

**Hearings Panel**  
**Naming Policy and Outdoor Dining Policy**  
**MINUTES ATTACHMENTS**

---

**Date:** Friday 6 October 2023  
**Time:** 9.00am  
**Venue:** Committee Room 1, Level 2, Civic Offices,  
53 Hereford Street, Christchurch

---

**TABLE OF CONTENTS NGĀ IHIRANGI**

**PAGE**

**7. Hearing of Submission / Ngā Tāpaetanga**

- |    |   |    |
|----|---|----|
| A. | Cancer Society Canterbury and West Coast Division - presentation..... | 3  |
| B. | Living Streets Aotearoa - presentation .....                          | 8  |
| C. | Terrace Hospitality Group - additional information .....              | 17 |





## Cancer Society Canterbury West Coast Division submission CCC Draft Outdoor Dining in Public Places Policy

Amanda Dodd – Cancer Society Canterbury West Coast






Post Details

Reported stats may be delayed from what appears on posts

**Christchurch City Council**  
Published by Sprout Social 171 · 2 hrs · 🌐

Twenty Christchurch cafes will make history tomorrow with the first formal trial of smoke-free outdoor dining in New Zealand.



**Smoking off the menu in Christchurch cafe trial**  
Twenty Christchurch cafes will make history tomorrow with the first formal trial of smoke-free outdoor dining in New Zealand.  
[HTTPS://CCC.GOV.TZ/THE-COUNCIL/NEWSLINE/SHOW/1114](https://ccc.govt.nz/the-council/newsline/show/1114)

22,051 people reached Boost post

404 Reactions 29 Comments 31 Shares

Like Comment Share

<b>22,051</b> People Reached		
<b>624</b> Reactions, comments & shares		
457 Like	344 On post	113 On shares
70 Love	57 On post	13 On shares
1 Wow	0 On post	1 On shares
4 Angry	3 On post	1 On shares
62 Comments	43 On Post	19 On Shares
31 Shares	31 On Post	0 On Shares
<b>2,010</b> Post Clicks		
0 Photo views	760 Link clicks	1,250 Other Clicks (👤)
<b>NEGATIVE FEEDBACK</b>		
3 Hide Post	0 Hide All Posts	
0 Report as Spam	0 Unlike Page	

# Key Results

18 out of 18 venues that completed the pilot remained

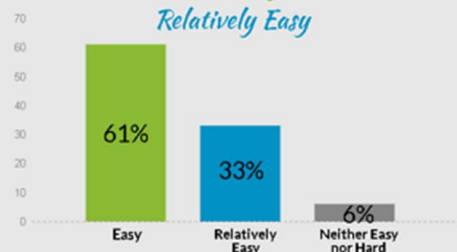


Of the venues that completed the pilot, no venue reported a perceived decrease in customer numbers or revenue.

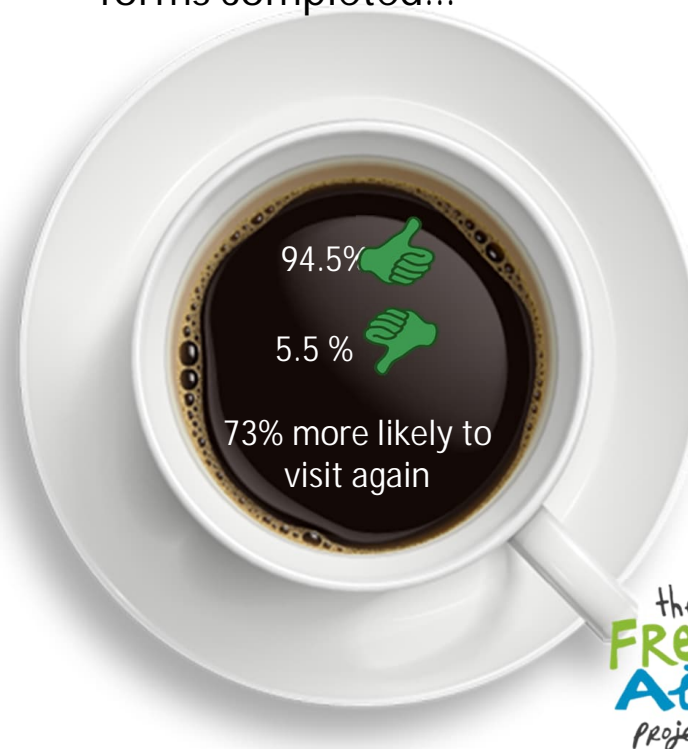
## Ease of implementing smokefree outdoor areas

