991 for public notification;
- (c) Notes that in accordance with Council policy, the costs of processing the private plan change are to be borne by the applicant.

9 Cont'd

BACKGROUND & DISCUSSION

Features of the Proposal

23. Proposed Change 60 (PC 60) is a request for rezoning of 129 hectares of land as Living G (Halswell West). The land is bounded by Murphy's Rd, Quaifes Rd, the Knights Stream and Halswell Junction Rd. It is immediately across Halswell Junction Rd from the Awatea Block, recently approved by the Council for rezoning to Living G under Change 5 to the City Plan. The land was identified for urban development in the South West Area Plan (SWAP), the Urban Development Strategy (the UDS) and Proposed Change No 1 to the Canterbury Regional Policy Statement (PC 1).
24. Like other examples of the Living G zone, Change 60 proposes a range of residential densities, a small commercial area, and extensive areas of open space that include a naturalised surface water management system, neighbourhood parks, walkways and cycle-ways. Approximately 1375 household units are proposed to be constructed, at a density of 15 households per hectare, in accordance with PC 1.
25. The applicant has consulted extensively with Council officers and advisers in the preparation of this plan change. In particular, the infrastructure layout has been designed largely to officers' satisfaction, bearing in mind the needs not just of the Halswell West Block but also of adjacent lands in the south-west. The intention is to produce a package of roading, water and sewer reticulation, storm-water management and open space that is integrated economically and efficiently with the rest of the south west area. The work done by Council in producing the SWAP was of great assistance in designing the infrastructure for this plan change. Some modifications of SWAP proposals have been made, particularly to the location of sewage pumping stations, and minor changes to the main roading layout, but generally these would produce outcomes as good or better as those proposed in SWAP.
26. The opportunity to provide a central sewage pumping station on the applicant's land will reduce the number of pumping stations originally intended for this area and free up capacity in the Council's system to serve other areas at an earlier time. This proposal is endorsed by the Council officers.
27. The storm-water system will be largely constructed as a set of naturalised swales, the reestablishment of the former headwaters of Knights Stream, and a set of basins. The system will also treat storm-water from the land to the south-east across Murphy's Rd, and convey storm-water from areas north of Halswell Junction Rd via the reconstructed Knights Stream. The storm-water system proposed is expected to significantly improve water quality, provide for ecological restoration, enhance the landscape and provide recreation opportunities.
28. The roading system consists of a hierarchy of collector, secondary and local streets. The layout and typical cross-sections and other features of these will be compatible with Council's initial proposals for a Liveable Streets Strategy and for the review of City Plan streets provisions, so far as these are known at this stage. An interesting feature is a "shared space" where the spine collector road passes through the commercial area. This will need to be carefully designed to fulfil the needs of both traffic movement and pedestrians. Appropriate policies and rules have been included to achieve this. The connections with the wider roading network will be at three new roundabouts to be constructed on Halswell Junction Rd in accordance with SWAP, and there are also minor connections to Murphy's and Quaifes Roads.
29. The Open Space network has been designed to meet the Council's strategies for open space and to be affordable within the development contributions likely to be collected from this block. It includes two neighbourhood parks within walking distance of nearly all households, several linear parks along streams and naturalised swales, a larger community park and a central civic park.

