
Sustainability and Community Resilience Committee

AGENDA

Notice of Meeting:

An ordinary meeting of the Sustainability and Community Resilience Committee will be held on:

Date: **Wednesday 28 April 2021**
Time: **9.30am**
Venue: **Council Chambers, Civic Offices,
53 Hereford Street, Christchurch**

Membership

Chairperson	Councillor Sara Templeton
Deputy Chairperson	Councillor Melanie Coker
Members	Mayor Lianne Dalziel
	Deputy Mayor Andrew Turner
	Councillor Jimmy Chen
	Councillor Catherine Chu
	Councillor Pauline Cotter
	Councillor James Daniels
	Councillor Mike Davidson
	Councillor Anne Galloway
	Councillor James Gough
	Councillor Yani Johanson
	Councillor Aaron Keown
	Councillor Sam MacDonald
	Councillor Phil Mauger
	Councillor Jake McLellan
	Councillor Tim Scandrett

22 April 2021

Principal Advisor

Mary Richardson
General Manager Citizens &
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Tel: 941 8999

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Note: The reports contained within this agenda are for consideration and should not be construed as Council policy unless and until adopted. If you require further information relating to any reports, please contact the person named on the report.

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Developing Resilience in the 21st Century

Strategic Framework



Whiria ngā whenu o ngā papa,
honoa ki te maurua tāukiuki

Bind together the strands of each mat and join
together with the seams of respect and reciprocity

Ōtautahi–Christchurch is a city of opportunity for all

Open to new ideas, new people and new ways of doing things – a city where anything is possible

Principles

Being open,
transparent and
democratically
accountable

Promoting
equity, valuing
diversity and
fostering inclusion

Taking an inter-generational approach
to sustainable development,
prioritising the social, economic
and cultural wellbeing of
people and communities
and the quality of the
environment, now
and into the
future

Building on the
relationship with
Te Rūnanga o Ngāi Tahu
and the Te Hononga–Council
Papatipu Rūnanga partnership,
reflecting mutual understanding
and respect

Actively collaborating and
co-operating with other
local, regional
and national
organisations

Ensuring
the diversity
and interests of
our communities
across the city and the
district are reflected in
decision-making

Community Outcomes

Resilient communities

Strong sense of community
Active participation in civic life
Safe and healthy communities
Celebration of our identity
through arts, culture, heritage,
sport and recreation
Valuing the voices of all cultures
and ages (including children)

Liveable city

Vibrant and thriving city centre
Sustainable suburban and
rural centres
A well connected and accessible
city promoting active and
public transport
Sufficient supply of, and
access to, a range of housing
21st century garden city
we are proud to live in

Healthy environment

Healthy water bodies
High quality drinking water
Unique landscapes and
indigenous biodiversity are
valued and stewardship
exercised
Sustainable use of resources
and minimising waste

Prosperous economy

Great place for people, business
and investment
An inclusive, equitable economy
with broad-based prosperity
for all
A productive, adaptive and
resilient economic base
Modern and robust city
infrastructure and community
facilities

Strategic Priorities

Enabling active
and connected
communities
to own their future

Meeting the challenge
of climate change
through every means
available

Ensuring a high quality
drinking water supply
that is safe and
sustainable

Accelerating the
momentum
the city needs

Ensuring rates are
affordable and
sustainable

Ensuring we get core business done while delivering on our Strategic Priorities and achieving our Community Outcomes

Engagement with
the community and
partners

Strategies, Plans and
Partnerships

Long Term Plan
and Annual Plan

Our service delivery
approach

Monitoring and
reporting on our
progress

SUSTAINABILITY AND COMMUNITY RESILIENCE COMMITTEE OF THE WHOLE - TERMS OF REFERENCE
/ NGĀ ĀRAHINA MAHINGA

Chair	Councillor Templeton
Deputy Chair	Councillor Coker
Membership	The Mayor and All Councillors
Quorum	Half of the members if the number of members (including vacancies) is even, or a majority of members if the number of members (including vacancies) is odd.
Meeting Cycle	Monthly
Reports To	Council

Delegations

The Council delegates to the Sustainability and Community Resilience Committee authority to oversee and make decisions on:

- Enabling active citizenship, community engagement and participation
- Implementing the Council's climate change initiatives and strategies
- Arts and culture including the Art Gallery
- Heritage
- Housing across the continuum of social, affordable and market housing, including innovative housing solutions that will increase the supply of affordable housing
- Overseeing the Council's housing asset management including the lease to the Otautahi Community Housing Trust
- Libraries (including community volunteer libraries)
- Museums
- Sports, recreation and leisure services and facilities
- Parks (sports, local, metropolitan and regional), gardens, cemeteries, open spaces and the public realm
- Hagley Park, including the Hagley Park Reference Group
- Community facilities and assets
- Suburban Master Plans and other local community plans
- Implementing public health initiatives
- Community safety and crime prevention, including family violence
- Civil defence including disaster planning and local community resilience plans
- Community events, programmes and activities
- Community development and support, including grants and sponsorships
- The Smart Cities Programme
- Council's consent under the terms of a Heritage Conservation Covenant
- Council's consent to the removal of a Heritage Conservation Covenant from a vacant section.

Bylaws

The Council delegates to the Committee authority to:

- Oversee the development of new bylaws within the Committee's terms of reference, up to and including adopting draft bylaws for consultation.
- Oversee the review of the following bylaws, up to and including adopting draft bylaws for consultation.
 - Alcohol Restrictions in Public Places Bylaw 2018
 - Brothels Bylaw 2013
 - Cemeteries Bylaw 2013
 - Dog Control Policy and Bylaw 2016
 - Freedom Camping Bylaw 2015
 - General Bylaw 2008
 - Parks and Reserves Bylaw 2018
 - Public Places Bylaw 2018

Submissions

- The Council delegates to the Committee authority:
- To consider and approve draft submissions on behalf of the Council on topics within its terms of reference. Where the timing of a consultation does not allow for consideration of a draft submission by the Council or relevant Committee, that the draft submission can be considered and approved on behalf of the Council.

Community Funding

The Council delegates to the Committee authority to make decisions on the following funds, where the decision is not already delegated to staff:

- Heritage Incentive Grant Applications
- Extensions of up to two years for the uptake of Heritage Incentive Grants
- Christchurch Heritage Festival Community Grants over \$5,000
- Applications to the Events and Festivals Fund
- Applications to the Capital Endowment Fund
- Applications to the Enliven Places Projects Fund
- Applications to the Innovation and Sustainability Fund
- Applications to the Metropolitan Strengthening Communities Fund *[The Funding Committee will make recommendations on applications to this fund and report back to this Committee]*

Limitations

- This Committee does not have the authority to set project budgets, identify preferred suppliers or award contracts. These powers remain with the Finance and Performance Committee.
- The general delegations to this Committee exclude any specific decision-making powers that are delegated to a Community Board, another Committee of Council or Joint Committee. Delegations to staff are set out in the delegations register.
- The Council retains the authority to adopt policies, strategies and bylaws.

Chairperson may refer urgent matters to the Council

As may be necessary from time to time, the Committee Chairperson is authorised to refer urgent matters to the Council for decision, where this Committee would ordinarily have considered the matter. In order to exercise this authority:

- The Committee Advisor must inform the Chairperson in writing the reasons why the referral is necessary
- The Chairperson must then respond to the Committee Advisor in writing with their decision.
- If the Chairperson agrees to refer the report to the Council, the Council may then assume decision-making authority for that specific report.

Part A	Matters Requiring a Council Decision
Part B	Reports for Information
Part C	Decisions Under Delegation

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Karakia Whakamutunga

Karakia Timatanga

1. Apologies / Ngā Whakapāha

At the close of the agenda no apologies had been received.

2. Declarations of Interest / Ngā Whakapuaki Aronga

Members are reminded of the need to be vigilant and to stand aside from decision making when a conflict arises between their role as an elected representative and any private or other external interest they might have.

3. Confirmation of Previous Minutes / Te Whakaāe o te hui o mua

That the minutes of the Sustainability and Community Resilience Committee meeting held on [Wednesday, 24 March 2021](#) be confirmed (refer to page 8).

4. Public Forum / Te Huinga Whānui

A period of up to 30 minutes will be available for people to speak for up to five minutes on any issue that is not the subject of a separate hearings process.

4.1 Big Street Bikers

Andrew Charlesworth, Cleve Cameron and Fritha Stalker will speak on behalf of Big Street Bikers regarding their 'Locky Dock' project.

4.2 McLeans Mansion Charitable Trust

Professor Chris Kissling, Chairman, and Mr Trevor Lord, Settlor Trustee, will speak on behalf of the McLeans Mansion Charitable Trust regarding the restoration project of the Mansion.

5. Deputations by Appointment / Ngā Huinga Whakaritenga

Deputations may be heard on a matter or matters covered by a report on this agenda and approved by the Chairperson.

There were no deputations by appointment at the time the agenda was prepared.

6. Presentation of Petitions / Ngā Pākikitanga

There were no petitions received at the time the agenda was prepared.

Sustainability and Community Resilience Committee OPEN MINUTES

Date: Wednesday 24 March 2021
Time: 9.30am
Venue: Council Chambers, Civic Offices,
53 Hereford Street, Christchurch

Present

Chairperson
Deputy Chairperson
Members

Councillor Sara Templeton
Councillor Melanie Coker
Deputy Mayor Andrew Turner
Councillor Jimmy Chen
Councillor Catherine Chu
Councillor Pauline Cotter
Councillor James Daniels
Councillor Mike Davidson
Councillor Anne Galloway
Councillor James Gough
Councillor Yani Johanson
Councillor Aaron Keown
Councillor Sam MacDonald
Councillor Phil Mauger
Councillor Jake McLellan
Councillor Tim Scandrett

24 March 2021

Principal Advisor

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Part A Matters Requiring a Council Decision

Part B Reports for Information

Part C Decisions Under Delegation

Karakia Timatanga: Delivered by Councillor Scanrett

The agenda was dealt with in the following order.

1. Apologies / Ngā Whakapāha

Part C

Committee Resolved SACRC/2021/00009

That the apologies received from the Mayor for absence and Councillors Chu and Gough for lateness be accepted.

Councillor MacDonald/Deputy Mayor

Carried

2. Declarations of Interest / Ngā Whakapuaki Aronga

Part B

There were no declarations of interest recorded.

3. Confirmation of Previous Minutes / Te Whakaāe o te hui o mua

Part C

Committee Resolved SACRC/2021/00010

That the minutes of the Sustainability and Community Resilience Committee meeting held on Wednesday, 24 February 2021 be confirmed.

Councillor Cotter/Councillor Scandrett

Councillor Chu joined the meeting at 9.40am during item 4.

Carried

4. Public Forum / Te Huinga Whānui

Part B

4.1 Barrington Mall Centre Manager

Jill Kearns addressed the Committee on behalf of Barrington Mall regarding the need for a bylaw relating to begging.

4.2 Sydenham Heritage Trust

David Rankin addressed the Committee on behalf of the Sydenham Heritage Trust regarding the proposed replacement of the former historic church on the corner of Colombo and Brougham Streets.

Attachments

A Colombo Street Elevation

5. Deputations by Appointment / Ngā Huinga Whakaritenga

Part B

5.1 Deputation – Christchurch Heritage Charitable Trust

Dame Anna Crighton addressed the Committee on behalf of the Christchurch Heritage Charitable Trust regarding an application to the Community Organisation Loan Scheme by the Trust.

Attachments

- A Photos of Shand's and Trinity Congregational Church

6. Presentation of Petitions / Ngā Pākikitanga

Part B

There was no presentation of petitions.

Councillor Gough joined the meeting at 9.55am during the discussion on item 7.

7. Te Tira Kāhikuhiku - December, February and March Minutes

Committee Resolved SACRC/2021/00011

That the Sustainability and Community Resilience Committee:

1. Receives the Minutes from Te Tira Kāhikuhiku meetings held on the follow dates:
 - a. 2 December 2020.
 - b. 3 February 2021.
 - c. 8 March 2021.
2. Requests advice from Council Officers on:
 - a. Adopting the Ōtakaro Avon River Corridor Regeneration Plan as a Council Policy/Strategy.
 - b. The transition plan for the Ōtakaro Avon River Corridor and work of Te Tira Kāhikuhiku group with a view to extending their delegations and funding arrangements until the co-governance group is established.
 - c. Working with LINZ to delegate decisions on transitional uses to the Council ahead of the land transfer to help smooth the transition.
 - d. Proactively releasing Te Tira Kāhikuhiku reports.

Councillor Davidson/Councillor Coker

Carried

Attachments

- A Presentation from Chrissie Williams

8. Community Organisation Loan Scheme Application

Committee Comment

The Committee decided to approve a loan of \$1,200,000 but changed the breakdown of the loan so that \$350,000 will come from the Community Organisation Loan Scheme and \$850,000 from the Heritage Buildings Fund.

Officer Recommendations / Ngā Tūtohu

That the Sustainability and Community Resilience Committee:

1. Approve a community loan to Christchurch Heritage Ltd of \$600,000 for ten years at an interest rate of 2.0% per annum. The loan funds are to complete the restoration of the Shand's and Trinity Congregational Church buildings.
 - a. Interest is to be capitalised until the buildings are tenanted, then quarterly repayments of interest and principle. The balance is to be repaid on sale or at the end of the loan term.
2. Approve an interest free loan to Christchurch Heritage Ltd from the Historic Buildings Fund of \$600,000 for ten years, to be repaid on sale or at the end of the loan term.
3. Resolves that the Christchurch Heritage Ltd loans are conditional upon:
 - a. Christchurch Heritage Ltd giving Council a first registered mortgage over the land as security for the borrowing.
 - b. Additional security i.e. an unlimited guarantee and indemnity from Christchurch Heritage Trust supported by a general security agreement over its personal property. This will include the shares currently held in Christchurch Heritage Ltd and any further acquired personal property.
 - c. A registered conservation covenant over the property to secure the heritage management and obligation to undertake the works.
4. Note that the use of the Historic Buildings Fund (Fund) as a loan for restoring heritage buildings is inconsistent with the policy of the Fund, which is to purchase heritage buildings threatened with demolition. This application is a unique matter requiring special consideration and staff are asked to not to amend the policy of the Fund as there is no intention to set a precedent for approving further loans from the Fund.
5. Delegate authority to the Head of Community Support, Governance & Partnerships to make the necessary arrangements to implement this resolution noting that all loan documentation will be reviewed by Council's Legal Services Unit.

Motion

Councillor Davidson moved, seconded by Councillor McLellan, that the Sustainability and Community Resilience Committee:

1. Approve a community loan to Christchurch Heritage Ltd of \$350,000 for ten years at an interest rate of 2.0% per annum. The loan funds are to complete the restoration of the Shand's and Trinity Congregational Church buildings.

- a. Interest is to be capitalised until the buildings are tenanted, then quarterly repayments of interest and principle. The balance is to be repaid on sale or at the end of the loan term.
2. Approve an interest free loan to Christchurch Heritage Ltd from the Historic Buildings Fund of \$850,000 for ten years, to be repaid on sale or at the end of the loan term.
3. Resolves that the Christchurch Heritage Ltd loans are conditional upon:
 - a. Christchurch Heritage Ltd giving Council a first registered mortgage over the land as security for the borrowing.
 - b. Additional security i.e. an unlimited guarantee and indemnity from Christchurch Heritage Trust supported by a general security agreement over its personal property. This will include the shares currently held in Christchurch Heritage Ltd and any further acquired personal property.
 - c. A registered conservation covenant over the property to secure the heritage management and obligation to undertake the works.
4. Note that the use of the Historic Buildings Fund (Fund) as a loan for restoring heritage buildings is inconsistent with the policy of the Fund, which is to purchase heritage buildings threatened with demolition. This application is a unique matter requiring special consideration and staff are asked to not to amend the policy of the Fund as there is no intention to set a precedent for approving further loans from the Fund.
5. Delegate authority to the Head of Community Support, Governance & Partnerships to make the necessary arrangements to implement this resolution noting that all loan documentation will be reviewed by Council's Legal Services Unit.

Amendment

Councillor Sam MacDonald moved by way of amendment:

That the loan to Christchurch Heritage Ltd from the Historic Buildings Fund is subject to an interest rate of 2% per annum to be repaid on sale or at the end of the loan term.

The amendment was seconded by Councillor Catherine Chu and on being put to the meeting was declared lost.

Councillor MacDonald/Councillor Chu

Lost

Committee Resolved SACRC/2021/00012

That the Sustainability and Community Resilience Committee:

1. Approve a community loan to Christchurch Heritage Ltd of \$350,000 for ten years at an interest rate of 2.0% per annum. The loan funds are to complete the restoration of the Shand's and Trinity Congregational Church buildings.
 - a. Interest is to be capitalised until the buildings are tenanted, then quarterly repayments of interest and principle. The balance is to be repaid on sale or at the end of the loan term.
2. Approve an interest free loan to Christchurch Heritage Ltd from the Historic Buildings Fund of \$850,000 for ten years, to be repaid on sale or at the end of the loan term.
3. Resolves that the Christchurch Heritage Ltd loans are conditional upon:

- a. Christchurch Heritage Ltd giving Council a first registered mortgage over the land as security for the borrowing.
 - b. Additional security i.e. an unlimited guarantee and indemnity from Christchurch Heritage Trust supported by a general security agreement over its personal property. This will include the shares currently held in Christchurch Heritage Ltd and any further acquired personal property.
 - c. A registered conservation covenant over the property to secure the heritage management and obligation to undertake the works.
4. Note that the use of the Historic Buildings Fund (Fund) as a loan for restoring heritage buildings is inconsistent with the policy of the Fund, which is to purchase heritage buildings threatened with demolition. This application is a unique matter requiring special consideration and staff are asked to not to amend the policy of the Fund as there is no intention to set a precedent for approving further loans from the Fund.
 5. Delegate authority to the Head of Community Support, Governance & Partnerships to make the necessary arrangements to implement this resolution noting that all loan documentation will be reviewed by Council's Legal Services Unit.

Councillor Davidson/Councillor McLellan

Carried

Councillor Chu, Cotter, Galloway, Gough and MacDonald requested that their votes against the resolutions be recorded.

Councillor Johanson requested that his vote against resolution 2. be recorded.

The meeting adjourned at 11am and reconvened at 11.11am.

Councillor Keown left the meeting during the adjournment.

9. Draft Submission on Climate Change Commission's First Advice Package

Officer Recommendations / Ngā Tūtohu

That the Sustainability and Community Resilience Committee:

1. Approve the draft submission on the Climate Change Commission's *2021 Draft Advice for Consultation* (Attachment A).

Committee Resolved SACRC/2021/00013

Part C

That the Sustainability and Community Resilience Committee:

1. Approve the draft submission on the Climate Change Commission's *2021 Draft Advice for Consultation* (Attachment A).
2. Authorise the Chair and Deputy Chair of the Sustainability and Community Resilience Committee to approve minor amendments to the submission, including incorporating feedback from the Committee.
3. Notes that the submission will be amended to include comments about carbon capture in marine soils.

Councillor Coker/Councillor Davidson

Carried

Councillor Keown requested that his vote against the resolutions be recorded.

10. Arts Strategy Implementation Update

Committee Resolved SACRC/2021/00014

Officer recommendation accepted without change

Part C

That the Sustainability and Community Resilience Committee:

1. Receive the information in the report.

Councillor MacDonald/Councillor Scandrett

Carried

11. Heritage Incentive Grant Approval for the New City Hotel building, 527 Colombo Street & 38 Bath Street, Christchurch Central

Committee Resolved SACRC/2021/00015

Officer recommendation accepted without change

Part C

That the Sustainability and Community Resilience Committee:

1. Approve a Heritage Incentive Grant of up to \$162,376.00 for roof replacement and repainting of the façade and fire alarm upgrade of the protected heritage building located at 527 Colombo Street, Christchurch.
2. Note that payment of this grant is subject to the applicant entering a full conservation covenant with the signed covenant having the Council seal affixed prior to registration against the property title.

Councillor McLellan/Councillor Scandrett

Carried

12. Heritage Incentive Grant Approval for 82 Bealey Avenue, Eliza's Manor

Committee Resolved SACRC/2021/00016

Officer recommendation accepted without change

Part C

That the Sustainability and Community Resilience Committee:

1. Approve a Heritage Incentive Grant of up to \$70,028 for conservation and maintenance work to the protected heritage building located at 82 Bealey Avenue, Christchurch.
2. Note that payment of this grant is subject to the applicant entering a 20 year limited conservation covenant with the signed covenant having the Council seal affixed prior to registration against the property title.

Councillor Davidson/Councillor Coker

Carried

13. Heritage Incentive Grant application for Von Sierakowski wire fence at 31 Southey Street, Sydenham

Committee Resolved SACRC/2021/00017

Officer recommendation accepted without change

Part C

That the Sustainability and Community Resilience Committee:

1. Approve a Heritage Incentive Grant of up to \$2,570 for conservation, repair and maintenance works to the heritage Von Sierakowski fence located at 31 Southey Street, Sydenham, Christchurch.

Councillor Daniels/Councillor Cotter

Carried

Councillor Keown returned to the meeting at 11.32am during the discussion on item 14.

14. Community (Social) Housing Update Report 1 July - 31 December 2020

Committee Resolved SACRC/2021/00018

Officer recommendation accepted without change

Part C

That the Sustainability and Community Resilience Committee:

1. Note the information provided in the Community (Social) Housing report.

Councillor Coker/Councillor Cotter

Carried

Karakia Whakamutunga: Delivered by Councillor Davidson

Meeting concluded at 11.33am.

CONFIRMED THIS 28TH DAY OF APRIL 2021

**COUNCILLOR SARA TEMPLETON
CHAIRPERSON**

7. Proposed consultation on Freedom Camping Bylaw changes

Reference / Te Tohutoro: 20/1340269

Report of / Te Pou	Teena Crocker, Senior Policy Analyst, Teena.Crocker@ccc.govt.nz
Matua:	Judith Cheyne, Associate General Counsel, Judith.Cheyne@ccc.govt.nz
General Manager / Pouwhakarae:	Mary Richardson, Acting Assistant Chief Executive

1. Purpose of the Report / Te Pūtake Pūrongo

- 1.1 The purpose of this report is for the Committee to approve consultation on changes to the Council's [Freedom Camping Bylaw 2015](#) as part of the statutory bylaw review process.
- 1.2 The bylaw review and consultation on changes must be undertaken to comply with the Freedom Camping Act 2011 (FCA). This report complements a [previous report](#) to the Committee on 22 October 2020, which formed the first stage of the review and made the determinations required by the Act. This second stage proposes consultation on changes.
- 1.3 The FCA requires the use of the Special Consultative Procedure. The consultation proposed in this report is scheduled to be undertaken through May-June, with hearings in August, and the final bylaw will be considered for adoption by the Council before summer / December 2021. This schedule has been developed together with the Engagement and Hearings team.
- 1.4 The changes being proposed take into account freedom camping activities over the 2020/21 season, as well as previous summers since the bylaw was adopted in 2015, and amendments to the bylaw in 2016 and 2018.
- 1.5 The main changes being proposed relate to the North Beach Car Park and the Marine Parade area, and to Naval Point, with a number of minor changes to improve the clarity and effectiveness of the bylaw. The detail of these changes is in the attached documents.
- 1.6 The decisions in this report are of low significance in relation to the Christchurch City Council's Significance and Engagement Policy. The level of significance was determined by the relatively minor changes being proposed for consultation as a result of the bylaw review.

2. Officer Recommendations / Ngā Tūtohu

That the Sustainability and Community Resilience Committee:

1. note that this report forms the second stage of the review of the Freedom Camping Bylaw 2015 (the first stage having been completed by the Committee on 22 October 2020);
2. agree that the proposed replacement bylaw is necessary, appropriate and proportionate, and is not inconsistent with the New Zealand Bill of Rights Act 1990, in accordance with section 11(2) of the Freedom Camping Act 2011;
3. agree to adopt the attached Statement of Proposal (which includes the proposed replacement Freedom Camping Bylaw 2021) for consultation;
4. agree to undertake consultation using the Special Consultative Procedure, in accordance with section 11(5) of the Freedom Camping Act 2011 and section 86 of the Local Government Act 2002;
5. agree to a hearings panel being appointed to consider submissions arising from public consultation;

6. note that the hearings panel will report back to the Council for adoption of the final form of the bylaw before December 2021, so that the bylaw can come into force before summer.

3. Reason for Report Recommendations / Ngā Take mō te Whakataua

- 3.1 The FCA requires that freedom camping bylaws are reviewed within five years of first being made. A council must review a bylaw by making certain determinations, and then “after the review” undertake consultation.¹
- 3.2 The Council’s bylaw needed to be reviewed by 26 November 2020. The first part of the review was completed on [22 October 2020](#) to meet this legislative requirement.
- 3.3 This report proposes consultation on changes to the bylaw, which forms the second stage in the review process, and must be undertaken to comply with the FCA.
- 3.4 The bylaw was adopted in 2015, and has been amended twice (in 2016 and 2018). Neither of these amendments can be considered a review under the FCA.

4. Alternative Options Considered / Ētahi atu Kōwhiringa

- 4.1 The Committee made the determinations required by the Act on 22 October 2020 to complete the first stage of the review.² There are now two options for the second stage of the review:
 - keep the bylaw unchanged; or
 - propose changes to update and improve the bylaw.
- 4.2 The Act requires consultation as a result of a bylaw review, whether changes are recommended as a result of the review or not.³
- 4.3 Staff have identified changes that can be made to update and improve the bylaw, so this is the preferred option.

5. Detail / Te Whakamahuki

Introduction

- 5.1 The bylaw is now largely working as intended, with a reduction in issues, complaints and infringements across the district in recent years. This downward trend has continued over the 2020/21 summer. The one exception to this is the area around North Beach and along Marine Parade, where we are proposing changes to help address local concerns. Changes at Naval Point in Lyttelton are also being proposed to protect access to the area, and after the recent adoption of the Te Nukutai o Tapoa Naval Point Development Plan 2020.
- 5.2 Getting the balance right on freedom camping regulation can be very difficult. Regular news articles from around the country highlight the widespread and continued community frustration about freedom camping impacts. These have continued despite both the reduction in international travellers due to COVID-19, and the availability of central government funding in recent years to help to reduce the impacts.
- 5.3 Our role is to find the right balance for our communities, given the opportunities and constraints presented by the FCA.

¹ Section 13 of the Freedom Camping Act 2011.

² That a bylaw is necessary, the matters regulated in the bylaw are appropriate and proportionate, and the bylaw is not inconsistent with the New Zealand Bill of Rights Act 1990, in accordance with section 11(2) of the Freedom Camping Act 2011.

³ Section 13 of the Freedom Camping Act 2011.

A quick summary of bylaws made under the Freedom Camping Act

- 5.4 In short, the FCA enables councils to develop bylaws in order to place reasonable controls on freedom camping, but any freedom camping bylaw:
- can only apply to council-owned or controlled land;⁴
 - cannot prohibit freedom camping completely, or regulate so broadly that it, in effect, prohibits it completely;
 - must be necessary to protect an area, and (or) to protect the health and safety of people who may visit an area, and (or) to protect access to an area;
 - must be the most appropriate and proportionate way of addressing the perceived problem; and
 - must not be inconsistent with the New Zealand Bill of Rights Act 1990.⁵
- 5.5 The validity of a bylaw may be challenged in the High Court. This includes the process used to make the bylaw. Challenges may be on grounds such as a bylaw being unreasonable, being *ultra vires* (outside legal powers), or being repugnant to the laws of New Zealand.

Affected areas and wards, and community views

- 5.6 Although the bylaw covers the whole district, and regulates areas in every ward, the areas most affected by freedom camping impacts tend to be coastal areas that are attractive to freedom campers, in the Coastal-Burwood and Banks Peninsula Community Board areas.
- 5.7 Council staff presented to all Community Boards between December 2019 and March 2020 to outline the bylaw review and seek early input and views. Community Boards were broadly supportive of the continued need for a bylaw to regulate freedom camping.
- 5.8 Staff attended an additional briefing with the Burwood-Coastal Community Board in December 2020 about extending the North Beach Car Park temporary weekend closure. This closure was undertaken using a power in the bylaw which enables the Chief Executive to temporarily close an area to freedom camping to protect public access. The Board was supportive, and the extension was granted by the Chief Executive on 22 December 2020 until this bylaw review process was completed.⁶
- 5.9 The changes being proposed are focused on improving the bylaw based on how it has been operating over the past five years, and on changes to freedom camping activities over that time. Community views on the proposed changes will be sought through the consultation process.

Proposed changes, in summary

- 5.10 Further detail on the proposed changes is in the documents attached to this report:
- the Bylaw Review Report includes a clause-by-clause analysis of the 2015 bylaw, and
 - the Statement of Proposal includes a draft of the proposed replacement 2021 bylaw.

⁴ Note that Residential Red Zone land will be covered by the bylaw as it is transferred into Council ownership.

⁵ These are all set out in the Freedom Camping Act 2011, sections 6, 10, 11 and 12.

⁶ On 27 February 2020, the Chief Executive used a power in the bylaw to temporarily prohibit freedom camping at weekends in the North Beach Car Park to enable better public access until the end of 2020. This was extended on 22 December 2020, until the end of 2021, or until the bylaw review is complete.

5.11 In summary, the proposed changes include:

- Updating the definition of “certified self-contained vehicle” to reflect the amendment to the Standard (NZS 5465:2001) in 2017
- Adding a clause to prevent campers from setting-up their camp in a way that blocks thoroughfares
- Improving the process to temporarily waive or modify parts of the bylaw to enable camping for organised events
- Adding a new prohibited freedom camping area at North Beach Car Park to enable better public access for weekend events and beach access over the warmer months
- Creating a new zone, the City Coastal Restricted Zone, where camping in self-contained vehicles would be allowed for up to four nights in any 30-day period, with no more than two nights in any one place
- Changing how we manage freedom camping at Te Nukutai o Tapoa Naval Point marine and recreation area in Lyttelton to enable better public access
- Improving the description and map of the prohibited area at Windsport Park, near the Avon-Heathcote Estuary / Te Ihutai.

6. Policy Framework Implications / Ngā Hīraunga ā- Kaupapa here

Strategic Alignment / Te Rautaki Tīaroaro

- 6.1 The decisions in this report meet statutory requirements, and the regulation of freedom camping activities through a bylaw aligns with Community Outcomes (resilient communities, liveable city, healthy environment and prosperous economy).
- 6.2 This report supports the [Council's Long Term Plan \(2018 - 2028\)](#):
- 6.2.1 Activity: Strategic Planning and Policy
- Level of Service: 17.0.19.4 Bylaws and regulatory policies to meet emerging needs and satisfy statutory requirements. - Carry out bylaw reviews in accordance with ten-year bylaw review schedule and statutory requirements.

Policy Consistency / Te Whai Kaupapa here

- 6.3 The decision is consistent with Council's Plans and Policies.

Impact on Mana Whenua / Ngā Whai Take Mana Whenua

- 6.4 The decision does not involve a significant decision in relation to ancestral land or a body of water or other elements of intrinsic value. However, the bylaw regulates to protect land recognised as Silent File areas.
- 6.5 Silent Files areas are identified by Papatipu Rūnanga as land requiring special protection due to the presence of significant wāhi tapu (sacred places) or wāhi taonga (treasured possessions) in the area. Silent file areas are set out in the Mahaanui Iwi Management Plan 2013.⁷ The bylaw currently protects land listed with Silent File references by prohibiting freedom camping in those areas.
- 6.6 Staff have been in touch with Mahaanui Kurataiao to invite any comments about the bylaw and the areas it regulates, but have not received any feedback as yet.

⁷ Mahaanui Iwi Management Plan has the mandate of the six Papatipu Rūnanga, and is endorsed by Te Rūnanga o Ngāi Tahu, as the iwi authority. It is a planning document applicable under the Resource Management Act 1991. It is an expression of kaitiakitanga and sets out matters of significance, including Silent File areas.

Climate Change Impact Considerations / Ngā Whai Whakaaro mā te Āhuarangi

6.7 There are no climate change implications relating to freedom camping bylaws.

Accessibility Considerations / Ngā Whai Whakaaro mā te Hunga Hauā

6.8 One of the bylaw-making powers in the FCA enables freedom camping to be regulated if it is necessary to protect access to an area.⁸

6.9 Some restrictions in the bylaw are to protect access (which is one of the bylaw-making powers in the FCA). This applies in areas where parking is limited and a location is popular, for campers and others. A good example is North Beach Car Park. This area was being dominated by campers at weekends, creating a scarcity of car parks for club and beach activities, which was limiting public access (eg for the Junior Surf Programme at North Beach Surf Lifesaving Club, and events at the North New Brighton Community Centre).

7. Resource Implications / Ngā Hīraunga Rauemi

Capex/Opex / Ngā Utu Whakahaere

7.1 Bylaw reviews are accounted for in existing budgets. There are no additional costs arising from the decisions in this report, which largely relate to undertaking public consultation.

Other / He mea anō

7.2 If changes are made to the bylaw as a result of consultation, there may be some costs (onsite signage, mapping, updating online information, reprinting brochures, etc). Regulating new areas may increase compliance monitoring and enforcement costs, or necessitate a redistribution of resources to accommodate any new areas.

7.3 There are costs associated with bylaw monitoring and enforcement, public education, and managing the impacts of freedom camping and visitor numbers. Government funding has been available from the Responsible Camping Fund, administered by the Ministry of Business, Innovation and Employment (MBIE) in recent years, and this has supplemented the costs of providing these services. In the 2020/21 year, the Council received \$266,711 from the fund.

8. Legal Implications / Ngā Hīraunga ā-Ture

Legal Services Unit approval

8.1 This report has been reviewed and approved by the Legal Services Unit.

Terms of reference and delegations of the Committee

8.2 In the [terms of reference](#) for the Sustainability and Community Resilience Committee, the Council delegates authority to the Committee to oversee the review of the Freedom Camping Bylaw 2015, up to and including the adoption of a draft bylaw for consultation. The Council retains the authority to adopt the bylaw.

8.3 This report recommends adoption of the draft bylaw for consultation. The final report in the process will be from the Hearings Panel considering submissions on the draft bylaw, and will bring the results of the public consultation to the Council for final adoption of the bylaw.

⁸ Freedom Camping Act 2011, section 11

Statutory power to undertake proposals in the report / Te Manatū Whakahaere Kaupapa

Freedom Camping Act

- 8.4 The FCA requires bylaws made under it to be reviewed within five years of first being made (section 13). The Council's bylaw was made on 26 November 2015, and had to be reviewed by 26 November 2020.
- 8.5 The procedure for reviewing a bylaw requires a council to make certain determinations under section 11(2) of the Act (in summary: that a bylaw is necessary for certain purposes, is appropriate and proportionate, and does not give rise to any implications under the New Zealand Bill of Rights Act 1990). This review step was completed at the 22 October 2020 meeting of the Committee.
- 8.6 If, after a review, a council considers that the bylaw should be replaced or amended, it must undertake consultation. This is the purpose of this report. If a council does not wish to make any changes as a result of a review, it must still undertake consultation.⁹
- 8.7 It is the view of the Legal Services Unit that the attached Bylaw Review Report (including the clause-by-clause analysis of the bylaw) and the Statement of Proposal, show how the Council has considered its section 11(2) obligations.

New Zealand Bill of Rights Act assessment

- 8.8 The FCA requires that a council is satisfied that a bylaw is "not inconsistent" with the New Zealand Bill of Rights Act 1990 (NZBoRA). The NZBoRA protects the civil and political rights of all people in New Zealand.
- 8.9 The FCA provides a specific statutory framework for local authorities to manage freedom camping by only restricting these rights in areas where it is justified and necessary.
- 8.10 The bylaw is not inconsistent with NZBoRA, and does not unlawfully interfere with the rights of people, but seeks to impose only justifiable and reasonable limitations in the interests of reducing the impacts from freedom camping.
- 8.11 The areas regulated by the bylaw have been assessed in relation to the bylaw-making powers in the FCA, and this is set out in the attached documents.

9. Risk Management Implications / Ngā Hīraunga Tūraru

- 9.1 The Council must complete the consultation process in relation to the review of the bylaw in order to comply with statutory review requirements.
- 9.2 The risks associated with consulting on and then adopting some form of bylaw are low. The required consultation will allow the public to have their say.

⁹ Section 13(4) of the FCA, Review of bylaws

Attachments / Ngā Tāpirihanga

No.	Title	Page
A ↓	Bylaw Review Report 2021 - Freedom Camping Bylaw 2015 (five year review)	24
B ↓	Statement of Proposal Freedom Camping Bylaw 2021	43
C ↓	Memorandum - Additional advice in relation to the report Proposed consultation on Freedom Camping Bylaw changes	61

In addition to the attached documents, the following background information is available:

Document Name	Location / File Link
Not applicable	Not applicable

Confirmation of Statutory Compliance / Te Whakatūtutanga ā-Ture

Compliance with Statutory Decision-making Requirements (ss 76 - 81 Local Government Act 2002).

(a) This report contains:

- (i) sufficient information about all reasonably practicable options identified and assessed in terms of their advantages and disadvantages; and
- (ii) adequate consideration of the views and preferences of affected and interested persons bearing in mind any proposed or previous community engagement.

(b) The information reflects the level of significance of the matters covered by the report, as determined in accordance with the Council's significance and engagement policy.

Signatories / Ngā Kaiwaitohu

Authors	Teena Crocker - Senior Policy Analyst Judith Cheyne - Senior Legal Counsel
Approved By	Emma Davis - Head of Strategic Policy Mary Richardson - General Manager Citizens & Community

Updated Bylaw Review Report 2021 - Freedom Camping Bylaw 2015

Introduction

1. This report builds on the previous review report for the [Freedom Camping Bylaw 2015](#) (the bylaw) that was presented to the Council's Sustainability and Community Resilience Committee [meeting](#) on 22 October 2020.
2. Once the review of a bylaw has been completed, the FCA requires public consultation, whether or not any changes are recommended.¹ The first stage of the bylaw review was completed on 22 October 2020, and this report summarises the main issues, and the changes now being proposed for public consultation.