61% of venues found it *Easy* while 33% found it

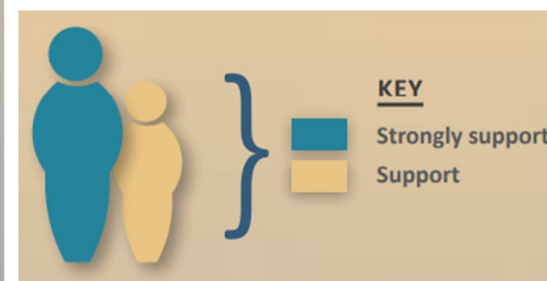
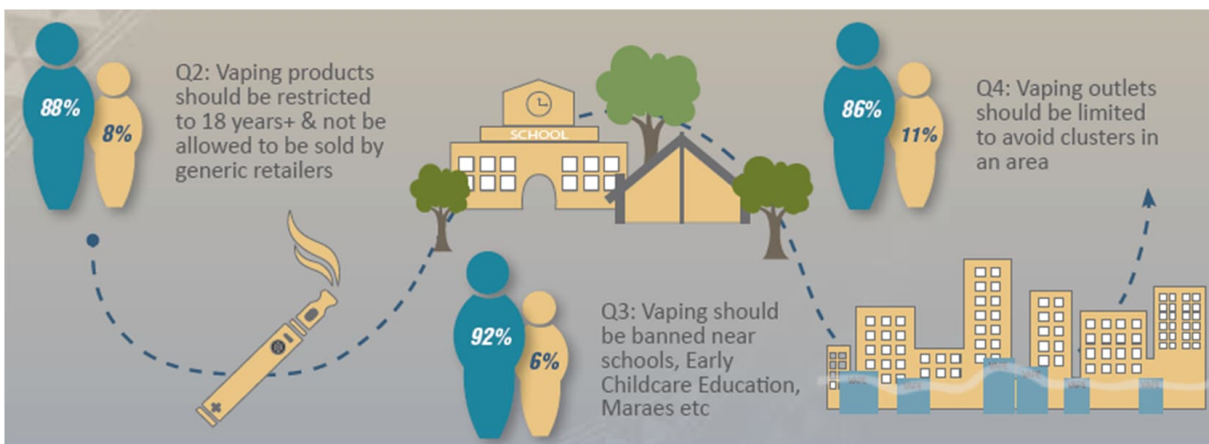
*Relatively Easy*



1,861 customer feedback forms completed...



# Local election candidate Results



# Ōtautahi 2025

*A smokefree city*

























**TERRACE HOSPITALITY GROUP – KEY SUBMISSIONS ON OUTDOOR POLICY  
DINING REVIEW**

The THG seeks that the drafting proposed in the Policy Review encourages and enables outdoor dining and recognises the significant role which this type of dining plays in the local economy. There is a clear need to achieve the right policy settings and remove inappropriate policy and conditions to enable the local economy to grow and protect consumer choice.

It is unclear to the THG what the problem is that the Council is trying to solve. Despite requests, the THG haven't been given any examples of actual practical problems from things such as coloured canopies, heavy furniture left outside at night, or (for example) the solo guitarist on a Sunday afternoon.

**Core message 1:** Requiring outdoor dining areas to be smoke and vape-free is impractical, and the requirement to remove ashtrays and other receptacles will lead to increased littering.

**Core message 2:** Hospitality operators must be allowed flexibility to design outdoor areas.

**Core message 3:** Hospitality businesses need to be able to play ambient background music and to continue to offer live entertainment that complies with the District Plan.

**Core message 4:** A three-year term for an outdoor licence is acceptable but the review process should align with liquor licence reviews which are also a three-year term.