9 Cont'd

30. The development will be at the outer edge of the Metropolitan Urban Limit in PC 1, and the outer boundaries are well-buffered with open space, storm-water ponds, and the reconstructed Knights Stream. It therefore supports the City Plan objectives and policies of consolidated and contained urban growth.
31. Some of the sewerage and storm-water proposals will require cost sharing arrangements with Council, as these will be sized and sited to service other lands beyond the confines of the block.
32. The urban design of the proposals appears attractive and should work well. Careful attention has been given to designing an attractive network of open spaces integrated with the surface water management system. Walking, cycling and public transport are catered for. There is a clear roading hierarchy. The more intensive forms of development, including the highest density residential areas, and the commercial and community footprint areas are to be subject to restricted discretionary activity controls to deal with any design and appearance issue that may arise from more intensive forms of development.
33. The rules package mostly follows the rules for Plan Change 5 (Awatea) which is adjacent, to the north of Halswell Junction Rd. One significant difference however is in the density distribution. This plan change proposes less differentiation in density, and smaller but more intense pockets of "Residential Density A and B" areas than in most other examples of Living G to date. However this is something which varies quite widely already across the Living G zones.
34. One significant matter that has not been completed is consultation with tangata whenua. The SWAP did undergo consultation with iwi, and the land within SWAP was accepted as being generally suitable for development, subject to more detailed consultation at the time of development. The applicant had initial difficulty establishing contact with the appropriate iwi organisations and this was further delayed by the February earthquake. The applicant therefore relied initially on the South-West Area Plan provisions. However the applicant has modified the initial proposals to better provide for tangata whenua issues, provided further information to Council and tangata whenua and is now consulting with iwi. If necessary any amendments to the proposal arising out of this process can be made through submissions, either by the iwi or the applicant.
35. Because of the design features described, PC 60 well with City plan objectives and policies concerning amenity, transport and the natural environment .
36. PC 60 also conforms in most respects with the UDS and PC1. The most significant departure from those documents is in the matter of sequencing. The UDS and PC1 propose that most of the land in the South West Halswell Greenfields Area, which includes PC1, be deferred until after 2021 and the applicant proposes no staging to achieve this. The applicant considers that the imminent completion of the major sewer upgrades and Stage 1 of the Southern Motorway extensions removes the need for any deferral or sequencing of development. The applicant has an appeal against the PC1 deferral of its land. The applicant also considers that its land could have a significant role to play in the reconstruction of Christchurch following the earthquakes which would be hampered by the staging in PC1. This is a matter which can be considered later in the process at the hearings and is not relevant to the question of public notification.

Resource Management Act Requirements

37. Under the Resource Management Act 1991 (the RMA) the applicant has made the request to change the City Plan as it is entitled to do. It has responded appropriately to requests for further information and collaborated with Council officers to modify the proposals at their suggestions. At this stage of the process, the Council must decide which of the options under Clauses 24 and 25 of the First Schedule to the Resource Management Act 1991 to employ.

9 Cont'd

38. The implications of the options under clauses 24 and 25 of the First Schedule of the Act are discussed below.

Option 1 – Resolve to reject Private Plan Change 60

39. There are very limited grounds in the Act for rejecting an application. A plan change can be rejected if:⁴
- (a) It is frivolous or vexatious;
 - (b) The substance of the change has been dealt with by the Council or the Environment Court in the last two years;
 - (c) The change is not in accordance with sound resource management practice;
 - (d) The change would make the District Plan inconsistent with Part 5 of the Act (other policy statements or plans, such as Regional Policy Statement or Plan, iwi management plans);
or
 - (e) The District Plan has not been operative for more than two years.
40. PC 60 cannot be said to be frivolous or vexatious. The applicant has invested significant time and financial resources in preparing the plan change and has made a case for the plan change that warrants consideration. It is substantially in accord with the South West Area Plan, the Urban Development Strategy and Proposed Change 1 to the Regional Policy Statement. The substance of the plan change has not been considered in the last two years and the relevant parts of the City Plan have been operative since November 2005. Both Council officers and external consultants have been involved in assessing various aspects of the proposal. No significant or fundamental issues have been raised that would suggest that the proposed change is so inappropriate that it could be considered not in accordance with sound resource management practice.

Option 2 - Resolve to deal with Private Plan Change 60 as if it were an application for resource consent

41. Under this option the Plan Change would be converted to a resource consent application and be processed by the Council as such. The applicant bears all of the associated costs. A resource consent could provide for the establishment of the proposed land uses and the subdivision of the land but it would be inappropriate to deal with a proposal of this magnitude as a resource consent. As a non-complying activity, there would be difficulties meeting the objectives and policies of the City Plan while the site remained zoned Rural 2, too much detailed design would be required at this stage, and the result would be inflexible and probably generate the need for many more resource consents into the foreseeable future. This would not be an efficient option in terms of Section 32 of the RMA.
42. In this case a change of zoning to more closely reflect the future use of the site may assist the Council in meeting its obligations to achieve integrated management of effects of activities under s31 of the Act, and to have regard to the provisions of PC 1. It also gives certainty to adjacent land owners. It is considered that it remains appropriate for the Council to continue processing the plan change request, rather than place reliance on the resource consent process.