Summary of legislative requirements

Empowering legislation	Freedom Camping Act 2011 (the FCA)
Bylaw	Freedom Camping Bylaw 2015 (the bylaw)
Bylaw adoption date	26 November 2015
Bylaw amendment dates	2 November 2016 and 8 November 2018
Reason for bylaw review	Bylaws must be reviewed within five years of first being made Section 13(1) of the FCA
Bylaw review deadline	Review must be completed by 26 November 2020 (see 22 October 2020 meeting for bylaw review report and minutes)
Process for bylaw review	A council must make a series of determinations to complete the review, as set out in 13(3) and 11(2) of the FCA (Stage one completed on 22 October 2020, as above) If, after the review, a council wishes to make changes, it must consult (section 13(4)(a) of the FCA) – this report relates to this legislative requirement. (Note that if, after the review, a council wishes to continue the bylaw without amendment, it must still consult (section 13(4)(b) of the FCA))
Next step	This report summarises the review and proposed changes for consultation
Consultation timeframe	Planned for May-June 2021, hearings in August, final bylaw adopted before summer

Freedom Camping Act bylaw-making powers and penalties

Freedom camping allowed	The FCA allows freedom camping in any local authority area, unless it is restricted or prohibited by a bylaw, or by any other legislation
Bylaw-making powers	A council can make a bylaw to specify places where: <ul style="list-style-type: none"> • freedom camping is prohibited • freedom camping is restricted, and what restrictions apply
Bylaw-making requirements / tests ²	A council must be satisfied that a bylaw is necessary to: <ul style="list-style-type: none"> • protect an area; and (or) protect the health and safety of people who may visit an area; and (or) protect access to an area; and A council must be satisfied that: <ul style="list-style-type: none"> • the bylaw is the most appropriate and proportionate way of addressing the perceived problems in relation to the areas; and that • the bylaw is not inconsistent with the New Zealand Bill of Rights Act 1990
Local authority area	Applies to land under the management or control of the Council under enactment (not to private land, or land controlled by another organisation), and only to land in the Council's district
Limitations	A bylaw must not absolutely prohibit freedom camping, or restrict or prohibit so broadly that freedom camping is, in effect, prohibited ³

¹ Section 13(4)(b) of the FCA

² Section 11(2) of the FCA. Note that these determinations are slightly different to those required under section 155 of the LGA.

³ Section 12 of the FCA

Bylaw offence and penalty	A breach of the bylaw can result in an infringement notice of \$200 ⁴
Other legislation	Camping is prohibited in reserves by the Parks and Reserves Bylaw (but this does not have an infringement penalty)

Background / current Freedom Camping Bylaw

3. The [bylaw](#) was adopted in 2015. It sets out:
- that freedom camping can only occur in a certified self-contained vehicle⁵ (not in a tent, other temporary structure, or a vehicle that is not a certified self-contained vehicle);
 - areas where freedom camping is prohibited;
 - areas where freedom camping is restricted, and in those areas:
 - that camping can only occur in certified self-contained vehicles, with a maximum two night stay in any 30 day period, and not within 500 metres of a previous stay;
 - one vehicle per marked parking space, and all camping activities must take place within that space (to prevent overcrowding and camping activities encroaching into other areas);
 - that applications to the Chief Executive⁶ may be made to temporarily waive or modify the requirements of the bylaw (for example, for an event);
 - that the Chief Executive⁷ may temporarily close an area to freedom camping to prevent damage, allow maintenance, protect the safety of people or property, or to provide for better public access.
4. The areas regulated in our bylaw are shown in an interactive map that can be found [here](#).

Current areas where freedom camping is prohibited - No camping			
Central city	New Brighton North Ramp and South Ramp Off street car parks	Lyttelton Main Business Area	Rāpaki Settlement
Birdling's Flat residential zone	Ōnawe Flat Road	Takamātua	French Farm
Wainui	Akaroa	Ōnuku	Purau
Koukourārata / Port Levy settlement	Addington Park Car Park	Lower Styx River mouth	Windsport Park

Current areas where freedom camping is restricted - Camping in certified self-contained vehicles, two night maximum stay in any 30-day period, one vehicle per parking space (where spaces are marked), and camping activities confined to that parking space. No camping within 500m of a previous stay			
Greater City urban areas - including Lyttelton, Cass Bay, Corsair Bay, Rāpaki and Governors Bay	Akaroa Freedom Camping Area	Governor's Bay residential zone	Diamond Harbour
Little River settlement	Takamātua residential zone	Duvauchelle settlement	Robinson's Bay

All other Council-managed land in the district (except reserves) - Anyone can freedom camp on Council land in a certified self-contained vehicle - unless the land is a reserve, in which case camping is prohibited under the Parks and Reserves Bylaw, or the land is not vehicle-accessible.

5. There is one current active temporary prohibition.

Temporary prohibited area, North Beach

⁴ There are other penalties available under the FCA that can result in prosecution and a fine on conviction of up to \$10,000 - for example, in relation to discharging substances, and being obstructive or threatening towards an enforcement officer. See sections 20 and 23 of the FCA.

⁵ Certified self-contained means a vehicle designed and built for the purpose of camping which has the capability of meeting the ablutionary and sanitary needs of occupants of that vehicle for a minimum of three days without requiring any external services or discharging any waste and complies with New Zealand Standard 5465:2001, as evidenced by the display of a current self-containment warrant issued under New Zealand Standard Self Containment of Motor Caravans and Caravans, NZS 5465:2001.

⁶ Staff are not aware that any applications have been made under this clause.

⁷ This clause has been used on at least three occasions, set out below, under the "decisions and amendments" heading.

A temporary prohibition was put in place by the Chief Executive on 27 February 2020 to enable better public access to the parking area at North Beach Car Park at weekends during the warmer months.⁸ It applied at weekends (from 7pm Fridays until 7pm Sundays), during the surf lifesaving season for 2020. This was extended on 22 December 2020, and now applies until changes to the bylaw are made as part of this review, or the end of 2021, whichever is soonest.

Decisions and amendments made under the Freedom Camping Bylaw

6. The bylaw has been amended twice since it was adopted in 2015. There is a power in the bylaw for the Chief Executive to temporarily prohibit freedom camping. Amendments and decisions made in relation to the bylaw are as follows:
- In 2016, the Chief Executive used a power in the bylaw to temporarily prohibit freedom camping in five areas due to environmental impacts and concerns about safety⁹.
 - In late 2016, the bylaw was amended to permanently prohibit camping in those five areas, and so that camping on Council land was only allowed in certified self-contained vehicles.
 - In late 2018, it was amended again in to prohibit camping in Akaroa (except for 18 parks in the freedom camping area) and to prevent overcrowding (by only allowing one vehicle per marked parking space).
 - In 2020, the Chief Executive used a power in the bylaw to temporarily prohibit freedom camping at weekends in the North Beach Car Park to enable better public access until the end of 2020. This was extended on 22 December, until the end of 2021, or until the bylaw review is complete.

Perceived and actual problems (section 11)

7. Section 11(2) of the FCA requires that a council is satisfied that a bylaw is necessary to protect an area, health and safety, or access to an area, and that it is an appropriate and proportionate way of addressing the perceived problem(s) in an area.

Homelessness or rough sleeping, and freedom camping

8. The Council sometimes receives reports of homeless people living in vehicles or rough sleeping¹⁰, with requests to take enforcement action under the bylaw, but freedom camping bylaws are not intended to address homelessness.
9. Homelessness in New Zealand is defined as “having no options to acquire safe and secure housing”.¹¹ Homelessness has complex causes and solutions, and responses often involve coordination across a range of agencies.
10. Local Government New Zealand (LGNZ) produced a good practice guide for freedom camping in 2018. It states that councils “should avoid using their freedom camping bylaws to move on people who are genuinely homeless. Care needs to be taken when enforcing bylaws and determining who is and is not homeless”.¹²

Protection of wāhi tapu or wāhi taonga (Silent File areas)

11. Silent Files are areas identified by Papatipu Rūnanga as areas requiring special protection due to the presence of significant wāhi tapu (sacred places) or wāhi taonga (treasured possessions) in the area. The areas are set out in the Mahaanui Iwi Management Plan 2013.¹³
12. The bylaw contains limitations on freedom camping activities in areas that have been identified as Silent File areas in the Mahaanui Iwi Management Plan, at the request of the Papatipu Rūnanga. These are set out in the areas assessments (tables), below.

⁸ Applied from when the decision was made on 27 February 2020 until Sunday 12 April 2020 (Easter weekend), and then from Friday 23 October 2020 (Labour weekend) until 31 December 2020.

⁹ Lower Styx River car park, Windsport Park car park, Addington Reserve car park, French Farm foreshore and Wainui foreshore

¹⁰ Camping is defined in the FCA in relation to sleeping in a temporary structure, such as a tent, caravan, vehicle or motorhome, not to sleeping in the open.

¹¹ *Homelessness in New Zealand*, Parliamentary Research Paper, 17 July 2014, <https://www.parliament.nz/en/pb/research-papers/document/00PLEcoRP14021/homelessness-in-new-zealand>

¹² *Good practice guide for freedom camping: A resource prepared for councils and tourism operators* (2018), p.22.

¹³ Mahaanui Iwi Management Plan has the mandate of the six Papatipu Rūnanga, and is endorsed by Te Rūnanga o Ngāi Tahu, as the iwi authority. It is a planning document applicable under the Resource Management Act 1991.

No camping on reserves

13. The Reserves Act 1977 does not allow camping in reserves (section 44, unauthorised use of reserve), unless camping is specifically allowed.¹⁴ The Council's Parks and Reserves Bylaw 2016 also prohibits camping (of any form) in a park or reserve, unless the land has been set aside as a camping ground, or permission has been given by an authorised officer. There is no infringement fine available under this bylaw.
14. As our bylaw requires a certified self-contained vehicle for freedom camping, the bylaw already excludes areas not designed for vehicles from freedom camping activities eg landscaped areas.

Overcrowding, environmental damage, health and safety concerns

15. One common reason for regulating with a freedom camping bylaw relates to overcrowding in popular areas, and the consequent environmental damage and health and safety issues that can arise. The popularity and overcrowding of an area are hard to anticipate – for example, when an area with little previous camping activity becomes very popular due to social media activity, and quickly turns into a problem.
16. This was the case for the five areas prohibited using an amendment in 2016.¹⁵ Similar reasons prompted the 2018 amendment to better manage freedom camping in Akaroa by limiting where freedom camping could occur.

Communication and promotion of responsible camping

17. The Council's general approach to freedom camping promotion is to focus on encouraging campers to stay at camping grounds, and to support responsible camping by providing helpful information (such as locations for rubbish and recycling facilities, public toilets, and dump stations).
18. The Council's "Know where to camp" campaign has been very successful in recent years, with good uptake. The digital campaign has generated tens of thousands of visits to the information and interactive freedom camping map at ccc.govt.nz/camping. Thousands of brochures have been distributed to campers by campervan rental companies, retailers, backpackers, at Council facilities and in other locations. This has had a positive impact on campers, with more people knowing the rules and following them.
19. The Council installs informational signage at key freedom camping and tourist locations to help people understand the rules, and to indicate where freedom camping is allowed. Some signs also set out nearby camping grounds, rubbish and recycling facilities, public toilets, and dump stations. Regulatory "no camping" signs are installed in relevant areas.
20. Apps, such as CamperMate, are a popular source of information for freedom campers. Council staff are able to request changes to location entries so that they reflect the bylaw and help campers to do the right thing and avoid fines. The New Zealand Motor Caravan Association (NZMCA) also provides information to its members. There are lots of opportunities for certified self-contained freedom camping in the district.
21. The Council's compliance monitoring and enforcement approach starts with education and encouraging people to do the right thing. It requires significant resources to undertake these activities across the district, and at the hours required (evening and early morning). The Council received \$266,711 from the Government's Responsible Camping Fund for the 2020/21 season for education, monitoring and enforcement, as well as to manage camping impacts (such as servicing toilets and rubbish facilities).¹⁶ Some funding was also allocated through the Annual Plan.

Public perceptions, complaints and enforcement

22. Freedom camping, in terms of enforcement, largely relates to sleeping overnight. During the day, a vehicle that may be used for freedom camping has the same right to legally park as any other vehicle.
23. Complaints and community tensions often increase due to higher numbers of campers in a location (concentration and cumulative impacts), how often campers stay (frequency), environmental damage (rubbish and toileting), damage to infrastructure, and concerns about camping activities dominating public places and preventing access for others.
24. Camping vehicles not being properly self-contained, campers staying too long, campers in the wrong place, and campers not using their on-board facilities are also common themes.

¹⁴ Except where the land is set aside as a camping ground, or is otherwise authorised in the Act by the Minister.

¹⁵ Lower Styx River car park, Windsport Park car park, Addington Reserve car park, French Farm foreshore and Wainui foreshore

¹⁶ Government funding has been available from the Responsible Camping Fund, administered by the Ministry of Business, Innovation and Employment (MBIE) in recent years. This used to be available for infrastructure or practical actions to help manage freedom camping, but since the COVID-19 reduction in tourists, has been limited to practical actions only.

25. The following table shows complaints and infringements (fines) since the bylaw was adopted in 2015.

Year	2015/16	2016/17	2017/18	2018/19	2019/20	2020/21 ¹⁷
Complaints	245	319	346	183	236	119
Infringements issued ¹⁸	6	102	120	197	41	44

26. There is a mismatch between the number of complaints and the number of infringements issued. However, there are a number of reasons for this, including that not all complaints about freedom camping are about freedom camping or constitute a freedom camping offence.
27. Compliance monitoring and enforcement for the bylaw generally operates proactively over the summer season, and reactively during the off-season. Giving people information on how to do the right thing, where to camp and how to camp responsibly are all part of this approach.
28. The level of complaints, and compliance and enforcement activity, together with the interest and success of the "Know where to camp" campaign, all demonstrate a real and perceived need to regulate freedom camping in the district.

Proposed changes to the bylaw

29. Here is a summary of the proposed changes:

- Updating the definition of "certified self-contained vehicle" to reflect the amendment to the Standard (NZS 5465:2001) in 2017.
- Adding a clause to prevent campers from setting-up their camp in a way that blocks thoroughfares
- Improving the process to temporarily waive or modify parts of the bylaw to enable camping for organised events
- Adding a new prohibited freedom camping area at North Beach Car Park to enable better public access for weekend events and beach access over the warmer months
- Creating a new zone, the City Coastal Restricted Zone, where camping in self-contained vehicles would be allowed for up to four nights in any 30-day period, with no more than two nights in any place
- Changing how we manage freedom camping at Te Nukutai o Tapoa Naval Point marine and recreation area in Lyttelton to enable better public access
- Improving the description and map of the prohibited area at Windsport Park, near the Avon-Heathcote Estuary / Te Ihutai.

30. The consultation document contains a brief summary of the proposals, with further information below. Information on how the clauses have been improved can be found in the clause-by-clause analysis at the end of this document.

Area assessments for proposed new or changed areas - Section 11(2)(a)

31. Section 11(2) of the FCA requires an assessment of whether a bylaw is necessary to protect an area, protect the health and safety of people who may visit the area, or to protect access to the area, and whether it is the most appropriate and proportionate way of addressing the perceived problem in relation to that area.
32. The assessments for the proposed new or changed areas are set out below.

North Beach Car Park, weekends, warmer months only, to protect public access

33. Concerns were raised by local residents and the Coastal-Burwood Community Board in 2019 and early 2020. The North Beach Car Park between the surf lifesaving club and community hall serves multiple purposes for different groups, and freedom camping activities were dominating, making access difficult.

¹⁷ Data up until mid-March 2021

¹⁸ All infringements issues - includes waived or cancelled infringements

34. It was a restricted area under the bylaw, meaning campers could stay for two nights / the whole weekend, with low turnover of parks, and reduced parking availability, particularly for families wanting to access the carpark for club activities at weekends.
35. The Chief Executive temporarily prohibited freedom camping at weekends during surf lifesaving season on 27 February 2020, when the beach is busiest and access needs are highest, until the end of 2020. This used the temporary closure power in clause 10(d) in the bylaw – to provide for better public access. The prohibition applied from 7pm Fridays until 7pm Sundays during the surf lifesaving season for 2020. It was extended until the end of 2021 or until the bylaw review is completed.
36. The decision to temporarily close the car park to freedom campers has resulted in a reduction in freedom campers using the car park at weekends, and greater availability of parking for the community.
37. The number of freedom campers in the area has reduced from the high levels in early 2020, prior to COVID-19 travel restrictions. However, there are still a steady number of campers in the area, despite the lack of international travellers. There seems to be a good understanding amongst freedom campers of the closure at weekends, with few infringements needing to be issued. Freedom campers are using the car park on week nights, but not at weekends.
38. Certified self-contained campers can stay in the surrounding area, and can stay in the car park during week days, and over the cooler months (May through to the end of September).
39. If the restriction was not proposed for inclusion in the bylaw, it would expire, and freedom camping is likely to become a problem again in terms of public access to the car park.

City Coastal Restricted Zone – restrictions to prevent longer stays than intended

40. The area along the eastern coastline of Christchurch, from Waimairi Beach in the north, to Southshore Spit in the south, is popular with freedom campers for its proximity to the beach, and surf. The area is currently restricted to self-contained vehicles, allowing a two night stay within any 30-day period, and a limitation on staying within 500 metres of a previous stay. This is to encourage people to move on, and so that the impacts from freedom camping are not concentrated in an area or on a community.
41. There are some freedom campers who regularly freedom camp, and know to move on after two days, but are remaining in the area for an extended period of time. Marine Parade is over six kilometres long, and under the current bylaw, a person could camp for two nights, move 500 metres, camp for a further two nights, and repeat, remaining in the area for 24 nights without breaching the bylaw. This is not what was intended. The impact of this practice is greater when it is a community of campers that regularly move around the same area.
42. Creating a new zone, the City Coastal Restricted Zone is proposed to help to address this. Camping in self-contained vehicles would be allowed for up to four nights in any 30-day period, with no more than two nights in any one place.

Naval Point Lyttelton – prohibited, with an area set aside for freedom camping

43. Naval Point has been very popular with freedom campers. There are currently no limits on the number of freedom camping vehicles each night, or on where they stay at the Naval Point site. The Naval Point Development Plan was adopted in November 2020. As the Plan is implemented, how the site is configured and used will change. Unlimited numbers of campers is no longer appropriate.
44. We are proposing to limit the location and the number of parks where freedom camping can occur at the Naval Point site. People in certified self-contained vehicles would be able stay for up to two nights in a specified part of the car park, enabling about 18 camping vehicles per night. Camping would be prohibited in the rest of the area.
45. This will enable better access to the area by balancing the needs of recreational, club and other users (such as the coast guard), with some space set aside for freedom camping.
46. A large event is planned for the area in early 2022, the international SailGP. If needed, the existing power in the bylaw to temporarily close the site to freedom camping for an event could be used.

Windsport park – improvement of description and mapping of area

47. Windsport Park is located on the eastern shore of the Avon-Heathcote Estuary / Te Ihutai, between the Humphrey's Drive, Linwood Paddocks, and the estuary. It is relatively isolated, near the water, and is popular with wind sport enthusiasts. In 2016 it became a hot spot for freedom campers, resulting in an amendment to the bylaw to make it a prohibited area. This was to protect access to the area, to protect the area, and to protect the health and safety of those who may visit the area.

48. The description and map in the bylaw do not reflect where camping may occur (or be problematic), so the proposed changes more accurately describe and map this area.

Area assessments for existing areas - is the bylaw is necessary? –

49. Section 11(2) of the FCA requires an assessment of whether a bylaw is necessary to protect an area, protect the health and safety of people who may visit the area, or to protect access to the area, and whether it is the most appropriate and proportionate way of addressing the perceived problem in relation to that area.
50. The assessments for the existing areas regulated by the bylaw were done when the areas were first incorporated into the bylaw. Below is a brief update on whether the area still needs to be regulated.
51. Some of the site-by-site assessments in the table below refer to Silent Files.¹⁹ It is appropriate to take these areas into account in relation to freedom camping activities and the bylaw-making power the Council has, enabling it “to protect an area” or to “protect access to an area”.

Prohibited areas (freedom camping prohibited)

Prohibited area	Description used in current bylaw	Site-by-site assessment / comments
Central city	Christchurch Central City – all Council-owned and/or -managed land between and inclusive of Bealey Avenue, Fitzgerald Avenue, Moorhouse Avenue, Deans Avenue, Harper Avenue, and Little Hagley Park.	Popular area. Need to protect access to the area to balance different uses and needs
New Brighton	New Brighton North Ramp and South Ramp Off-street car parks – all Council-owned and/or -managed land off-street car parks, immediately north and south of the New Brighton Pier.	Popular area. Need to protect access to the area to balance different uses and needs
Lyttelton	Lyttelton Main Business Area – Council owned and/or -managed land between and inclusive of London Street, Oxford Street, Norwich Quay, and Dublin Street.	Small, popular area. Need to protect access to the area to balance different uses and needs.
Rāpaki	Rāpaki Settlement – all Council owned and managed land beside and between Governors Bay Road and the foreshore at Rāpaki Jetty.	Listed in the Iwi Management Plan 2013 as a Silent File area, Silent File 31. No camping requested by Rāpaki Rūnunga in 2015
Birdlings Flat	Birdlings Flat residential zone – all Council-owned and/or -managed land. The residential zone within the Birdlings Flat settlement area, from 107 Poranui Beach Road, Hill View Rd, Forest View Road, Lake Terrace Road, Clifton St and Coates Roads to the foreshore of Burlington Bay	Listed in the Iwi Management Plan 2013 as a Silent File area, Silent File 34. No camping requested by Wairewa Rūnunga in 2015
Ōnawe Flat Road	Ōnawe Flat Road – all Council-owned and/or -managed land including Ōnawe Point and all areas of Ōnawe Flat Road, up to but excluding the Duvauchelle settlement.	Listed in the Iwi Management Plan 2013 as a Silent File area, Silent File 25. No camping requested by Ōnuku Rūnunga in 2015
Takamātua	Takamātua – all Council-owned and/or -managed land including the road and coastline along Takamātua Bay Road to its intersection with McRae's Road.	Listed in the Iwi Management Plan 2013 as a Silent File area, Silent File 27. No camping requested by Ōnuku Rūnunga in 2015

¹⁹ Silent Files are areas identified by Papatipu Rūnunga as requiring special protection due to the presence of significant wāhi tapu (sacred places) or wāhi taonga (treasured possessions) in the area. All silent files referred to below are set out in the Mahaanui Iwi Management Plan 2013. Iwi/hapū management plans set out the resource management issues of the region/district/rohe, and must be taken into account when preparing or changing regional policy statements and regional and district plans. They are used by iwi/hapū to express kaitiakitanga

Prohibited area	Description used in current bylaw	Site-by-site assessment / comments
French Farm	French Farm – All Council-owned and/or -managed land including the roads and foreshore.	Bylaw amended in 2016 to prohibit freedom camping in this area due to overcrowding, environmental impacts, and public safety
Wainui	Wainui – including Stanbury Park. All Council-owned and/or -managed land, including the roads and foreshore.	Bylaw amended in 2016 to prohibit freedom camping in this area due to overcrowding, environmental impacts, and public safety Also note part of the area is listed in the Iwi Management Plan 2013 as a Silent File area, Silent File 24. No camping requested by Ōnuku Rūnunga in 2015 alongside Cemetery Road and Māori Reserve Land.
Akaroa Prohibited Area	Akaroa Prohibited Area – All Council-owned and/or managed land in Akaroa township is prohibited to freedom camping (other than in the marked parking spaces in the Akaroa Freedom Camping Area, where certified self-contained vehicles can camp for up to two nights in any 30-day period). The Akaroa prohibited area includes: <ul style="list-style-type: none"> the whole of the Akaroa waterfront (from Children's Bay to Red House Bay (including the whole of Beach Road)); Takapūneke Reserve (from and including Beach Road to Ōnuku Road); the residential part of Lighthouse Road (as shown on the map); Grehan Valley Road and Aylmers Valley Road (including the parking area for Misty Peaks Reserve); Rue Balquerie and the first parts of Purple Peak Road and Stony Bay Road (as shown on the map); Old Coach Road up to and including the turnaround area by Long Bay Road / State Highway 75; and part of Morgan's Road (as shown on the map). 	Popular area. Need to protect access to the area to balance different uses and needs Bylaw amended in 2018 to prohibit freedom camping in this area, and only allow self-contained camping in a specified area with 18 parks Also note, no camping requested by Ōnuku Rūnunga in 2015, as: <ul style="list-style-type: none"> the Children's Bay area is listed in the Iwi Management Plan 2013 as a Silent File area, Silent File 28 the Takapūneke / Green Point area has national historical significance and is registered as wāhi tapu with Heritage New Zealand Pouhere Taonga.
Ōnuku	Ōnuku – All Council-owned and/or -managed land including the roads and foreshore within the Ōnuku settlement area.	Requested by the Rūnunga due to Ōnuku Marae and papakāinga housing
Purau	Purau – All Council-owned and/or -managed land along the foreshore of Purau Bay.	Purau Beach is designated as wāhi tapu. No camping requested by Koukourāta Rūnunga in 2015
Koukourāta / Port Levy	Koukourāta / Port Levy settlement – All Council-owned and/or -managed land within the Koukourāta/Port Levy settlement area.	Listed in the Iwi Management Plan 2013 as a Silent File area, Silent File 21. No camping requested by Koukourāta Rūnunga in 2015

Prohibited area	Description used in current bylaw	Site-by-site assessment / comments
Addington Park Car Park	Addington Park Car Park – no written description. Please see Map 20 red area.	Bylaw amended in 2016 to prohibit freedom camping in this area due to overcrowding, environmental impacts, and public safety
Lower Styx River mouth	Lower Styx River mouth – no written description. Please see Map 21 red area.	Bylaw amended in 2016 to prohibit freedom camping in this area due to overcrowding, environmental impacts, and public safety
Windsport Park	Windsport Park – all of the land at 21–23 Humpfreys Road, Woolston/Ferryroad.	Bylaw amended in 2016 to prohibit freedom camping in this area due to overcrowding, environmental impacts, and public safety Change proposed to map and description.

Restricted areas (freedom camping allowed in certified self-contained vehicles for a maximum stay of two nights with a 30-day period)

Restricted area	Description used in current bylaw	Site-by-site assessment / comments
Christchurch urban area	Christchurch City – all Council-owned and/or -managed land in the greater City urban areas, including Lyttelton, Cass Bay, Corsair Bay, Rāpaki and Governors Bay, excluding and bounded by prohibited areas.	Need for some controls to protect the area and access to the area
Akaroa Freedom Camping Area	Akaroa Freedom Camping Area is located at the northern end of Akaroa, south of Woodhills Road / State Highway 75, and in the north eastern part of Akaroa Boat Park. There are two rows of freedom camping parking spaces to the west of the Akaroa Croquet Club (one row with seven larger parks, and one row with eight medium parks). A third row of freedom camping parking spaces is located alongside the northern fork of Grehan Stream (with three medium parks). Freedom camping parking spaces are clearly marked on-site.	Very popular. Need for some controls to protect the area and access to the area. Recent amendment in 2018. 18 parks for certified self-contained camping vehicles within a prohibited area
Governor's Bay	Governor's Bay residential zone – No written description. Please see Map 15 orange areas	Need for some controls to protect the area and access to the area.
Diamond Harbour	Diamond Harbour – All Council-owned and/or -managed land within the Diamond Harbour area, excluding the prohibited area in Purau Bay.	Need for some controls to protect the area and access to the area.
Little River	Little River settlement – No written description. Please see Map 17 orange areas.	Need for some controls to protect the area and access to the area
Takamātua	Takamātua residential zone – All Council-owned and/or -managed land within the Takamātua settlement area is bounded by the road and coastline along Takamātua Bay Road to its intersection with McRae's Road.	Need for some controls to protect the area and access to the area

Restricted area	Description used in current bylaw	Site-by-site assessment / comments
Duvauchelle	Duvauchelle settlement – No written description. Please see Map 18 Orange Areas.	Need for some controls to protect the area and access to the area
Robinson's Bay	Robinson's Bay – All Council-owned and/or -managed land within the Robinson's Bay area. Please see Map 19 orange areas.	Need for some controls to protect the area and access to the area

Appropriate and proportionate - Section 11(2)(b) assessment

52. Section 11(2)(b) of the FCA requires a council to be satisfied that a bylaw is the most appropriate and proportionate way of addressing perceived problems in an area.
53. There are both real and perceived issues in relation to freedom camping. Each of the reasons for putting a prohibition or restriction in place is set out above in the area assessments.
54. If we did not have a bylaw to regulate freedom camping, we may see:
- a rise in freedom camping numbers, leading to overcrowding of popular areas, with increased environmental and health and safety pressures;
 - an increase in environmental pollution or damage (for example, if camping were able to occur in tents or in non-self-contained vehicles in areas with no public toilets);
 - increasing community tensions from overcrowding and damage; and
 - reduced public access to areas if campers were to congregate in large numbers or undertake camping activities in ways that limit public access.
55. The area assessments above demonstrate that a regulating with a bylaw is an appropriate and proportionate way of addressing the perceived problem(s) in each of the areas in the bylaw.

Other options considered

56. Whenever we consider whether to regulate an area with a bylaw, or to alter the bylaw, we need to consider non-regulatory options, or whether there are other ways to reduce any issues. This is reflected in Section 11(2)(b) of the FCA, which requires a council to be satisfied that a bylaw is the most appropriate and proportionate way of addressing perceived problems in an area, as set out above.
57. In recommending these improvements to the bylaw, staff have considered other options. For example, for North Beach Car Park, other options included:

Option considered	Summary of conclusions
Prohibiting freedom camping for weekends year-round	No access issues over winter, good place to freedom camp when car park is not in high demand.
Prohibiting freedom camping at all times	Few access issues on weekdays and in the colder months, good place to freedom camp when car park is not in high demand
Extending the prohibited area further south along Marine Parade, opposite Thomson Park	Some issues from freedom camping in the area. Prohibiting here may displace campers to a more problematic area eg closer to houses or further away from public toilets
Letting the temporary closure expire and revert back to a restricted area	There is too much potential for access problems to re-emerge. Some controls are needed to enable good public access to the car park at weekends over the warmer months for club and beach activities, and events, when demand is high.

58. Ultimately, the best option is to propose making the temporary weekend ban permanent for the part of each year when demand for car parks is high, which is over the warmer months. Similar options were considered for each of the areas that have recommendations to add or change the level of regulation in the bylaw.
59. Non-regulatory options were considered, such as changing landscaping or road markings at Naval Point to manage access issues, for example. Some changes have been made already to encourage campers into certain areas using informational signage at Naval Point. Other changes have been made to support boat ramp users by upgrading road markings and installing signage to facilitate better access to the boat ramp,

and for boat trailer manoeuvring and parking. The Naval Point Development Plan will further imbed these types of improvements over time, as the plan is implemented. However, even with these changes, camper numbers will continue to impact on access needs for recreational and club users in the area. Limiting where freedom campers can stay will balance how the area is used, so that all groups have good access.

60. At Stoddart Point in Diamond Harbour, car parking concerns have led to plans to install “park and ride” signs to help to manage parking demands for ferry users. This should encourage any freedom campers to park in a different part of the car park, and reduce the potential for conflict by facilitating better access to car parking closer to the wharf for ferry commuters. This is a good example of non-regulatory measures to address perceived problems in a proportionate and appropriate way.

New Zealand Bill of Rights Act 1990 implications - Section 11(2)(a) assessment

61. Section 11(2) of the FCA requires a council to determine that a bylaw is not inconsistent with the New Zealand Bill of Rights Act 1990 (NZBoRA).
62. NZBoRA protects the rights and freedoms expected in a free and democratic society. For example, everyone lawfully in New Zealand has the right to freedom of association (section 17), and freedom of movement (section 18).
63. The FCA provides a specific statutory framework for local authorities to manage camping issues, where necessary, by regulating with a bylaw. It requires assessments to demonstrate that regulation is necessary, appropriate and proportionate. This report sets out these assessments.
64. The bylaw is not inconsistent with NZBoRA, and does not unlawfully interfere with rights - it seeks only to impose justifiable and reasonable limitations in line with the FCA.

--- Clause-by-clause analysis follows---

Review of the Freedom camping Bylaw 2015, clause-by-clause analysis (five year review)

Purpose

Wording in the 2015 bylaw	Comments / suggested changes
The purpose of this Bylaw is to control freedom camping in the district in order to: a. protect local authority areas; b. protect the health and safety of people who may visit local authority areas; c. protect access to local authority areas.	This reflects the bylaw-making powers in the Freedom Camping Act 2011. Retain as is.

Definitions

Wording in the 2015 bylaw	Comment	Suggested changes
Act means the Freedom Camping Act 2011	Retain as is	None
Certified self-contained vehicle means a vehicle designed and built for the purpose of camping which has the capability of meeting the ablutionary and sanitary needs of occupants of that vehicle for a minimum of three days without requiring any external services or discharging any waste and complies with New Zealand Standard 5465:2001, as evidenced by the display of a current self-containment warrant issued under New Zealand Standard Self Containment of Motor Caravans and Caravans, NZS 5465:2001.	Update and split into three parts for clarity. 1. Description of self-containment 2. Reference to the Standard NZS 5465:2001 (including the amendment in 2017) 3. Evidence of compliance with the Standard. Add in "specified number of occupants" – as some smaller vehicles may only be certified for one person. Paraphrase the 2017 amendment – the main point of which is that the toilet must be accessible when the bed is made up. Note that vehicles are certified for four years, so some vehicles certified under the old standard would comply until 31 May 2021. That period will end by the time this bylaw comes into force, so all vehicles will need to comply with the 2017 amendment.	Replace with: Certified self-contained vehicle means: (a) a vehicle designed and built for the purpose of camping which has the capability of meeting the ablutionary and sanitary needs of the specified number of occupants for a minimum of three days without requiring any external services or discharging any waste; and (b) contains a toilet that is usable within the vehicle when the bed is made up, including having sufficient head and elbow room; and (c) is evidenced by the display of a current self-containment warrant issued under New Zealand Standard Self Containment of Motor Caravans and Caravans, NZS 5465:2001 A2, and possession of a self-containment certificate.
New definition: Chief Executive means the Chief Executive Officer of the Council	Used in the clause that enables the Chief Executive to temporarily waive parts of the bylaw for an organised event, and in the temporary closure clause	Insert new definition
Council means the Christchurch City Council	Retain as is	Retain
New definition: Camping vehicle	Add definition to support restricted activities and areas clauses	Insert: Camping vehicle means a certified self-contained vehicle

Wording in the 2015 bylaw	Comment	Suggested changes
District means the district of the Council	Retain as is	Retain
The following terms have the same definitions as in the Act: Freedom camp :	Retain as is, but delete the last part about Great Walk Tracks. None in this district.	Delete last part of definition (relating to Great Walk Tracks)
The following terms have the same definitions as in the Act: Local authority area :	Retain for alignment with the Act	Retain
a. Waste receptacle : means a receptacle or facility that is provided by the Council for the purposes of disposing of waste (for example, a rubbish bin, public toilet, or bulk waste disposal unit).	Not used in the bylaw. Used in explanatory note only. Explanatory note now changed, so no longer needed.	Delete definition

Clauses

Clause	Comment	Proposed change
5. LOCAL AUTHORITY AREAS WHERE FREEDOM CAMPING IS PERMITTED : Freedom camping is permitted in any local authority area within the district unless it is prohibited or restricted: a. by this Bylaw; or b. under any other enactment or bylaw.	Very minor wording update	Replace with: Freedom camping is permitted in any local authority area within the district, unless it is prohibited or restricted by this bylaw or by any other enactment or bylaw
	Move explanatory note from the start of the bylaw to under this clause – relates to complying with other rules. Update as follows: Replaced “fire ban” with “fire restrictions” to align with Fire and Emergency New Zealand Act 2017 (FENZ Act) – no longer regulated by council bylaws. Added in “(unless the land is set aside as a camping ground)” to align with the Reserves Act 1977.	Add: <i>Explanatory note: Compliance with this bylaw does not remove the need to comply with all other applicable laws. This includes: no camping in Council parks and reserves (unless the land is set aside as a camping ground); complying with parking restrictions and time limits; not littering; not lighting fires in breach of any fire restrictions; not making excessive noise; and complying with the directions of enforcement officers. The Freedom Camping Act 2011 contains further offences in relation to freedom camping.</i>
New title: PROHIBITED ACTIVITIES From old Prohibited areas clause: (1) A person must not freedom camp in any local authority area in the district in any tent, temporary structure, or in any vehicle that is not a certified self-contained vehicle.	Separate prohibited activities and prohibited areas Added in unless “the area is set aside as a camping ground” to align with the Reserves Act 1977 Added reference to later clause on permissions for organised events.	Replace with: 5. Prohibited activities (1) No person may freedom camp in any local authority area in any tent, temporary structure, or in any vehicle that is not a certified self-contained vehicle, unless: (a) the area is set aside as a camping ground; or (b) the person has prior permission from the Council for an organised event under clause 9 of this bylaw.