**Core message 5:** The Council does not need to concern itself with public liability insurance held by licence holders.

In **Appendix 1** we have set out track-changes to the draft Outdoor Dining Guidance and Standard Conditions which are necessary to address the issues raised in the submission.

DRAFT 08/2023

# Ōtautahi Christchurch Public Spaces Outdoor Dining Guidance

## Overview

People dining and socialising outdoors bring vibrancy and buzz to our central city, townships, and suburban areas.

We've developed guidelines to help hospitality businesses understand what's required through the application process and what's acceptable for use in outdoor dining space. This is to make sure it's safe, accessible and visually appealing for everyone using our footpaths, streets and public spaces.

Public space (footpaths, streets and laneways) are provided for everyone's benefit. People's movement should not be hindered, whatever their age or ability.

The term of the outdoor dining licence can be up to three years. Our easy to use online application form for outdoor dining requests, is at [ccc.govt.nz/outdoor dining](http://ccc.govt.nz/outdoor-dining).

## Outdoor Dining in Public Places Policy

The Outdoor Dining in Public Places Policy (2023) guides Council in decision making regarding the licensing of public space for outdoor dining throughout Christchurch City and Banks Peninsula. The Council, as landowner, needs to consider and balance the private, commercial benefits with the interests of the wider community and environment.



Example of local outdoor dining

## Key Objectives

1. Prioritise and maintain clear pedestrian footpath access.
2. Embrace and enhance the public amenity.
3. Protect from fair to moderate adverse weather conditions.
4. Avoid excessive visual and physical clutter within public space.
5. Respect the appearance and architectural integrity of the surrounding context and buildings.
6. Provide high quality furniture design (including barriers) that's suitable for the outdoors (i.e. withstand elements and maintain reasonable appearance).
7. Support Smokefree and Vapefree Public Places.

## Layout

### Dining Area layout

- A clearly defined outdoor dining area supports good management and maintenance of licenced areas and positively represents the associated business.
- The design of dining areas require careful consideration. It will change the nature of the public space and how the public use it, visibility of the business and facades, and the experience of customers.
- Physical elements such as low screens, umbrellas and planters can define an area visually and provide weather protection, but do not need to be continuous around a licenced area.
- Appropriate distance from art works, lamp posts, signs and street trees should also be considered.

DRAFT 08/2023

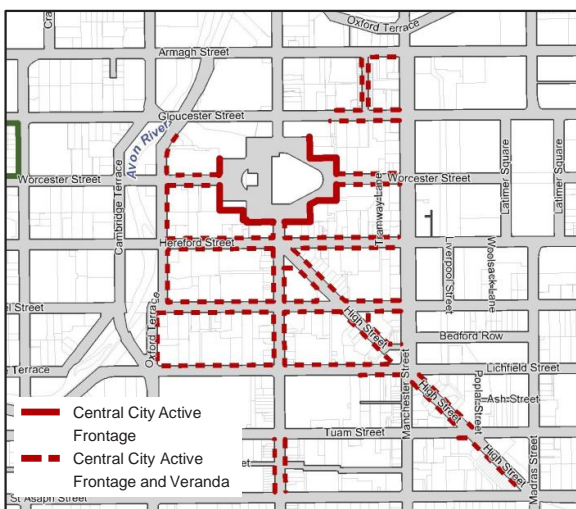
## Accessibility

### Pedestrian Access

Outdoor areas are required to maintain safe and efficient pedestrian movement and ensure the minimum unobstructed pathway is maintained at all times.