Option 3 - Resolve to modify Private Plan Change 60 with the agreement of the person who made the request

43. The Council may, within 30 working days of the receipt of the plan change request, as a result of further or additional information, commissioned reports, or other relevant matters, and with the agreement of the person who made the request, modify the request. In fact the applicant has made a number of changes to the proposal already, as a result of discussions with Council officers and advisers, so this process has already taken place to an extent, although informally. However no further changes are recommended at this stage.⁵

⁴ Clause 25(4) of the First Schedule to the RMA.

⁵The 30 working days would expire on 9 June 2011.

9 Cont'd

Option 4 - Resolve to adopt Private Plan Change 60 and publicly notify it as if it were the Council's own plan change

44. Under this option PC 60 would become a Council plan change. It would be notified, heard and decided in the same way as a plan change prepared by the Council, that is, the Council bears all of the associated costs. Adopting the plan change would mean that:
- (a) The Council would be indicating that the plan change has merit and that it generally supports the proposal; and
 - (b) The Council would bear the costs of managing and processing the plan change.
45. Adoption of a private plan change application would generally only occur where there is a wider public good flowing from the plan change. A plan change promoting wider public good would normally be one that addressed an existing city wide or multiple zone-wide adverse environmental effect, for example, a change to a bulk and location control that had lead to unexpected adverse outcomes. There may also be an argument that adopting this Plan Change would help to give effect to PC1, under which the land is identified for just this purpose. However there may be some aspects the Council would not choose to support. It is noted that PC 62 (Wigram) was a Living G change to implement PC 1 but was private, while PC 5 (Awatea) which was similar was Council-initiated. The applicant has not requested the Council to adopt the Change.

Option 5 - Resolve to accept Private Plan Change 60 and the Section 32 Assessment for public notification

46. Under this option Private Plan Change 60 would be notified in its current form as prepared by Aurecon (NZ) Ltd for Fulton Hogan. Accepting the Plan Change means:
- (a) Fulton Hogan determines the nature of the plan change that is notified;
 - (b) The Council remains neutral as to its position on the proposal but is satisfied that the Change includes sufficient information to be publicly notified; and
 - (c) Fulton Hogan bear the cost of the complete plan change process up until the point of any appeals.

Note that all reasonable associated costs would be borne by the applicant up until the decisions are adopted and publicly notified.

47. Any concerns the Council may have regarding the Plan Change, such as the format of the amendments to the City Plan, could be raised through the officer's Section 42A Report.
48. The recommendation based on the analysis of the options is to accept private Plan Change 60 – Rezoning Rural 2 to Living G (Halswell West), for notification.

10. COUNCIL SUBMISSION ON GOVERNMENT POLICY STATEMENT ON LAND TRANSPORT FUNDING

General Manager responsible:	General Manager Strategy and Planning
Officer responsible:	Richard Ball, Unit Manager
Author:	Rae-Anne Kurucz, Principal Advisor Transport

PURPOSE OF REPORT

1. The purpose of this report is to seek the adoption by the Council of the attached submission to the Ministry of Transport regarding the Government Policy Statement (GPS) on Land Transport Funding for the next ten year period 2012/13 – 2021/22.

EXECUTIVE SUMMARY

2. The Ministry of Transport has put out its statement for transport funding for the next ten years. The GPS 2012/13 – 2021/22 sets out the outcomes and priorities for the Government investment of the National Land Transport Fund. The GPS sets out:
 - How much funding will be provided
 - What the government wishes to achieve from its annual investment
 - How this will be achieved.

The Ministry is now seeking feedback on the proposed from its key stakeholders.

3. The Government has outlined three priority areas for the GPS:
 - A strong and continuing focus on economic growth and productivity
 - Value for Money
 - Road Safety.