Clause	Comment	Proposed change
6. PROHIBITED AREAS (2) A person must not freedom camp in a certified self-contained vehicle in any area marked red on any map in the Schedule.	Separate prohibited activities and prohibited areas Simplify prohibited areas clauses.	Replace with: 6. Prohibited areas (1) No person may freedom camp in any prohibited area. (2) Prohibited areas are described in Schedule 1 of this bylaw and are shown in red on maps in Schedule 2 of this bylaw.
7. FREEDOM CAMPING IN CERTIFIED SELF-CONTAINED VEHICLES (1) In any area marked orange on any map in the Schedule, freedom camping is allowed subject to the following restrictions: a. The freedom camping must only take place in a certified self-contained vehicle; and b. The maximum period of stay in any location within an orange area is 2 nights within a 30-day period; and	Restructure to separate restricted activities and restricted areas. Simplify and update clauses.	Replace with: 7. Restricted activities (1) Any person may freedom camp in a restricted area, subject to the following conditions: (a) the freedom camping must only take place in a certified self-contained vehicle; and (b) the maximum stay in any location is two nights within a 30-day period; and (c) the location must not be within 500 metres of a location where the person has previously freedom camped within a 30-day period.
New clause for City Coastal Restricted Zone	New restricted zone concept inserted for the City Coastal area. Freedom campers staying two nights, moving 500m, and repeating. New zone means only four nights in the area in 30 days is allowed.	Insert new: (2) Subclauses 1(b) and 1(c) do not apply to the restricted area known as the City Coastal Restricted Zone. In that restricted area, any person can freedom camp in a certified self-contained vehicle for up to four nights within a 30-day period, with no more than two nights in the same place.
c. If there are marked parking spaces in an orange area, only one vehicle may park overnight per marked parking space, and all freedom camping activities must be confined to that parking space.	Minor changes for clarity. Slight alteration to allow for a towing vehicle to be parked with a camping vehicle if there is room in the marked parking space (eg a certified self-contained caravan and the vehicle that towed it)	Replace with: (3) Where there are marked parking spaces in a restricted area, no person may: (a) park in a parking space where a camping vehicle is already parked (one camping vehicle per parking space); or (b) take up more than one parking space with their camping vehicle, equipment or activities.
New explanatory note for towed camping vehicles	There are some marked parking spaces that can accommodate the length of a vehicle towing a caravan. This is not intended to be covered by the clause on marked parking spaces, so an exclusion has been added. Note that "camping vehicle" is defined as a certified self-contained vehicle, so the caravan would still need to be self-contained.	Add: <i>Explanatory note: If there is space for the combination of a towing vehicle and a towed camping vehicle within a marked parking space, there is no breach of subclause 7(3).</i>

Clause	Comment	Proposed change
New clause on not blocking thoroughfares with camping vehicles or equipment	Health and safety, and access concerns from people setting up in thoroughfares and preventing access or movement of people or vehicles. Explanatory note below helps support the intent of the clause.	Add: (3) No person may set-up their camping vehicle or camping equipment in such a way that it impedes the normal movement of vehicles or pedestrians, or otherwise blocks a thoroughfare.
Explanatory note	Re-work of current explanatory note for clarity. Explanatory note applies to marked parking spaces and new clause on not blocking thoroughfares	Replace with: <i>Explanatory note: Subclauses (3) and (4) are to prevent overcrowding and the overflow of camping activities into public areas. Camping activities and equipment should not encroach into the surrounding area in a way that limits public access or parking availability, or raises safety concerns. Public areas where freedom camping is allowed are not intended to accommodate traditional camping set-ups (eg awnings, washing lines, cooking equipment, and tables and chairs) – these are better suited to camping grounds.</i>
7. FREEDOM CAMPING IN CERTIFIED SELF-CONTAINED VEHICLES (1) In any area marked orange on any map in the Schedule, freedom camping is allowed subject to the following restrictions:	Result of the reworking of clauses as set out above	Replace with new clause title: 8. Restricted areas Restricted areas are described in Schedule 1 to this bylaw and are shown in orange on maps in Schedule 2 of this bylaw.
8. [Clause 8 of the Bylaw was revoked by an amendment to the Bylaw that came into force on 1 December 2016.]	Administrative tidy-up. This should be removed and the clauses renumbered as part of the review.	Remove
9. PRIOR PERMISSION FROM COUNCIL (1) The Chief Executive of the Council may waive or modify the freedom camping restrictions in clauses 6 and 7 of this Bylaw. Permission may be granted by the Chief Executive with or without conditions.	The Council has received one application under this clause – for one self-contained vehicle on a grass berm related to a Christmas family gathering. The application was ultimately withdrawn, when an alternative solution was arrived at. The clause was not intended to apply to individual requests, but to organised events, but was not framed accordingly. Has been redrafted to link to organised events.	Replace with: 8. Prior permission from the Council for an organised event (1) The Chief Executive may temporarily waive or modify the freedom camping restrictions or prohibitions in this bylaw to enable camping for an organised event.
New explanatory note	When initially included in the bylaw, this clause was intended for organised events, not individual applications. This was not made clear, so has been updated to better reflect this.	Insert new: <i>Explanatory note: This clause is intended to enable flexibility so that freedom camping can occur as part of an organised event, where the Chief Executive considers it appropriate. The Chief Executive has full discretion to grant or decline an application for permission. The type of events it may apply to include, but are not limited to: scout and guide events; sporting and club events; marae-related events; community and school events.</i>

Clause	Comment	Proposed change
(2) Application for permission must be made: a. in writing; b. provide sufficient detail about the proposed camping including information about how the applicant will manage all human and other waste generated while freedom camping; and c. be made at least 20 working days in advance of the date planned for freedom camping in the area where the prohibition or restrictions apply.	Minor changes to improve the application process requirements	Replace with: (2) The organiser of the event must apply to the Chief Executive for permission. An application for permission must: (a) be made in writing, in the form required, and contain all necessary information to consider the request; (b) provide sufficient detail about the event, including: the proposed camping location, intended dates of stay, number of people, method of freedom camping, and information about how human and other waste from the event will be managed; and (c) be made at least 20 working days in advance of the event.
New clauses on permissions, conditions and declining applications	Added for clarity	Add new: (3) The Chief Executive may give permission or decline an application. (4) If permission is granted, the Chief Executive may impose any conditions they consider appropriate: (a) to minimise the likely impacts from the event; and (b) that are consistent with the purpose of this bylaw. (5) If an application is declined, the applicant will be informed of the reasons for the decision.
New clause on revoking a permission		Add new: (6) The permission may be revoked by an enforcement officer if any person breaches the conditions specified in the permission or otherwise breaches this bylaw.
10. COUNCIL MAY TEMPORARILY CLOSE AN AREA TO FREEDOM CAMPING (1) The Chief Executive of the Council may temporarily close or restrict freedom camping in any area or part of any area where the closure or restriction is considered necessary to: a. prevent damage to the local authority area or facilities in the area; or b. allow maintenance to the local authority area or facilities; or c. protect the safety of persons or property; or d. provide for better public access, including in circumstances where events are planned for that area.	This power provides flexibility to respond to emerging or changing situations, and for planned events. A situation may occur where urgent action needs to be taken to prevent damage, protect the environment, protect health and safety, to allow maintenance, or to support better public access. This clause has been used three times since 2015:	Retain as is

Clause	Comment	Proposed change
(2) Notice will be given of any temporary closure or restriction, and the removal of any closure or restriction, in any manner the Chief Executive considers is appropriate to the reason for the closure or restriction. Prior notice of any temporary closure or restriction will be given where possible.		Retain as is
The following note is explanatory and is not part of the Bylaw: Notice given by the Council may include any of the following: a sign erected in the area; and/or advertising on the Council's website or on the radio; and/or a public notice in the newspaper.		Retain as is
11. EFFECT OF THIS BYLAW ON OTHER BYLAWS AND ENACTMENTS (1) [Sub-clause 1 was revoked by an amendment to the Bylaw that came into force on 1 December 2016.]	Administrative tidy-up. Revoked in 2016. This should be removed and the clauses renumbered.	Remove
(2) Providing for restricted freedom camping in clause 7 of this Bylaw also provides for the parking of any vehicle being used for freedom camping in any area identified in clause 7, but does not affect any time, vehicle class or other restrictions that apply to the parking of that vehicle, made under any other bylaw or enactment.	Remove. No longer required. New explanatory note added under clause 4 (summary: must comply with other applicable laws, including parking restrictions and time limits)	Remove
<i>The following note is explanatory and is not part of the Bylaw: This clause is to make it clear that approval of freedom camping under this Bylaw also satisfies any requirement for approval under another bylaw or enactment. For example: the Council designates parking areas under the Traffic and Parking Bylaw and Council approval is needed to make changes; approving the same area for freedom camping under this bylaw also provides any Traffic and Parking Bylaw approval, if required (but the freedom camping must still comply with any parking time limits, etc applicable to the area).</i>	As above	Remove
12. CHRISTCHURCH CITY GENERAL BYLAW The provisions of the Christchurch City General Bylaw 2008 (as amended from time to time) are implied into and form part of this Bylaw.	Very minor wording change. Added "Council" to the name of the bylaw.	Replace with: 11. Christchurch City Council General Bylaw The provisions of the Christchurch City Council General Bylaw 2008 (as amended from time to time) are implied into and form part of this Bylaw.

Clause	Comment	Proposed change
<p>13. OFFENCE AND PENALTY</p> <p>(1) As specified by section 20(1) of the Act, every person commits an offence who:</p> <p>a. freedom camps in a local authority area in breach of any prohibitions or restriction in this Bylaw that applies to the area; or</p> <p>b. makes preparations to freedom camp in a local authority area in breach of any prohibition or restriction in this Bylaw that applies to the area</p>	<p>Updated for clarity.</p> <p>Removed clause about preparing to camp, as it is in the Act and is not often used.</p>	<p>Replace with:</p> <p>12. Offence and Penalty</p> <p>(1) As specified by section 20(1) of the Act, every person commits an offence who freedom camps in a local authority area in breach of any prohibitions or restrictions in this Bylaw that apply to the area.</p>
<p>(2) As specified by section 23(1) of the Act, every person who commits an offence set out in clause 12(1) is liable to an infringement fee (fine) of \$200.</p>	<p>Simplified.</p>	<p>Replace with:</p> <p>(2) Every person who commits an offence under section 20(1) of the Act is liable to an infringement fee (fine) of the amount specified in the Act.</p>
<p><i>The following note is explanatory and is not part of the Bylaw: Section 20 of the Act provides for the above offences and also for other offences, such as not properly disposing of waste into a waste receptacle, damaging or interfering with the flora and fauna in an area, and obstructing or threatening an enforcement officer.</i></p> <p><i>Section 22 of the Act sets out defences to a freedom camping offence. The defences include that an offence was committed due to an action or event beyond the control of the defendant that could not reasonably have been foreseen, or the act was necessary to protect life or health, prevent injury or serious damage to property. Council officers use their discretion when investigating freedom camping complaints, which will include consideration of any defences that may be available to a person.</i></p>	<p>Updated and simplified for clarity. Reduced the section on defences, as it is covered by the Act.</p>	<p>Replace with:</p> <p><i>Explanatory note: Other offences set out in the Act include things such as not properly disposing of waste (including from self-containment wastewater tanks), damaging or interfering with the flora and fauna in an area, preparing to freedom camp in breach of a bylaw, and obstructing or threatening an enforcement officer. Infringement fines may also apply under the Litter Act 1979, including a higher fine for dumping offensive or hazardous waste.</i></p> <p><i>Section 22 of the Act sets out defences to a freedom camping offence.</i></p>

Clause	Comment	Proposed change
New clause on revocations and savings	Standard clauses on revocations and savings used in other Council bylaws. Relevant if previous approvals have been given, or if there are proceedings in Court based on the 2015 Bylaw.	<p>Insert new:</p> <p>13. Revocations and savings</p> <p>(1) The Christchurch City Council Freedom Camping Bylaw 2015 is revoked.</p> <p>(2) Any permission, consent, agreement or any other act of authority which originated under the Christchurch City Freedom Camping Bylaw 2015, or which was continued by that bylaw and which is still in force at the commencement of this bylaw continues to have full force and effect for the purpose of this bylaw.</p> <p>(3) This bylaw is implied into and forms any part of any permission, consent, or any other act of authority continued by this clause.</p> <p>(4) The revocation of the Christchurch City Council Freedom Camping Bylaw 2015 does not prevent any legal proceedings, criminal or civil, being taken to enforce that bylaw and such proceedings continue to be dealt with and completed as if that bylaw had not been revoked.</p>
<p>The initial resolution to make this Bylaw was passed by the Christchurch City Council at a meeting of the Council on the 13th day of August 2015 and was confirmed, following consideration of submissions received during a special consultative procedure by a resolution at a subsequent meeting of the Council on the 26th day of November 2015.</p> <p>This Bylaw was amended by the Council on 2 November 2016, and the amendments came into force on 1 December 2016.</p> <p>This Bylaw was amended by the Council on 8 November 2018, and the amendments came into force on 1 December 2018.</p>		<p>Replace with:</p> <p>The initial resolution to make this bylaw was passed by the Christchurch City Council at a meeting on 13 August 2015 and was confirmed, following consideration of submissions received during a special consultative procedure, by a resolution at a subsequent meeting of the Council on 26 November 2015.</p> <p>The bylaw was amended by the Council on 2 November 2016, and the amendments came into force on 1 December 2016.</p> <p>The bylaw was amended by the Council on 8 November 2018, and the amendments came into force on 1 December 2018.</p>
New sentence added		<p>Add new:</p> <p>The 2015 bylaw was reviewed and replaced with the Freedom Camping Bylaw 2021 on [date], which came into force on [date].</p>

Statement of Proposal: Proposed replacement Freedom Camping Bylaw 2021

This statement of proposal is prepared under section 11(5) of the Freedom Camping Act 2011, and section 86 of the Local Government Act 2002. It contains:

- a summary
- reasons for the proposed changes
- legislative requirements
- a draft of the proposed replacement bylaw, including maps.

1. Summary

We're proposing changes to our Freedom Camping Bylaw, and want to hear what you think.

The bylaw aims to balance freedom camping opportunities with necessary limitations to ensure our areas are protected.

Consultation on the proposed changes starts on Monday 17 May and closes on Monday 21 June 2021. Submissions must be received by 5pm on Monday 21 June 2021.

Have Your Say – making a submission

You can make a submission by visiting Have Your Say (www.ccc.govt.nz/haveyoursay), emailing bylaws@ccc.govt.nz, or by posting your submission to: *Consultation: Freedom Camping Bylaw, Christchurch City Council, PO Box 73012, Christchurch 73013.*

2. Reasons for the proposed changes

Even though our bylaw is working well, we are recommending some improvements, and are consulting on these changes.

Our bylaw was made under the Freedom Camping Act 2011. We now need to do a review of the bylaw as it has been in place for five years. We amended the bylaw in 2016 and 2018, but neither of these amendments were considered a review.

Summary of proposed bylaw changes

Here is a summary of the changes. We are:

- Updating the definition of “certified self-contained vehicle” to reflect the amendment to the Standard (NZS 5465:2001) in 2017
- Adding a clause to prevent campers from setting-up their camp in a way that blocks thoroughfares
- Improving the process to temporarily waive or modify parts of the bylaw to enable camping for organised events
- Adding a new prohibited freedom camping area at North Beach Car Park, New Brighton, to enable better public access for weekend events and beach access over the warmer months
- Creating a new zone, the City Coastal Restricted Zone, where camping in self-contained vehicles would be allowed for up to four nights in any 30-day period, with no more than two nights in any place

- Changing how we manage freedom camping at Te Nukutai o Tapoa Naval Point marine and recreation area in Lyttelton to enable better public access
- Improving the description and map of the prohibited area at Windsport Park, near the Avon-Heathcote Estuary / Te Ihutai.

Current bylaw restrictions

Our Freedom Camping Bylaw is available at ccc.govt.nz/bylaws. An interactive map showing all the areas where freedom camping restrictions or prohibitions apply can be viewed at ccc.govt.nz/camping

The Freedom Camping Act 2011 enabled freedom camping on all council land (unless a bylaw or another law prohibits it), and gave councils limited powers for bylaw-making to regulate freedom camping.

Councils can only make bylaws to control freedom camping within the powers set out in the Freedom Camping Act. This means any bylaw controls must be necessary, appropriate and proportionate, and must not absolutely prohibit freedom camping (sections 11 and 12 of the [Freedom Camping Act 2011](#)).

We have some areas in our district where freedom camping is prohibited, meaning it is not allowed at all. There are other areas where freedom camping is restricted, meaning people can camp in self-contained vehicles for up to two nights within any 30-day period, but cannot stay within 500 metres of a place they have previously stayed. Both prohibited and restricted areas are set out in the bylaw.

The bylaw also requires that all freedom camping is in certified self-contained vehicles, so that campers have their own facilities on board. Anyone not certified as self-contained should stay at a camping ground.

Areas not defined as prohibited or restricted are available for self-contained freedom camping.

Proposed bylaw changes in more detail

- **We are updating the definition of “certified self-contained vehicle” to reflect an amendment to the Standard (NZS 5465:2001 A2).**
 - The self-containment standard sets the process and requirements for independent qualified assessors to be able to certify camping vehicles. Self-containment is then demonstrated by the display of a warrant card in the front windscreen, and a certificate which must be carried in the vehicle. We rely on the certification process to ensure camping vehicles are appropriately self-contained.
 - The 2017 amendment to the Standard introduced a requirement to ensure on-board toilets in camping vehicles are accessible when the bed is made up, with sufficient head and elbow room. The certification sets out the number of occupants the vehicle is certified for. The proposed definition has been updated to reflect these things.
- **Adding a clause to prevent campers from setting-up in a way that blocks thoroughfares**
 - The new clause would prevent freedom campers from setting up their camping vehicle or camping equipment in a way that limits the normal movement of vehicles or pedestrians, or otherwise blocks a thoroughfare.
 - Public areas where freedom camping is allowed (e.g. busy car parks) are not intended to accommodate traditional camping set-ups – these are better suited to camping grounds.
 - Some smaller vans, for example, need to have the boot open to use the built-in kitchen, and this creates a safety issue if it's opening into a car park where vehicles need to manoeuvre,

or if it encroaches onto the road. Tables, chairs, awnings or washing lines from freedom campers should not be set-up in a way that blocks people from walking through an area or along a pathway.

- This proposed clause complements an existing clause to prevent overcrowding, which allows only one vehicle per marked parking space. It supports better public access and protects the health and safety of people who may visit the area.
- **We are improving the process to temporarily waive or modify parts of the bylaw to enable camping for organised events.**
 - The bylaw enables our Chief Executive to respond to applications to waive or modify the bylaw to temporarily allow camping where it is not normally allowed.
 - The enabling of organised events was the intention when the clause was added after consultation on the bylaw in 2015, but this was not clearly reflected in the clause.
 - The proposed replacement clauses now refer to organised events (giving examples, such as school, club, marae or sporting events), and the application requirements have been updated to support this and the intention of the bylaw.
- **We are proposing a new prohibited freedom camping area at North Beach Car Park, New Brighton, to enable better public access. This would replace the current temporary ban with a permanent ban.**
 - The permanent ban would apply from 7pm Fridays until 7pm Sundays, between 1 October and 1 May each year. This will enable better public access to the car park for weekend events and beach access during the warmer months, when there is high demand for parking.
 - This area is currently closed to freedom camping at weekends during the surf lifesaving season. It was temporarily closed by the Chief Executive using a power in the bylaw in February 2020 to enable better public access, and in response to community concerns.
 - The car park services both the surf lifesaving club and the community hall, along with providing access to the beach and park. It is a popular site for freedom camping, and the car park is very busy at weekends. Shorter turnaround of car parking is needed for better public access to facilities, club activities and the beach.
 - The dates align with the surf lifesaving season, which generally runs from Labour weekend until Easter weekend. The dates change each year, so the proposal is to specify dates, so that it is easy to understand and signs do not need to be updated (1 October to 1 May each year).
- **We are creating a new zone, the City Coastal Restricted Zone, where camping in self-contained vehicles would be allowed for up to four nights in any 30-day period, with no more than two nights in any location.**
 - Under the current bylaw a person in a certified self-contained vehicle can freedom camp in a restricted area for up to two nights within a 30-day period, but not within 500m of a location they have stayed at within that time. This is to encourage people to move on, and so that the impacts from freedom camping are not concentrated in an area or on a community. It applies in areas identified as needing some protections (restricted areas).
 - The coastal area is attractive for freedom campers because of its proximity to the beach and surf. There are some freedom campers who regularly freedom camp, and know to move on after two days, but are remaining in the area for an extended period of time. Marine Parade is over 6km long, and under the current bylaw, a person could camp for two nights, move

500m, camp for a further two nights, and repeat, remaining in the area for 24 nights without breaching the bylaw. This is not what was intended. The impact of this practice is greater when it is a community of campers that regularly move around the same area.

- The proposed zone will help to manage the number of freedom campers remaining in the area for extended periods of time, and contribute to better protecting the area, and access to the area for all users.
- The proposed City Coastal Restricted Zone would include all Council owned and / or managed land between the eastern coastline of the city, and the following area: Beach Road to the north, along Bower Avenue to the west, and from the Wainoni Road Bridge along the eastern side of the Ōtakaro Avon River to the Avon-Heathcote Estuary / Te Ihutai, and including Southshore Spit. The prohibited areas within this zone would remain (noting that camping is already prohibited in reserves by the Parks and Reserves Bylaw).
- **Changing how we manage freedom camping at Te Nukutai o Tapoa Naval Point marine and recreation area in Lyttelton**
 - We are proposing to limit the location and the number of parks where freedom camping can occur at the Naval Point site.
 - People in certified self-contained vehicles would be able to stay for up to two nights in a specified part of the car park, enabling about 18 camping vehicles per night. Camping would be prohibited in the rest of the area.
 - There are currently no limits on the number of freedom camping vehicles each night, or on where they stay at the Naval Point site.
 - The Naval Point Development Plan was adopted in November 2020. How the site is configured and used will change as the Plan is implemented.
 - The site has been very popular with freedom campers, and an unlimited number of camping vehicles is no longer appropriate. The upcoming upgrade of the area means it is likely to continue to be popular, so some controls are now necessary.
 - This will enable better access to the area by balancing the needs of recreational, club and other users (such as the coast guard), with some space set aside for freedom camping.
- **We are improving the description and map of the prohibited area at Windsport Park, near the Avon-Heathcote Estuary / Te Ihutai.**
 - The description and map have been updated to better reflect where people are likely to camp, including extending it slightly to the north east.
 - Windsport Park is located on the eastern shore of the Avon-Heathcote Estuary / Te Ihutai, between Humphrey's Drive, Linwood Paddocks, and the estuary. It is relatively isolated, near the water, and is popular with wind sport enthusiasts. In 2016 it became a hot spot for freedom campers, resulting in an amendment to the bylaw to make it a prohibited area. This was to protect the area, access to the area, and the health and safety of visitors to the area.

Other options considered

We have looked at different options for managing freedom camping, and believe that this set of proposals to improve and update our bylaw is the best approach to reducing impacts and better managing freedom camping in our district.

4. Legislative requirements

Under Government legislation, a council must be satisfied that a bylaw is necessary to protect an area; the health and safety of people who may visit the area; or access to an area. It must also be satisfied that the bylaw is the most appropriate and proportionate way of addressing the problems; and that it is not inconsistent with the New Zealand Bill of Rights Act 1990. This is set out in section 11 of the Freedom Camping Act.

The bylaw must be reviewed within five years of first being made, and a council must consult after the review, whether it is proposing changes to the bylaw or not. This is set out in section 13 of the Freedom Camping Act. Our bylaw has been reviewed, and we are recommending some changes through this consultation process.

For information on how the legislative requirements are being met, other than in this Statement of Proposal, refer to the report considered at the Council's 28 April 2021 Community Resilience and Sustainability Committee meeting. The report considered at that meeting sets out the decision-making matters for the Committee, and includes a review report with the information needed to meet legislative requirements, including area assessments.

5. Proposed replacement bylaw

[follows]

[Proposed] Freedom Camping Bylaw 2021

The Christchurch City Council makes this bylaw under the Freedom Camping Act 2011.

[Proposed] The Freedom Camping Bylaw 2015 was replaced with this bylaw in 2021, after a review and consultation process.

1. Short title and commencement

- (1) This bylaw is the Christchurch City Council Freedom Camping Bylaw 2021.
- (2) This bylaw comes into force on [insert date] 2021.

2. Purpose

- (1) The purpose of this bylaw is to control freedom camping in the district in order to:
 - (a) protect local authority areas;
 - (b) protect the health and safety of people who may visit local authority areas;
 - (c) protect access to local authority areas.

Explanatory note: This bylaw applies only to land under the control or management of the Council and within the Christchurch district, including Banks Peninsula.

3. Interpretation

- (1) In this bylaw, unless the context otherwise requires:

TERM	DEFINITION
Act	means Freedom Camping Act 2011
Authorised officer	means a person appointed by the Council to perform duties or give permissions under this bylaw, including an enforcement officer
Camping vehicle	means a certified self-contained vehicle
Certified self-contained vehicle	means: <ol style="list-style-type: none">(a) a vehicle designed and built for the purpose of camping which has the capability of meeting the ablutionary and sanitary needs of the specified number of occupants for a minimum of three days without requiring any external services or discharging any waste; and(b) contains a toilet that is usable within the vehicle when the is bed made up, including having sufficient head and elbow room; and(c) is evidenced by the display of a current self-containment warrant issued under New Zealand Standard Self Containment of Motor Caravans and Caravans, NZS 5465:2001 A2, and possession of a self-containment certificate.
Chief Executive	means the Chief Executive Officer of the Council
Council	means the Christchurch City Council
District	means the district of the Council

The following terms have the same definitions as in the Act:

Freedom camp: (1) In this Act, freedom camp means to camp (other than at a camping ground) within 200 m of a motor vehicle accessible area or the mean low-water springs line of any sea or harbour, or on or within 200 m of a formed road or a Great Walks Track, using 1 or more of the following:

(a) a tent or other temporary structure:

(b) a caravan:

(c) a car, campervan, housetruck, or other motor vehicle.

(2) In this Act, freedom camping does not include the following activities:

(a) temporary and short-term parking of a motor vehicle:

(b) recreational activities commonly known as day-trip excursions:

(c) resting or sleeping at the roadside in a caravan or motor vehicle to avoid driver fatigue.

(3) In subsection (1),—

camping ground means—

(a) a camping ground that is the subject of a current certificate of registration under the Camping-Grounds Regulations 1985; and

(b) any site at which a fee is payable for camping at the site

...

Local authority area (1) In this Act, local authority area—

(a) means an area of land—

(i) that is within the district or region of a local authority; and

(ii) that is controlled or managed by the local authority under any enactment; and

(b) includes any part of an area of land referred to in paragraph (a); but

(c) does not include an area of land referred to in paragraph (a) or (b) that is permanently covered by water.

(2) This bylaw contains explanatory notes, which are not part of the bylaw. The Council may add, amend or delete explanatory notes at any time without amending the bylaw.

***Explanatory note:** Explanatory notes are used for a number of reasons, including to explain the intent of a clause in less formal language, to include additional helpful information, or because the information may be subject to change and need to be updated before the bylaw itself has to be updated.*

4. Local authority areas where freedom camping is permitted

Freedom camping is permitted in any local authority area within the district, unless it is prohibited or restricted by this bylaw or by any other enactment or bylaw.

***Explanatory note:** Compliance with this bylaw does not remove the need to comply with all other applicable laws. This includes: no camping in Council parks and reserves (unless the land is set aside as a camping ground); complying with parking restrictions and time limits; not littering; not lighting fires in breach of any fire restrictions; not making excessive noise; and complying with the directions of enforcement officers. The Freedom Camping Act 2011 contains further offences in relation to freedom camping.*

5. Prohibited activities

- (1) No person may freedom camp in any local authority area in any tent, temporary structure, or in any vehicle that is not a certified self-contained vehicle, unless:
 - (a) the area is set aside as a camping ground; or
 - (b) the person has prior permission from the Council for an organised event under clause 9 of this bylaw.

6. Prohibited areas

- (1) No person may freedom camp in any prohibited area.
- (2) Prohibited areas are described in Schedule 1 of this bylaw and are shown in red on maps in Schedule 2 of this bylaw.

7. Restricted activities

- (1) Any person may freedom camp in a restricted area, subject to the following conditions:
 - (a) the freedom camping must only take place in a certified self-contained vehicle; and
 - (b) the maximum stay in any location is two nights within a 30-day period; and
 - (c) the location must not be within 500 metres of a location where the person has previously freedom camped within a 30-day period.
- (2) Subclauses 1(b) and 1(c) do not apply to the restricted area known as the City Coastal Restricted Zone. In that restricted area, any person can freedom camp in a certified self-contained vehicle for up to four nights within a 30-day period, with no more than two nights in the same place.
- (3) Where there are marked parking spaces in a restricted area, no person may:
 - (a) park in a parking space where a camping vehicle is already parked (one camping vehicle per marked parking space); or
 - (b) take up more than one parking space with their camping vehicle, equipment or activities.

Explanatory note: If there is space for the combination of a towing vehicle and a towed camping vehicle within a marked parking space, there is no breach of subclause 7(3).

- (4) No person may set-up their camping vehicle or camping equipment in such a way that it impedes the normal movement of vehicles or pedestrians, or otherwise blocks a thoroughfare.

Explanatory note: Subclauses (3) and (4) are to prevent overcrowding and the overflow of camping activities into public areas. Camping activities and equipment should not encroach into the surrounding area in a way that limits public access or parking availability, or raises safety concerns. Public areas where freedom camping is allowed are not intended to accommodate traditional camping set-ups (eg awnings, washing lines, cooking equipment, and tables and chairs) – these are better suited to camping grounds.

8. Restricted areas

- (1) Restricted areas are described in Schedule 1 to this bylaw and are shown in orange on maps in Schedule 2 of this bylaw.

9. Prior permission from the Council for an organised event

- (1) The Chief Executive may temporarily waive or modify the freedom camping restrictions or prohibitions in this bylaw to enable camping for an organised event.

Explanatory note: This clause is intended to enable flexibility so that freedom camping can occur as part of an organised event, where the Chief Executive considers it appropriate. The Chief Executive has full discretion to grant or decline an application for permission. The type of events it may apply to include, but are not limited to: scout and guide events; sporting and club events; marae-related events; community and school events.

- (2) The organiser of the event must apply to the Chief Executive for permission. An application for permission must:
 - (a) be made in writing, in the form required, and contain all necessary information to consider the request;
 - (b) provide sufficient detail about the event, including: the proposed camping location, intended dates of stay, number of people, method of freedom camping, and information about how human and other waste from the event will be managed; and
 - (c) be made at least 20 working days in advance of the event.
- (3) The Chief Executive may give permission or decline an application.
- (4) If permission is granted, the Chief Executive may impose any conditions they consider appropriate:
 - (a) to minimise the likely impacts from the event; and
 - (b) that are consistent with the purpose of this bylaw.
- (5) If an application is declined, the applicant will be informed of the reasons for the decision.
- (6) The permission may be revoked by an enforcement officer if any person breaches the conditions specified in the permission or otherwise breaches this bylaw.

10. The Council may temporarily close an area to freedom camping

- (1) The Chief Executive of the Council may temporarily close or restrict freedom camping in any area or part of any area where the closure or restriction is considered necessary to:
 - (a) prevent damage to the local authority area or facilities in the area; or
 - (b) allow maintenance to the local authority area or facilities; or
 - (c) protect the safety of persons or property; or
 - (d) provide for better public access, including in circumstances where events are planned for that area.
- (2) Notice will be given of any temporary closure or restriction, and the removal of any closure or restriction, in any manner the Chief Executive considers is appropriate to the reason for the closure or restriction. Prior notice of any temporary closure or restriction will be given where possible.

Explanatory note: Notice given by the Council may include any of the following: a sign erected in the area; and/or advertising on the Council's website or on the radio; and/or a public notice in the newspaper.

11. Christchurch City Council General Bylaw

The provisions of the Christchurch City Council General Bylaw 2008 and any bylaw passed in amendment or substitution are implied into, and form part of this bylaw.

12. Offence and penalty

- (1) As specified by section 20(1) of the Act, every person commits an offence who freedom camps in a local authority area in breach of any prohibitions or restrictions in this Bylaw that apply to the area.
- (2) Every person who commits an offence under section 20(1) of the Act is liable to an infringement fee (fine) of the amount specified in the Act.

Explanatory note: The infringement fee in the Act is \$200. Other offences set out in the Act include things such as not properly disposing of waste (including from self-containment wastewater tanks), damaging or interfering with the flora and fauna in an area, preparing to freedom camp in breach of a bylaw, and obstructing or threatening an enforcement officer. Infringement fines may also apply under the Litter Act 1979, including a higher fine for dumping offensive or hazardous waste.

Section 22 of the Act sets out defences to a freedom camping offence.

13. Revocations and savings

- (1) The Christchurch City Council Freedom Camping Bylaw 2015 is revoked.
- (2) Any permission, consent, agreement or any other act of authority which originated under the Christchurch City Freedom Camping Bylaw 2015, or which was continued by that bylaw and which is still in force at the commencement of this bylaw continues to have full force and effect for the purpose of this bylaw.
- (3) This bylaw is implied into and forms any part of any permission, consent, or any other act of authority continued by this clause.
- (4) The revocation of the Christchurch City Council Freedom Camping Bylaw 2015 does not prevent any legal proceedings, criminal or civil, being taken to enforce that bylaw and such proceedings continue to be dealt with and completed as if that bylaw had not been revoked.

The initial resolution to make this bylaw was passed by the Christchurch City Council at a meeting on 13 August 2015 and was confirmed, following consideration of submissions received during a special consultative procedure, by a resolution at a subsequent meeting of the Council on 26 November 2015.

The bylaw was amended by the Council on 2 November 2016, and the amendments came into force on 1 December 2016.

The bylaw was amended by the Council on 8 November 2018, and the amendments came into force on 1 December 2018.

The 2015 bylaw was reviewed and replaced with the Freedom Camping Bylaw 2021 on [date 2021], which came into force on [date 2021].

Schedule 1: Freedom camping prohibited and restricted areas

Prohibited areas

Prohibited area	Description of prohibited area
Central city	Christchurch Central City – all Council-owned and/or -managed land between and inclusive of Bealey Avenue, Fitzgerald Avenue, Moorhouse Avenue, Deans Avenue, Harper Avenue, and Little Hagley Park.
New Brighton	New Brighton North Ramp and South Ramp Off-street car parks – all Council-owned and/or -managed land off-street car parks, immediately north and south of the New Brighton Pier.
New: North Beach Car Park	The car park area alongside Marine Parade, between the North Beach Surf Lifesaving Club and the North New Brighton Community Centre. Applies at weekends, from 7pm Fridays until 7pm Sundays, and between 1 October and 1 May each year.
Lyttelton	Lyttelton Main Business Area – Council owned and/or -managed land between and inclusive of London Street, Oxford Street, Norwich Quay, and Dublin Street.
New: Naval Point	All Council-owned and/or managed land in the Naval Point area is prohibited to freedom camping (other than in the sign-posted area where certified self-contained vehicles can camp for up to two nights in any 30-day period)
Rāpaki	Rāpaki Settlement – all Council owned and managed land beside and between Governors Bay Road and the foreshore at Rāpaki Jetty.
Birdlings Flat	Birdlings Flat residential zone – all Council-owned and/or -managed land. The residential zone within the Birdlings Flat settlement area, from 107 Poranui Beach Road, Hill View Rd, Forest View Road, Lake Terrace Road, Clifton St and Coates Roads to the foreshore of Burlington Bay
Ōnawe Flat Road	Ōnawe Flat Road – all Council-owned and/or -managed land including Ōnawe Point and all areas of Ōnawe Flat Road, up to but excluding the Duvauchelle settlement.
Takamātua	Takamātua – all Council-owned and/or -managed land including the road and coastline along Takamātua Bay Road to its intersection with McRae's Road.
French Farm	French Farm – All Council-owned and/or -managed land including the roads and foreshore.
Wainui	Wainui – including Stanbury Park. All Council-owned and/or -managed land, including the roads and foreshore.

Prohibited area	Description of prohibited area
Akaroa Prohibited Area	<p>Akaroa Prohibited Area – All Council-owned and/or managed land in Akaroa township is prohibited to freedom camping (other than in the marked parking spaces in the Akaroa Freedom Camping Area, where certified self-contained vehicles can camp for up to two nights in any 30-day period). The Akaroa prohibited area includes:</p> <ul style="list-style-type: none"> the whole of the Akaroa waterfront (from Children's Bay to Red House Bay (including the whole of Beach Road)); Takapūneke Reserve (from and including Beach Road to Ōnuku Road); the residential part of Lighthouse Road (as shown on the map); Grehan Valley Road and Aylmer's Valley Road (including the parking area for Misty Peaks Reserve); Rue Balguerie and the first parts of Purple Peak Road and Stony Bay Road (as shown on the map); Old Coach Road up to and including the turnaround area by Long Bay Road / State Highway 75; and part of Morgan's Road (as shown on the map).
Ōnuku	Ōnuku – All Council-owned and/or -managed land including the roads and foreshore within the Ōnuku settlement area.
Purau	Purau – All Council-owned and/or -managed land along the foreshore of Purau Bay.
Koukourārata / Port Levy	Koukourārata / Port Levy settlement – All Council-owned and/or -managed land within the Koukourārata/Port Levy settlement area.
Addington Park Car Park	Addington Park Car Park – no written description. Please see Map 20 red area.
Lower Styx River mouth	Lower Styx River mouth – no written description. Please see Map 21 red area.
Amended: Windsport Park	All of the land at Windsport Park near Humphrey's Drive, including Windsurfers Reserve, Woolston/Ferrymead (as shown on the map)

Restricted areas

Restricted area	Description of restricted area
Christchurch urban area	Christchurch City – all Council-owned and/or -managed land in the greater City urban areas, including Lyttleton, Cass Bay, Corsair Bay, Rāpaki and Governors Bay, excluding and bounded by prohibited areas.
New: City Coastal Restricted Zone	The area between the eastern coastline of the city, and the following area: Beach Road to the north, along Bower Ave to the west, and from the Wainoni Road Bridge along the eastern side of the Ōtakaro Avon River to the Avon-Heathcote Estuary / Te Ihutai, and including the Southshore Spit.
Akaroa Freedom Camping Area	Akaroa Freedom Camping Area is located at the northern end of Akaroa, south of Woodhills Road / State Highway 75, and in the north eastern part of Akaroa Boat Park. There are two rows of freedom camping parking spaces to the west of the Akaroa Croquet Club (one row with seven larger parks, and one row with eight medium parks). A third row of freedom camping parking spaces is located alongside the northern fork of Grehan Stream (with three medium parks). Freedom camping parking spaces are clearly marked on-site.
New: Naval Point	Naval Point Freedom Camping Area is signposted on site, and is located to the north of the access road that continues on from Charlotte Jane Quay.

[Proposed] Freedom Camping Bylaw 2021

Restricted area	Description of restricted area
Governor's Bay	Governor's Bay residential zone – No written description. Please see Map 15 orange areas
Diamond Harbour	Diamond Harbour – All Council-owned and/or -managed land within the Diamond Harbour area, excluding the prohibited area in Purau Bay.
Little River	Little River settlement – No written description. Please see Map 17 orange areas.
Takamātua	Takamātua residential zone – All Council-owned and/or -managed land within the Takamātua settlement area is bounded by the road and coastline along Takamātua Bay Road to its intersection with McRae's Road.
Duvauchelle	Duvauchelle settlement – No written description. Please see Map 18 Orange Areas.
Robinson's Bay	Robinson's Bay – All Council-owned and/or -managed land within the Robinson's Bay area. Please see Map 19 orange areas.

Schedule 2: Maps of freedom camping prohibited and restricted areas

Notes for consultation:

Maps of the current prohibited and restricted areas (22 maps) can be found on the Council's website at ccc.govt.nz/bylaws (freedom camping bylaw) or in an interactive map, available here: ccc.govt.nz/camping.

The maps below are only for the areas which are new to this bylaw, or where changes are proposed (also marked in grey in the table above).

All the maps will be incorporated in the final form of the bylaw, after consultation.

Proposed prohibited area: North Beach Car Park



All of the car park area alongside Marine Parade, between the North Beach Surf Lifesaving Club and the North New Brighton Community Centre. Applies at weekends, from 7pm Fridays until 7pm Sundays, and between 1 October and 1 May each year.