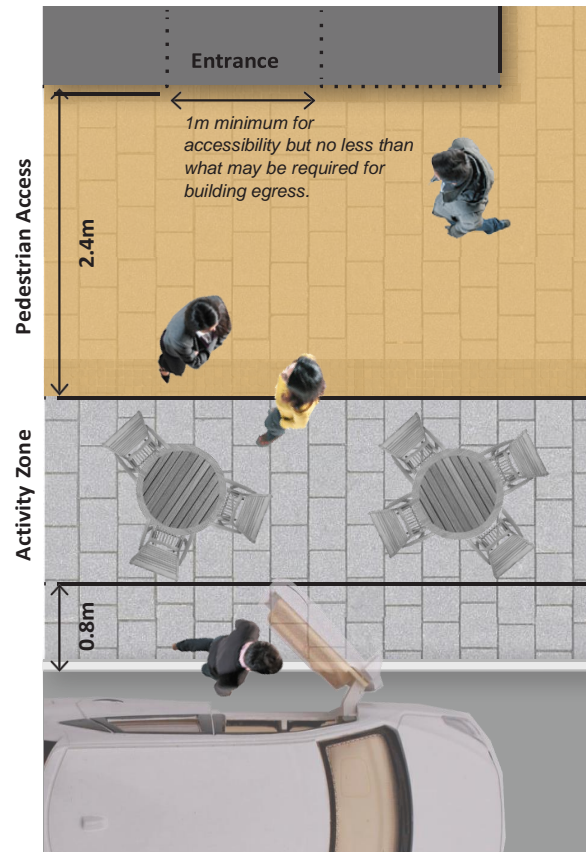
The layout and scale of a licenced area should respect the surrounding public space, key features and the adjoining buildings.

- All outdoor dining areas must maintain clear pedestrian access. This may be either against the building edge or out from the licenced area. This width may vary depending on the location and type of road.
- ~~Maintain accessibility within the outdoor dining area itself for pedestrians of all ages and abilities.~~
- Maintain good, clear accessibility to the surrounding streets, footpaths, lanes and shared paths.
- Accessibility and visibility of business entrances, public benches, cycle stands and rubbish bins are to be maintained.
- Where there is a continuous existing or planned veranda along a block, weather protection is to be maintained for pedestrians and outdoor dining shall not block this area.

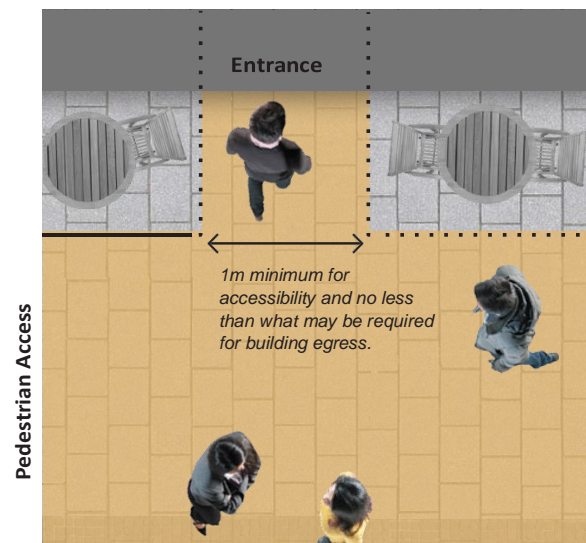


Central City Building Setbacks, Active Frontage and Verandas Planning Map Operative 19 December 2017, Published 12/11/2019

### Examples of outdoor dining options



Clear footpath along building edge (preferred practice)

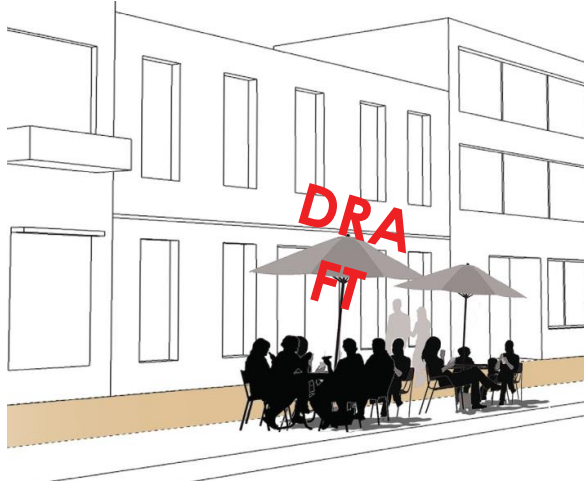


For a small number of tables and chairs this configuration may be appropriate on a case by case basis.