To achieve this the Government is proposing to progressively focus more investment into state highway improvements. Local roads, public passenger transport, walking and cycling receive the same or reduced funding (except for metro-rail in Auckland and Wellington).

The Government has also outlined its proposed investment for earthquake recovery for Canterbury. This is focusing on the allocation of \$300-400 million for repair of state highways and local roads. It does not include wider transport initiatives around other modes or the recovery of the Central City.

4. The **attached** draft submission outlines the comments that Council wishes to convey to the Ministry on its investment priorities as they relate to Christchurch. The key comments relate to:
 - There is a need for more balanced approach to transport funding that supports local roads, public transport enhancements and walking and cycling. A wider view of the role of transport in the recovery of Christchurch is required, particularly as it relates to transport options for the Central City.
 - More balanced investment in road safety to better support local roads and the whole of the safer systems approach.
 - Clarification on the Roads of National Significant expansion
 - Reconsider the activity classes funding reductions in Transport Planning and Road User Safety

FINANCIAL IMPLICATIONS

5. There are no direct financial considerations.

Do the Recommendations of this Report Align with 2006-16 LTCCP budgets?

6. Yes.

LEGAL CONSIDERATIONS

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

7. Not applicable.

10 Cont'd

ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS

8. Not applicable.

Do the recommendations of this report support a level of service or project in the 2006-16 LTCCP?

9. Yes.

ALIGNMENT WITH STRATEGIES

10. Aligns to the Urban Development Strategy (UDS) and other Council transport policies.

Do the recommendations align with the Council's strategies?

11. Yes, as above.

CONSULTATION FULFILMENT

12. Not applicable.

STAFF RECOMMENDATION

It is recommended that the Council adopt the draft submission to the Ministry of Transport attached to this report.

11. ELECTED MEMBERS EXPENSES AND ALLOWANCES 2010/11

General Manager responsible:	General Manager Regulation & Democracy Services
Officer responsible:	Democracy Services Manager
Author:	Lisa Goodman

PURPOSE OF REPORT

1. The purpose of this report is to enable the Council to revise two elements (mileage and communications) of its proposal to the Remuneration Authority for the payment of expenses and allowances to elected members for the period following the October 2010 elections up until 30 June 2011. Given that this financial year is nearly ended, it is also proposed that these expenses and allowances roll over to the 2011/12 financial year as well.

EXECUTIVE SUMMARY

2. On 10 February 2011 the Council resolved to adopt its proposal to the Remuneration Authority for the reimbursement of expenses and the payment of allowances to elected members, for the period commencing from the October 2010 elections to 30 June 2011. The Authority has since responded to the Council and advised that the Council's proposal raises two issues:
 - (a) in terms of mileage and the Council's proposal that reimbursement thresholds for the Banks Peninsula Councillor and Community Board Chairs be increased, the Authority believes that the mileage payment established in its Determination fully recompenses the additional costs that Councillors experience undertaking Council business;
 - (b) the Council's proposal in relation to communications falls outside of the policy that the Authority has included in Determinations and the Authority will not approve an allowance of beyond \$750 per calendar year, though in recognition of increased volumes of calls made by elected members due to the 22 February 2011 earthquake, some additional costs can be met (refer to paragraph 13 below).
3. A revised proposal for 2010/11 to be submitted to the Remuneration Authority for approval is set out in **Attachment One**, with the amended wording around the two areas of mileage and communications in Sections 5 and 8 respectively highlighted.

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

4. Sufficient provision has been included in the 2010/11 Annual Plan for all elected member expenses and allowances to be paid as proposed.

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

5. The principal statutory provisions which apply in this instance are the Seventh Schedule of the Local Government Act 2002, and the Remuneration Authority Act 1977.

ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS**Do the recommendations of this report support a level of service or project in the 2009-19 LTCCP?**

6. Page 156 of the LTCCP, level of service under Democracy and Governance refers.

ALIGNMENT WITH STRATEGIES**Do the recommendations align with the Council's strategies?**

7. Not applicable.

11 Cont'd

CONSULTATION FULFILMENT

8. All Community Boards were consulted on the issue of allowances and expenses prior to the Council's initial consideration of the issue on 10 February 2011. Their views on the issues of mileage and allowances were outlined in paragraphs 27 to 52 of **Attachment Two** - the report to the 10 February 2011 Council meeting on this issue (note: the attachments to that original report are not included).