[Proposed] Freedom Camping Bylaw 2021

Proposed prohibited area: Naval Point

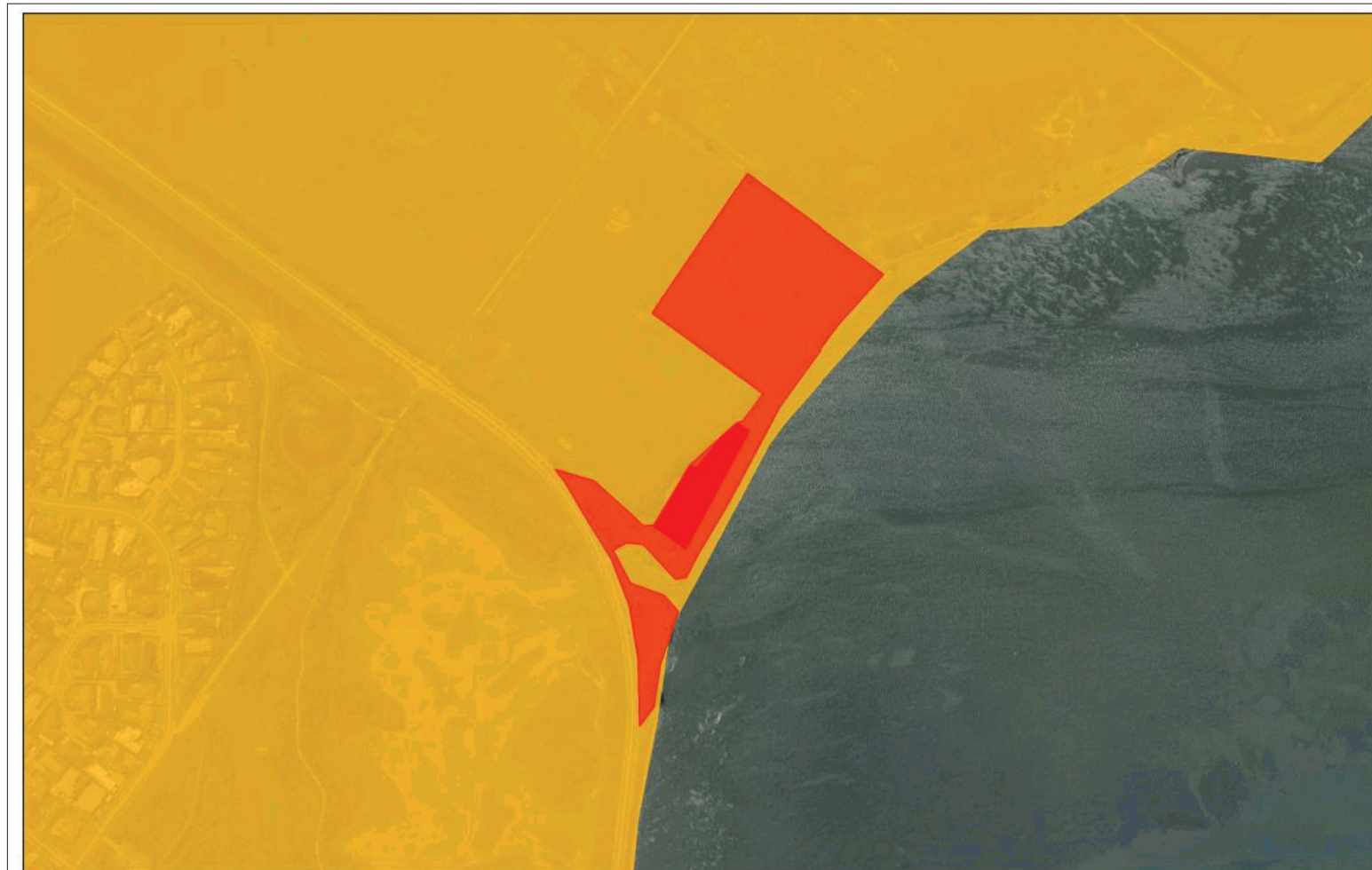


All Council-owned and/or managed land in the Naval Point area is prohibited to freedom camping (other than in the sign-posted area where certified self-contained vehicles can camp for up to two nights in any 30-day period)

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[Proposed] Freedom Camping Bylaw 2021

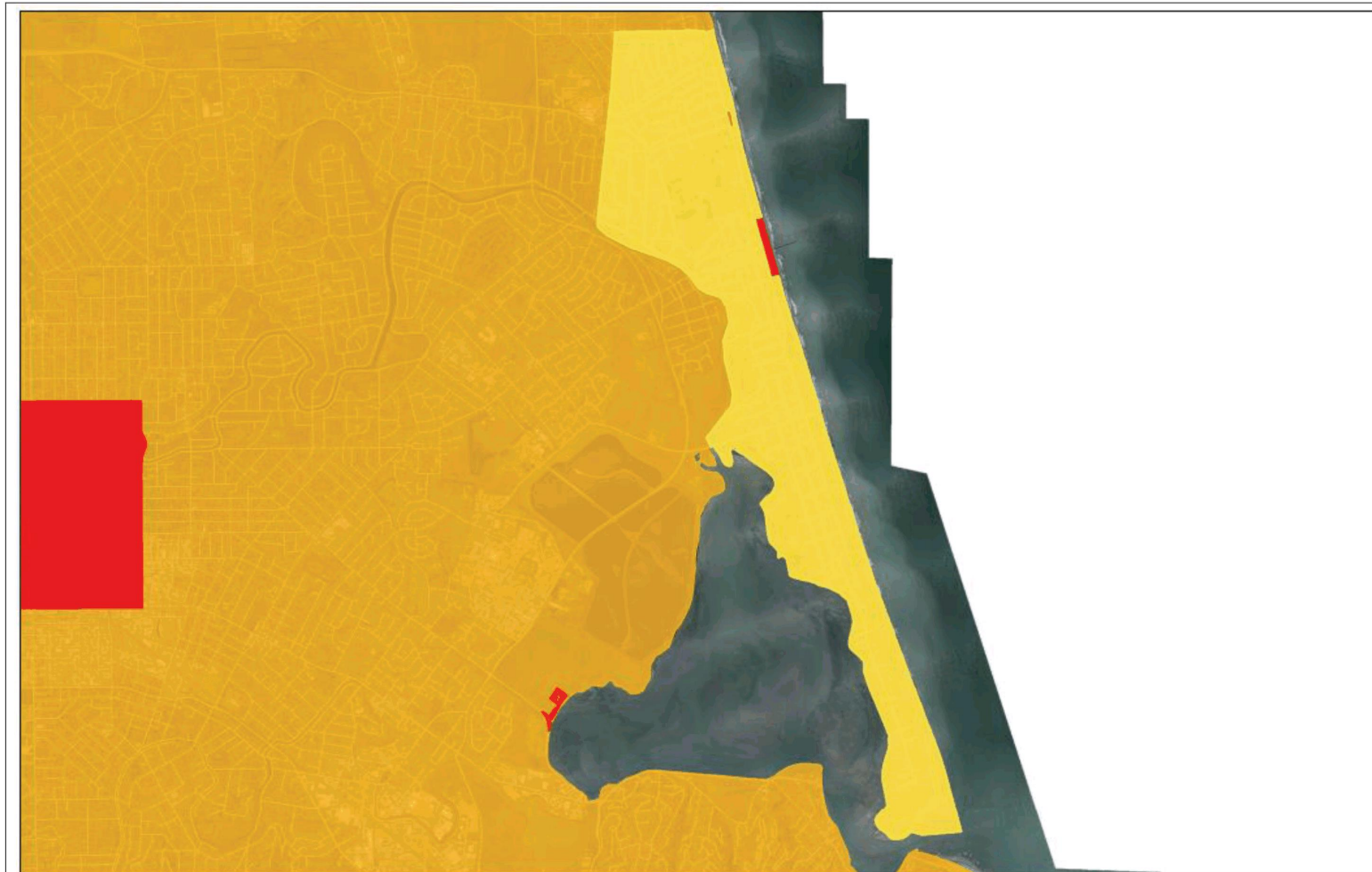
Proposed prohibited area: Windsport Park (Note: Camping is already prohibited here, but the proposed area is larger than the current area)



All Council-owned and/or managed land at Windsport Park near Humphrey's Drive, including Windsurfers Reserve, Woolston/Ferrymead (as shown on the map)

[Proposed] Freedom Camping Bylaw 2021

Proposed restricted area: City Coastal Restricted Zone



All Council-owned and/or managed land between the eastern coastline of the city, and the following: Beach Road to the north, along Bower Ave to the west, and from the Wainoni Road Bridge along the eastern side of the Ōtakaro Avon River to the Avon-Heathcote Estuary / Te Ihutai, and including the Southshore Spit.

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[Proposed] Freedom Camping Bylaw 2021

Proposed restricted area: Naval Point (Note: This whole area is currently restricted. The proposed change reduces the area available for camping.)



Naval Point Freedom Camping Area is signposted on site, and is located to the north of the access road that continues on from Charlotte Jane Quay.

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Memos



Memorandum

Date: 22 April 2021
From: Teena Crocker, Senior Policy Analyst, Strategic Policy
To: Sustainability and Community Resilience Committee
Cc: Lynn McClelland, Assistance Chief Executive Strategic Policy and Performance
Subject: **Additional advice in relation to the report: Proposed consultation on Freedom Camping Bylaw changes**
Reference: 21/451526

1. Purpose of this Memo

- 1.1 The purpose of this memo is to advise the Sustainability and Community Resilience (SCR) Committee on developments that relate to a report that will be considered by the SCR Committee on the 28 April 2021:
- Proposed consultation on Freedom Camping Bylaw changes.*
- 1.2 We advise that additional recommendations are added to the report to enable the matters set out in this memo to be addressed.

2. Additional recommendations to the report

- 2.1 The proposed additional recommendations are as follows:
- That the Sustainability and Community Resilience Committee:
- a. note the release of the national discussion document “Supporting sustainable freedom camping in Aotearoa New Zealand”, which proposes changes to the way freedom camping is regulated;
 - b. note that this may result in changes to the Freedom Camping Act 2011 (under which the bylaw is made), but that changes to the Act would not be made until after the Council’s bylaw review needs to be completed;
 - c. agree that the Council should proceed with the bylaw consultation to ensure the bylaw does not lapse;
 - d. agree to amending the Statement of Proposal so that it acknowledges the national discussion document, and the need for the Council to proceed with the bylaw consultation to avoid the bylaw lapsing, and to delegate the amendment to the Head of Strategic Policy;
 - e. agree that the Council will make a submission on the national discussion document;
 - f. delegate the final approval of the Council submission to the Chair of the Committee, and [insert Councillors], in order to accommodate the tight timeframes.

Memos



3. Issues and reasons for the recommended approach

- 3.1 A discussion document on national changes to freedom camping¹ has been released at the same time as we have been preparing to go out for consultation on changes to the Council's Freedom Camping Bylaw.
- 3.2 The changes being proposed are likely to lead to changes to the Freedom Camping Act 2011. The Council's freedom camping bylaw is made under the Act.
- 3.3 Changes to the Act would not be made until after the Council's bylaw review needs to be completed. The bylaw review is required by the Freedom Camping Act, and consultation must be undertaken as part of the review. This needs to be completed to avoid the bylaw lapsing and being automatically revoked.²
- 3.4 The public may question the timing of the Council going out for consultation on the bylaw when changes are being proposed to freedom camping at the national level. This needs to be addressed in the consultation document on the bylaw changes (Statement of Proposal).
- 3.5 The timeframe for submitting on the national consultation is tight, and the SCR Committee meeting provides an opportunity to canvass these issues and to delegate the final approval of the Council submission on the MBIE consultation to the Chair of the SCR Committee (and a small group of Councillors).
- 3.6 We recommend:
 - proceeding with the bylaw consultation to ensure the bylaw does not lapse;
 - communicating clearly with residents about the bylaw consultation and the MBIE consultation, and how they relate to each other; and
 - delegating the final approval of the Council submission on the MBIE discussion document to the Chair of the SCR Committee (and a small group of Councillors), given the tight timeframes.
- 3.7 We have had confirmation of proceeding with this approach from the Executive Leadership Team. The Legal Services Unit has been involved in recommending this course of action.

4. Background Information / Te Horopaki

Proposals in the MBIE discussion document

- 4.1 The [discussion document](#) proposing changes to how freedom camping is managed in New Zealand was released by the [Minister of Tourism](#) on 9 April 2021. Consultation on the proposals closes on 16 May 2021.
- 4.2 The discussion document proposals largely relate to:
 - certified self-contained vehicles³, including land where self-containment might be required for camping; what a vehicle should have in order to be certified; how self-containment

¹ [Supporting sustainable freedom camping in Aotearoa New Zealand](#), Ministry of Business, Innovation and Employment (MBIE)

² Bylaws must be reviewed within five years of first being made. The [first step to review the bylaw](#) was taken by the SCR Committee on 22 October 2020 to meet the legislative requirements. Section 13(4) requires consultation after a review, whether changes are proposed or not. Consultation is required to complete the review. If a bylaw is not reviewed within five years, it will be revoked two years after the five year review date (which for this bylaw is 26 November 2022). These requirements are set out in section 13 of the Freedom Camping Act 2011.

³ Certified self-contained means a vehicle designed and built for the purpose of camping which has the capability of meeting the ablutionary and sanitary needs of occupants of that vehicle for a minimum of three days without requiring any external services or discharging any waste, and that complies with New Zealand Standard 5465:2001

Memos



should be certified; oversight of certifiers; and a national register to hold information about certified vehicles; and

- penalties for non-compliance, including increased infringement fees and vehicle confiscation.

Possible implications for our bylaw

- 4.3 These proposals are likely to lead to changes to the Freedom Camping Act 2011, which may then require changes to our bylaw. The timing of these changes and what form they will take is uncertain.
- 4.4 The bylaw review process we are currently undertaking will be completed before the national changes are finalised. The bylaw review (including this consultation phase) is required by the Freedom Camping Act and needs to be completed to avoid the bylaw lapsing and being automatically revoked.⁴

5. Summary of timelines

Council's Freedom Camping Bylaw	MBIE's freedom camping discussion document
First step of bylaw review completed to meet legislative requirements 22 October 2020	
Report to be considered by SCR Committee 28 April 2021 (seeking approval to consult on bylaw)	Minister releases discussion document Friday 9 April 2021
Council consultation runs 17 May – 21 June 2021	National consultation runs 9 April – 16 May 2021
Hearings in August 2021	Report back to Cabinet July 2021
Replacement bylaw considered by Council October or November 2021	Cabinet Legislation Committee October 2021
Bylaw in place 1 December 2021	Bill introduced to the House November 2021 to amend the Freedom Camping Act 2011
(If we did not proceed with the bylaw consultation, the bylaw would be automatically revoked by the FCA on 26 November 2022)	Amended FCA in place later in 2022. Timeframe uncertain. Regulations may also be needed to implement the changes to the FCA.

6. Alternative options considered / Ētahi atu Kōwhiringa

- 6.1 We have considered delaying the bylaw consultation, or abandoning the bylaw review and letting the bylaw lapse. Neither of these approaches is recommended. There is strong public support for having a freedom camping bylaw. Continuing with the bylaw review process by undertaking the consultation proposed in the report will ensure we continue to have a bylaw in place.
- 6.2 When any changes to the Freedom Camping Act are finalised, we can assess whether we need to make any further changes to the bylaw. Additionally, it is likely that changes to the Act may include a process (or implementation timeframe) for councils to make changes to freedom camping bylaws.

Attachments / Ngā Tāpirihanga

There are no attachments to this report.

⁴ These requirements are set out in section 13 of the Freedom Camping Act 2011.

Memos

Signatories / Ngā Kaiwaitohu

Author	Teena Crocker - Senior Policy Analyst
Approved By	Emma Davis - Head of Strategic Policy Lynn McClelland - Assistant Chief Executive Strategic Policy and Performance

8. Mayor's Welfare Charitable Trust - Bequest

Reference / Te Tohutoro: 21/370374

Report of / Te Pou
Matua:

Sam Callander, Funding Team Leader sam.callander@ccc.govt.nz

General Manager /
Pouwhakarae:

Mary Richardson - General Manager Citizens & Community
mary.richardson@ccc.govt.nz

1. Purpose of the Report / Te Pūtake Pūrongo

- 1.1 The purpose of this report is for Council to consider how to best use the Philpott Bequest made to the Mayor's Welfare Charitable Trust (the Trust). This report has been written based on a recommendation from the Mayor's Welfare Charitable Trust Committee (the MWF Committee).
- 1.2 The decision in this report is of low significance in relation to the Christchurch City Council's Significance and Engagement Policy. The level of significance was determined by the size of the funds in the bequest.

2. Mayor's Welfare Fund Committee Recommendations / Ngā Tūtohu

That the Sustainability and Community Resilience Committee:

1. Request staff, on behalf of the Mayor's Welfare Fund Committee, to investigate options for investing the Philpot Bequest balance in community housing in Christchurch.
2. Note that the purpose of the investment would be to:
 - a. Generate revenue to the Mayor's Welfare Charitable Trust, increasing the fund for grants to relieve hardship
 - b. Increase the community housing stock in Christchurch

3. Reason for Report Recommendations / Ngā Take mō te Whakatau

- 3.1 In addition to the \$342,919 in the Mayor's Welfare Fund bank accounts, its 'business as usual' grants, the Trust holds the Philpott Bequest with a balance of \$690,304 (figures are as at 31 January 2021)
- 3.2 The interest rate on the bequest has lowered to less than 1%, therefore generating little revenue per year.
- 3.3 The MWF Committee seeks to put the bequest to more productive use for relieving hardship and distress as per its Trust Deed.
- 3.4 The MWF Committee is interested in investing the bequest in community housing, which would achieve a financial return to the Trust while also increasing the community housing stock in Christchurch and so helping to house people in hardship.
- 3.5 Should MWF Committee's recommendation be supported by the Sustainability & Resilience Committee, Council officers will produce a report on options for investing the bequest in social housing. This would be reported to the Sustainability and Community Resilience Committee, with a recommendation from the MWF Committee.

4. Alternative Options

- 4.1 The MWF Committee considered carefully the two options for the bequest in the report; that of using it as grants or of investing it for long-term return.
- 4.1.1 The MWF Committee's preference it to investigate an investment in community housing and therefore this is presented as the recommended option.
- 4.1.2 Council staff recommend using the bequest to increase grants over five years and so this option is presented in the alternative options.
- 4.1.3 Note that the staff recommendation option is supported by the MWF Committee in the instance that Councillors reject their recommendation to investigate an investment in community housing.
- 4.2 **Staff recommendation:** for Council to give delegation to use the Philpott Bequest as grants over the next five years for relieving undue hardship and distress.
- 4.2.1 Advantages
- Actions the Bequest as it was intended
 - Helps to meet the increasing need for those facing hardship
 - Increases the available grant funds by \$138,061 per annum for five years
 - The MWF Committee support this option should the recommended option not be acceptable to Council
 - This option aligns to the Mayor's Welfare Fund core business
- 4.2.2 Disadvantages
- After the Bequest is spent it will not be available to assist people who are experiencing hardship and distress.
- 4.3 **Option considered and rejected:** to invest half the Bequest in community housing and use the remaining half as grants over the next five years for relieving undue hardship and distress.
- 4.3.1 Advantages
- Attempts to reach a balance between meeting immediate need while creating a long term revenue source
- 4.3.2 Disadvantages
- Does not have sufficient scale to warrant making an investment in community housing.

5. Detail / Te Whakamahuki

- 5.1 The purpose of the Mayor's Welfare Charitable Trust, as stated in its Trust Deed, is to *"provide relief to those residents of, and visitors to, Christchurch suffering hardship or distress."*
- 5.2 The MWF Committee includes representatives from leadership position in the following Christchurch agencies:
- Christchurch City Council
 - St Vincent de Paul
 - Christchurch Methodist Mission

- Age Concern
- Salvation Army
- Ministry of Social Development
- PETO Multicultural Development Trust
- Collective for the Homeless
- Anglican Care Community Development
- Kāinga Ora
- St Vincent de Paul
- Family Works, Presbyterian Support
- NZ Police
- Anglican Care Community Development
- Petersgate Centre
- He Waka Tapu
- Christchurch City Mission

- 5.3 The MWF Committee members report that hardship and distress is increasing. This is expected to continue. This includes demand for community housing.
- 5.4 Meanwhile the Mayor's Welfare Charitable Trust holds a bequest of \$690,304 that generates decreasing returns due to the Official Cash Rate being at a historic low rate.
- 5.5 Additional to the bequest, the Mayor Welfare Fund as of 31 January 2021 held \$342,919.
- 5.6 MWF income is predominantly from an annual Strengthening Communities Fund grant and director fees of Councillors. In the 2019/20 financial year, income totalled \$395,115.
- 5.7 Annually, MWF receives approximately 750 requests for support and in the 2019/20 financial year grants totalled \$358,870.
- 5.8 In the previous 12 months, the Mayor's Welfare Fund Committee has approved various special grants, in addition to 5.7, to reduce hardship as needs have arisen. These include:
- Specialist Assessment fund: for young people with disability on long wait lists for needs assessments.
 - Homelessness Fund: for emergency situations to help families or individuals avoid, or out of, homelessness.
 - Child Enrichment Fund: for enabling students to participate school activities such as camps, sports or with laptops or uniforms.
 - Christmas Food Vouchers: for vulnerable households actively engaged with MWF's partner agencies that are experiencing additional distress due to COVID.
- 5.9 The decision affects the whole district equally and does not specifically effect one Ward or Community Board.
- 5.10 The Mayor's Welfare Fund Committee is made up of representatives from agencies listed in 5.2; the committee have initiated, and support, the recommendations in this report.

Previous Decisions

- 5.11 The Strategic and Resources Committee, on behalf of the Council, resolved on 25 September 1996 that 50% of the capital sum of the Philpott Bequest be retained on investment to provide and ongoing income for the Fund and that the remaining 50% be disbursed in equal amounts over the next three years.
- 5.12 Discussion at the meeting is recorded to have been; *"If the funds were invested at 9%, an income of \$50,040 would be available in perpetuity. On the other hand distribution of at least*

part of the capital fund in the near future would make a more significant impact immediately on the welfare needs of the community. Full distribution over a short period however would raise expectations, which could not be sustained. An appropriate mix would seem appropriate."

6. Policy Framework Implications / Ngā Hīraunga ā- Kaupapa here

Strategic Alignment / Te Rautaki Tīaroaro

- 6.1 The recommendations in the report align to the Council's Strategic Framework. In particular the Community Outcomes of a *liveable city with sufficient supply of, and access to, a range of housing and strong communities that are safe and healthy.*
- 6.2 This report supports the [Council's Long Term Plan \(2018 - 2028\)](#):
 - 6.2.1 Activity: Community Development and Facilities
 - Level of Service: 2.3.1.1 Effectively administer the grants schemes for Council - 95% of reports demonstrate benefits that align to Council outcomes and priorities.

Policy Consistency / Te Whai Kaupapa here

- 6.3 The decision is consistent with Council's Plans and Policies.

Impact on Mana Whenua / Ngā Whai Take Mana Whenua

- 6.4 The decision does not involve a significant decision in relation to ancestral land or a body of water or other elements of intrinsic value, therefore this decision does not specifically impact Mana Whenua, their culture and traditions.

Climate Change Impact Considerations / Ngā Whai Whakaaro mā te Āhuarangi

- 6.5 This decision has little to no impact on climate change

Accessibility Considerations / Ngā Whai Whakaaro mā te Hunga Hauā

- 6.6 This decision does not have accessibility considerations

7. Resource Implications / Ngā Hīraunga Rauemi

Capex/Opex / Ngā Utu Whakahaere

- 7.1 Cost to Implement – will be implemented with current staff resources
- 7.2 Maintenance/Ongoing costs – investment recommendations would factor in any ongoing costs
- 7.3 Funding Source – Mayor's Welfare Charitable Trust's Philpot Bequest
 - 7.3.1 The Council has multiple “special funds,” which are accounting entries rather than actual bank balances; these could be external funds (for example ratepayers' bequests like the Philpott bequest) or internal funds. External funds typically earn credit interest at the Official Cash Rate; currently 0.25%.

8. Legal Implications / Ngā Hīraunga ā-Ture

Statutory power to undertake proposals in the report / Te Manatū Whakahaere Kaupapa

- 8.1 In terms of the Mayor's Welfare Fund Trust deed (dated 7 September 1992.) The Trustee (being the Christchurch City Council) has all the powers over and in respect of the monies, properties and investments comprising the Trust Fund, which it would exercise as if it were the absolute beneficial owner thereof. In other words legally all money and property of the Mayor's Welfare Fund is held by the Council itself in trust for the purposes of the Fund.

- 8.2 The Deed of Trust provides that the Council may delegate to the Mayor's Welfare Fund Committee any of this powers and discretions under the Trust Deed.
- 8.3 Current delegations to the MWF Committee are from 22 March 1995, when the Council resolved that the following power be delegated to the MWF Committee:
- a) *To make and vary from time to time criteria for grants from the Trust Fund;*
 - b) *To consider applications and make decisions for grants from the Trust Fund;*
 - c) *To sub-delegate to the Mayor's Welfare Fund Administrators for the power to consider applications and make grants from the Trust Fund*

Other Legal Implications / Ētahi atu Hīraunga-ā-Ture

- 8.4 There is no legal context, issue or implication relevant to this decision.
- 8.5 This report has not been reviewed and approved by the Legal Services Unit.

9. Risk Management Implications / Ngā Hīraunga Tūraru

- 9.1 Risks of investment recommendations will be considered and reviewed in the ensuing report.

Attachments / Ngā Tāpirihanga

There are no attachments to this report.

In addition to the attached documents, the following background information is available:

Document Name	Location / File Link
Not applicable	Not applicable

Confirmation of Statutory Compliance / Te Whakatūtutanga ā-Ture

Compliance with Statutory Decision-making Requirements (ss 76 - 81 Local Government Act 2002).

- (a) This report contains:
- (i) sufficient information about all reasonably practicable options identified and assessed in terms of their advantages and disadvantages; and
 - (ii) adequate consideration of the views and preferences of affected and interested persons bearing in mind any proposed or previous community engagement.
- (b) The information reflects the level of significance of the matters covered by the report, as determined in accordance with the Council's significance and engagement policy.

Signatories / Ngā Kaiwaitohu

Author	Sam Callander - Team Leader Community Funding
Approved By	Peter Langbein - Finance Business Partner Gary Watson - Manager Community Partnerships and Planning Mary Richardson - General Manager Citizens & Community

9. Heritage Incentive Grant Approval for 5 Shelley Street, Sydenham

Reference / Te Tohutoro: 21/179002

Report of / Te Pou
Matua: Victoria Bliss, Heritage Conservation Projects Planner,
victoria.bliss@ccc.govt.nz

General Manager /
Pouwhakarae: Carolyn Gallagher, Acting General Manager Infrastructure, Planning
and Regulatory Services

1. Purpose of the Report / Te Pūtake Pūrongo

- 1.1 The purpose of this report is for the Sustainability and Community Resilience Committee to consider a request for a Heritage Incentive Grant to assist with the maintenance and conservation of the building at 5 Shelley Street, Sydenham, Christchurch.
- 1.2 This report is staff generated in response to an application for Heritage Incentive Grant (HIG) funding from the owner of this building.
- 1.3 The decision in this report is of low significance in relation to the Christchurch City Council's Significance and Engagement Policy. The level of significance is determined by the heritage classification of the building, the amount of funding requested, and the fact that Council has approved Heritage Incentive Grant funds for allocation in the 2020/21 Annual Plan. There are no engagement requirements in the Heritage Incentive Grant Fund – Guidelines 2020 for this grant scheme.
- 1.4 Approval of this grant would support the Community Outcomes: "Resilient Communities", "Liveable City" and "Prosperous Economy".

2. Officer Recommendations / Ngā Tūtohu

That the Sustainability and Community Resilience Committee:

1. Approve a Heritage Incentive Grant of up to \$19,358 for maintenance and conservation works to the protected heritage building located at 5 Shelley Street, Sydenham, Christchurch.
2. Note that payment of this grant is subject to the applicant entering a 10 year limited conservation covenant with the signed covenant having the Council seal affixed prior to registration against the property title.

3. Reason for Report Recommendations / Ngā Take mō te Whakatau

- 3.1 Approving the recommended grant will enable the Council to support communities to protect our heritage, meet the vision of "Our Heritage, Our Taonga Heritage Strategy 2019 -2029" and achieve the purpose of heritage incentive grants "... to incentivise owners and kaitiaki to undertake works to protect, maintain, repair and upgrade heritage buildings, places structures and objects." (17th December 2020, SACRC/2020/00046).
- 3.2 Approving a grant contribution of 50% of the eligible works to this significant heritage building will contribute to the Council's aim to maintain and protect built, cultural, natural, and significant moveable heritage items, areas, and values.
- 3.3 The recommended grant to 5 Shelley Street will assist with its retention so that it continues to contribute to a unique identity, character and sense of place for the City and its communities.

The conserved and maintained building will also contribute to the local streetscape and visitor experience, and provide economic and community wellbeing benefits for the district.

- 3.4 The recommended grant approval aligns with the Heritage Incentive Grant Fund - Guidelines 2020 and can be accommodated within the available budget.

4. Alternative Options Considered / Ētahi atu Kōwhiringa

- 4.1 Two other options have been considered: a lower level of grant funding and declining grant support. These options were discounted because:
- The proposed works will comply with the Heritage Incentive Grant Fund Guidelines 2020.
 - Declining grant funding would not align with the Heritage Strategy and is not supported by the Heritage Incentive Grant Fund Guidelines 2020.
 - The owner has engaged a conservation architect to guide the works, to ensure that the maximum possible heritage fabric and values are retained.
 - The supported works will contribute to the retention of the dwelling as a prominent and visually distinct landmark on the street and for the local community.
 - There are sufficient funds remaining in the HIG Fund to cover this grant at the 50% higher level.

5. Detail / Te Whakamahuki

- 5.1 The current owner of the building at 5 Shelley Street, and applicant for the grant, is Louise Deans.

History and heritage significance

- 5.2 The dwelling at 5 Shelley Street is scheduled as a 'Significant' Historic Heritage Item in the Christchurch District Plan and is listed as a Category II Historic Place by Heritage New Zealand Pouhere Taonga (HNZPT), registration number 3701.
- 5.3 The dwelling is a prominent landmark on the residential street, with close proximity to the roadway and unobstructed views of the front elevation for the public. It is a single storey cottage with a gabled roof, rear lean-to and symmetrical façade. Notable for its construction in brick masonry rather than the more common timber domestic architecture of the time, it has technological and craftsmanship significance. It also has historical and social significance for its association with the early residential development of Sydenham Borough: Shelley Street was first divided into residential allotments in 1877 and named in 1880, when the cottage was constructed.
- 5.4 In more recent years, the dwelling has been associated with three Christchurch based artists who resided there from 1975-1993, and made additions to the cottage including a studio and stained glass artworks.
- 5.5 Refer to Attachment 'A' the 'Statement of Significance' for further information.

Canterbury Earthquakes

- 5.6 The dwelling suffered structural damage during the 2010-11 Canterbury Earthquake sequence, and has been propped and stabilised but uninhabited since that time. The floors, subfloor structure, foundations, walls, chimney, roof framing and stormwater and sewerage systems all suffered damage and required repair and upgrade. Some initial emergency repairs were undertaken by EQC, but these repairs required remediation.

- 5.7 The owner has spent a number of years in dispute with the building's insurer in order to reach a settlement. This was in part to achieve a settlement figure which would enable the cottage to be retained and repaired, rather than deemed an insurance write off and demolished.
- 5.8 The insurance settlement precluded pre-existing damage, including deferred remedial maintenance. This included the aging roof and elements of the kitchen and laundry additions. The owner has not been able to undertake any works to these areas during the legal process and consequently the maintenance needs to be addressed as a priority to prevent further and ongoing deterioration of the building and loss of heritage fabric.



5 Shelley Street, prior to the Canterbury earthquakes



The cottage in 2014, stabilised (M. Vair-Piova, 19/12/14)

The grant application

- 5.9 The Heritage Incentive Grant scheme is intended to assist owners and kaitiaki to achieve positive heritage outcomes when they undertake conservation, maintenance, repairs and code compliance works.
- 5.10 The owner is seeking to undertake deferred remedial maintenance to the dwelling, including replacement of the aging roof, and maintenance and repairs to areas at the rear of the building. These include replacing rotten timber and joinery including doors and a window, and upgrading flashings. She is seeking to undertake the works at the end of the earthquake repairs, before she moves back into the cottage.

- 5.11 Replacement of the roof and repair and remedial maintenance works will retain and preserve the heritage values of the protected building. The exterior works will contribute to its landmark presence for the local community, and maintain public views of the building. The works will ensure the cottage is weather-tight, well maintained, and able to remain in use as a residential dwelling. Heritage staff have assessed these works as being consistent with the HIG criteria and support them for grant assistance.
- 5.12 The owner has applied for assistance with the following conservation works as detailed below:

Replacement roof	\$20,311.10
Resource consent/Heritage Works Plan refund	\$300.00
Maintenance works	\$18,104.00
Total cost of works subject to grant application (excluding GST)	\$38,715.10

- 5.13 The application was received in October 2020. Heritage staff have been monitoring the insurance related repair works covered by the Heritage Works Plan. Note these insurance related repair works are not part of the grant application.
- 5.14 A grant for the re-roofing and deferred maintenance is in alignment with the Heritage Incentive Grant Fund – Guidelines 2020, see:
<https://ccc.govt.nz/assets/Documents/Culture-Community/Heritage/Heritage-Incentive-Grant-Fund-Guidelines-2020.pdf>. The works are within the scope of grant consideration, and the application and grant amount meet the Criteria for ‘Assessment of Applications’, Page 4, particularly in terms of:
- 5.14.1 The heritage values of the building;
- 5.14.2 The contribution the proposed work will make to the retention of the building;
- 5.14.3 The extent to which the works protect and maximise retention of heritage fabric;
- 5.14.4 The extent to which the building is accessible to the public;
- 5.14.5 The contribution the building and the proposed work will make to the wider community and heritage values of the area;
- 5.14.6 The degree to which the proposed works are consistent with the conservation principles and practice of the ICOMOS NZ Charter, 2010;
- 5.14.7 The urgency of the works required;
- 5.14.8 The availability of grant funds.
- 5.15 The decision affects the following wards/Community Board areas:
- 5.12.1 Waikura/Linwood-Central-Heathcote.

6. Policy Framework Implications / Ngā Hīraunga ā- Kaupapa here

Strategic Alignment /Te Rautaki Tīaroaro

- 6.1 The Heritage Incentive Grant Scheme aligns to the Community Outcome “Resilient Communities” – ‘celebration of our identity through arts, culture, heritage, sport and recreation’ and ‘strong sense of community’. It also supports “Liveable City” – ‘21st century garden city we are proud to live in’ and “Prosperous Economy” – ‘great place for people, business and investment’.
- 6.2 The Heritage Incentive Grant Scheme supports delivery of the overarching strategic principle of “Taking an intergenerational approach to sustainable development, prioritising the social,

economic and cultural wellbeing of people and communities and the quality of the environment, now and into the future.” This is because heritage is an intergenerational equity. It contributes to our personal and community sense of identity and belonging, and enhances high levels of social connectedness and cohesion.

6.3 This report supports the [Council's Long Term Plan \(2018 - 2028\)](#):

6.3.1 Activity: Strategic Planning and Policy

- Level of Service: 1.4.2 Support the conservation and enhancement of the city’s heritage places. - 100% of approved grant applications are allocated in accordance with the policy.

Policy Consistency / Te Whai Kaupapa here

6.4 The decision is consistent with Council’s Plans and Policies as listed below:

6.4.1 Our Heritage, Our Taonga Heritage Strategy 2019-2029

6.4.2 Heritage Incentive Grants Policy –Guidelines 2020

6.4.3 International Council on Monument and Sites (ICOMOS) New Zealand Charter 2010

Impact on Mana Whenua / Ngā Whai Take Mana Whenua

- 6.5 The six papatipu rūnanga hold the mana whenua rights and interests over the district and are partners in the *Our Heritage, Our Taonga - Heritage Strategy 2019-2029*. Te Ngāi Tūāhuriri Rūnanga, Te Hapū o Ngāti Wheke, Te Rūnanga o Koukourārata, Wairewa Rūnanga, Ōnuku Rūnanga and Te Taumutu Rūnanga are primary kaitiaki for the taonga tuku iho of the district. They are guardians for elements of mātauranga Māori reaching back through many generations and are a significant partner in the strategy implementation.
- 6.6 It is noted that Tūāhuriri Rūnanga are the Tangata Whenua in this location.
- 6.7 The decision does not involve a significant decision in relation to ancestral land or a body of water or other elements of intrinsic value, therefore this decision does not specifically impact Mana Whenua, their culture and traditions.

Climate Change Impact Considerations / Ngā Whai Whakaaro mā te Āhuarangi

- 6.8 The grant will support the full and partial retention of a heritage building and the embodied energy within it. Retention and reuse of heritage buildings can contribute to emissions reduction and mitigate the effects of climate change. Retaining and reusing existing built stock reduces our carbon footprint and extends the economic life of buildings.

Accessibility Considerations / Ngā Whai Whakaaro mā te Hunga Hauā

- 6.9 The dwelling is located close to the street boundary, and views of it are fully accessible to the public.

7. Resource Implications / Ngā Hiraunga Rauemi

Capex/Opex / Ngā Utu Whakahaere

- 7.1 Cost to implement – the recommendation is for a grant of up to \$19,358 (50% of the eligible works).
- 7.2 Maintenance/Ongoing costs – none.
- 7.3 Funding Source - The Heritage Incentive Grant budget is an annual fund provided for in the 2018-28 Long Term Plan. This established funding source requires staff to present applications to the relevant Committee or Council for their approval.

- 7.4 The impact of this grant (and others put before the Sustainability and Community Resilience Committee in this meeting) is as follows:

Total FY21 Budget for the Heritage Incentive Grant (HIG) fund	\$1,536,501
Grants previously approved by the Committee in FY21	\$234,974
Proposed grant to 5 Shelley Street (50% of proposed works)	\$19,358
Proposed grant to 2-16 Dorset Street (25%)	\$366,580
Proposed grant to 10 Brittan Street (20%)	\$26,132
Total Remaining HIG Funds FY21	\$889,457

8. Legal Implications / Ngā Hīraunga ā-Ture

Statutory power to undertake proposals in the report / Te Manatū Whakahaere Kaupapa

- 8.1 The delegated authority for Heritage Incentive Grants decisions sits with this Committee.

Other Legal Implications / Ētahi atu Hīraunga-ā-Ture

- 8.2 There is no legal context, issue or implication relevant to this decision.
- 8.3 As the grant is between \$15,000 - \$149,999, there is a requirement under the Heritage Incentive Grants Fund – Guidelines 2020 for a Limited Conservation Covenant to be registered on the property title. Staff are recommending a Limited Covenant of 10 years for this grant.
- 8.4 Conservation Covenants are a comprehensive form of protection for the dwelling. They protect the building from demolition in the covenant period, regardless of changes in ownership.
- 8.5 This report has not been reviewed and approved by the Legal Services Unit of Council.

9. Risk Management Implications / Ngā Hīraunga Tūraru

- 9.1 The grant scheme only allows funds to be paid out upon completion of the works; certification by Council staff that the works have been undertaken in alignment with the ICOMOS NZ Charter 2010; presentation of receipts and confirmation of the conservation covenant (if required) having been registered against the property title or on the Personal Properties Securities Register. This ensures that the grant scheme is effective and that funds are not diverted or lost.

Attachments / Ngā Tāpirihanga

No.	Title	Page
A ↓	5 Shelley Street District Plan Statement of Significance	78

In addition to the attached documents, the following background information is available:

Document Name	Location / File Link
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Confirmation of Statutory Compliance / Te Whakatūturutanga ā-Ture

Compliance with Statutory Decision-making Requirements (ss 76 - 81 Local Government Act 2002).