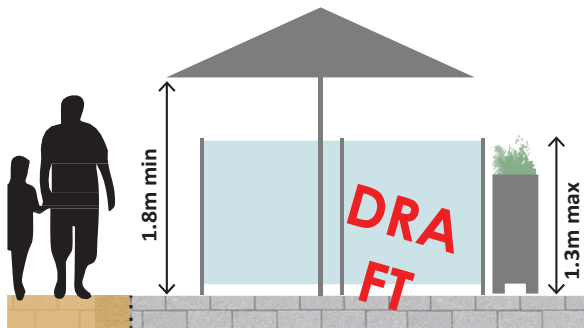
DRAFT 08/2023

## Furniture

Furniture design and ongoing maintenance will be key to achieving a high standard.



All furniture, canopies, screens and signage are to be of a high standard of design and construction.



- ~~All individual furniture items such as chairs, tables and umbrellas should be complementary in design and appearance.~~
- All furniture must be stable in windy conditions and not present a health and safety risk.
- Low level side screens, planters or bollards can be used to define an edge to avoid spread.
- Quality, durable finish suitable for outdoor public use, and maintained to a high standard.
- ~~Use of a simple range of materials and a consistent colour palette.~~

- All planting to be maintained, replaced or supplemented to ensure a good standard of planting all year.
- For safety, no external stays will be allowed to support screens. No base of any element shall project outside the licence area or be fixed to the ground.
- Logos and any other advertising should be site specific and integrated within the screens or planters. No separate signage or advertising, such as sandwich boards.

### Umbrellas

- Overhead canopies and verandas fixed to the building facade - retractable and/or glazed. No vertical supports for the canopy/veranda shall be fixed within public areas.
- ~~Use of a single colour for canopies to minimise visual clutter and compliment building facade.~~
- Freestanding umbrellas should have a single support. Clearance between the footpath and the underside of the umbrella should not be less than 1.8 metres minimum.
- Canopies and verandas proposed to be fixed to heritage building (listed within the Christchurch City District Plan) will require a Resource Consent for an alteration to a heritage building.

## Smokefree

To support the national 'Smokefree Aotearoa Action Plan 2025' and Smokefree and Vapefree Public Places Policy, outdoor dining areas are required to display smokefree and vapefree signage ~~and manage the area and surroundings.~~

The Cancer Society, through its "Fresh Air Project", can support licensees with free signage and information on smokefree and vapefree outdoor dining spaces.

Information: <https://freshairproject.org.nz>  
Contact: [fresh.air@cancernz.org.nz](mailto:fresh.air@cancernz.org.nz)

DRAFT 08/2023

## Code of Conduct for licensees

The licence is personal to you (the licensee) and if you want to alter your operation (e.g. different furniture, layout or having more tables) you need to get Council's approval. If you sell the business, the new owner will need a new licence.

While typical requirements are set out, every licence application is assessed individually and if approved, your licence will have conditions specific to your operation e.g. approved furniture.

~~A licence does not allow exclusive use of an area so pedestrians have the right to pass through the outdoor dining areas at all times.~~

This licence does not include other approvals that may be required (e.g., separate licence required to serve alcohol).

## Standard conditions

### Furniture and equipment

1. A clear footpath (free from furniture or equipment) must be maintained for pedestrians.
- ~~2. Tables must be accessible and able to be used by people in wheelchairs. There must be tables available and accessible for use by people in wheelchairs.~~
3. Outdoor dining areas are to display 'smoke and vape-free' signage.
4. All umbrellas must be securely weighted down to reduce risk of uplifting.
5. It is ~~your responsibility~~ (the licensee's) responsibility to keep the outdoor dining area clean and tidy.
- ~~6. All furniture must be suitable and stable for all weather conditions and continuous use. All furniture must be high quality design and suitable for the outdoors.~~
- ~~7. All furniture and ancillary equipment (e.g. barriers, umbrellas, planters, boxes etc.) must be set up as per your outdoor dining licence.~~
8. All furniture which presents a health and safety risk must be removed immediately.