STAFF RECOMMENDATION

9. It is recommended that the Council resolve to submit to the Remuneration Authority for its approval the revised rules and policies for the reimbursement of elected member expenses and allowances described in Attachment One of this report to apply to:
- (a) the period 15 October 2010 to 30 June 2011, and
 - (b) the 2011/12 financial year.

BACKGROUND (THE ISSUES)

General

10. Background information on the Remuneration Authority's approach to approving allowances and expenses for elected members, and issues relating to communications and mileage, can be found in paragraphs 11 to 20 of **Attachment Two**.

Communications Allowance

11. At its meeting of 10 February 2011 the Council decided to propose the same level of communications allowance that had applied previously for the 2009/10 financial year.
12. The Remuneration Authority has not accepted this proposal, stating: "*..communications expenses also falls outside of the policy we have included in Determinations and the Authority will not approve an allowance of beyond \$750 per calendar year. The Authority has, however, recognised the additional communication required by mobile phone due to the earthquake, and has confirmed that it will approve either an additional one off payment of \$250 for appropriate members, or the reimbursement of the actual costs of calls made.*"
13. Section 8 of Attachment One on Communications has been amended to:
- (a) ensure that the level of communications allowance/provision of communications equipment falls within the parameters of the Remuneration Authority's 2010/11 Determination, and
 - (b) incorporate the advice provided by the Remuneration Authority with regard to mobile phone calls made by elected members during the period of the national civil defence emergency.

Vehicle Mileage Allowance and Travel Time Allowance

14. At its 10 February 2011 meeting the Council had requested that thresholds for mileage and travel time allowances be slightly higher for the Banks Peninsula Councillor and Community Board Chairs.
15. The Remuneration Authority has not accepted this proposal, stating:
- "..travel costs for "rural" elected officials has been well canvassed by the Authority in its circular of 23 February and its determination of 4 March. The Authority believes that the mileage payment established fully recompenses the additional cost Councillors experience undertaking Council business. The Authority did make some changes to its original position to meet genuine concerns raised and we would obviously approve a policy upon the line of those changes".*

11 Cont'd

16. The changes referred to in the last sentence above were set out in a letter from the Authority to all Councils (not received until late March 2011), acknowledging the number of concerns that Councils had voiced regarding the new thresholds for mileage and travel time allowances. This letter has is attached in **Attachment Three**. Of particular relevance are the following comments by the Authority in that letter:

Since we released our Determinations and explanatory notes which, inter alia, had a cap of 5,000 kilometres and expressed the vehicle mileage allowance limitations in terms of "per event", we have listened to and have noted some valid arguments against the 5,000 kilometre cap and the use of a "per event" definition. We accept that a 5,000 kilometre cap would significantly disadvantage some elected representative who have to cover large distances to carry out their duties. We therefore have removed the limit and allowed distance over 5,000 kilometres in any one year to be reimbursed at the rate of 35 cents per kilometre.

We also recognise the difficulties that a "per event" definition could have, particularly for an elected representative who makes many journeys in their own vehicle in one day where each of their trips may be less than 30 kilometres, but in total add up to over 30 kilometres.

We agree with some submissions that there is no good reason to have a cap on the number of hours for which travel time may be reimbursed, and so have removed the reference to a maximum number of hours".

17. Accordingly the Authority has set guidelines that incorporate the points outlined in paragraph 16 above, and these have been reflected in the amended wording Section 5 of Attachment One.

12. EVENTS VENUE HUB TO TEMPORARILY PROVIDE SPACE FOR EVENTS AND PERFORMING ARTS

General Manager responsible:	General Manager Public Affairs
Officer responsible:	Marketing Unit Manager
Author:	Richard Stokes

PURPOSE OF REPORT

1. The purpose of this report is to seek approval for a warrant to be made up and signed by the Chief Executive Officer under the "Canterbury Earthquake (Reserves Legislation) Order 2011" for the following:

Temporary 'events space' in North Hagley Park from 1 July 2011 to 30 January 2012 to be used for the Dome and other temporary event structures (tents and geo-domes) to be erected for events and as performing arts venues (see **Attached** map).