(a) This report contains:

- (i) sufficient information about all reasonably practicable options identified and assessed in terms of their advantages and disadvantages; and
- (ii) adequate consideration of the views and preferences of affected and interested persons bearing in mind any proposed or previous community engagement.

(b) The information reflects the level of significance of the matters covered by the report, as determined in accordance with the Council's significance and engagement policy.

Signatories / Ngā Kaiwaitohu

Author	Victoria Bliss - Heritage Conservation Projects Planner
Approved By	Brendan Smyth - Team Leader Heritage Michael Down - Finance Business Partner Carolyn Ingles - Head of Urban Regeneration, Design and Heritage Carolyn Gallagher - Acting General Manager Infrastructure Planning & Regulatory Services

DISTRICT PLAN – LISTED HERITAGE PLACE
HERITAGE ASSESSMENT – STATEMENT OF SIGNIFICANCE
HERITAGE ITEM NUMBER 495
***DWELLING AND SETTING – 5 SHELLEY STREET,
CHRISTCHURCH***



PHOTOGRAPH: M.VAIR-PIOVA, 19/12/14

HISTORICAL AND SOCIAL SIGNIFICANCE

Historical and social values that demonstrate or are associated with: a particular person, group, organisation, institution, event, phase or activity; the continuity and/or change of a phase or activity; social, historical, traditional, economic, political or other patterns.

This dwelling is of historical and social significance for its construction in c.1880 and its association with the early residential development of Sydenham Borough. Charles Harding, a Christchurch bricklayer, purchased the property in 1877. Research to date has not been able to confirm if Harding built the dwelling or if he ever lived in it, partly because local street directories do not include Shelley Street listings prior to 1900. Shelley Street was divided into residential allotments in 1877 (DP163). In 1880 many of the streets in the area were given the names of literary figures, including Shelley, Beaumont, Austin, and Milton, by the street naming committee of the Sydenham Borough Council (1877-1903).

The property was subsequently owned and occupied by Thomas Ferguson a farm labourer (1901-1928). Ferguson's wife Christina, nee Russell, died at the property in March 1910. Annie Meadows owned the property from 1928-51 and rented it out. Frederick Harrison then owned and lived in the property until 1973. Michael and Marilyn Reed owned the property

from 1975 and were the first of a number of artist owners who occupied the house between 1975 and 1993. Michael Reed is known as a printmaker and Christchurch art teacher. Reed built the studio to the rear of the house. Subsequent owner occupants included artists Julia Morrison, who has exhibited nationally since 1975, and Rena Jarosewitsch, a glass artist. The current owner purchased the property in 1995. The property was jointly owned with No. 6 Shelley Street directly opposite from 1973-5 and 1982-3. The dwelling sustained damage in the 2010/2011 Canterbury earthquakes and is awaiting repair.

CULTURAL AND SPIRITUAL SIGNIFICANCE

Cultural and spiritual values that demonstrate or are associated with the distinctive characteristics of a way of life, philosophy, tradition, religion, or other belief, including: the symbolic or commemorative value of the place; significance to Tangata Whenua; and/or associations with an identifiable group and esteemed by this group for its cultural values.

5 Shelley Street has cultural significance as it demonstrates the characteristics of the way of life of its former residents, whether tenant or owner, during the 19th and 20th centuries. The cottage is of particular cultural interest for its association with a number of Canterbury artists in the second half of the 20th century.

ARCHITECTURAL AND AESTHETIC SIGNIFICANCE

Architectural and aesthetic values that demonstrate or are associated with: a particular style, period or designer, design values, form, scale, colour, texture and material of the place.

5 Shelley Street is of architectural and aesthetic significance as an example of vernacular domestic architecture, which may have been built by bricklayer Charles Harding. The dwelling is single-storey cottage with a gabled roof and rear lean to. Its construction in brick is notable in comparison with the more common timber cottages of this period. The facade is symmetrical, with a central entry flanked by sash windows. An arched fanlight is located over the panelled front door. A conservatory-style, hip-roofed artist's studio addition was added to the dwelling in the 1980s.

TECHNOLOGICAL AND CRAFTSMANSHIP SIGNIFICANCE

Technological and craftsmanship values that demonstrate or are associated with: the nature and use of materials, finishes and/or technological or constructional methods which were innovative, or of notable quality for the period.

The cottage is of technological and craftsmanship significance for its brick construction, which illustrates a degree of skill in this area of craftsmanship. Stained glass added to the interior by artist resident Rena Jarosewitsch is also noted for its craftsmanship.

CONTEXTUAL SIGNIFICANCE

Contextual values that demonstrate or are associated with: a relationship to the environment (constructed and natural), a landscape, setting, group, precinct or streetscape; a degree of consistency in terms of type, scale, form, materials, texture, colour, style and/or detail; recognised landmarks and landscape which are recognised and contribute to the unique identity of the environment.

The dwelling at 5 Shelley Street is of contextual significance for its relationship with 6 Shelley Street and its association with the formation of Shelley Street from 1877 and its residential

development. The cottage is also of contextual significance for its streetscape prominence due to its close proximity to the roadway and unobstructed views of its front elevation.

The setting of the dwelling consists of the immediate parcel of land and includes areas of gardens, an open area of grass at the rear of the property and a treed boundary. The cottage stands at the front of the rectangular section with a small setback from the road. A path extends from the road frontage on the west of the dwelling and a drive runs along the boundary on the east of the property.

ARCHAEOLOGICAL AND SCIENTIFIC SIGNIFICANCE

Archaeological or scientific values that demonstrate or are associated with: the potential to provide information through physical or scientific evidence an understanding about social historical, cultural, spiritual, technological or other values of past events, activities, structures or people.

The dwelling and setting are of archaeological significance because they have the potential to provide archaeological evidence relating to past construction methods and materials, and human activity on the site, including that which pre-dates 1900.

ASSESSMENT STATEMENT

5 Shelley Street and its setting are of overall significance to Christchurch, including Banks Peninsula. The cottage has historical and social significance as a colonial cottage associated with the early development of Shelley Street. The building has cultural significance as a demonstration of the way of life of its former occupants, in particular that of the three Christchurch-based artists resident here from 1975 until 1993. The dwelling has architectural and aesthetic significance as an example of a small vernacular brick cottage. 5 Shelley Street has technological and craftsmanship significance for its ability to demonstrate construction techniques used during Christchurch's mid-Victorian period and contextual significance for its relationship with 6 Shelley Street, another pre-1900 cottage, and contribution to the street scape of Shelley Street. The cottage has archaeological significance in view of the date of its construction.

REFERENCES:

CCC Heritage files - 5 Shelley Street

Report of the street naming committee, Sydenham Borough Council minute book 1879-1880, p 217, Christchurch City Council archives.

"Borough Council" *The Star* 20 January 1880, p 3.

Historic place # 3701 – Heritage NZ List

<http://www.heritage.org.nz/the-list/details/3701>

REPORT DATED: 11 MARCH 2015

PLEASE NOTE THIS ASSESSMENT IS BASED ON INFORMATION AVAILABLE AT THE TIME OF WRITING. DUE TO THE ONGOING NATURE OF HERITAGE RESEARCH, FUTURE REASSESSMENT OF THIS HERITAGE ITEM MAY BE NECESSARY TO REFLECT ANY CHANGES IN KNOWLEDGE AND UNDERSTANDING OF ITS HERITAGE SIGNIFICANCE.

10. Heritage Incentive Grant Approval for the Dorset Street Flats, 2-16 Dorset Street, Christchurch Central

Reference / Te Tohutoro: 21/346580

Report of / Te Pou
Matua:

Amanda Ohs, Senior Heritage Advisor, amanda.ohs@ccc.govt.nz

General Manager /
Pouwhakarae:

Carolyn Gallagher, Acting General Manager, Infrastructure, Planning and Regulatory Services

1. Purpose of the Report / Te Pūtake Pūrongo

- 1.1 The purpose of this report is for the Sustainability and Community Resilience Committee to consider a request for a Heritage Incentive Grant to assist with the strengthening and repair of the building at 2-16 Dorset Street, Christchurch also known as the Dorset Street Flats.
- 1.2 This report is staff generated in response to an application for Heritage Incentive Grant funding from the owners of this building.
- 1.3 The decision in this report is of low significance in relation to the Christchurch City Council's Significance and Engagement Policy. The level of significance is determined by the heritage classification of the building, the amount of funding requested, and the fact that Council has approved Heritage Incentive Grant funds for allocation in the 2020/21 Annual Plan. There are no engagement requirements in the Heritage Incentive Grant Fund Guidelines 2020 for this grant scheme.
- 1.4 Approval of this grant would support the Community Outcomes: "Resilient Communities", "Liveable City" and "Prosperous Economy".

2. Officer Recommendations / Ngā Tūtohu

That the Sustainability and Community Resilience Committee:

1. Approve a Heritage Incentive Grant of up to \$366,580 for strengthening and repair of the protected heritage building located at 2-16 Dorset Street, Christchurch.
2. Note that payment of this grant is subject to the applicants entering a full conservation covenant with the signed covenant having the Council seal affixed prior to registration against the property titles.

3. Reason for Report Recommendations / Ngā Take mō te Whakatau

- 3.1 Approving the recommended grant will enable the Council to support communities to protect our heritage, meet the vision of "Our Heritage, Our Taonga Heritage Strategy 2019 -2029" and achieve the purpose of heritage incentive grants "... to incentivise owners and kaitiaki to undertake works to protect, maintain, repair and upgrade heritage buildings, places structures and objects." (17th December 2020, SACRC/2020/00046)
- 3.2 Approving a 25% grant contribution for the strengthening and repair works of this regionally and nationally significant building will contribute to the Council's aim "to maintain and protect built, cultural, natural, and significant moveable heritage items, areas, and values". The recommended grant to the Dorset Street Flats will assist with its retention so that it

continues to contribute to a unique identity, character and sense of place for the City and its communities.

- 3.3 The recommended grant approval aligns with the Heritage Incentive Grant (HIG) Fund Guidelines 2020 and can be accommodated within the available budget.

4. Alternative Options Considered / Ētahi atu Kōwhiringa

- 4.1 Two other options have been considered: a lower level of grant funding; and declining grant support. These options were discounted because:
- The significance of the building justifies a grant in support of the works specified. The supported works will contribute to the retention of the Dorset Street Flats as a significant architectural landmark. The flats are noteworthy as an influential early design by Sir Miles Warren in concrete block. Few architecturally designed concrete block flats and houses of this era survived the earthquakes.
 - Declining grant funding would not align with the Heritage Strategy and is not consistent with the Heritage Incentive Grant Fund Guidelines 2020.
 - A lower level of grant funding would not support the owners - guardians of this heritage building for the community - to the same extent as the recommended funding amount.
 - A lower level of grant funding does not correspond to the large gap between the insurance and EQC settlement and the actual cost to strengthen and repair the building to a resilient 67% of New Build Standard (NBS).
 - There are sufficient funds remaining in the HIG Fund to cover a grant towards the strengthening and repair works at 25%.

5. Detail / Te Whakamahuki

- 5.1 The current owners of the flats at 2-16 Dorset Street are John and Judith Roper-Lindsay (Flats 12 & 16); Claire McClintock (Flat 14); Craig Garlick (Flats 4 & 8); David Turner (Flat 2 & 6); Rick Pearson (Flat 10). John Roper Lindsay is applying on their behalf.

History and heritage significance

- 5.2 The exterior of the building is scheduled as a 'Highly Significant' Historic Heritage Item in the Christchurch District Plan and is listed as a Category I Historic Place by Heritage New Zealand Pouhere Taonga (HNZPT) registration number 780.
- 5.3 The Dorset Street Flats have high historical and social significance as a key point in the evolution of inner-city housing in the mid-20th century. The block of eight one-bedroom flats was constructed in 1956-57 to provide accommodation for three bachelor owner-occupier friends, each with one to occupy and the other to lease. Architect Sir Miles Warren not only designed the flats but also lived in one of them initially.
- 5.4 The flats have high architectural and aesthetic significance as an early, influential and iconic design by Sir Miles Warren, a leading New Zealand architect based in Christchurch, who co-founded the firm Warren and Mahoney (architects of the Town Hall). The flats also have significance for their modernist design in the style of 'New Brutalism'. The interiors were also innovative for the time, when the concept of open plan living was still gaining popularity. The interiors contain a wealth of original features which are being retained including rimu ceiling battens and lining, terrazzo shower trays, kitchen joinery and built in furniture.

- 5.5 The Dorset Street Flats have high technological significance for their innovative use of concrete block construction, engineered by local engineer Lyall Holmes who founded Holmes Consulting, which was the first of its kind in Christchurch and uncommon in New Zealand at the time.
- 5.6 The use of concrete block and fair-faced concrete for the internal and external walls of a residential building was not immediately accepted by parts of the community. Consequently the flats gained a degree of national and international notoriety and tour buses reportedly detoured past the flats to view what became dubbed "Fort Dorset." White painted concrete block came to epitomise the 'Canterbury School' of architecture in the 1960s which was highly regarded both nationally and internationally.
- 5.7 The Dorset Street Flats are a local community landmark and an architectural landmark regionally and nationally and contribute to the historic residential character of the inner city.
- 5.8 The flats were severely damaged in the 2011 earthquake.
- 5.9 Refer to Attachment 'A' the 'Statement of Significance' for further information.



Photograph: Dorset Street Flats, 2-16 Dorset Street. M.Vair-Piova, 16.12.2014



Photo: Interior of Flat 14, Greg Young, 2018

Resource Consents

- 5.10 Resource consent has been obtained for the exterior works for the strengthening and repair of the building (RMA /2019/1819 approved 7/11/2019).

The grant application

- 5.11 The Heritage Incentive Grant scheme is intended to assist owners and kaitiaki to achieve positive heritage outcomes when they undertake conservation, maintenance, repairs and code compliance works.
- 5.12 The applicant has supplied confirmation of EQC and insurance payments made on all the flats. The insurers agreed to a joint repair design approach, with Southern Response as the lead insurer. This covered repair to a level of 34% NBS of the Building Code. Subsequently the owners decided it was necessary to improve the standard of repair to 67% NBS of the Building Code, which will improve the buildings resilience in future seismic events. The insurance received by current owners for the flats totals \$1,502,880. The final cost of the 67% NBS building code solution is estimated at \$2,969,200 (Note this amount excludes upgrade of kitchens and bathrooms chosen to be undertaken by some owners, and legal fees). This results in a shortfall of \$1,466,320 for the owners for the strengthening and repair which equates to \$183,290 gap for each flat.
- 5.13 A grant from EQUIP of \$200,000 will be divided amongst flats 2, 4 and 8, which had particularly low insurance settlements (settled prior to the joint repair design approach), far short of even the 34% NBS repair option.
- 5.14 The owners have applied for assistance with the following conservation works as detailed below:

Strengthening and repair	\$2,421,249
Professional fees (inc. architect)	\$158,000
15% Contingency	\$389,951
Total cost of heritage works (excluding GST)	\$2,969,200
Insurance payments received	Subtract \$1,502,880
Total cost of heritage works eligible for grant application	\$1,466, 320 (\$183,290 per flat)

- 5.15 The application was received in February 2021. The repair project is complex and lengthy and works have commenced. Heritage staff have been monitoring the works since they began on site.
- 5.16 The works will retain the historical, social and cultural values of the Flats – the association with people involved in their creation and their nature as small inner city flats. Sir Miles Warren, as the original architect, has been consulted to inform the repair approach, which continues his association with the Flats. Although new structural elements will be introduced, these have been carefully considered, designed and located to largely maintain the original exterior appearance and character, and as much original fabric in situ as possible, thus retaining architectural, aesthetic, technological and craftsmanship values. Contextual significance remains and the Flats will continue to contribute to the city as a key landmark in its architectural development. The repairs and building code upgrade will improve the buildings' structural and thermal performance, protecting the Flats from future earthquakes and extending the life of this important residential heritage complex into the 21st century.
- 5.17 A grant for the strengthening and repair work to the Dorset Street Flats is in alignment with the Heritage Incentive Grant Fund – Guidelines 2020, see: <https://ccc.govt.nz/assets/Documents/Culture-Community/Heritage/Heritage-Incentive-Grant-Fund-Guidelines-2020.pdf>. The works are within the scope of grant consideration, and

the application and grant amount meet the Criteria for 'Assessment of Applications', Page 4, particularly in terms of:

- 5.17.1 The heritage values of the building;
 - 5.17.2 The contribution the proposed work will make to the retention of the building;
 - 5.17.3 The extent to which the works protect and maximise retention of heritage fabric;
 - 5.17.4 The extent to which the building is accessible to the public;
 - 5.17.5 The contribution the building and the proposed work will make to the wider community and heritage values of the area;
 - 5.17.6 The degree to which the proposed works are consistent with the conservation principles and practice of the ICOMOS NZ Charter 2010;
 - 5.17.7 The urgency of the works required;
 - 5.17.8 The availability of grant funds.
- 5.18 The decision affects the following wards/Community Board areas:
- 5.18.1 Waikura/Linwood – Central - Heathcote.

6. Policy Framework Implications / Ngā Hīraunga ā- Kaupapa here

Strategic Alignment / Te Rautaki Tīaroaro

- 6.1 The Heritage Incentive Grant Scheme aligns to the Community Outcome "Resilient Communities" – 'celebration of our identity through arts, culture, heritage, sport and recreation' and 'strong sense of community'. It also supports "Liveable City" – '21st century garden city we are proud to live in' and "Prosperous Economy" – 'great place for people, business and investment'.
- 6.2 The Heritage Incentive Grant Scheme supports delivery of the overarching strategic principle of "Taking an intergenerational approach to sustainable development, prioritising the social, economic and cultural wellbeing of people and communities and the quality of the environment, now and into the future." This is because heritage is an intergenerational equity. It contributes to our personal and community sense of identity and belonging, and enhances social connectedness and cohesion.
- 6.3 This report supports the [Council's Long Term Plan \(2018 - 2028\)](#):
 - 6.3.1 Activity: Strategic Planning and Policy
 - Level of Service: 1.4.2 Support the conservation and enhancement of the city's heritage places. - 100% of approved grant applications are allocated in accordance with the policy.

Policy Consistency / Te Whai Kaupapa here

- 6.4 The recommendation is consistent with Council's Plans and Policies as listed below:
 - 6.4.1 Our Heritage, Our Taonga Heritage Strategy 2019-2029
 - 6.4.2 Heritage Incentive Grants Policy – Operational Guidelines 2020
 - 6.4.3 ICOMOS New Zealand Charter 2010.

Impact on Mana Whenua / Ngā Whai Take Mana Whenua

- 6.5 The six papatipu rūnanga hold the mana whenua rights and interests over the district and are partners in the *Our Heritage, Our Taonga - Heritage Strategy 2019-2029*. Te Ngāi Tūāhuriri

Rūnanga, Te Hapū o Ngāti Wheke, Te Rūnanga o Koukourārata, Wairewa Rūnanga, Ōnuku Rūnanga and Te Taumutu Rūnanga are primary kaitiaki for the taonga tuku iho of the district. They are guardians for elements of mātauranga Māori reaching back through many generations and are a significant partner in the strategy implementation.

- 6.6 It is noted that Tūāhuriri Rūnanga are the Tangata Whenua in this location.
- 6.7 The decision does not involve a significant decision in relation to ancestral land or a body of water or other elements of intrinsic value, therefore this decision does not specifically impact Mana Whenua, their culture and traditions.

Climate Change Impact Considerations / Ngā Whai Whakaaro mā te Āhuarangi

- 6.8 The grant will support the retention of a heritage building and the embodied energy within it. Retention and reuse of heritage buildings can contribute to emissions reduction and mitigate the effects of climate change. Retaining and reusing existing built stock reduces our carbon footprint and extends the economic life of buildings.

Accessibility Considerations / Ngā Whai Whakaaro mā te Hunga Hauā

- 6.9 Accessibility to the building will be provided for as required by the New Zealand Building Code.

7. Resource Implications / Ngā Hīraunga Rauemi

Capex/Opex / Ngā Utu Whakahaere

- 7.1 Cost to implement – the recommendation is for a grant of up to \$366,580 (25% of the eligible works and costs). This provides each flat with \$45,822.50.
- 7.2 Maintenance/Ongoing costs – none.
- 7.3 Funding Source - The Heritage Incentive Grant budget is an annual fund provided for in the 2018-28 Long Term Plan. This established funding source requires staff to present applications to the relevant Committee or Council for their approval.
- 7.4 The impact of this grant (and others put before the Sustainability and Community Resilience Committee in this meeting) is as follows:

Total FY21 Budget for the Heritage Incentive Grant (HIG) fund	\$1,536,501
Grants previously approved by the Committee in FY21	\$234,974
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Total Remaining HIG Funds FY21	\$889,457

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Statutory power to undertake proposals in the report / Te Manatū Whakahaere Kaupapa

- 8.1 The delegated authority for Heritage Incentive Grants decisions sits with this Committee.

Other Legal Implications / Ētahi atu Hīraunga-ā-Ture

- 8.2 This report has not been reviewed and approved by the Legal Services Unit.
- 8.3 As the grant will be above \$150,000 there is a requirement under the Heritage Incentive Grant Fund – Guidelines 2020 for a full conservation covenant to be registered on the property titles.

- 8.4 Full covenants are a comprehensive form of protection for the building because they protect the building from demolition in perpetuity, regardless of changes in ownership.

9. Risk Management Implications / Ngā Hiraunga Tūraru

- 9.1 The grant scheme only allows funds to be paid out upon completion of the works; certification by Council staff that the works have been undertaken in alignment with the ICOMOS NZ Charter 2010; presentation of receipts and confirmation of the conservation covenant (if required) having been registered against the property title or on the Personal Properties Securities Register. This ensures that the grant scheme is effective and that funds are not diverted or lost.

Attachments / Ngā Tāpirihanga

No.	Title	Page
A ↓	Dorset Street Flats District Plan Statement of Significance	90

In addition to the attached documents, the following background information is available:

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<i>Our Heritage, Our Taonga</i> – Heritage Strategy 2019–2029.	https://ccc.govt.nz/culture-and-community/heritage/heritage-strategy/

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Compliance with Statutory Decision-making Requirements (ss 76 - 81 Local Government Act 2002).

(a) This report contains:

- (i) sufficient information about all reasonably practicable options identified and assessed in terms of their advantages and disadvantages; and
- (ii) adequate consideration of the views and preferences of affected and interested persons bearing in mind any proposed or previous community engagement.

(b) The information reflects the level of significance of the matters covered by the report, as determined in accordance with the Council's significance and engagement policy.

Signatories / Ngā Kaiwaitohu

Author	Amanda Ohs - Senior Heritage Advisor
Approved By	Brendan Smyth - Team Leader Heritage Michael Down - Finance Business Partner Carolyn Ingles - Head of Urban Regeneration, Design and Heritage Carolyn Gallagher - Acting General Manager Infrastructure Planning & Regulatory Services

DISTRICT PLAN – LISTED HERITAGE PLACE
HERITAGE ASSESSMENT – STATEMENT OF SIGNIFICANCE
HERITAGE ITEM NUMBER 165
***DWELLINGS AND SETTING, DORSET STREET FLATS –
2, 4, 4A, 6, 8, 10, 12, 14 AND 16 DORSET STREET,
CHRISTCHURCH***



PHOTOGRAPH: M.VAIR-PIOVA, 2014

HISTORICAL AND SOCIAL SIGNIFICANCE

Historical and social values that demonstrate or are associated with: a particular person, group, organisation, institution, event, phase or activity; the continuity and/or change of a phase or activity; social, historical, traditional, economic, political or other patterns.

The Dorset Street Flats have high historical and social significance as a set of apartments constructed in the mid-1950s to provide economical and modern, inner-city accommodation for a group of bachelor owner-occupier friends and for their association with notable architect Sir Miles Warren. The block of eight one-bedroom flats was constructed in 1956-57 to provide accommodation for three bachelor owner-occupier friends, each with one to occupy and the others to lease. An existing stable block on the site accommodated a ninth flat, garaging and communal laundry facilities. The use of concrete block and fair-faced concrete for the internal and external walls of a residential building was not immediately accepted by parts of the community. Consequently the flats gained a degree of national and international notoriety and tour buses reportedly detoured past the flats to view what became dubbed

"Fort Dorset." Professions of the occupants in the 1960s included solicitor, surveyor, architect, lecturer, driver and restaurateur. Miles Warren not only designed the flats but also lived in one of them initially.

The concrete block walls that sheltered the terrace gardens of the ground floor apartments were damaged by and removed after the 2010 and 2011 Canterbury earthquakes. The stables block suffered the same fate. The apartments are still extant and able to be repaired.

CULTURAL AND SPIRITUAL SIGNIFICANCE

Cultural and spiritual values that demonstrate or are associated with the distinctive characteristics of a way of life, philosophy, tradition, religion, or other belief, including: the symbolic or commemorative value of the place; significance to Tangata Whenua; and/or associations with an identifiable group and esteemed by this group for its cultural values.

The Dorset Street Flats have cultural significance as they reflect the way of life, including the economic means and awareness of contemporary architectural trends, of the trio of professionals who commissioned and financed them. They also reflect the way of life of the people who have chosen to live in them since the mid-1950s.

ARCHITECTURAL AND AESTHETIC SIGNIFICANCE

Architectural and aesthetic values that demonstrate or are associated with: a particular style, period or designer, design values, form, scale, colour, texture and material of the place.

The Dorset Street Flats have high architectural and aesthetic significance as one of the most important examples of the early work of Sir Miles Warren, a leading New Zealand architect based in Christchurch, who co-founded the firm Warren and Mahoney. They also have significance for their highly influential modernist design in the manner of the New Brutalism. The New Brutalist style is demonstrated through the use of concrete block and exposed fair-faced concrete beams on the exterior and interior walls and the low pitched gable roof designed without eaves to emphasize the simple box-like forms which are broken up with the open stairwells. The design followed one of the basic tenets of modernism in that buildings should show their structure and materials to reflect how they were built. While open plan living is common in New Zealand dwellings today, it was a concept still gaining ground in the 1950s when the flats were designed with an open plan living room flanked by bedroom, bathroom and kitchen spaces.

The flats were designed upon Miles Warren's return to Christchurch after spending a year and a half in London, where he was influenced by English New Brutalist architecture and they are a pivotal work in his oeuvre. The flats possess many of the characteristics that were to become hallmarks of both the Warren and Mahoney style - white painted concrete block, fair-faced concrete beams, gabled roof without eaves, recessed door and window detailing as a counterpoint to rich furnishings and luxuriant planting. Warren and Mahoney subsequently undertook many major national and international projects, winning both national and international awards. Miles Warren was knighted in 1984 for his services to architecture.

TECHNOLOGICAL AND CRAFTSMANSHIP SIGNIFICANCE

Technological and craftsmanship values that demonstrate or are associated with: the nature and use of materials, finishes and/or technological or constructional methods which were innovative, or of notable quality for the period.

The Dorset Street Flats have high technological significance for their innovative use of concrete block construction, engineered by local engineer Lyall Holmes, which was the first of its kind in Christchurch and uncommon in New Zealand at the time. They also have craftsmanship significance for the recessed door and window detailing, and rimu ceiling battens and lining.

CONTEXTUAL SIGNIFICANCE

Contextual values that demonstrate or are associated with: a relationship to the environment (constructed and natural), a landscape, setting, group, precinct or streetscape; a degree of consistency in terms of type, scale, form, materials, texture, colour, style and/or detail; recognised landmarks and landscape which are recognised and contribute to the unique identity of the environment.

The Dorset Street Flats have contextual significance as a townhouse development contained within two offset blocks running parallel to Dorset Street. The flats were intended to present a contrast between the richness of the garden planting and the starkness of the fair-faced concrete and block materials of the apartments. They are in a part of the central city in which there are a number of multi-unit dwellings, particularly in Dublin and Dorset Streets and the adjacent section of Park Terrace. They form a group with Santa Barbara and the Bealey Avenue Maisonettes as part of the chronology of apartment living in central Christchurch.

The setting consists of the immediate land parcel. The original design of the gardens included terrace gardens and a water feature.

ARCHAEOLOGICAL AND SCIENTIFIC SIGNIFICANCE

Archaeological or scientific values that demonstrate or are associated with: the potential to provide information through physical or scientific evidence an understanding about social historical, cultural, spiritual, technological or other values of past events, activities, structures or people.

The Dorset Street Flats and their setting have archaeological significance because they have the potential to provide archaeological evidence relating to past human activity on the site, including that which occurred before 1900. The 1862 and 1877 maps of central Christchurch do not show any structures on the site of the Dorset Street Flats but there was quite a lot of residential development in Dublin Street and on the north side of Dorset Street by 1877. The pre-existing stables on the site were erected in 1902 and demolished in October 2011. The site has now been recorded as archaeological site M35/555.

ASSESSMENT STATEMENT

The Dorset Street Flats and their setting have high overall significance to Christchurch, including Banks Peninsula. They have high historical and social significance for their association with Sir Miles Warren as one of the original owner/occupiers and the evolution of inner-city housing choices in the mid-20th century. The Dorset Street Flats have cultural significance as they reflect the way of life of the group of professionals who commissioned and financed the flats. They have high architectural and aesthetic significance as one of the most iconic designs by Sir Miles Warren, one of New Zealand's most acclaimed 20th century architects. The flats have high technological and craftsmanship significance for the innovative use of concrete block construction, and the quality of their construction and detailing. The Dorset Street Flats have contextual significance within the immediate streetscape and the north-western sector of the central city in which they contribute to the

historic residential character of the city. The Dorset Street Flats and their setting have archaeological significance and the site is recorded as archaeological site M35/555.

REFERENCES:

Christchurch City Council, *Heritage File, Apartments, 2-16 Dorset Street*
<http://www.christchurchmodern.co.nz/2008/08/hello-world/>
Historic place # 7804 – Heritage NZ List. <http://www.heritage.org.nz/the-list/details/7804>
<https://quakestudies.canterbury.ac.nz/store/download/part/423>
Julia Gatley (ed) *Long Live the Modern - New Zealand's New Architecture 1904-1984*
(Auckland, 2008)

REPORT DATED: 4 FEBRUARY 2015

PLEASE NOTE THIS ASSESSMENT IS BASED ON INFORMATION AVAILABLE AT THE TIME OF WRITING. DUE TO THE ONGOING NATURE OF HERITAGE RESEARCH, FUTURE REASSESSMENT OF THIS HERITAGE ITEM MAY BE NECESSARY TO REFLECT ANY CHANGES IN KNOWLEDGE AND UNDERSTANDING OF ITS HERITAGE SIGNIFICANCE.

PLEASE USE IN CONJUNCTION WITH THE CCC HERITAGE FILES.

11. Heritage Incentive Grant Approval for Dwelling, 10 Brittan Street, Linwood, Christchurch

Reference / Te Tohutoro: 21/373279

Report of / Te Pou
Matua:

Amanda Ohs, Senior Heritage Advisor, amanda.ohs@ccc.govt.nz

General Manager /
Pouwhakarae:

Carolyn Gallagher, Acting General Manager, Infrastructure, Planning and Regulatory Services

1. Purpose of the Report / Te Pūtake Pūrongo

- 1.1 The purpose of this report is for the Sustainability and Community Resilience Committee to consider a request for a Heritage Incentive Grant to assist with the releveling and maintenance of the dwelling at 10 Brittan Street, Christchurch.
- 1.2 This report is staff generated in response to an application for Heritage Incentive Grant funding from the owner of this building.
- 1.3 The decision in this report is of low significance in relation to the Christchurch City Council's Significance and Engagement Policy. The level of significance is determined by the heritage classification of the building, the amount of funding requested, and the fact that Council has approved Heritage Incentive Grant funds for allocation in the 2020/21 Annual Plan. There are no engagement requirements in the Heritage Incentive Grant Fund Guidelines 2020 for this grant scheme.
- 1.4 Approval of this grant would support the Community Outcomes: "Resilient Communities", "Liveable City" and "Prosperous Economy".

2. Officer Recommendations / Ngā Tūtohu

That the Sustainability and Community Resilience Committee:

1. Approve a Heritage Incentive Grant of up to \$26,132 for releveling and maintenance of the heritage building located at 10 Brittan Street, Christchurch.
2. Note that payment of this grant is subject to the applicants entering a 10 year limited conservation covenant with the signed covenant having the Council seal affixed prior to registration against the property title.

3. Reason for Report Recommendations / Ngā Take mō te Whakatau

- 3.1 Approving the recommended grant will enable the Council to support communities to protect our heritage, meet the vision of "Our Heritage, Our Taonga Heritage Strategy 2019 -2029" and achieve the purpose of heritage incentive grants "... to incentivise owners and kaitiaki to undertake works to protect, maintain, repair and upgrade heritage buildings, places structures and objects." (17th December 2020, SACRC/2020/00046)
- 3.2 Approving a 20% grant contribution for the strengthening and repair works of this regionally and nationally significant building will contribute to the Council's aim "to maintain and protect built, cultural, natural, and significant moveable heritage items, areas, and values". The recommended grant to the Dwelling at 10 Brittan Street will assist with its retention so

that it continues to contribute to a unique identity, character and sense of place for the City and its communities.

- 3.3 The recommended grant approval aligns with the Heritage Incentive Grant Fund Guidelines 2020 and can be accommodated within the available budget.

4. Alternative Options Considered / Ētahi atu Kōwhiringa

- 4.1 Two other options have been considered: a lower level of grant funding; and declining grant support. These options were discounted because:
- The significance of the building justifies a grant in support of the works specified. The supported works will contribute to the retention of the dwelling as a prominent and visually distinct local landmark in Linwood. The works will also ensure its architectural, craftsmanship, historical and social values are retained for the community.
 - Declining grant funding would not align with the Heritage Strategy and is not supported by the Heritage Incentive Grant Fund Guidelines 2020.
 - A lower level of grant funding would not support the owner - guardian of this heritage building for the community - to the same extent as the recommended funding amount.
- 4.2 There are sufficient funds remaining in the HIG Fund to cover a grant towards the strengthening and repair works at 20%.

5. Detail / Te Whakamahuki

- 5.1 The current owner is Ruth Ogilvie.

History and heritage significance

- 5.2 The dwelling at 10 Brittan Street is not scheduled in the Christchurch District Plan or listed as a Historic Place by Heritage New Zealand Pouhere Taonga.
- 5.3 Research documentation in the heritage files and a site visit by Heritage staff informed a heritage statement which identifies that the dwelling is of heritage value to the City.
- 5.4 The dwelling at 10 Brittan Street is of historical and social significance for its association with the Bickerton and Kennedy families, the Linwood Orchestra, and mountaineer and teacher William Kennedy who made an important contribution to Christchurch and Canterbury mountaineering.
- 5.5 The house was constructed in c1902 as a residence for Rosamond Bickerton (known as Rose, nee Kennedy), her husband Alexander Bickerton, and two of her three brothers William and John. William built the first private hut in Arthurs Pass in 1911 (CCC Heritage files), and was an active member of the Christchurch mountaineering community and a foundation member, and president for 10 years of the Canterbury Mountaineering Club. His collection of 20,000 slides and negatives is part of the Canterbury Museum photographic collection. Rose's husband Alexander Bickerton was a government analyst and the son of Professor Alexander Bickerton. Alexander and his brother in law William Kennedy founded the Linwood Orchestra which met to practise in the large lounge of the house every Wednesday for almost 50 years. William lived in the house until his death in 1950 and the property stayed in family ownership until 1971.
- 5.6 The house is of architectural and aesthetic significance as a relatively intact example of a villa dating from around the turn of the century, and the hard landscaping of walls and steps

- creating a stepped garden in response to the elevated site. The brick walls of an ornate conservatory and the concrete base of a fountain remain in the front garden.
- 5.7 The interior layout and a number of interior decorative features remain largely intact. Part of the verandah has been built out to accommodate a modern kitchen in 1976 which has affected the symmetry of the front façade, and resulted in the loss of some architectural detailing.
- 5.8 The lounge room is of particular note for its large size and high ceiling. It is purported that it was specifically designed for good acoustic qualities to provide for music appreciation, and that tanned sheepskins were tacked between the lathe and plaster walls for this purpose.
- 5.9 The house sits prominently raised above the street level, on top of a sandbank. These sandbanks are a characteristic feature of Linwood. Due to its location and prominence, the house and garden are a visible landmark in the area.
- 5.10 Refer to Attachment 'A' the 'Statement of Significance' for further information.





Photographs: A. Ohs, 10 March, 2021

The grant application

- 5.11 The Heritage Incentive Grant scheme is intended to assist owners and kaitiaki to achieve positive heritage outcomes when they undertake conservation, maintenance, repairs and code compliance works.
- 5.12 The current owner purchased the property in 2020 'as is where is' with no insurance or EQC payments passed on from the previous owner. The dwelling requires relevelling, and maintenance and repair work. Maintenance and repair work includes exterior repainting, repair of downpipes and guttering to prevent water damage, replacement of rotten timbers and repair of cracking to the original network of garden walls and steps. The relevelling of the house results in necessary removal of elements for future reinstatement (eg fireplace surrounds) and repair of decorative plasterwork once the levelling is completed. The owner is taking a conservation approach by seeking to do 'as much as necessary and as little as possible'.
- 5.13 The owner has applied for assistance with the following conservation works as detailed below:

Plasterwork (interior/exterior)	\$1500
Relevelling / piling / foundations	\$70,600
Building costs	\$22,072
Exterior repainting	\$26,086.96
Interior repainting after relevelling	\$15,652.17
Guttering/downpipe repair	\$2092.42
Container hire	\$508.99
Garden wall and step repairs (verbal quote)	\$15,000
Geotechnical assessment	\$8,450
Total cost of heritage works (excluding GST)	\$130,658

- 5.14 The works will ensure the dwelling is maintained to withstand future damage, and will ensure its useability into the future. The repair of the hard landscaping will retain this uncommon feature which contributes to the landmark value of the house.
- 5.15 A grant for the strengthening and repair work to this building is in alignment with the Heritage Incentive Grant Fund – Guidelines 2020, see: <https://ccc.govt.nz/assets/Documents/Culture-Community/Heritage/Heritage-Incentive-Grant-Fund-Guidelines-2020.pdf>. The works are within the scope of grant consideration, and the application and grant amount meet the Criteria for ‘Assessment of Applications’, Page 4, particularly in terms of:
- 5.15.1 The heritage values of the building;
 - 5.15.2 The contribution the proposed work will make to the retention of the building;
 - 5.15.3 The extent to which the works protect and maximise retention of heritage fabric;
 - 5.15.4 The extent to which the building is accessible to the public;
 - 5.15.5 The contribution the building and the proposed work will make to the wider community and heritage values of the area;
 - 5.15.6 The degree to which the proposed works are consistent with the conservation principles and practice of the ICOMOS NZ Charter 2010;
 - 5.15.7 The urgency of the works required;
 - 5.15.8 The availability of grant funds.
- 5.16 The decision affects the following wards/Community Board areas:
Waikura/Linwood – Central - Heathcote.