- ~~9. All furniture must be movable (not permanently fixed to the adjoining building or pavement), unless specifically allowed by your licence.~~
- ~~10. All furniture and equipment is to be stored inside the premises at the end of each trading day (and when the business is closed) unless agreed as part of the licence. Any heavier items that may be agreed to remain in place shall not interfere with light levels on the footpath at nighttime.~~

### Layout

11. The licensee is responsible for ensuring that all furniture, equipment and ancillary items (e.g. planter boxes, barriers, menu stands) stay within the approved boundaries of the outdoor dining area.
12. The licensee is responsible for ensuring the outdoor dining area will not interfere with safe and efficient pedestrian movement and the specified minimum unobstructed pathway must be maintained at all times.
13. Unobstructed access to and from the premises must be maintained and adequate space provided to allow for easy movement and chair use within the outdoor dining area.
- ~~14. The maximum approved number of tables and chairs may not be exceeded. Only approved furniture, signage, barriers, planter boxes or objects as specified in the licence approval may be placed within the outdoor dining area. Any changes require the prior written permission of the Council.~~
15. The layout and orientation of furniture in the outdoor dining area must ~~allow for at least 0.8m or 0.5m to the adjacent kerb line to ensure the~~ safety of patrons (~~this is the area between the seating and kerb line~~).
16. In order to maintain a clear pathway, sandwich boards or other signage are not permitted on the adjoining footpath/~~clear~~ pathway.
17. The Council may insert markers in the pavement to mark out the boundaries of the outdoor dining area. If the Council requires the area to be delineated by markers, the full cost of placing and/or removing markers will be met by the licensee.

## DRAFT 08/2023

### Other

18. The outdoor dining permission is given solely to the person/licensee named in the licence. It may not be transferred or assigned to anyone else. Any change of ownership of the business will require the new owner(s) to seek a new licence.
- ~~19. The licensed area may not be used outside of the permitted hours of use. Outside of the approved hours of use, all outdoor dining furniture and equipment must be removed from the licensed area and stored in private premises unless specifically approved.~~
20. The outdoor dining licence ~~and approved site plan~~ must be displayed in the licensed area, or in the business window, so that it is visible at all times ~~and able to be easily read by persons outside.~~
- ~~21. All outdoor dining areas are required to be smoke and vape free and to display smoke-free and vape-free signage. No ashtrays or other receptacles for smoking or vaping-related litter are permitted within an outdoor dining area.~~
22. All alcohol licensing and health requirements are to be observed.
23. Any instructions given by Police or Council Officers in respect to the outdoor dining area are to be complied with immediately.
24. ~~The area covered by this licence may not be used for live entertainment and speakers or amplifiers may not be placed or used in or on the area.~~ The licensee shall comply with noise levels in the District Plan and with the obligation under section 16 of the Resource Management Act 1991 to ensure that the emission of noise does not exceed reasonable levels.
25. The licensee is required to keep the outdoor dining area and its immediate surroundings [within 5 metres of the boundary of the area/ as shown on the attached plan] clean and free of all litter ~~including any smoking and vaping-related litter.~~ The licensee may be required to adhere to a waste management plan as specified by the Council.
- ~~26. The holder of the licence must hold current public liability insurance, in all respects satisfactory to the Council, with a limit of cover of not less than NZ\$ 2 million for the duration of the licence. Where the holder's public liability insurance expires prior to the expiry date set out in the licence the holder must prior to expiry of the public liability insurance, provide Council with evidence of renewal of the public liability insurance on no less favourable terms, to a date after the expiry of the licence.~~
- ~~27. Unless withdrawn earlier by the Council, this permission expires at midnight on the expiry date set out in the licence. If the licensee wishes to continue to use the relevant area after the expiry date a new permission should be sought prior to the expiry date.~~
28. This licence does not give the licensee a right of uninterrupted use of the area covered by the permission. There may be interruptions to the licensee's use from road works, works carried out by utility companies, community events or other activities. Council may require all tables and chairs and other equipment to be removed at any time (including during the permitted hours of use) to allow works, events or other activities to occur. Council will not be liable for any loss of business or other costs caused by any interruption in the licensee's use of the area covered by this licence regardless of the cause of the interruption or its duration.
29. Compliance with these conditions does not relieve the permission holder of the obligation to comply with any other conditions or requirements relating to use of the public space (e.g. building consent, approval for a structure on the road, resource consent, or other Council requirement).
30. Council may review or withdraw this permission on one (1) month notice in writing to the licensee at the address as specified in the licence.