EXECUTIVE SUMMARY

2. Following the 22 February earthquake many events in Christchurch were cancelled or postponed. In addition an audit of small to medium event and performance venues in Christchurch following the 22 February earthquake shows that at least 35 per cent of bars, theatres, community halls, parks and auditoriums are not open to host live music, theatre or host meetings and or forums.
3. Cathedral Square and Victoria Square, as events spaces, are not likely to be available for event activity for a considerable time. This affects many of Christchurch's major festivals including KidsFest, Christchurch Arts Festival, SCAPE, Body Festival, Summertimes and the World Buskers Festival.
4. A temporary Events Venue Hub in North Hagley Park would provide a central location for Christchurch to get back into its annual programme of events and festivals and to provide venues for other displaced performance activity. There is strong demand from within the events industry to keep things happening to ensure event contractors and artists have enough work to stay in Christchurch. Council's Events Development team has been working to find a solution to the venue shortage and support the Christchurch events industry to get back in operation, so that we do not lose the capacity to deliver our major and icon events.
5. The proposed Events Venue Hub would provide a venue that is central, safe and accessible. It has the advantage of linking to event activity planned for Hagley Park including Christchurch Arts Festival, Rugby World Cup 2011 Fan Zone, REAL NZ Festival, NZ Cup and Show Week and the World Buskers Festival. It will link to the Cultural Precinct as facilities and attractions re-open in Christchurch.

FINANCIAL IMPLICATIONS

6. A separate report on Financial Implications is submitted within Public Excluded reports. There is no cost to Council.

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

7. Funding for Council's Festivals and Events activity that will be a major user of the venue is within LTP budgets.
8. Additional revenue for operating costs of the venue will be obtained through funding and sponsorship.

12 Cont'd

LEGAL CONSIDERATIONS

9. John Allen, Policy and Leasing Administrator, Network Planning Team Greenspace has provided advice on attaining consent from a Reserves Act and Hagley Park Management Plan perspective.

Under section 7: ***Rights and obligations of third parties subject to council powers***

*(1) In this clause, **rights and obligations** means rights and obligations under or in relation to an easement, a lease, a licence, a covenant, or other legal permission.*

You will note under 7(3) of the Order that:

"However, before exercising a power under this order, a council must make reasonable endeavours to give notice to a person or body whose rights and obligations in respect of a reserve will be affected or overridden by the Council's exercise of that power."

In this case of utilising events space for temporary events venues, if it is going to displace a booking already made, it goes without saying that the displaced group would need to be notified and every effort made to find an alternative space for their activity. The Events Development Team are the contact point in Council for all prior bookings. To date, there are no issues.

10. Marcus Blayney, Planner, Environmental Policy and Approvals Unit, has provided advice on the Resource Management Act. - under the Order in Council (OIC) (Canterbury Earthquake (Resource Management Act Permitted Activities) Order 2011, there is a new streamlined process for temporary "accommodation" as a result of earthquake displacement. The events hub is to provide space for event activity that would have used central city locations if they were available.

ALIGNMENT WITH LTP AND ACTIVITY MANAGEMENT PLANS

11. Aligns with page 52, 53 of the LTP, Events and Festivals levels of service to provide a year round programme of events and to support festivals run by other organisations.

Alignment with Strategies

12. Events Strategy 2007-17

Goal 1 – A vibrant calendar of events that enhance Christchurch as a place to live and visit.

Goal 5 – Strong partnerships drive increasing investment in Christchurch events. Within Christchurch there is opportunity for a more coordinated events response to event opportunities. Council is in a position to provide leadership across venues, support services, marketing and funding agencies so that we have a collective city response to event opportunities.