6. Policy Framework Implications / Ngā Hīraunga ā- Kaupapa here

Strategic Alignment / Te Rautaki Tīaroaro

- 6.1 The Heritage Incentive Grant Scheme aligns to the Community Outcome “Resilient Communities” – ‘celebration of our identity through arts, culture, heritage, sport and recreation’ and ‘strong sense of community’. It also supports “Liveable City” – ‘21st century garden city we are proud to live in’ and “Prosperous Economy” – ‘great place for people, business and investment’.
- 6.2 The Heritage Incentive Grant Scheme supports delivery of the overarching strategic principle of “Taking an intergenerational approach to sustainable development, prioritising the social, economic and cultural wellbeing of people and communities and the quality of the environment, now and into the future.” This is because heritage is an intergenerational equity. It contributes to our personal and community sense of identity and belonging, and enhances social connectedness and cohesion.
- 6.3 This report supports the [Council's Long Term Plan \(2018 - 2028\)](#):
- 6.3.1 Activity: Strategic Planning and Policy
 - Level of Service: 1.4.2 Support the conservation and enhancement of the city’s heritage places. - 100% of approved grant applications are allocated in accordance with the policy.

Policy Consistency / Te Whai Kaupapa here

- 6.4 The recommendation is consistent with Council’s Plans and Policies as listed below:
- 6.4.1 Our Heritage, Our Taonga Heritage Strategy 2019-2029

6.4.2 Heritage Incentive Grants Policy – Operational Guidelines 2020

6.4.3 ICOMOS New Zealand Charter 2010.

Impact on Mana Whenua / Ngā Whai Take Mana Whenua

- 6.5 The six papatipu rūnanga hold the mana whenua rights and interests over the district and are partners in the *Our Heritage, Our Taonga - Heritage Strategy 2019-2029*. Te Ngāi Tūāhuriri Rūnanga, Te Hapū o Ngāti Wheke, Te Rūnanga o Koukourāata, Wairewa Rūnanga, Ōnuku Rūnanga and Te Taumutu Rūnanga are primary kaitiaki for the taonga tuku iho of the district. They are guardians for elements of mātauranga Māori reaching back through many generations and are a significant partner in the strategy implementation.
- 6.6 It is noted that Tūāhuriri Rūnanga are the Tangata Whenua in this location.
- 6.7 The decision does not involve a significant decision in relation to ancestral land or a body of water or other elements of intrinsic value, therefore this decision does not specifically impact Mana Whenua, their culture and traditions.

Climate Change Impact Considerations / Ngā Whai Whakaaro mā te Āhuarangi

- 6.8 The grant will support the retention of a heritage building and the embodied energy within it. Retention and reuse of heritage buildings can contribute to emissions reduction and mitigate the effects of climate change. Retaining and reusing existing built stock reduces our carbon footprint and extends the economic life of buildings.

Accessibility Considerations / Ngā Whai Whakaaro mā te Hunga Hauā

- 6.9 Accessibility to the building will be provided for as required by the New Zealand Building Code.

7. Resource Implications / Ngā Hīraunga Rauemi

Capex/Opex / Ngā Utu Whakahaere

- 7.1 Cost to implement – the recommendation is for a grant of up to \$26,132 (20% of the eligible works and costs).
- 7.2 Maintenance/Ongoing costs – none.
- 7.3 Funding Source - The Heritage Incentive Grant budget is an annual fund provided for in the 2018-28 Long Term Plan. This established funding source requires staff to present applications to the relevant Committee or Council for their approval.
- 7.4 The impact of this grant (and others put before the Sustainability and Community Resilience Committee in this meeting) is as follows:

Total FY21 Budget for the Heritage Incentive Grant (HIG) fund	\$1,536,501
Grants previously approved by the Committee in FY21	\$234,974
Proposed grant to 5 Shelley Street (50% of proposed works)	\$19,358
Proposed grant to 2-16 Dorset Street (25%)	\$366,580
Proposed grant to 10 Brittan Street (20%)	\$26,132
Total Remaining HIG Funds FY21	\$889,457

8. Legal Implications / Ngā Hīraunga ā-Ture

Statutory power to undertake proposals in the report / Te Manatū Whakahaere Kaupapa

- 8.1 The delegated authority for Heritage Incentive Grants decisions sits with this Committee.

Other Legal Implications / Ētahi atu Hiraunga-ā-Ture

- 8.2 This report has not been reviewed and approved by the Legal Services Unit.
- 8.3 As the grant is between \$15,000- \$149,999 there is a requirement under the Heritage Incentive Grant Fund – Guidelines 2020 for a limited conservation covenant to be registered on the property title. Staff are recommending a Limited Covenant of 10 years for this grant.
- 8.4 Conservation Covenants are a comprehensive form of protection for the dwelling. They protect the building from demolition in the covenant period, regardless of changes in ownership.

9. Risk Management Implications / Ngā Hiraunga Tūraru

- 9.1 The grant scheme only allows funds to be paid out upon completion of the works; certification by Council staff that the works have been undertaken in alignment with the ICOMOS NZ Charter 2010; presentation of receipts and confirmation of the conservation covenant (if required) having been registered against the property title or on the Personal Properties Securities Register. This ensures that the grant scheme is effective and that funds are not diverted or lost.
- 9.2 Staff will also discuss with the owner the opportunity to include the building in the District Plan Heritage schedule in a future plan change.

Attachments / Ngā Tāpirihanga

No.	Title	Page
A ↓	Heritage statement - 10 Brittan Street	103

In addition to the attached documents, the following background information is available:

Document Name	Location / File Link
Not applicable	Not applicable

Confirmation of Statutory Compliance / Te Whakatūtutanga ā-Ture

Compliance with Statutory Decision-making Requirements (ss 76 - 81 Local Government Act 2002).

- (a) This report contains:
- (i) sufficient information about all reasonably practicable options identified and assessed in terms of their advantages and disadvantages; and
 - (ii) adequate consideration of the views and preferences of affected and interested persons bearing in mind any proposed or previous community engagement.
- (b) The information reflects the level of significance of the matters covered by the report, as determined in accordance with the Council's significance and engagement policy.

Signatories / Ngā Kaiwaitohu

Author	Amanda Ohs - Senior Heritage Advisor
Approved By	Brendan Smyth - Team Leader Heritage Michael Down - Finance Business Partner Carolyn Ingles - Head of Urban Regeneration, Design and Heritage Carolyn Gallagher - Acting General Manager Infrastructure Planning & Regulatory Services

HERITAGE STATEMENT
DWELLING
10 BRITTAN STREET, CHRISTCHURCH



PHOTOGRAPH: A. OHS, MARCH 2021

HISTORICAL AND SOCIAL SIGNIFICANCE

Historical and social values that demonstrate or are associated with: a particular person, group, organisation, institution, event, phase or activity; the continuity and/or change of a phase or activity; social, historical, traditional, economic, political or other patterns.

The dwelling at 10 Brittan Street (historically no.6 Brittan Street) is of historical and social significance for its association with the Bickerton and Kennedy families, the Linwood Orchestra, and mountaineer and teacher William Kennedy who made an important contribution to Christchurch and Canterbury mountaineering.

The house was constructed in c1902 as a residence for Rosamond Bickerton (known as Rose, nee Kennedy), her husband Alexander Bickerton, and two of her three brothers William (1865-) and John. Rose and her three brothers had purchased the land in June 1901 from William Whale, a storeman. The third brother Hans lived across the road and transferred his interest to his brothers and sister in 1905.

Rose, William and John were from a farming family and were all school teachers. William Kennedy taught at Woolston School for 33 years (1890-1923). The brothers were also keen cyclists and mountaineers, with William playing a key role in Christchurch and Canterbury mountaineering. William built the first private hut in Arthurs Pass in 1911 (CCC Heritage files), and was an active member of the Christchurch mountaineering community and a foundation member, and president for 10 years of the Canterbury Mountaineering Club. His

collection of 20,000 slides and negatives is part of the Canterbury Museum photographic collection.

Rose's husband Alexander Bickerton was a government analyst and the son of Professor Alexander Bickerton. Alexander and his brother in law William Kennedy founded the Linwood Orchestra which met to practise in the large lounge of the house every Wednesday for almost 50 years.

John passed away in May 1928. Rose passed away in 1934 and William took over ownership and lived in the house alone through to his death in October 1950. The house may have been converted to a boarding house in the late 1960s (CCC heritage files). The property went out of family ownership in 1971 with its transfer to Walter Strahan, salesman. The land behind the house appears to have been subdivided in the 1980s.

CULTURAL AND SPIRITUAL SIGNIFICANCE

Cultural and spiritual values that demonstrate or are associated with the distinctive characteristics of a way of life, philosophy, tradition, religion, or other belief, including: the symbolic or commemorative value of the place; significance to Tangata Whenua; and/or associations with an identifiable group and esteemed by this group for its cultural values.

The house is of cultural significance for its connection with William Kennedy. William's contribution to mountaineering is acknowledged through the naming of Mount Kennedy, the Kennedy Falls, and the Kennedy Room in the Arthur's Pass museum. There is also a plaque honouring his teaching and the walking he did with Woolston School students on the Ellis Track on the Port Hills.

The way of life of the Kennedy family is of some distinction, in the way the siblings and brother in law lived together, and for the various cultural and sporting related activities and interests they pursued in the house and on the site, including providing a rehearsal space for the local orchestra.

ARCHITECTURAL AND AESTHETIC SIGNIFICANCE

Architectural and aesthetic values that demonstrate or are associated with design values, form, scale, colour, texture and material of the place.

The house is of architectural and aesthetic significance as a relatively intact example of a villa dating from around the turn of the century, and the hard landscaping of walls and steps creating a stepped garden in response to the elevated site.

The house is sited on a sandhill and is oriented to the street which also affords views over the city.

It is a square villa, with a decorative verandah to the street with a return to the driveway entrance. A large bay extends to the north.

The landscape walls are of concrete plastered brick, and together with a series of concrete steps create a formal series of garden spaces in front of the house. The brick walls of an ornate conservatory and the concrete base of a fountain remain in the front garden.

The interior features a central hall with a tall coved ceiling. Bedrooms and living rooms are accessed from this central hall. Part of the verandah has been built out to accommodate a modern kitchen in 1976. This has affected the symmetry of the front façade, and resulted in the loss of architectural detailing.

Decorative plaster cornices and ceiling roses, timber floors, built in wardrobes, timber doors and panelling feature throughout. A number of complete fireplaces remain with the register and decorative tiling. The original timber windows have been replaced in steel.

The lounge room is of particular note for its large size and high ceiling. It is purported that it was specifically designed for good acoustic qualities to provide for music appreciation.

TECHNOLOGICAL AND CRAFTSMANSHIP SIGNIFICANCE

Technological and craftsmanship values that demonstrate or are associated with: the nature and use of materials, finishes and/or technological or constructional methods which were innovative, or of notable quality for the period.

The house is of technological and craftsmanship significance for the materials and quality of construction throughout.

Tanned sheepskins are purported to have been tacked between the lathe and plaster walls of the room to function as soundproofing (CCC Heritage files). Kauri was used in the construction of the house – for example the floorboards.

CONTEXTUAL SIGNIFICANCE

Contextual values that demonstrate or are associated with: a relationship to the environment (constructed and natural) setting, a group, precinct or streetscape; a degree of consistency in terms of scale, form, materials, texture, colour, style and/or detailing in relationship to the environment (constructed and natural), setting, a group, precinct or streetscape; a physical or visible landmark; a contribution to the character of the environment (constructed and natural) setting, a group, precinct or streetscape.

The house is of contextual significance for its prominent location on a sandhill, its relationship to a similar neighbouring villa, and for its series of walls and steps.

The house sits prominently raised above the street level, on top of a sandbank. These sandbanks are a characteristic feature of Linwood. Due to its location and prominence, it is a visible landmark in the area.

A photograph of the house in the 1920s shows a formal Victorian Italianate garden, with an ornate glasshouse- the brick base of which still remains, and small fountain which also remains.

ARCHAEOLOGICAL SIGNIFICANCE

Archaeological or scientific values that demonstrate or are associated with: the potential to provide information through physical or scientific evidence an understanding about social historical, cultural, spiritual, technological or other values of past events, activities, structures or people.

The dwelling and setting are of archaeological significance for its construction in c1902 and location on a sandhill. It has potential to provide evidence of past construction methods and materials, and of any previous activity on the site prior to its use as a residence.

REFERENCES:

Christchurch City Council Heritage Files

REPORT DATED: 26 MARCH 2021

12. Intangible Heritage Grant application for Te Pūtahi Architectural Audio Tour

Reference / Te Tohutoro: 21/374857

Report of / Te Pou
Matua: Victoria Bliss, Heritage Conservation Projects Planner,
victoria.bliss@ccc.govt.nz

General Manager /
Pouwhakarae: Carolyn Gallagher, Acting General Manager Infrastructure, Planning
and Regulatory Services

1. Purpose of the Report / Te Pūtake Pūrongo

- 1.1 The purpose of this report is for the Sustainability and Community Resilience Committee to consider a request for an Intangible Heritage Grant to assist with the creation of a collection of guided stories and histories related to Christchurch architecture. The collection will be delivered through the Christchurch NZ audio guide app, 'Listen Up Ōtautahi'. This is the first grant application for the Intangible Heritage Grant fund for Committee consideration.
- 1.2 This report is staff generated in response to an application for Intangible Heritage Grant funding from Te Pūtahi, who are developing the collection.
- 1.3 The decision in this report is of low significance in relation to the Christchurch City Council's Significance and Engagement Policy. The level of significance is determined by the heritage and cultural wellbeing outcomes of the project, the amount of funding requested, and the fact that Council has approved Intangible Heritage Grant funds for allocation in the 2020/21 Annual Plan. There are no engagement requirements in the Intangible Heritage Grant Fund - Guidelines 2020 for this grant scheme.
- 1.4 Approval of this grant would support the Community Outcomes: "Resilient Communities", "Liveable City" and "Prosperous Economy".

2. Officer Recommendations / Ngā Tūtohu

That the Sustainability and Community Resilience Committee:

1. Approve an Intangible Heritage Grant of \$30,000 for development of a collection of guided stories and histories related to architecture across the city.
2. Delegate to the Head of Urban Design, Regeneration and Heritage the authority to determine and carry out the administration requirements for this Fund, and to enter into or vary Funding Agreements with Grant recipients.

3. Reason for Report Recommendations / Ngā Take mō te Whakatau

- 3.1 Approving the recommended grant will enable the Council to support communities to protect their taonga. It will meet the vision of "Our Heritage, Our Taonga Heritage Strategy 2019 -2029", and achieve the purpose of intangible heritage grants: "... to support communities, groups and individuals to practice the principles of Kaitiakitanga and Manaakitanga and to share their own stories and histories..." (17th December 2020, SACRC/2020/00047).
- 3.2 Approving grant support for the development of a collection of stories and memories relating to heritage places across the city will provide a free and accessible resource to celebrate and promote heritage. It will contribute to the Council's aim to recognise, protect and celebrate intangible heritage, and to 'weave our stories and places together...'. Intangible heritage

includes knowledge, stories, histories, memories, traditions, waiata and oral histories, and is vital to the wellbeing of our communities and the district. The recommended grant will assist with connecting people to the places they visit and to each other. It will increase understanding and appreciation of Christchurch's unique heritage, which contributes to a distinctive identity, character and sense of place for the City and its communities.

- 3.3 The project will have a wide reach: it is anticipated that there will initially be 3, 500 users: 500 users during 'Open Christchurch 2021' and a further 3000 in the Heritage Festival 2021. The content will be free to users, and can be extended to include other buildings and places in time.
- 3.4 The recommended grant aligns with the Intangible Heritage Grant Fund (IHG) Guidelines 2020 and can be accommodated within the available budget. Further applications are expected during FY21, however the funding available within the fund is sufficient to enable additional applications to be funded.

4. Alternative Options Considered / Ētahi atu Kōwhiringa

- 4.1 Three other options have been considered:
- 4.2 **Option 1:** Grant funding of \$21,000; staff consider this level of funding to be a viable alternative, should the Committee wish to consider less funding. The buildings which may not be included could be funded via a future application or possibly sponsorship: Advantages: this level of funding would enable a worthwhile tour of approximately seven buildings to be developed; funding would be available for allocation to other projects/applicants. Disadvantages: Would reduce the scale of the tour – likely seven rather than 10 buildings would be included. This would mean that the scope and diversity of the buildings included and the places and stories celebrated would be reduced. Te Putahi have not indicated in their application that they have explored sponsorship.
- 4.3 **Option 2:** Grant funding of \$15,000: Advantages: funding would be available for allocation to other projects/applicants. Disadvantages: Would reduce the scale of the tour – likely to five rather than 10 buildings, which would result in a less robust and impactful tour. This would mean that the scope and diversity of the buildings included and the places and stories celebrated would be reduced.
- 4.4 **Options 3:** Decline the application: Advantages: funding would be available for allocation to other projects/applicants. Disadvantages: would not align with the Heritage Strategy and is not consistent with the Intangible Heritage Grant Fund - Guidelines 2020.

5. Detail / Te Whakamahuki

- 5.1 The applicant for the grant is Dr Jessica Halliday, director of Te Pūtahi, who are organising the project.

The Project

- 5.2 The project is the collection and curation of guided audio experiences, which tell the stories and histories of ten iconic Christchurch heritage places. The content will be delivered on the 'Listen Up Ōtautahi' audio guide app, and provide a resource for locals and visitors. In addition to the projected 3,500 users of the app at 'Open Christchurch 2021' and the 2021 Heritage Festival, it will be further promoted and distributed via podcasts, You Tube, MP3 downloads and social media.
- 5.3 The collection will be a mix of scripted and interview content, and include 'story gathering' from community participants via the 'Speakpipe' at the Open Christchurch 2021 Festival. It is

accessible to those who have visual disabilities, and written transcriptions will be available for the hearing impaired. The content is intended to be accessible for adults and children over the age of twelve.

- 5.4 In kind contributions to the project totalling \$26,500, which is just under half of the total project costs, are being made by:
- Te Pūtahi – research, development, promotion and distribution
 - ChristchurchNZ – App hosting, distribution and promotion; and
 - Equipment hire fee waivers.
- 5.5 Please see Attachment “A”, Te Pūtahi heritage collection project audio clip, for a sample of the proposed content.

The grant application

- 5.6 The application is seeking funding to support the development of audio content for ten iconic Christchurch places. The anticipated \$30,000 costs for the project include:
- Scripting and/or interviewing
 - Koha/talent fee (paid to those interviewed)
 - Studio hire
 - Transcription
 - Editing
 - Sound-scaping & post-production
 - Proof and approval
 - Music licence fee
 - Image sourcing
- 5.7 This equates to \$3,000 per heritage place. The ten buildings included in the project are:
- Tūranga
 - Christchurch Town Hall
 - The Arts Centre of Christchurch
 - Botanic Gardens – Cuninghame House Conservatory
 - Nurses’ Memorial Chapel
 - St Michaels and All Angels Church
 - CoCA Gallery
 - Old Government Buildings, Cathedral Square
 - 65 Cambridge Terrace (Office designed by and for Warren & Mahoney Architects)
 - Isaac Theatre Royal



(Image provided by Te Putahi)

- 5.8 These places have been chosen to include a range of architectural styles and eras, and are all well-known sites. The project will increase knowledge, awareness and appreciation of these buildings by combining research and information with personal memories and storytelling.
- A grant for the project is in alignment with the Intangible Heritage Grant Fund – Guidelines 2020. The [guidelines allow for a grant](#) of ‘... between 0 - 100% of the value of the scope of works’.
- 5.9 Staff are recommending a grant of \$30,000 (100% of the scope of works) based on an assessment against the criteria for ‘Assessment of Applications’(page 3) particularly in terms of:
- 5.9.1 Increasing understanding of the district’s diverse heritage;
 - 5.9.2 Increasing the quality and diversity of the available information on the district’s history;
 - 5.9.3 Weaving together and including different stories and perspectives;
 - 5.9.4 Sharing and enhancing the participants’ experience;
 - 5.9.5 Providing a permanent accessible record of an aspect of the district’s heritage;
 - 5.9.6 Alignment with the Heritage Strategy pou and values.
- 5.10 This architectural audio tour would also deliver on an action in the [Central City Action Plan Visitor Guide, tours and trails](#) (see People Theme: Actions P21).
- 5.11 The decision affects the following wards/Community Board areas:
- 5.11.1 Waikura/Linwood-Central-Heathcote.

6. Policy Framework Implications / Ngā Hīraunga ā- Kaupapa here

Strategic Alignment /Te Rautaki Tīaroaro

- 6.1 The Intangible Heritage Grant Scheme aligns to the Community Outcome “[Resilient Communities](#)” – ‘celebration of our identity through arts, culture, heritage, sport and recreation’ and ‘strong sense of community’. It also supports “[Liveable City](#)” – ‘21st century garden city we are proud to live in’ and “[Prosperous Economy](#)” – ‘great place for people, business and investment’.
- 6.2 The Intangible Heritage Grant Scheme supports delivery of the overarching strategic principle of “[Taking an intergenerational approach to sustainable development, prioritising the social,](#)

economic and cultural wellbeing of people and communities and the quality of the environment, now and into the future.” This is because heritage is an intergenerational equity. It contributes to our personal and community sense of identity and belonging, and enhances high levels of social connectedness and cohesion.

6.3 This report supports the [Council's Long Term Plan \(2018 - 2028\)](#):

6.3.1 Activity: Strategic Planning and Policy

- Level of Service: 1.4.2 Support the conservation and enhancement of the city’s heritage places - 100% of approved grant applications are allocated in accordance with the policy.

Policy Consistency / Te Whai Kaupapa here

6.4 The decision is consistent with Council’s Plans and Policies as listed below:

6.4.1 Our Heritage, Our Taonga Heritage Strategy 2019-2029

6.4.2 Intangible Heritage Grant Fund – [Guidelines 2020](#). These guidelines were adopted by the Committee on 17 December 2020.

6.4.3 International Council on Monument and Sites (ICOMOS) New Zealand Charter 2010.

Impact on Mana Whenua / Ngā Whai Take Mana Whenua

6.5 The decision does involve a significant decision in relation to ancestral land or a body of water or other elements of intrinsic value, therefore this decision does specifically impact Mana Whenua, their culture and traditions.

6.6 The six papatipu rūnanga hold the mana whenua rights and interests over the district and are partners in the *Our Heritage, Our Taonga - Heritage Strategy 2019-2029*. Te Ngāi Tūāhuriri Rūnanga, Te Hapū o Ngāti Wheke, Te Rūnanga o Koukourārata, Wairewa Rūnanga, Ōnuku Rūnanga and Te Taumutu Rūnanga are primary kaitiaki for the taonga tuku iho of the district. They are guardians for elements of mātauranga Māori reaching back through many generations and are a significant partner in the strategy implementation.

6.7 It is noted that Tūāhuriri Rūnanga are the Tangata Whenua in this location.

Climate Change Impact Considerations / Ngā Whai Whakaaro mā te Āhuarangi

6.8 None.

Accessibility Considerations / Ngā Whai Whakaaro mā te Hunga Hauā

6.9 One of the key principles of the heritage strategy is “accessibility” – ‘this strategy includes people of all ages and abilities through a range of accessible options’ (p.21). The information will be available in a written form for the hearing impaired, makes heritage places accessible to the visually impaired and is appropriate for adults and children of twelve and older.

7. Resource Implications / Ngā Hiraunga Rauemi

Capex/Opex / Ngā Utu Whakahaere

7.1 Cost to implement –the recommendation is for a grant of up to \$30,000 (100% of the scope of works).

7.2 Maintenance/Ongoing costs – none.

7.3 Funding Source – the Intangible Heritage Grant budget is a fund provided for in the 2020-21 Annual Plan. This new funding source requires staff to present applications of over \$5,000 to the relevant Committee or Council for their approval.

- 7.4 Te Putahi has received Events and Festivals funding of \$40,000 for the Open Christchurch 2020/2021 event, but not for the project outlined in this application. In-kind support of \$26,500 has also been secured as set out in paragraph 5.4.
- 7.5 The impact of this grant is as follows:

Total FY21 Budget for the Intangible Heritage Grant (IHG) fund	\$200,000
Approved funding for Heritage Festival Grants	\$30,000
Proposed grant to Te Pūtahī audio collection	\$30,000
Total Remaining IHG Funds FY21	\$140,000

8. Legal Implications / Ngā Hīraunga ā-Ture

Statutory power to undertake proposals in the report / Te Manatū Whakahaere Kaupapa

- 8.1 The delegated authority for Intangible Heritage Grant decisions sits with this Committee.

Other Legal Implications / Ētahi atu Hīraunga-ā-Ture

- 8.2 There is no legal context, issue or implication relevant to this decision.
- 8.3 This report has not been reviewed and approved by the Legal Services Unit

9. Risk Management Implications / Ngā Hīraunga Tūraru

- 9.1 Upon being awarded a grant, applicants are bound by the Terms and Conditions of the fund. The Terms and Conditions were reviewed and approved by the Legal Services Unit of Council before they were endorsed by the Sustainability and Community Resilience Committee (17th December 2020, SACRC/2020/00047).

Attachments / Ngā Tāpirihanga

No.	Title	Page
A ↓	Open Christchurch Audio Tour Application	114

In addition to the attached documents, the following background information is available:

Document Name	Location / File Link
<i>Our Heritage, Our Taonga</i> – Heritage Strategy 2019–2029.	https://ccc.govt.nz/culture-and-community/heritage/heritage-strategy/

Confirmation of Statutory Compliance / Te Whakatūtutanga ā-Ture

Compliance with Statutory Decision-making Requirements (ss 76 - 81 Local Government Act 2002).

(a) This report contains:

- (i) sufficient information about all reasonably practicable options identified and assessed in terms of their advantages and disadvantages; and
- (ii) adequate consideration of the views and preferences of affected and interested persons bearing in mind any proposed or previous community engagement.

(b) The information reflects the level of significance of the matters covered by the report, as determined in accordance with the Council's significance and engagement policy.

Signatories / Ngā Kaiwaitohu

Author	Victoria Bliss - Heritage Conservation Projects Planner
Approved By	Brendan Smyth - Team Leader Heritage Michael Down - Finance Business Partner Carolyn Ingles - Head of Urban Regeneration, Design and Heritage Carolyn Gallagher - Acting General Manager Infrastructure Planning & Regulatory Services

DRAFT

INTANGIBLE HERITAGE GRANT FUND APPLICATION

Architectural Audio Interpretation
Te Pūtahi
February 2021

Details of the project

This application seeks funding for a collection of guided audio experiences designed to share the stories and histories related to Christchurch architecture. The audio content will be delivered via the ChristchurchNZ audio guide app, Listen Up Ōtautahi, where it will be promoted as a resource for locals and visitors to experience significant buildings around the city.

The content will be a mix of scripted and interview content. As part of this project, we will also collect personal stories and memories from festival goers at Open Christchurch via Speakpipe.

Additional use/distribution/promotion beyond the app:

- Used by Te Putahi - Centre for Architecture and City Making to expand the visitor experience at the organisation's inaugural Open Christchurch event in May 2021
- Used to create podcasts and/or YouTube playlists and MP3 downloads accessible on different channels and the Te Pūtahi website
- Social media posts (via TP and Open Christchurch channels)
- Available for participating building owners/operators to use on their websites/social media
- Building partners display QR code to their audio in their building
- Promoted via the Heritage Festival 2021

Example content: Tūranga

Taonga pūoro plays...

Māori voice welcomes you to "Tūranga - the ancestral home of my people. Come and see our story etched on the wall."

The listener is guided to the large mural engraved in the wall. After an overview of the story, the artists who created this work for Matapopere explain how they have interpreted the story and the mana whenua values embedded in the piece.

Details of the costs being sought, and where they would be spent:

We are seeking funding for audio interpretation for 10 buildings in the Open Christchurch event.

Fee per location (\$3,000) includes:

- Research
- Scripting or interviewing
- Talent fee
- Studio hire
- Transcription
- Editing
- Soundscaping & post-production
- Proof and approval
- Music licence fee
- Image sourcing
- Uploading to app platform

Proposed locations:

1. Tūranga
2. Christchurch Town Hall
3. Arts Centre
4. Botanic Gardens - Cuningham House Conservatory
5. Nurses' Memorial chapel
6. St. Michael and All Angels
7. CoCA Gallery
8. Old Government Buildings
9. 65 Cambridge Terrace (+office) + flat
10. Isaac Theatre Royal

Total cost = \$30,000

Other funding sources, and how this grant would add value or enhance the project's other funding:

In kind contributions:

- App hosting, distribution and promotion by ChristchurchNZ (to be confirmed) - est \$5,000 value
- Promotion and distribution contribution from Te Putahi - est \$10,000 value
- Research and development contribution from Te Putahi - est \$10,000 value
- Equipment hire - est \$1500 value

Total in-kind contribution = \$26,500

Timeframes for delivery of the project:

Content to be delivered by mid-May to coincide with Open Christchurch event. Ideally, we would have around eight weeks for production prior to this, so confirmation of funding by around to late March.

Anticipated users or reach numbers:

In 2021, we anticipate 500 direct users at Open Christchurch 2021 (50 per building minimum) Additional reach includes 3000 people via the Christchurch Heritage Festival via event promotion, building partners distribution, radio, podcasting, YouTube and social media, where excerpts of the material can be shared.

Use will continue beyond 2021 and into the future at approximately an additional 1000 per annum while the app is live and current, with the building owners or tenants also driving use throughout the year, as well as future annual Open Christchurch events.

Will the content be free to the user or if paid, how much and what will the profits be used for?

All content will be free to access during and after the event. See notes on accessibility below.

ELIGIBILITY

How will the project encourage whanaungatanga and celebrate heritage as a taonga that respects, values and develops our connections to each other?

Buildings themselves can't convey the stories of the people who have created and interacted with them over time. Guided audio experiences like these have the ability to connect people to the hidden stories. By understanding our past and the ideas that influenced our forebears, we can better understand ourselves. When we share stories in a place, we have a chance to connect with each other.

How will the project raise awareness of the value of tangible and intangible heritage as a vital component of the unique identity of the district?

This project will document hidden stories of architecture and make them easily accessible to the public via the Listen Up Ōtautahi app by ChristchurchNZ. When people understand the stories of place, they tend to place greater value on that place.

How is the project inclusive of the diversity of Christchurch and Banks Peninsula's cultural heritage, including Ngāi Tahu and other iwi, European, Pasifika and people of all ethnic and cultural backgrounds?

Many cultures are built into the architectural fabric of our city. This audio interpretation will reflect that.

How will the project support the creation of ongoing, accessible heritage resources?

The content will remain online and accessible via multiple platforms. It can be used either on site or remotely as long as those platforms remain. Hosting content across multiple platforms reduces the risk of loss of access and sustains as an ongoing, accessible heritage resource. While this funding is for a specific set of audio resources, the partnerships with ChristchurchNZ and building owners sets up an opportunity to continue to develop resources for heritage buildings.

How will the project recognise stories, people, customs, language, festivals, past events, commemorations, and cultural landscapes as taonga which our communities wish to pass on to future generations?

This project aims to make available the stories associated with our city's built architecture.

How will the project identify, research and document new or untold heritage stories?

The hidden stories we will research and document for this project are not currently easily accessible to the public.

ASSESSMENT OF APPLICATIONS

How does the Project add to the understanding of the district's diverse heritage?

The choice of buildings will reflect a wide range of eras and styles.

How does the project increase the quality and diversity of the available information on the district's history?

Currently, architectural interpretation is not easily accessible to the general public. There are no regular tours or freely available guides. The city's built environment is still changing daily and a digital resource that can grow and expand will be a valuable resource for people as they experience the city. Audio allows people to learn about the place as they are experiencing it. These two factors combine to make a vastly more memorable experience than reading the history out of context or experiencing the place without the accompanying stories.

How does the Project weave together and/or includes different stories and perspectives?

Where possible, we will use interviews rather than scripted text, so that the real voice of the creators or guardians of these buildings can share their passion for the places in their own voice.

How does the Project help share and enhance the participants' experiences?

Open Christchurch aims to connect people, in a meaningful way, to the city's built architecture. These immersive audio stories will add another layer of connection and also allow the stories to live on and be shared beyond the event.

How does the Project align with the Heritage Strategy pou and principles?

Manaakitanga – Celebrating and sharing Our Heritage, Our Taonga

Buildings are an integral part of our city's heritage. This project celebrates the buildings and also brings to life the stories associated with them.

Tohungatanga – Identifying, understanding and valuing Our Heritage, Our Taonga

This project will identify important buildings from a range of styles and eras and make the value of them more clear through rich storytelling.

Kaitiakitanga – Protecting and caring for Our Heritage, Our Taonga

When people know the stories of their heritage, they place more value on it and are more likely to protect that heritage.

Rangatiratanga – Leadership and respect for Our Heritage, Our Taonga

This project will lead New Zealand in its approach to location-based storytelling and the use of guided audio interpretation.

Wairuatanga – Spiritual connections with Our Heritage, Our Taonga.

Cultural wellbeing will be enhanced through documenting these stories and making them accessible and connected to the places they represent.

By collecting memories and stories of the buildings from members of the public, we also help people to reconcile a post-quake city and to validate their experiences.

How does the project align to the principles of:

Accessibility

The Listen Up Ōtautahi platform supports audio - along with written translation - making it accessible to those who are both sight and hearing impaired. The content will be appropriate for adults and children over the age of 12.

Respect for all cultures

We acknowledge that intangible heritage includes the meanings and associations of a place, including historical, social, cultural, spiritual and commemorative values and seek to reflect as many of these stories and viewpoints as possible.

Heritage conservation principles

This project follows the basic heritage principles that cultural heritage, stories, traditions and knowledge should be preserved and documented for present and future generations.

How does the Project provide a permanent accessible record of an aspect of the district's heritage?

The content will be publicly available and free to access. The Listen Up Ōtautahi app is owned and promoted by ChristchurchNZ. The content will be owned by Te Pūtahī, a non-profit organisation whose purpose is to catalyse greater involvement in city making through a diverse and inclusive programme of engagement. Te Pūtahī wants to make it easy, desirable and fun for everybody to participate in the shaping and enjoyment of Ōtautahi Christchurch.

How does the Project supports community wellbeing and the Council's

Strategic Priorities?

This project aligns to the following Strategic Priorities:

- Enabling active and connected communities to own their future
- Accelerating the momentum the city needs

Understanding heritage is part of being engaged and connected. The remaining built heritage - which was not destroyed by the quakes - has become even more precious and valuable. The rebuild has seen cultural heritage (in particular, Ngāi Tahu's cultural identity and values) expressed in the city in new ways. Having lost many links to the past, making our experience of our heritage, as expressed in built form, more meaningful is an important way to link the past to the present and to set the city up for a resilient future.

What funding has been received from other sources, including additional grants received from the Council and other agencies or funding bodies?

No other funding has been sought or received for this project. The project relies on in-kind contributions and Te Pūtahi's own resources.

13. Suburban Regeneration Biannual Report - October 2020 - March 2021

Reference / Te Tohutoro: 21/160535

Report of / Te Pou Matua: Martin Kozinsky, Assistant Planning – Urban Regeneration,
martin.kozinsky@gmail.com

General Manager / Pouwhakarae: Carolyn Gallagher, Acting General Manager Infrastructure, Planning and Regulatory Services, Carolyn.Gallagher@ccc.govt.nz

1. Brief Summary

- 1.1 The primary purpose of this report is for the Sustainability and Community Resilience Committee to be informed on implementation progress over the past six months (from October 2020 to March 2021) for projects within the Suburban Regeneration Programme.
- 1.2 The secondary purpose of this report is to advise the Committee that future progress updates on the Suburban Regeneration Programme will be presented in a new format, and will focus on:
 - (i) Suburban Master Plan capital projects being delivered or programmed for delivery in the current financial year;
 - (ii) Suburban placemaking projects being delivered via partner grants, community grants, the Community Boards' funding related to the Shape Your Place toolkit, or via the Urban Regeneration capital budget ('Enliven Places');
 - (iii) Priority suburban locations identified by Council resolution CNCL/2020/00119, following consideration of the 'Urban Regeneration Priorities Heatmap'; and
 - (iv) Other priority locations and projects as these arise and are resourced.
- 1.3 This report is for 'information only' purposes.

2. Officer Recommendations / Ngā Tūtohu

That the Sustainability and Community Resilience Committee:

1. Receive the information in the Suburban Regeneration Biannual Report update.
2. Note that the next Suburban Regeneration Biannual Report for the six month period (from March 2021 to September 2021) will have a focus on locations and initiatives which are agreed and funded priority areas.

3. Background

Suburban Regeneration Programme

- 3.1 The Suburban Regeneration Programme has evolved over several years following the 2010/2011 Canterbury Earthquakes. Staff have been reporting on implementation progress on a biannual basis since 2015, when the programme largely consisted of Suburban Centre Master Plans and community-led planning in both Little River and Diamond Harbour.
- 3.2 Since 2015, several other projects have been added as a result of Council or Community Board resolutions and/or identified opportunities for integrated planning approaches with other agency partners (e.g. revitalisation initiatives in both Linwood / Inner City East and Bishopdale

Mall, and Enliven Places Programme funding). A summary of progress made over the past six months is provided below in Section 4, and a full update is provided in **Attachment 1**.

- 3.3 It is important to note that the progress update is not a complete view of the Council's regeneration progress; many other projects that contribute to suburban regeneration outcomes are reported through other channels.

'Urban Regeneration Priorities Heatmap'

- 3.1 The Urban Regeneration Priorities Heatmap was initially prepared in 2016, and was updated at the end of 2019 with more recent data on social, economic and environmental factors. The 'Heatmap' provides an overview of regeneration issues and drivers and was recently endorsed as a key evidential input to determining priority regeneration locations and initiatives for the Council, and other agencies as relevant¹⁰.
- 3.2 Priorities for the current financial year were confirmed as being the (i) Central City; (ii) Linwood Village/Inner City East; and (iii) community housing projects within heatmap priority locations [note on (iii): the anticipated Kainga Ora work has not progressed; therefore initial investment case work on Bishopdale was brought forward]. Potential priority locations for future years were also identified (para 5.2(iv) below).
- 3.3 Progress updates for the Central City are reported through to the Urban Development & Transport Committee, whereas progress updates for the Suburban Regeneration Programme are currently reported through to the Sustainability and Community Resilience Committee.