CONSULTATION FULFILMENT

13. Key stakeholders within the events and performing arts industries have been consulted in planning this proposal.

STAFF RECOMMENDATION

14. It is recommended that:

The Council agree to approve a warrant to be made up and signed by the Chief Executive Officer under the "Canterbury Earthquake (Reserves Legislation) Order 2011" to approve the 'events space' in North Hagley Park, including the 'events triangle', to be used for temporary event structures (tents and geo-domes) to be erected for events and performing arts from 1 July 2011 to 30 March 2012.

12 Cont'd

BACKGROUND (THE ISSUES)

15. A temporary events and performing arts space with marquee structures is proposed to be installed on the events space of North Hagley Park. This will include one private operator's Canterbury Celebration Theatre, Council's Dome for KidsFest 2011, other individual event bookings, and to be used as a theatre in weekends for the Christchurch Arts Festival in August. In September as the Dome becomes the 'Ruck' for the Rugby World Cup 2011 Fan Zone other festival activity will increase as part of the REAL NZ Festival, including the Christchurch Arts Festival and the Body Festival. This activity will require up to three geo-domes installed for theatre, music and other performing arts activity.
16. It is proposed that the Dome will operate when there are event bookings – we are aiming for at least three nights per week. A box office will be set up at the Dome for information and bookings, and will be open from 11am – 6pm. Door sales will then take over, managed by the event provider on the night. Day and night uses of the domes can take place. Proposed dates of activity are:

1 July – 10 August 2011

CCC Dome installed as the 'events hub'. It will be promoted as a community hall for use by all 'displaced' community groups, artists and recreational uses for a \$100 koha. Events will be free and ticketed, and will vary in size, scope and number. There will be no set pattern to when events take place, as bookings will dictate this. Indications are that many events would like to use it. Commercial users can hire the venue at a higher cost. A request for service for a hospitality partner will be advertised so there is some hospitality provided when events are in the Dome. Council's KidsFest festival will stage events during this period

1 – 30 July 2011

Celebration Canterbury Theatre goes up in the same area. CCC and a private promoter of the theatre will share security costs. Celebration Canterbury Theatre packs out at the end of January.

12 – 30 August 2011

The CCC Dome will be used by the Christchurch Arts Festival (CAF) as a theatre.

1 September – 28 October 2011

CCC Dome becomes the "Ruck" and the focus of the RWC 2011 Fan Zone. The Fan Zone will be positioned in the space where the Classical Sparks stage normally is. REAL New Zealand Festival activity will operate in the events triangle space alongside the Fan Zone. This festival activity will utilise the Geo Domes.

Up to three Geo Domes will be installed on Hagley Park area as additional venues (pending funding). The smallest dome (13 m diameter) can be used as a bar/café space.

The Pacific Crystal Palace structure comes into Hagley Park for the CAF.

1 September – 7 October 2011

Geo Domes are used by CAF and the Body Festival activity.

28 October – January 2011

The Dome will resume being a temporary venue and events such as NZ Cup and Show Week, possible hospitality options for BMW NZ Golf Open, Festival of Cycling, NZ International Jazz and Blues Festival will all use it.

If demand for booking the venues continues, all domes will stay. One possibility is to relocate one dome to CPIT for their performances.

17. Jeremy Hawker, Botanical Services Operations Team Manager is very supportive of the Dome installation, and has offered support in keeping the Botanic Gardens car park open at night; laying gravel paths to keep people off the grass; and assisting with site planning to ensure safety and security at the site.

12 Cont'd

18. Specific traffic management options will be implemented for larger crowd days. This is anticipated to be during the period of RWC 2011. This will include management of cycle ways that may be affected by high numbers of pedestrians.
19. Key Event Stakeholders such as the Christchurch Arts Festival, KidsFest, Body Festival are relying on these structures to ensure the festivals take place. Whilst the Dome will create a place to go to, the individual events will promote the location and their programmes.
20. Council staff are to meet with Christchurch Police to ensure effective management of the area for safety and alcohol management.

Venue Management

21. The Budget includes costs for contracting a site manager and venue manager.

Timing

22. Aim to open in time for KidsFest in July.

26. 5. 2011

13. NOTICES OF MOTION

14. RESOLUTION TO EXCLUDE THE PUBLIC

Attached.