4. Latest progress updates

- 4.1 Progress updates for the Suburban Regeneration Programme are grouped into four city quadrants: North-west, South-west, North-east, and South-east, and a further section details Banks Peninsula (see **Attachment A**). The updates were circulated to Community Boards and no feedback was received.
- 4.2 Updates of particular note this reporting period include:
- (North-east) Linwood Village: The community-led working group has contributed to the completion of the Greening the East plan in conjunction with the Waikura/Linwood-Central-Heathcote Community Board, and helped to establish a multi-agency safety action group. A selection panel has also chosen the art sculpture soon to be installed in Doris Lusk Reserve (Master Plan action 'C1').
 - (South-east) Sumner Master Plan: Results from a pre and post construction monitoring exercise of the Sumner mainstreet upgrade (action P1.1) show an overall improvement in pedestrian counts, people's perceptions of pedestrian safety and 'look and feel' of the village centre, as well as time spent in the centre. Residents are particularly positive about the streetscape upgrade. The results are shown in **Attachment B**.

5. Future progress updates

- 5.1 Biannual progress reporting by staff on regeneration priorities will continue in accordance with the Strategic Planning, Future Development and Regeneration Activity Plan. However, future updates will be presented in a new format and template and the focus will narrow to improve efficiencies of reporting and reflect the cross-Council and partner work currently underway. This will bring the Suburban Regeneration Update Report into better alignment

¹⁰ See the staff report on 'Urban Regeneration Priorities' on 10 September 2020 and the related Council resolution CNCL/2020/00119 at this link: https://christchurch.infocouncil.biz/Open/2020/09/CNCL_20200910_AGN_4049_AT_WEB.htm

with agreed priority locations, and the Suburban Master Plan capital programme as determined by Council Annual or Long Term planning processes.

5.2 The new template will focus on:

- (i) Suburban Master Plan capital projects either completed, underway or commencing in the *current* financial year (and not future years as previously reported), to acknowledge Annual or Long Term Plan decisions to defer certain projects;
- (ii) Suburban projects either completed or underway via grant funding, Community Board funding related to the Shape Your Place toolkit, or via the Urban Regeneration capital budget ('Enliven Places');
- (iii) Priority suburban locations for the current financial year. In FY 20/21, these include Linwood Village/Inner City East and any community housing projects within 'Heatmap' priority locations;
- (iv) Other potential suburban regeneration projects and initiatives as these arise and are resourced. The previous Council resolution foresaw potential future work in:
 - Ōtākaro Avon River Corridor: Support localised regeneration planning/initiatives.
 - Linwood Eastgate Key Activity Centre: Lead visioning for improved safety, connectivity and resilience.
 - Bishopdale: Engagement on a future vision and commence legislative processes to address Council land holdings within the centre (subject to progress with any quick wins that can be achieved in the immediate future).
 - Private sector development support in suburban centre master plan areas identified as high priorities on the Regeneration Heatmap, specifically: Sydenham; Lyttelton; New Brighton; and Woolston Village in the Ferry Road Master Plan. This work will include action on vacant sites aligned with the Vacant Sites Programme which is initially focused on the Central City.

5.3 Refocusing the reporting in this way reflects the direction of Council prioritisation decisions, capital budget allocations and the acknowledgement that some master plan centres have substantially regained their function and vitality. There is limited time series data available on centre function, but indications from the data identify that New Brighton remains a clear priority. This centre is now with ChristchurchNZ as part of its Urban Development function. Linwood Village, Sydenham and Lyttelton continue to require targeted regeneration attention – including a focus on vacant sites in future years.

5.4 As a result, reporting will continue for all master plans where warranted but will focus from FY22 on Linwood Village, Lyttelton, New Brighton, Sydenham and Woolston.

Attachments / Ngā Tāpirihanga

No.	Title	Page
A ↓	Suburban Regeneration Biannual Report Dashboard - October 2020 - March 2021	125
B ↓	Sumner Masterplan - P1.1 Street Upgrade Pre-Post Construction Monitoring Results	134

In addition to the attached documents, the following background information is available:

Document Name	Location / File Link
Not applicable	Not applicable

Confirmation of Statutory Compliance / Te Whakatūtutanga ā-Ture

Compliance with Statutory Decision-making Requirements (ss 76 - 81 Local Government Act 2002).

(a) This report contains:

- (i) sufficient information about all reasonably practicable options identified and assessed in terms of their advantages and disadvantages; and
- (ii) adequate consideration of the views and preferences of affected and interested persons bearing in mind any proposed or previous community engagement.

(b) The information reflects the level of significance of the matters covered by the report, as determined in accordance with the Council's significance and engagement policy.

Signatories / Ngā Kaiwaitohu

Authors	Martin Kozinsky - Assistant Planner Carolyn Bonis - Team Leader Urban Regeneration Miranda Charles - Senior Planner Urban Regeneration
Approved By	Carolyn Ingles - Head of Urban Regeneration, Design and Heritage Carolyn Gallagher - Acting General Manager Infrastructure Planning & Regulatory Services

ATTACHMENT A—Suburban Regeneration Biannual Report

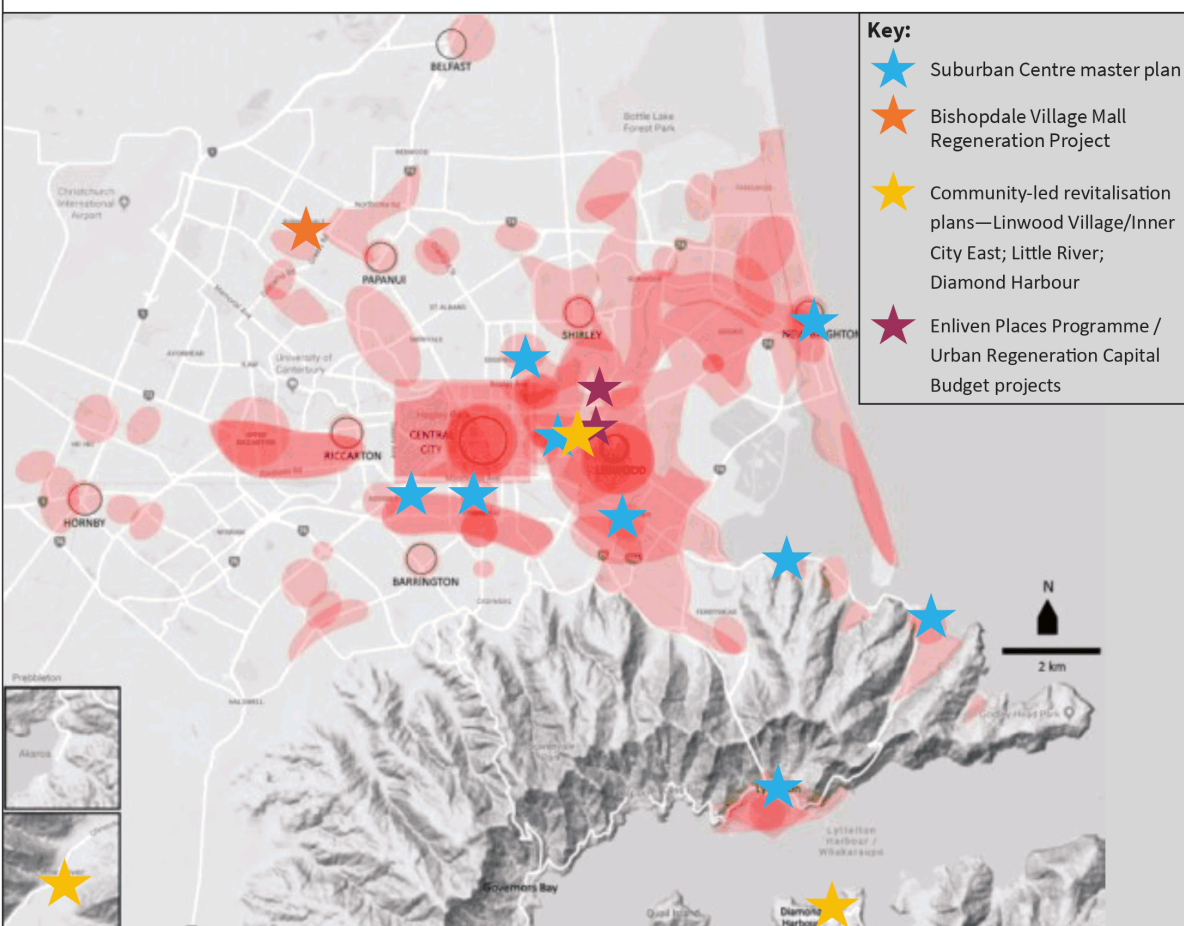
Key Updates for the Period October 2020—March 2021.

The enclosed information highlights project progress made over the past six months. The information is organised spatially and clustered into the following areas: Christchurch North-west, South-west, North-east and South-east and Banks Peninsula. Project updates are provided where relevant, as well as general programme funding information and capital delivery progress for Council-led master plan projects. It should be noted that this report is not a complete view of the Council's regeneration progress. Many other projects that contribute to suburban regeneration outcomes will be reported through other channels. Recent community-led plans are also indicated and updates provided where these are available.

Background: The Suburban Regeneration Programme has evolved over several years following the 2010/2011 Canterbury Earthquakes. From 2011, the programme predominantly consisted of nine 'Suburban Centre Master Plans' and projects supported through the 'Enliven Places Programme' / Urban Regeneration Capital Budget. Other projects have been added in recent years as a result of Council or Community Board resolutions and/or identified opportunities for integrated planning approaches with other agency partners.

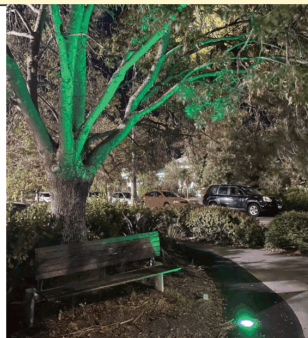

Regeneration Heat Map

The Urban Regeneration Heatmap was initially prepared in 2016, but was updated at the end of 2019 with more recent data on social, economic and environmental factors. The Heatmap provides an overview of regeneration issues and drivers and can guide prioritised areas. The darker colour-hue, the more complex the regeneration issues. The spatial distribution of projects within the Suburban Programme is also shown on the map. The Heatmap was recently endorsed as a key evidential input to determining priority regeneration locations and initiatives for the Council, and other agencies as relevant. Priorities for the current financial year were confirmed as being the Central City, and Linwood Village/Inner City East.



'Liveable City' Community Outcome: sustainable suburban and rural centres

Suburban and rural centres play an important role in providing accessible services for communities and are a focal point for social and economic activity. Well-designed centres are people focused, providing social hubs which meet the needs of the community.

NORTH-WEST QUADRANT	
Bishopdale Village Mall regeneration project — Collaborative	
<p>Progress on the revitalisation of Bishopdale Mall continues, and project staff are:</p> <ul style="list-style-type: none"> Working with anchor tenants on pursuing small-scale expansion opportunities; Working with the Wheels to Wings – Papanui ki Waiwhetū Major Cycleway project team on project alignment; and Identifying via an Investment Case process, opportunities and costs for reconfiguring Council-owned land at the Mall. <p>A limited amount of funding is allocated in later years of the Draft 2021-2031 Long Term Plan, to progress the project. Ongoing progress will be dependent on Council operational and capital funding, and staff will be seeking briefing the Community Board accordingly.</p>	
Edgware Village Master Plan — Council-led	
<p>Following an earlier request by the Community Board, staff have been investigating minor amenity improvement of Edgware Village ahead of the permanent streetscape upgrade (project reference A1). Lighting of the tree near the supermarket was identified as a potential improvement, and a staff memorandum was prepared on options.</p> <p>The project has been progressed with uplighting provided from within the road reserve, and the work is now complete. The installation can be retained in the permanent streetscape upgrade in the future.</p>	
SOUTH-WEST QUADRANT	
Sydenham Master Plan — Council-led	
<p>The design for the Buchan Playground Remodel (N3) has been approved by the Community Board and the project is in the tender and procurement stage. The Sydenham Master Plan identifies the area around Buchan Park as an ideal location for more mixed-use development.</p>	
Selwyn Street Master Plan — Council-led	
<p>The stormwater pipe renewal project at the Brougham Street / Selwyn Street intersection is nearing completion.</p> <p>A new proposal has been advertised for the large vacant site on the corner of Coronation Street and Selwyn Street. The proposal is for a housing development of 29 new homes in a terraced townhouse configuration.</p>	
NORTH-EAST QUADRANT	
Richmond Village 'Enliven Places' Project — Collaborative	
<p>This community placemaking project was achieved in collaboration with The Green Lab. The project focused on highlighting key wayfinding points of community interest in the area, seating and planting. Following the establishment of a Community Steering Committee, community engagement and a design phase, the project is now complete. Community volunteers took a significant delivery role alongside The Green Lab, building local community capacity and stewardship. The Richmond Community Gardeners will manage daily maintenance.</p> <p><i>Parklet corner of Medway and Woodchester, 10 Shirley Road</i></p>	

NORTH-EAST QUADRANT (CONTINUED)

Residential Red Zone 'Enliven Places' Project—Collaborative

This is another community placemaking project completed in collaboration with The Green Lab. The project focused on providing an attractive entranceway to the Ōtakaro Avon River Corridor on Swanns Road, to welcome people and provide a place to meet friends, and to find information about the area.

The Community Steering Committee established to oversee the project participated in a wider community engagement exercise and the design phase. The project is now complete. As for the Richmond Village project (see page 2), volunteers took a significant delivery role alongside The Green Lab, building community capacity and stewardship. A guided walk and celebration event were held on 13 February 2021. The Richmond Community Gardeners will manage daily maintenance.

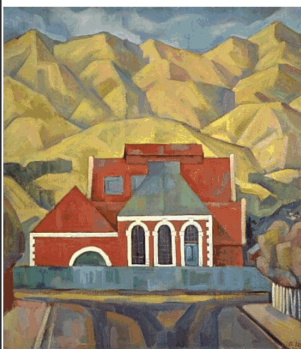
Parklet at 51 Swanns Road



Linwood Village Master Plan — Council-led

Work achieved during this reporting period includes:

- Linwood Village streetscape upgrade (project reference S1): early engagement has commenced on the project;
- Vacant sites—updated information about landowner intentions has been collected;
- Tiny Shops—the Enliven Places Programme continues as a project partner;
- Linwood Community Art Centre—work was finished to repair the floor
- Doris Lusk Reserve—a tidy up effort occurred as part of the Greening the East quick-wins;
- Doris Lusk Reserve sculpture (project reference C1)— seven artists recently submitted proposals for an interactive children's art sculpture. The proposals referenced local community consultation feedback and the history/context of the site. On 3 March, a selection panel chose a design The Pumping Station by Natasha English and Tatyanna Meharry (see image below). The aim is to install the sculpture mid-2021.





Linwood/Inner City East Revitalisation Plan — Community-led

The community-led working group has continued to focus energy into areas of influence. The group meets every two—three weeks. A key success over this period has been the establishment of a multi-agency safety action group. This includes representatives from the community, Crown agencies, the Council, local elected members and MPs.

The group has also contributed to the development of the Greening the East plan in conjunction with the Community Board.

An extension of the unspent Community Resilience and Partnership Funding has been granted to the community-led revitalisation group, to support their continued development of key projects.

Staff from Community Governance and Urban Regeneration continue to provide support to these projects. A key focus for the group and staff is developing a sustainable transition so that the work can continue once the funding is exhausted, and to prepare the next steps associated with this.

NORTH-EAST QUADRANT (CONTINUED)	
New Brighton Master Plan — Collaborative	
<p>Since the completion of He Puna Taimoana there continues to be a marked increase in consumer spend in the suburb of around \$300,000 a month and a 20% increase in spend at cafés, restaurants, bars, and takeaways. It has also been recognised across the industry and has received numerous industry awards.</p> <p>Planning for the future of the Seaview Development, a mixed residential housing development on the former New Brighton School site, has made good progress. Contractors have been on-site to measure and assess the area as final development proposals from interested parties are firmed up. There has been strong interest in the site and ChristchurchNZ expects to confirm a developer soon. Planning also includes work on a community-led arts and community facility for the Roy Stokes Hall.</p> <p>Engagement has commenced with interested parties for the residential development of the Beresford Street sites and there has been strong local interest.</p> <p>Negotiations to enable the Oram Ave extension continue.</p>	
SOUTH-EAST QUADRANT	
Ferry Road Master Plan — Council-led	
<p>Work on the Ferry Road upgrade through Woolston Village (project reference WL1) is continuing. Key milestones achieved are:</p> <ul style="list-style-type: none"> • Completion of the section between St Johns Street and St Annes School. This has included the installation of a new pedestrian crossing, relocated bus stops, new footpath and paving, and new street furniture. • Commissioning of Gateway artworks (Project WL3) • Installation of integrated paving artwork • The majority of streetscape works on the north side of Ferry Road (New World side) will likely be completed by end of March 2021 and the pedestrian crossing relocated to its new location. <p>Heathcote Street Pocket Park and Pedestrian Bridge (project reference WL6)</p> <ul style="list-style-type: none"> • A refined project brief was developed for Connal Reserve and a Council landscape architect has prepared a plan for community engagement. Boundary encroachment issues remain unresolved. <p>Major Cycleway Rapanui Shagrock Section 3 / Tidal View Master Plan</p> <ul style="list-style-type: none"> • The 'Shovel ready' funding bid was successful. • Section 3a (Linwood Canal) is currently underway. • Detailed design is currently underway for other sections, with consenting to commence shortly. • Humphreys Drive carriageway repairs are complete, including minor shoulder widening at various pinch points. • The LED Street lights install project is also complete. • Tidal View Scheme (project reference FM3 and FM4) design is complete and a traffic safety audit is underway. Pre-application engagement is occurring for consent requirements. Key stakeholder conversations underway, including liaison with property owners over vehicle crossing and pedestrian access. Formal community engagement will commence April. 	 <p><i>New paving in Woolston Village</i></p>  <p><i>Construction on the Major Cycleway Rapanui Shagrock</i></p>

SOUTH-EAST QUADRANT (CONTINUED)

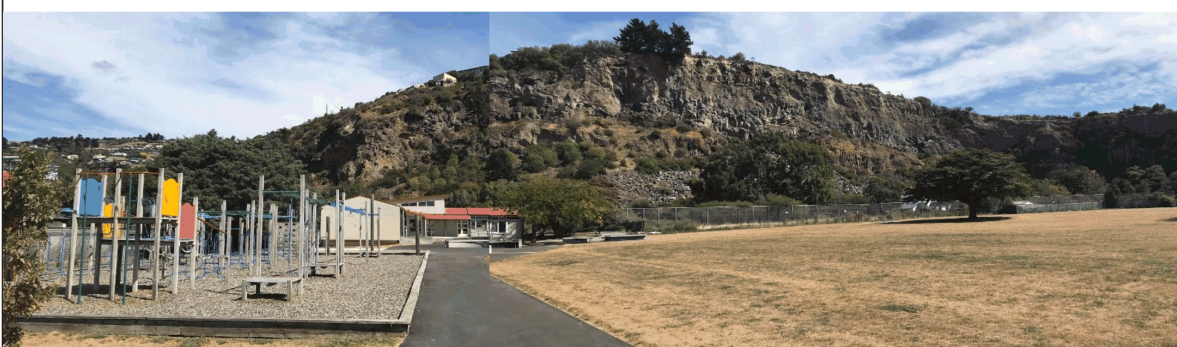
Main Road Master Plan — Council-led

The landscape plan for the Scott Park upgrade (project reference NE2) is currently in the detailed design phase. Market price testing will occur as soon as possible to determine which elements are able to be delivered. Remaining unfunded elements will become part of the Park Unit's future capital and operational planning.

Consultation on the Christchurch Coastal Pathway Moncks Bay section occurred in 2020 and was approved by the Community Board in 2021. This includes Moncks Bay parking and bus stop enhancements (project reference A7). Staff have been working on detailed design and consenting, and a report on reduced vehicle speed limits will soon be presented to Council.

Cultural design research and planning has been occurring for the Main Road area with Matapopore, led by the Parks Visitor Experience Team.

Two sports fields at Te Papa Kura Redcliffs Park are now open. The playground has been refurbished; a new toilet block, drinking fountain, furniture and plants are yet to be added. The Mt Pleasant Pottery Club has also moved into the buildings on the site and classes have once again commenced.



Te Papa Kura Redcliffs Park refurbishment

Sumner Master Plan — Council-led

During the last reporting period (Mar - Sep 2020), staff noted the decommissioning of Te Ao Marama sculpture from the Esplanade.

Monitoring results prepared following a streetscape upgrade through Sumner Village Centre (project reference P1.1) are now available. The purpose of the exercise was to better understand the impact of the streetscape upgrade on people's perceptions and experiences, by undertaking pre and post construction pedestrian counts and surveys; in-person, online and by email. Both residents and visitors were surveyed. The survey results show an overall improvement in people's perceptions of pedestrian safety and 'look and feel' of the centre, as well as time spent there. Residents are particularly positive about the streetscape upgrade, rating new elements such as footpath surfaces and widths, pedestrian crossing points, bus stop locations, street planting, furniture and lighting as either "good" or "extremely good". Pedestrian counts show an increase post-construction, and both residents and visitors tend to describe the centre as "relaxed" and "pleasant".

BANKS PENINSULA

Lyttelton Master Plan — Council-led

Council-led projects:

- The Lyttelton Information Centre has completed its *Heritage, Harbours, Hills* and *Historic Colonial Walk* brochures, to inform visitors to Whakaraupō-Lyttelton Harbour and Lyttelton.
- A pedestrian connection from Voelas Road across Godley Quay to Te Ana Marina was completed by the Council, in accordance with in the Lyttelton Port Recovery Plan.
- Work continues on the repair of Council-owned retaining walls within the town (currently at the junction of Coleridge and Dublin Streets), with re-facing work using the distinctive red rock found locally.
- Reinstatement of the paving along the frontage of the site occupied by the former Lyttelton Service Centre (33–35 London Street) was completed in November.



Repaving on London Street



The Loons has reopened




Repairs underway on Kilwinning Lodge

Lyttelton Port Company-led projects:

- Norwich Quay along Sutton Quay to Te Ana Marina, currently open to cars, has been made available to pedestrians by Lyttelton Port Company. This now provides an improved off-road connection to the marina.
- A small historic lighthouse has now been re-installed by the Lyttelton Port Company in its original location, at the end of the eastern harbour pier close to the new International Passenger Ship Terminal (now completed). The work follows the repair of earthquake damage to both the pier and the lighthouse.

Community-led projects:

- The Lyttelton Historical Museum Society continues to refine its design, to reflect urban design feedback. The Society's formal fundraising campaign was launched on 21 February.
- A newly established community-led Trust took over the activation and on-going running of the underutilised Lyttelton Recreation Centre in October in a 'first of its kind' partnership between the Council and a community organisation.
- The Naval Point - Te Nukutai o Tapoa Development Plan was approved by the Banks Peninsula Community Board on 30 November 2020. The plan was developed in partnership with Te Rūnanga o Ngāi Tahu/Te Hapū o Ngāti Wheke and anticipates the expression of cultural features across the site.
- The Loons has reopened as a live music and performance venue.
- The Tug Lyttelton has resumed regular Sunday public and private charters, made possible by a Council Heritage Incentive Grant.
- Work has begun to repair and upgrade Kilwinning Lodge at 26 Canterbury Street, the former Masonic lodge and home of artist Bill Hammond, supported by a Heritage Incentive Grant from the Council. Once completed, the building will be used as office accommodation by the new owner, a local structural engineering company.
- Repairs and maintenance of two heritage dwellings visible from the town centre (at Ticehurst Road and Cunningham Terrace) have also been completed with support from Heritage Incentive Grants.

COUNCIL-LED CAPITAL PROJECT MASTER PLAN ACTIONS — completion status since plans adopted											
Progress spectrum — The table below shows the percentage of Council-led master plan capital projects that are completed, commenced, ongoing, yet to be started or discontinued.											
Other master plan projects (e.g. Council-led operational projects or projects to be delivered by land and business owners and/or community groups) are not shown. Note: individual master plans do not all have the same number of Council-led capital projects.											
KEY	Not started		Commenced		Completed		Ongoing		Discontinued		
Master Plan											
New Brighton	60%					20%		10%		10%	
Sumner Village	71%						7%	21%			
Sydenham	71%						29%				
Ferry Road	43%				43%				14%		
Edgeware Village	75%						25%				
Linwood Village	67%					33%					
Main Road	31%			31%			38%				
Selwyn Street	50%					50%					
Lyttelton	7%	7%	57%						7%	7%	
COUNCIL-LED CAPITAL PROJECTS MASTER PLAN ACTIONS — budget allocations											
Master Plan capital delivery programme: The table below shows Annual/Long Term Plan capital budget allocations for the nine suburban master plans to the current FY20-21. Note: Change requests are approved throughout the year, and ‘live figures’ may differ from those shown below. Future budget allocations will be approved in the next Long Term Plan.											
Master Plan	FY18/19			FY19/20			FY20/21				
New Brighton	\$1,888K			\$2,195K			\$2,962K				
Sumner Village	\$1,536K			\$1,552K			\$100k				
Sydenham	0			0			\$261K				
Ferry Road	\$825K			\$1,684M			\$918K				
Edgeware Village	\$9,830K			0			0				
Linwood Village	0			\$52K			0				
Main Road	\$43K			\$389K			\$80K				
Selwyn Street	\$18K			\$116K			\$0K				
Lyttelton	\$14K			\$148K			\$111K				
											

BUDGET OVERVIEW - Enliven Places Programme

Enliven Places Programme:

This programme supports regeneration by encouraging and supporting the community to deliver projects and events that enliven and transform places to leave a lasting legacy. For more information: ccc.govt.nz/enliven-places-programme.

Enliven Place Projects Fund: Contestable grant funding that supports community-led projects to temporarily enliven Christchurch's vacant spaces. No funds were allocated during this period. For more information, see ccc.govt.nz/enliven-places-funding.

Enliven Places Grant Funding, City-Making partners: Gap Filler, The Green Lab (previously Greening the Rubble) Life in Vacant Spaces (LiVS) and the Central City Business Association (CCBA) have been supported with grant funding of \$90,000 each. Collectively, they support regeneration outcomes and the Council's Strategic Priorities – particularly Resilient communities and Liveable City – and the Enliven Places Aims.

The Green Lab. More than half of The Green Lab's work supports suburban areas, aligning with their mahi to support strong social connection and wellbeing. The Green Lab works closely with communities to enable capacity building and continues to support previous projects Riverlution, Riverbend Refuge (Richmond), the Phillipstown Community Hub and the Hornby Community Centre. In this reporting period The Green Lab started a community co-design project in Mairehau, collaborating with the Whānau Centre, which is run by the Neighbourhood Trust. Outside of their Grant Funding Agreement, The Green Lab delivered two placemaking projects as detailed on Page 2 and 3 of this report.

Life in Vacant Spaces. Around 43% of Life in Vacant Spaces' (LiVS) sites have been in support of suburban areas over this period. LiVS continued its support from previous reporting periods at Hassals Lane (Waltham), Tiny Shops (Linwood), Collett's Corner (Lyttelton), the Old School and Common Ground (New Brighton). LiVS signed a new licence agreement for a space in Mairehau to support The Green Lab's collaboration with the local Neighbourhood Trust, and in Lyttelton's Red Zone to support a community-led memorial garden. LiVS continues to seek ongoing activations for the sites that currently host projects like the Art-O-Mat (a CCC collaboration), the Pump Track and Common Ground in New Brighton. Outside their CCC grant funding, LiVS continues their agreement with LINZ in the Residential Red Zone and has recently installed a Learn to Ride Cycle Track with the support of CityCare and new community BBQ space.





Learn to Ride Cycle Track in the Residential Red Zone

Enliven Places Rates Incentive for Property Owners: supporting suburban property owners who allow their vacant sites (interior or exterior) to be used for temporary activations. For more information, www.ccc.govt.nz/rates-incentive

Within this reporting period \$3,728 has been allocated for suburban sites from the city-wide budget of \$40,000. Three sites continue in suburban areas: Lyttelton (Collett's Corner), Linwood (Tiny Shops), Southshore / New Brighton (Common Ground, pictured).

One new site as been added in Mairehau.



BUDGET OVERVIEW (CONTINUED)	
Enliven Places Programme capital budget: The programme has capital budget to deliver new short term capital assets.	
Two projects underway in suburban areas of Richmond and Ōtakaro Avon River Corridor. Refer to pages 2 and 3 of this report.	
Shape Your Place Toolkit-related funding: This budget is part of Community Boards' Discretionary Response Funds and is available to support local community-led placemaking projects. For more information, see ccc.govt.nz/shape-your-place .	
<p>Linwood-Central-Heathcote Community Board:</p> <ul style="list-style-type: none"> Te Whare Roimata received \$1,000 towards the cost of consultant assistance with developing a strategic plan for the Smith Street Community Garden, which is going through a reorientation. <p>Banks Peninsula Community Board:</p> <ul style="list-style-type: none"> The Little River Railway Station Trust received \$2,875 towards architect's design plans for the front entrance doors to the Little River Railway Station, which is a community-run heritage building. <p>There has been no expenditure by the Spreydon-Cashmere, Halswell-Hornby-Riccarton, Fendalton-Waimairi-Harewood, Coastal-Burwood and Papanui-Innes Community Boards.</p> <p>A now-realised project, previously the recipient of Shape Your Place Toolkit funding, is activation of the old Bishopdale Library site.</p>	
	

SUMNER MASTER PLAN – ‘P1.1’ MARRINER – WAKEFIELD STREET UPGRADE PRE AND POST-CONSTRUCTION SURVEY RESULTS

The first street upgrade project from the Council adopted Sumner Village Centre Master Plan (project reference ‘P1.1’) was delivered in October 2019. The upgrade extends from the Sumner Surf Life Saving Club on Marriner Street along Wakefield Ave and east onto Nayland Street, finishing opposite Sumner Mall.

This document presents results of results involving field surveys, email and online surveys, which took place roughly twelve months apart – before and after construction of the street upgrade.

The purpose of the surveys was (i) to better to understand whether the upgrade made a positive difference to users’ experience of the shopping centre and (ii) glean information which could potentially be used to inform the design and delivery of similar projects in the future.

METHODOLOGY

The pre-upgrade surveys were in field over the summer of 2018/19 and the post-upgrade surveys were in field over the summer of 2019/20.

A field survey was undertaken onsite (at the Sumner shopping centre) for both residents and visitors. Surveys were also distributed online and via email for Sumner residents.

Slightly more respondents completed the post-upgrade surveys, when compared with the number of respondents who completed the pre-upgrade surveys.

Number of respondents per survey:

Sumner <u>pre</u> -upgrade survey for residents or visitors (<u>online and email</u>):	51
Sumner <u>pre</u> -upgrade survey for residents or visitors (<u>onsite</u>):	169
Total:	220
Sumner <u>post</u> -upgrade survey for residents or visitors (<u>online and email</u>):	74
Sumner <u>post</u> -upgrade survey for residents or visitors (<u>onsite</u>):	157
Total:	231

Refer to Appendix 1 for a copy of the questionnaires.

OVERALL RESULTS

Overall, the street upgrade through Sumner Village Centre has resulted in an improvement in people’s feelings of safety as a pedestrian and enhanced the look and feel of the centre, encouraging people to spend more time there.

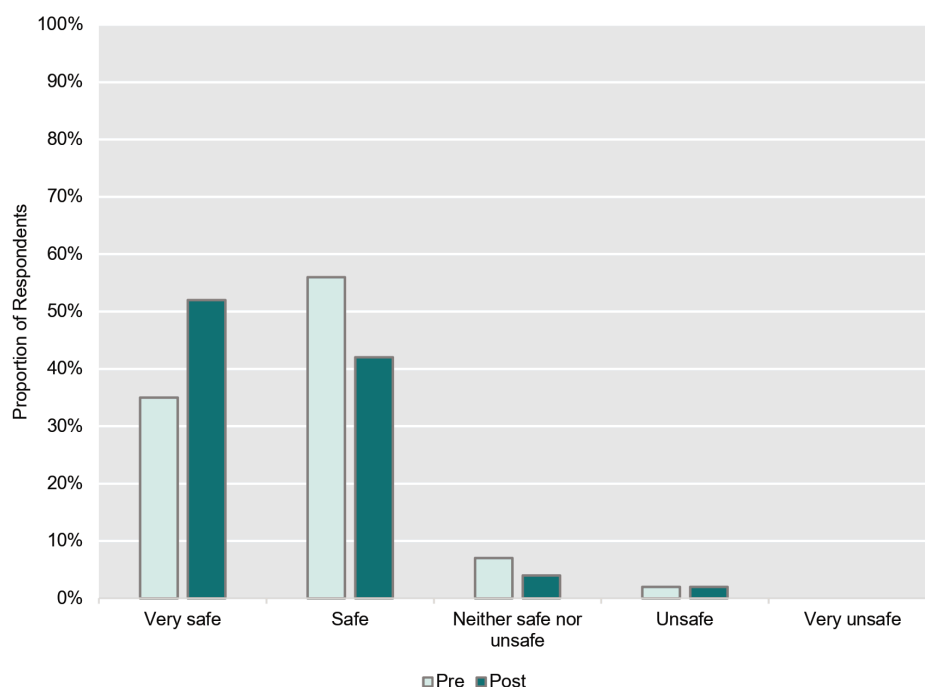
Residents are particularly positive about the streetscape improvements. When asked about different elements of the street upgrades, the majority of respondents generally rated footpath surfaces and widths, new bus stop location, pedestrian crossing points, and street furniture etcetera as either ‘good’ or ‘extremely good’.

While some respondents reported traffic safety issues post-upgrade, many of issues relate to driver behaviour rather than the street layout, e.g. drivers not adhering to the 30km/h speed limit or failing to stop at pedestrian crossings.

KEY RESULTS – VISITORS

Visitor survey results overview: Post-upgrade, visitors reported that they feel safer walking in Sumner Village than pre-upgrade and agreed in greater numbers that the Village is an appealing place to spend time (a 21% increase). Post-upgrade, visitors reported that they are visiting the centre more frequently and feel safer walking than pre-upgrade. The usual mode of transport to the centre by visitors is still by car, and the use of other modes (i.e. walking, cycling, and public transport) does not appear to have increased post-upgrade.

Perceptions of pedestrian safety: Graph 1 shows that perceptions of pedestrian safety has improved post-upgrade. 52% of respondents say they feel very safe as a pedestrian post-upgrade, with a further 42% who feel safe. This is a significant improvement.

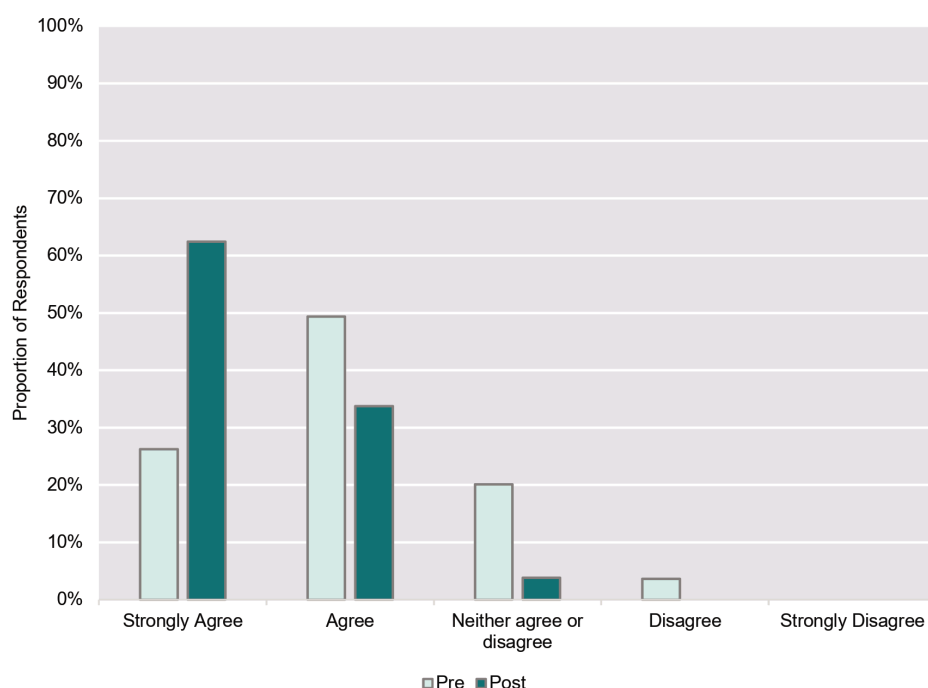


Graph 1: As a pedestrian, how safe do you feel walking around the shopping centre?

The qualitative survey responses provide insight into the perceptions of safety. Most of the comments concerning an unsafe environment after the street upgrade are said to be because of people's driving behaviour.

- “Very good. But the pedestrian crossing outside the library is still unsafe. Drivers don’t see me, even if I’m halfway over the crossing, and still drive right through”.
- “New crossing is good, people aren’t obeying new 30km/hr speed, dangerous around corner still”.
- “Improvements have made it safer, still not entirely safe, people going too fast or not seeing crossing”.

Appealing place to spend time: Prior to the upgrade, 75% of respondents agreed or strongly agreed that the Sumner village centre was an appealing place to spend time. This increased significantly post-upgrade with 96% of respondents agreeing or strongly agreeing that the Sumner village centre is an appealing place to spend time (Graph 2).



Graph 2: Overall, how much do you agree or disagree that the look and feel of the Sumner shopping centre makes it an appealing place to spend time?

The qualitative survey responses provide further insight for these results.

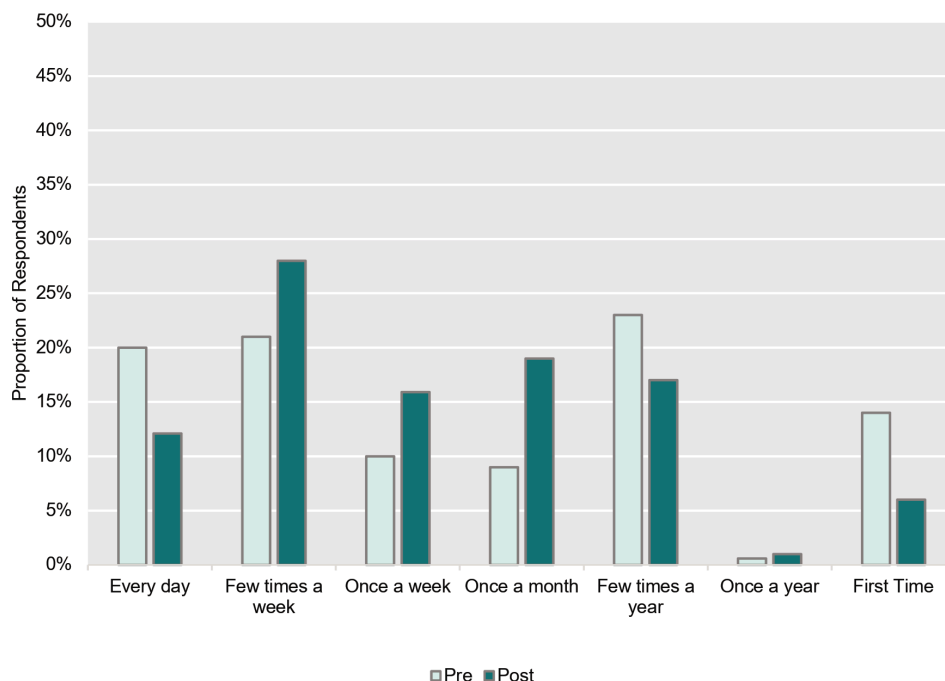
- “Easier to cross road, safer for kids and families”
- “It’s got a nice feel, the streets look very nice”
- “It’s very nice, wide footpaths. Very clean. I like the new wooden benches”
- “Market-like, beautiful”

Sumner in words: The most common words used by visitors to describe the Sumner village centre were:

- Relaxed (18%)
- Vibrant (11%)

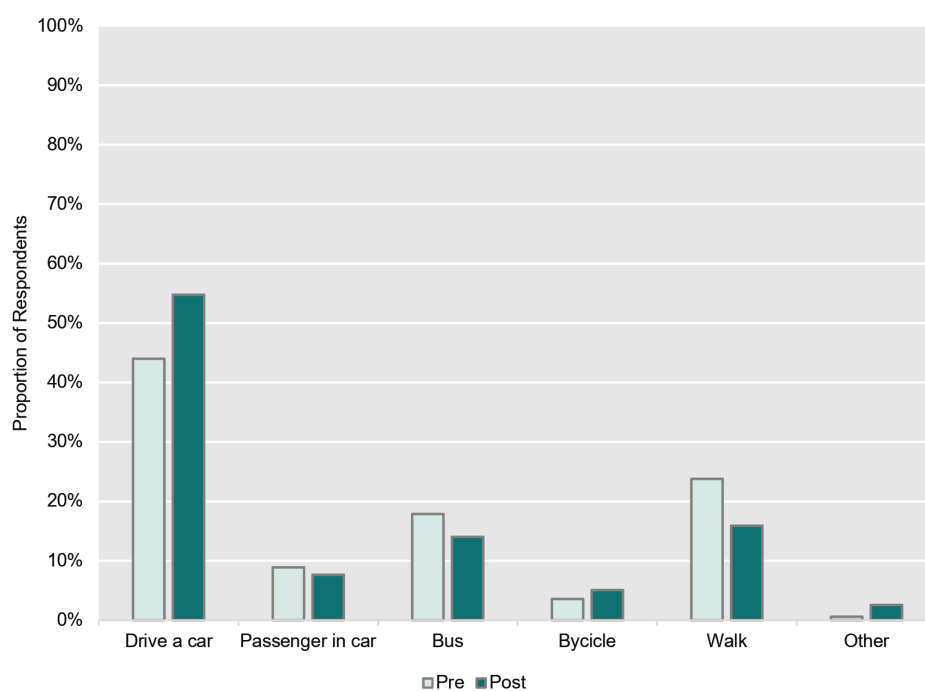
- Pleasant (10%)
- Other (38%) – the majority of these words were positive, with many respondents describing Sumner as beautiful and quiet.

Frequency of visits: Respondents are visiting Sumner more frequently than prior to the upgrade, with 56% saying that they visit at least once a week or more, up from 51% pre-upgrade (Graph 3).



Graph 3: How often do you visit Sumner?

Usual transport mode: Post-upgrade has seen an increase in visitors who travelled to Sumner by car, from 44% pre-upgrade, to 55% post-upgrade (Graph 4). Passengers in cars, travelling by bus and walking have all seen a slight decrease post-upgrade.

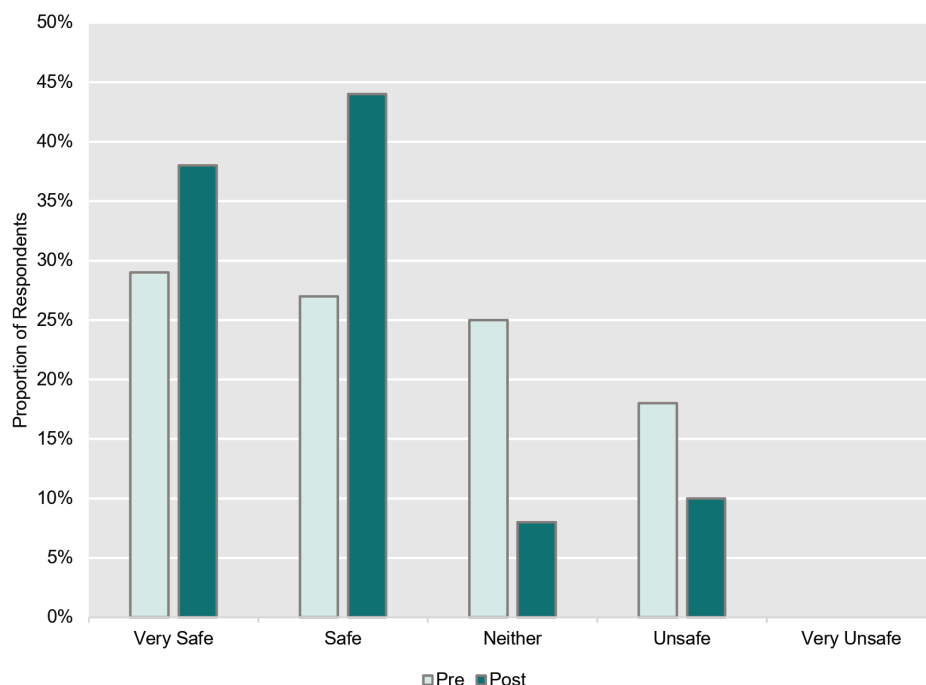


Graph 4: How do you usually travel to Sumner?

KEY RESULTS – RESIDENTS

Overview results of residents' survey: Post-upgrade, residents reported increased their sense of safety and in their pedestrian experiences in Sumner Village. There has also been a significant increase in residents that agree the village centre is an appealing place to spend time (a 56% increase). The majority of respondents think the new footpath surfaces and widths, and the street furniture and cycle infrastructure all good or extremely good. The usual mode of transport by residents visiting the centre is still by car, although – like visitors – residents also use other modes to visit the centre e.g. walking, cycling and public transport.

Perceptions of pedestrian safety: Graph 5 shows that Sumner residents' perceptions of safety significantly increased post-street upgrade. Prior to the upgrade 56% of people felt safe or very safe as a pedestrian in the Sumner centre, this increased to 82% post-upgrade. Following the upgrade, 10% of respondents reported feeling unsafe, a decrease from 18% pre-upgrade.

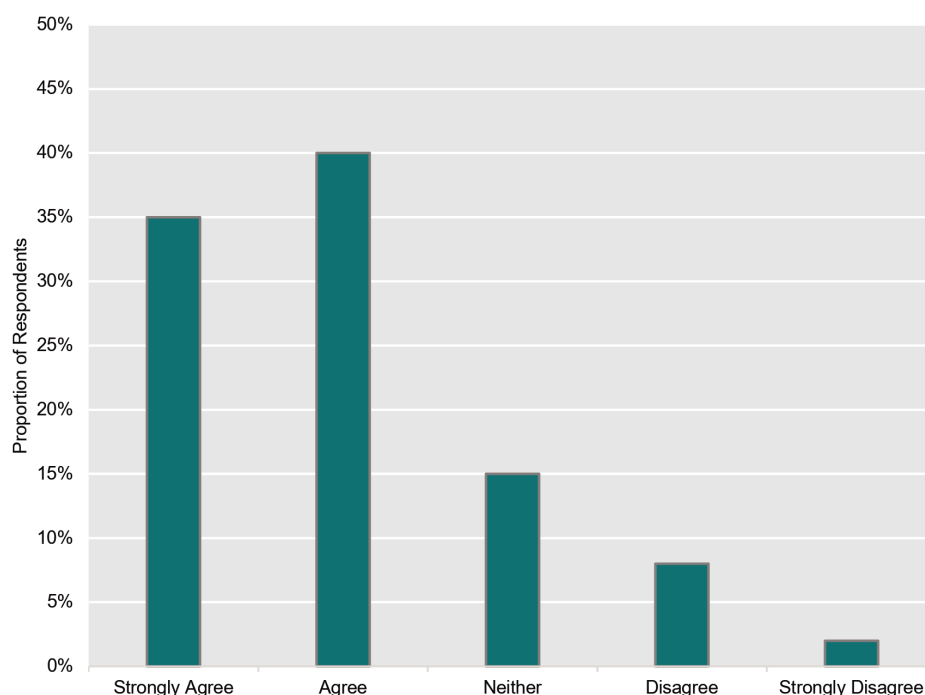


Graph 5: As a pedestrian, how safe do you feel when walking around Sumner centre?

The qualitative survey responses provide further insight and demonstrate people's different perceptions.

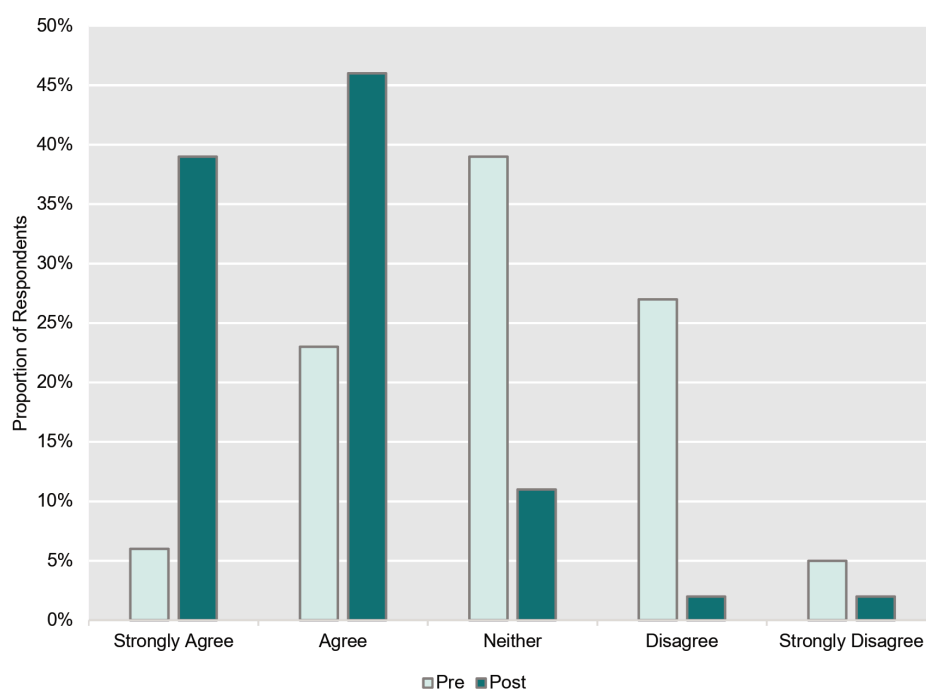
- *"There is a need for a safe pedestrian crossing on Nayland St opposite the Supermarket. There used to be a traffic island so you could stop halfway across that has been removed – this is a popular crossing spot especially with children and it is now very dangerous for pedestrians".*
- *"Slower traffic regulation is good"*
- *"Massive improvement in perceived safety since the traffic slowed down thanks"*
- *"I love the 30km/hr speed limit though, it seems to be working pretty well with most people sticking to it"*
- *"I wonder if having a centre line on the paved roading by Coffee Culture would be helpful as I often see cars going wider than their part of the road. Otherwise, fantastic job"*

Pedestrian experience: 75% of respondents say that the street upgrade has improved their pedestrian experience in the village centre, with 10% who disagree or strongly disagree (Graph 6).



Graph 6: How much do you agree or disagree that the upgrades have improved your experience as a pedestrian?

Appealing place to spend time: Overall, residents agreed that the look and feel of Sumner village centre is an appealing place to spend time. Prior to the upgrade, 29% of residents thought that Sumner centre was an appealing place to spend time, significantly increasing to 85% post-upgrade (Graph 7).

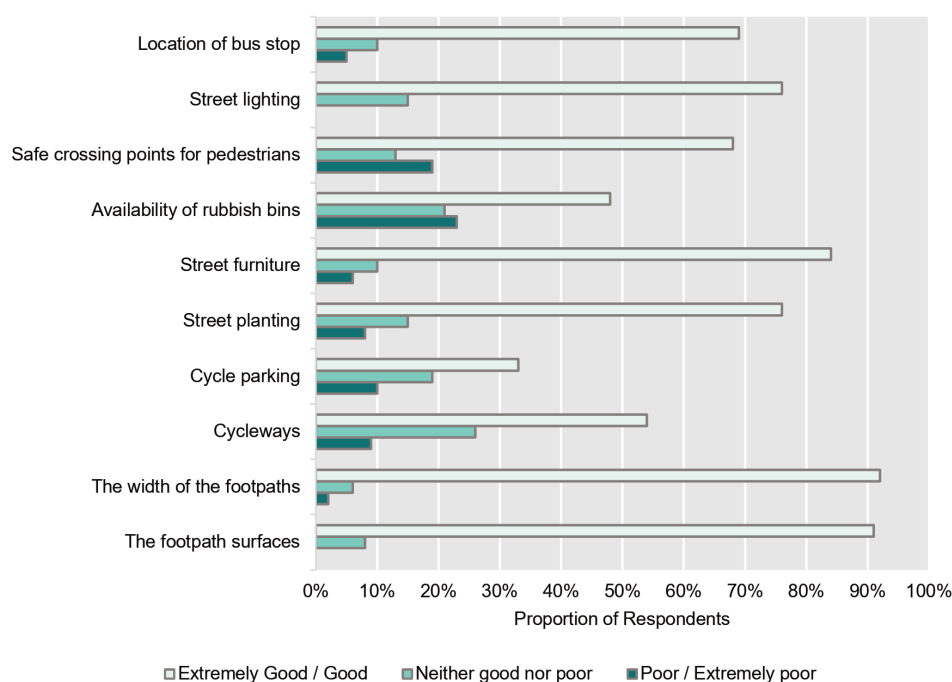


Graph 7: How much do you agree or disagree that the look and feel of Sumner shopping centre is an appealing place to spend time?

The qualitative survey responses of residents provide further insights:

- “Some of the bike riders ride faster than 30k through the village”
- “Way too many pointless white poles on the corners of Burgess St & Marriner St & Marriner & Wakefield”
- “The flowers on the Nayland Street entrance and exit are lovely, however bad parking ruins the trip to Sumner Village. I will not stop using my car, just because this council is anti-car and wants to make it difficult to park”
- “Looks fabulous and very functional”
- “It feels sterile”
- “It is now at time tricky to get a park – particularly on Marriner St and Wakefield Ave”

Street furniture and street elements: As can be seen in Graph 8 below, the large majority of respondents think the footpath surfaces, the width of footpaths and street lighting are all good or extremely good. In particular, street furniture saw a significant improvement, from 65% who said this was poor or extremely poor pre-upgrade, to 84% who say the street furniture is good or extremely good post-upgrade. The availability of cycle parking saw a slight improvement, from 51% saying it was poor/very poor pre-upgrade, to 33% saying it was extremely good or good, and only 9% saying it is poor/very poor post-upgrade. Fewer respondents were satisfied with the availability of rubbish bins, with 19% who thought this was poor or extremely poor.

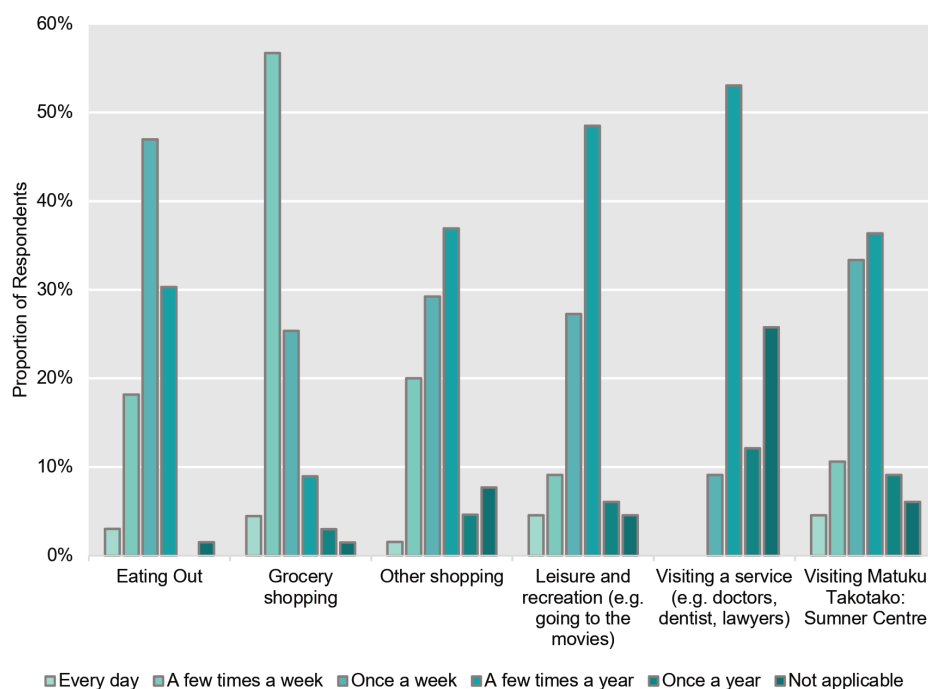


Graph 8: How would you rate the quality of the following aspects of the Sumner shopping centre streetscape?

Sumner in words: The most common words used by residents to describe the village centre was:

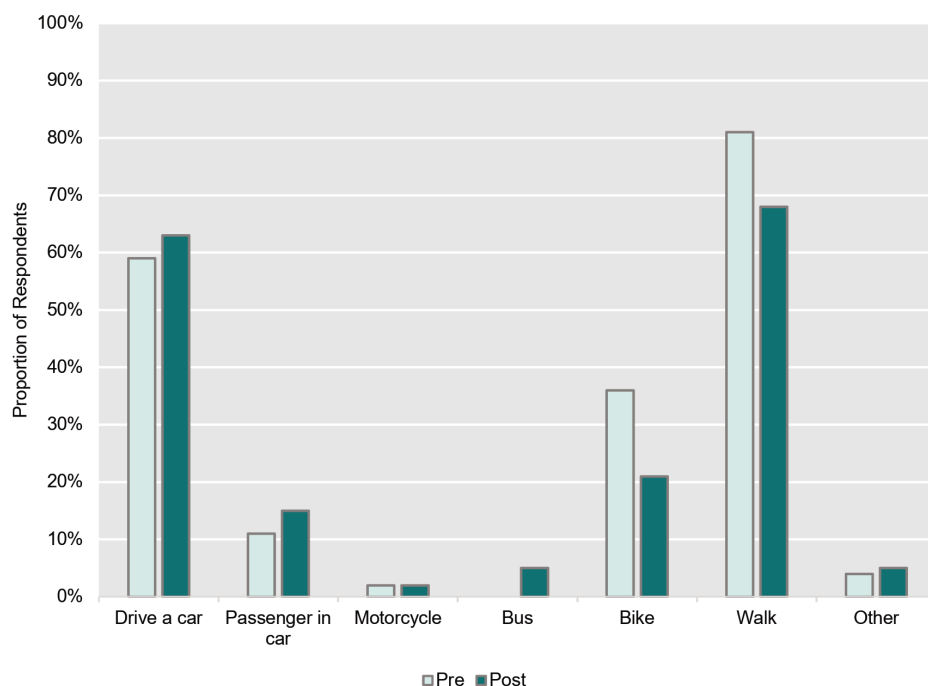
- Pleasant (55%)
- Relaxed (52%)
- Friendly (48%)

Frequency of visits: Nearly 70% of Sumner residents visit the grocery shop a few times a week, while 47% will visit the Sumner village centre once a week to eat out. 33% visit Matuku Takotako: Sumner Centre once a week (Graph 9).



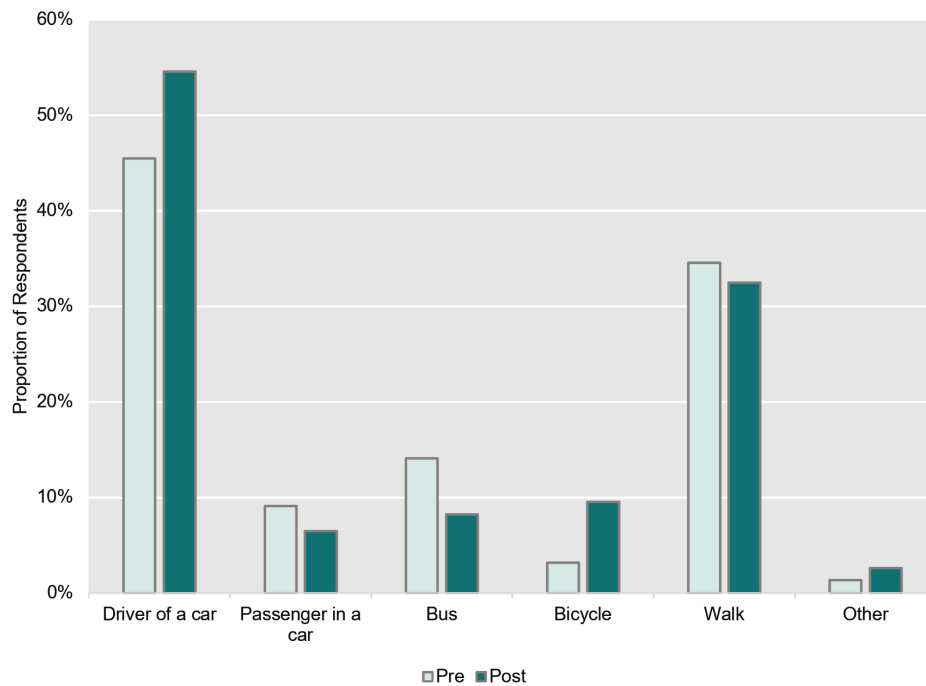
Graph 9: How often do you visit the Sumner shopping centre for the following activities?

Usual transport mode: Graph 10 shows that post-upgrade Sumner residents reported travelling to the village centre more often by car (63%) than pre-upgrade, with a decrease in those walking to the centre. There was also a decrease in biking, from 36% pre-upgrade, to 21% post-upgrade.



Graph 10: How do you usually travel to the Sumner shopping centre?

Combined transport choices for both residents and visitors: Graph 11 shows the combined results for transport choices by residents and visitors. The proportion of respondents who reported usually driving to the Sumner centre increased post-construction, to 55%. The proportion of those who report usually biking also saw an increase, from 3% pre-construction, to 10% post-construction.



Graph 11: How do you usually travel to the Sumner Shopping Centre?

**SUMNER MASTER PLAN – ‘P1.1’ MARRINER – WAKEFIELD STREET UPGRADE
PRE AND POST-CONSTRUCTION PEDESTRIAN COUNT RESULTS**

The first street upgrade project from the Council adopted Sumner Village Centre Master Plan (project reference ‘P1.1’) was delivered in October 2019. The upgrade extends from the Sumner Surf Life Saving Club on Marriner Street along Wakefield Ave and east onto Nayland Street, finishing opposite Sumner Mall.

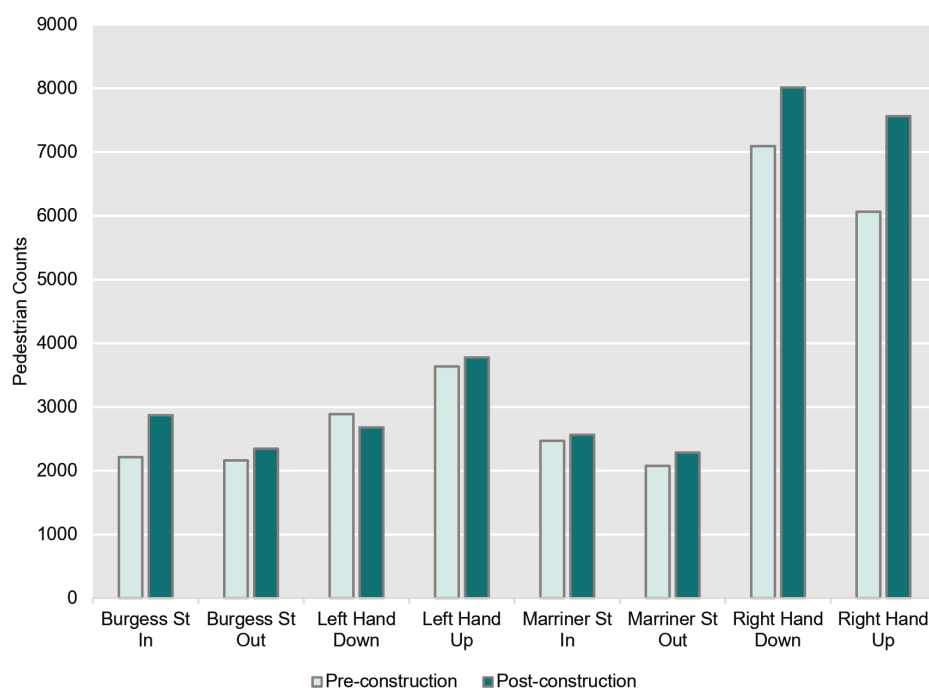
This document presents pedestrian counts which were monitored for a period of approximately three months before and after construction of the streetscape upgrade, which was completed in early October 2019.

The pedestrian counts are to be analysed alongside results from a pre and post-construction survey (in person, online and email survey). The purpose of these surveys is to (i) better to understand whether the upgrade made a positive difference to users’ experience of the shopping centre and (ii) glean information which could potentially be used to inform the design and delivery of similar projects in the future.

RESULTS

The pedestrian counts run from the 14th February 2019 to the 14th April 2019 (pre-construction), and the 1st October 2019 to the 7th December 2019 (post-construction).

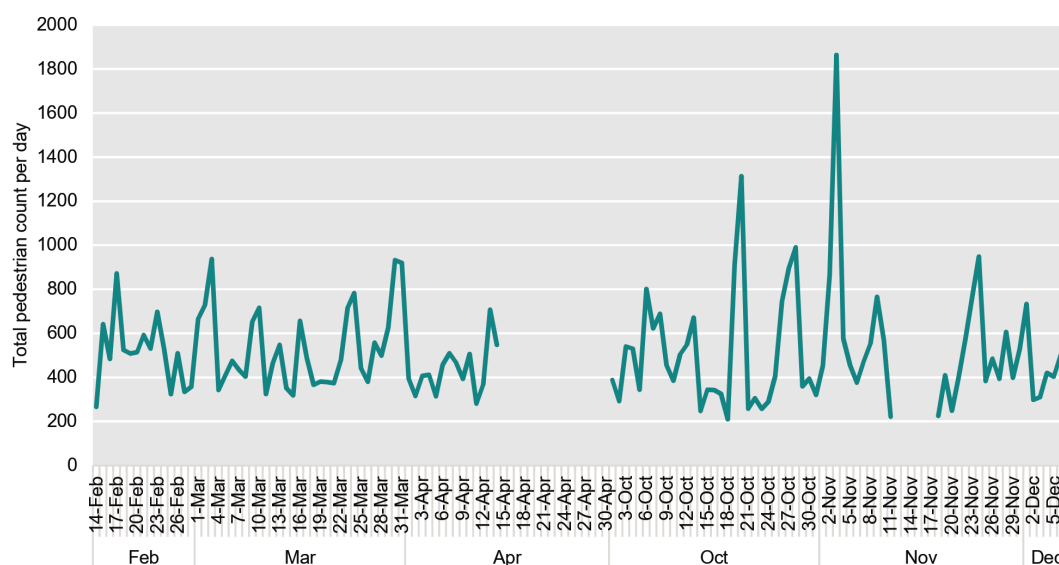
The total pedestrian counts post and pre-construction increased, particularly ‘Right Hand Down’ and ‘Right Hand Up’, an increase of 13%, and 25% respectively.



Graph 1: Total pedestrian counts per site in Sumner, pre and post-construction

Note the spike in pedestrian counts on the 3rd of November was likely due to temperatures reaching 31 degrees.

Also note that there is missing data from the 11th of November to the 18th November due to a technical fault.



Graph 2: Total pedestrian counts across all sites in Sumner, pre and post-construction

14. Physical Recreation and Sport Strategy Update

Reference / Te Tohutoro: 20/385091

Report of / Te Pou	Lizzy Farthing, Recreation & Sport Planner, Elizabeth.Farthing@ccc.govt.nz
Matua:	Nigel Cox, Head of Recreation, Sports & Events, Nigel.Cox@ccc.govt.nz
General Manager / Pouwhakarae:	Mary Richardson, GM Citizens & Community Mary.Richardson@ccc.govt.nz

1. Brief Summary

- 1.1 The purpose of this report is to update the Sustainability and Community Resilience Committee on the Physical Recreation and Sport Strategy, 2002 and seek endorsement on the development of an action plan.
- 1.2 In 2002, the Christchurch City Council (the Council) developed the Physical Recreation and Sport Strategy. The strategy was prepared to help organisations involved in physical recreation and sport to move in a common direction.
- 1.3 The provision of recreation and sport is a key activity in helping communities become stronger and more resilient. Recreation and Sport is enjoyable, helps to build pride as we compete and celebrate success and strengthens cultural identity as we interact with others. It is well acknowledged that the benefits of Recreation and Sport go beyond physical health.
- 1.4 Recreation and sport holds significance across a wide range of Christchurch City Council strategies and external frameworks. This is shown through 'attachment A' where direct links have been highlighted between the goals and objectives of the Physical Recreation and Sport Strategy, 2002 and other Christchurch City Council strategies and external frameworks.
- 1.5 The Physical Recreation and Sport Strategy is identified in the forward work programme to be reviewed. While there remains a long term need to review the 2002 document, in the current environment it is the recommendation that focus is placed on developing partnerships, the implementation of initiatives and that an action plan is developed.
- 1.6 The purpose of the action plan is to draw from the direction in the current physical recreation and sport strategy, other relevant Council strategies and external frameworks to highlight the areas of focus for the Recreation, Sports and Events Unit and Council over the next three year period, identifying both current and future initiatives.
- 1.7 Collaboration with key stakeholders and partnering will be important in the development of the action plan, ensuring initiatives are aligned as a city we continue to move forward together.

2. Officer Recommendations / Ngā Tūtohu

That the Sustainability and Community Resilience Committee:

1. Endorse the recommendation to retain the Physical Recreation and Sport Strategy, 2002 and for the Recreation, Sport and Events Unit to develop a three year action plan, focusing on delivering against the strategic direction of the Physical Recreation and Sport Strategy, other guiding Council strategies and external frameworks.

2. Support the Recreation, Sport and Events Unit to collaborate with key stakeholders and partner in the development of the action plan.

Attachments / Ngā Tāpirihanga

No.	Title	Page
A ↓	Physical Recreation and Sport Strategy - alignment to Council strategies	149

In addition to the attached documents, the following background information is available:

Document Name	Location / File Link
Physical Recreation and Sport Strategy, 2002	https://ccc.govt.nz/the-council/plans-strategies-policies-and-bylaws/strategies/physical-recreation-and-sport-strategy/

Confirmation of Statutory Compliance / Te Whakatūturutanga ā-Ture

Compliance with Statutory Decision-making Requirements (ss 76 - 81 Local Government Act 2002).

(a) This report contains:

- (i) sufficient information about all reasonably practicable options identified and assessed in terms of their advantages and disadvantages; and
- (ii) adequate consideration of the views and preferences of affected and interested persons bearing in mind any proposed or previous community engagement.

(b) The information reflects the level of significance of the matters covered by the report, as determined in accordance with the Council's significance and engagement policy.

Signatories / Ngā Kaiwaitohu

Authors	Lizzie Farthing - Recreation & Sports Planner Nigel Cox - Head of Recreation, Sports & Events
Approved By	Mary Richardson - General Manager Citizens & Community

Christchurch City Council – Developing Resilience in the 21 st Century. Ōtautahi – Christchurch is a city of opportunity for all							External Framework Guiding RSE
<p>Public Open Space Strategy 2010-2040</p> <p>Goals</p> <ol style="list-style-type: none">1) Provide an accessible, and equitably distributed, multi-use open space network whilst protecting natural, cultural and heritage values.2) Ensure public open space is diverse, interesting, and promotes local and district identity.3) Encourage community awareness and support and develop partnerships for open space provision, development and maintenance.4) Ensure open space provision and management is sustainable.	<p>Multicultural Strategy 2017-2021</p> <p>Goals</p> <ol style="list-style-type: none">1) The Christchurch City Council is an inclusive and diverse organisation which reflects, understands and responds to the diversity of individuals and communities it serves.2) All communities have equitable access to Council services and resources.3) All residents are able to participate in Council decision-making.4) Christchurch is a city of cultural vibrancy, diversity, inclusion and connection.	<p>Strengthening Communities Strategy</p> <p>Goals</p> <ol style="list-style-type: none">1) Understand and document communities' trends, issues and imperatives2) Promote collaboration among key stakeholders including government agencies, community and voluntary organisations, iwi and Māori, to identify and address Community issues3) Enhance engagement and participation in local decision making4) Help build and sustain a sense of local community5) Ensure that communities have access to community facilities that meet their needs6) Increase participation in community recreation and sport programmes and events7) Enhance the safety of communities and neighbourhoods8) Improve basic life skills so that all residents can participate fully in society.	<p>Christchurch Transport Strategic Plan 2012-2042</p> <p>Goals</p> <ol style="list-style-type: none">1) Improve access and choice2) Create safe, healthy and liveable communities3) Support economic vitality4) Create opportunities for environmental enhancements	<p>Events Policy Framework</p> <p>Goals</p> <ol style="list-style-type: none">1) A well balanced and co-ordinated calendar of events to create a more vibrant place year round2) A variety of events are accessible for residents and visitors3) A range of socially inclusive events reflect the diversity of people and communities in Christchurch and assist in the city's regeneration4) Christchurch enhances its reputation as an events friendly city5) Leverage and legacy opportunities are identified and taken when hosting events in Christchurch6) All events promote one or more of the Council's community outcomes7) A number of major events attract visitors to the city and boost the economy8) To encourage local talent to emerge and thrive in Christchurch9) Events are environmentally sustainable with efficient use of resources, financially viable, minimise any negative impacts on neighbourhoods, universally accessible, support healthy lifestyles, promote the use of public, active and shared transport.	<p>Physical Recreation and Sport Strategy</p> <p>Goals</p> <ol style="list-style-type: none">1. Facilities and Environment: a safe physical environment that encourages participation in recreation and sport.2. Availability and Accessibility: a wide range of physical recreation and sport activities that are made available to all citizen of Christchurch and beyond.3. Motivation and Awareness: a public that is aware of physical recreation and sport activities and motivated to take part.4. Effective Providers: physical recreation and sport providers are effective and working together in a co-ordinated manner.5. Promising and Talented Performers: promising and talented participants who are nurtured and given the opportunity to maximise their potential.6. Funding: major funding bodies that are co-ordinated and aligned to the physical recreation and sport strategy.	<p>Strategies that guide the Recreation, Sport and Events Unit</p>	<p>Game Plan</p> <p>Framework</p> <ol style="list-style-type: none">a) Partnerships: inclusion doesn't happen in isolationb) Communication: communication, both internal and external, is integral to the success of any organisation's inclusion journeyc) Access: make it easy and enjoyable to take partd) Attitude: actively focus on increasing inclusione) Choice: provide ways for everyone to participatef) Policy: provide clear direction and guidelines for everyone
							<p>Sport NZ</p> <p>Purpose: To contribute to the wellbeing of everybody in Aotearoa New Zealand by leading an enriching and inspiring Play, Active Recreation and Sport system.</p> <p>Vision: Every Body Active</p>
							<p>Recreation Aotearoa</p> <ol style="list-style-type: none">1) Greater recognition of the economic and social value of recreation2) Grow local and central government investment in recreation3) More development opportunities for recreation workers to support a sustainable industry that meets the needs and expectations of participants

15. Art Gallery update

Reference / Te Tohutoro: 21/322278

Report of / Te Pou Matua: Blair Jackson, Director, Christchurch Art Gallery Te Puna o Waiwhetū

General Manager / Pouwhakarae: Mary Richardson, General Manager Citizens and Community

1. Brief Summary

- 1.1 The purpose of this report is to provide an update on Christchurch Art Gallery Te Puna o Waiwhetū:
 - 1.1.1 exhibitions, programmes and events
 - 1.1.2 visitor numbers and the effects of the global pandemic,
 - 1.1.3 levels of satisfaction, visitor expectations and outcomes.

2. Officer Recommendations / Ngā Tūtohu

That the Sustainability and Community Resilience Committee:

- 1. Receive the information in the Christchurch Art Gallery Te Puna o Waiwhetū report

Attachments / Ngā Tāpirihanga

There are no attachments to this report.

In addition to the attached documents, the following background information is available:

Document Name	Location / File Link
Not Applicable	Not Applicable.

Confirmation of Statutory Compliance / Te Whakatūtutanga ā-Ture

Compliance with Statutory Decision-making Requirements (ss 76 - 81 Local Government Act 2002).

(a) This report contains:

- (i) sufficient information about all reasonably practicable options identified and assessed in terms of their advantages and disadvantages; and
- (ii) adequate consideration of the views and preferences of affected and interested persons bearing in mind any proposed or previous community engagement.

(b) The information reflects the level of significance of the matters covered by the report, as determined in accordance with the Council's significance and engagement policy.

Signatories / Ngā Kaiwaitohu

Author	Kirsty Mathieson - Executive Assistant
Approved By	Mary Richardson - General Manager Citizens & Community

16. Libraries and Information update

Reference / Te Tohutoro: 21/205390

Report of / Te Pou Matua: Carolyn Robertson, Head of Libraries and Information,
Carolyn.Robertson@ccc.govt.nz

General Manager / Pouwhakarae: Mary Richardson, General Manager Citizen & Community

1. Brief Summary

- 1.1 The purpose of this report is to provide an update on Library and Information services.
 - 1.1.1 Canterbury Stories and creating community content through the Photo Hunt
 - 1.1.2 Digital inclusion through the Skinny Jump collaboration
 - 1.1.3 Aranui Library – update
 - 1.1.4 Children’s University plus other recent programming partnerships
 - 1.1.5 Overview of new Hornby Library
 - 1.1.6 New outreach roles and internships

2. Officer Recommendations / Ngā Tūtohu

That the Sustainability and Community Resilience Committee:

- 1. Receive the information in the Libraries’ report

Attachments / Ngā Tāpirihanga

There are no attachments to this report.

In addition to the attached documents, the following background information is available:

Document Name	Location / File Link
Not applicable	Not applicable

Confirmation of Statutory Compliance / Te Whakatūturutanga ā-Ture

Compliance with Statutory Decision-making Requirements (ss 76 - 81 Local Government Act 2002).

(a) This report contains:

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Signatories / Ngā Kaiwaitohu

Authors	Vanessa Carey - Team Leader Management Support/Personal Assistant Carolyn Robertson - Head of Libraries and Information
Approved By	Carolyn Robertson - Head of Libraries and Information Mary Richardson - General Manager Citizens & Community

Item 16