

Regulatory Performance Committee AGENDA

Notice of Meeting:

An ordinary meeting of the Regulatory Performance Committee will be held on:

Date: Wednesday 3 April 2019
Time: 2pm
Venue: Committee Room 1, Level 2, Civic Offices,
53 Hereford Street, Christchurch

Membership

Acting Chairman	Councillor Jamie Gough
Acting Deputy Chairman	Councillor Sara Templeton
Members	Councillor Jimmy Chen
	Councillor David East
	Councillor Anne Galloway
	Councillor Tim Scandrett

28 March 2019

Principal Advisor

Leonie Rae
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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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Strategic Framework

The Council's Vision – 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.

Whiria ngā whenu o ngā papa Honoa ki te maurua tāuikiuki

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

The partnership with Papatipu Rūnanga
reflects mutual understanding and respect,
and a goal of improving the economic,
cultural, environmental and social
wellbeing for all.

Overarching Principle

Partnership – Our
people are our taonga
– to be treasured and
encouraged. By working
together we can create
a city that uses their
skill and talent, where
we can all participate,
and be valued.

Supporting Principles

Accountability	Collaboration
Affordability	Prudent Financial Management
Agility	Stewardship
Equity	Wellbeing and resilience
Innovation	Trust

Community Outcomes

What we want to achieve together as our city evolves

Strong communities

Strong sense of
community
Active participation in
civic life
Safe and healthy
communities
Celebration of our
identity through arts,
culture, heritage and
sport
Valuing the voices of
children and young
people

Liveable city

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

Healthy environment

Healthy waterways
High quality drinking
water
Unique landscapes and
indigenous biodiversity
are valued
Sustainable use of
resources

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

Our focus for improvement over the next three years and beyond

Enabling active citizenship and connected
communities

Maximising opportunities to develop a vibrant,
prosperous and sustainable 21st century city

Climate change
leadership

Informed and proactive
approaches to natural
hazard risks

Increasing active, public
and shared transport
opportunities and use

Safe and sustainable
water supply and
improved waterways

REGULATORY PERFORMANCE COMMITTEE - TERMS OF REFERENCE

Acting Chair	Councillor Gough
Membership	Councillor Templeton (Acting Deputy Chair), Councillor Chen, Councillor East, Councillor Galloway, Councillor Scandrett
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

Responsibilities

The focus of the Regulatory Performance Committee is Council's regulatory and compliance functions. The Committee seeks to foster:

- active citizenship, community participation and community partnerships
- innovation and creativity
- relationship with key partner organisations and agencies
- engagement with community boards on bylaw development and review

The Regulatory Performance Committee considers and reports to Council on issues and activities relating to:

- Council's regulatory and compliance functions
- Council's regulatory and compliance functions under:
 - Resource Management Act 1991 and related legislation
 - Building Act 2004 and the New Zealand Building Code
 - Dog Control Act 1996
 - Sale and Supply of Alcohol Act 2012
 - Local Government Act 1974 and Local Government Act 2002
 - Historic Places Act 1980
 - District Plan
 - Bylaws
 - Other regulatory matters
- District planning
- Approval and monitoring of Council's list of hearings commissioners under the Resource Management Act 1991.
- relationship with key partner organisations and agencies
- engagement with community boards on bylaw development and review

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

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1. Apologies

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

2. Declarations of Interest

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

That the minutes of the Regulatory Performance Committee meeting held on [Wednesday, 6 March 2019](#) be confirmed (refer page 6).

4. Public Forum

A period of up to 30 minutes may be available for people to speak for up to five minutes on any issue that is not the subject of a separate hearings process. It is intended that the public forum session will be held at approximately 2pm.

5. Deputations by Appointment

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

6. Petitions

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

Regulatory Performance Committee OPEN MINUTES

Date: Wednesday 6 March 2019
Time: 2pm
Venue: Committee Room 1, Level 2, Civic Offices,
53 Hereford Street, Christchurch

Present

Acting Chairman	Councillor Jamie Gough
Acting Deputy Chairman	Councillor Sara Templeton
Members	Councillor Jimmy Chen
	Councillor David East
	Councillor Anne Galloway
	Councillor Tim Scandrett

5 March 2019

Principal Advisor

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Part A Matters Requiring a Council Decision

Part B Reports for Information

Part C Decisions Under Delegation

The agenda was dealt with in the following order.

1. Apologies

Part C

Committee Decision

There were no apologies recorded as all members of the Committee were present.

2. Declarations of Interest

Part B

There were no declarations of interest recorded.

3. Confirmation of Previous Minutes

Part C

Committee Resolved RPCM/2019/00005

That the minutes of the Regulatory Performance Committee meeting held on Wednesday, 30 January 2019 be confirmed.

Councillor Chen/Councillor Scandrett

Carried

4. Public Forum

Part B

There were no public forum presentations.

5. Deputations by Appointment

Part B

There were no deputations by appointment.

6. Presentation of Petitions

Part B

There were no presentation of petitions.

7. Proposed Plan Change 1 Woolston Risk Management Area

Committee Decided RPCM/2019/00006

Original Staff Recommendation Accepted without Change

Part A

That the Regulatory Performance Committee recommend that the Council:

1. Publicly notify Proposed Plan Change 1 Woolston Risk Management Area pursuant to Clause 5, Schedule 1 Resource Management Act 1991, subsequent to the Order in Council (Canterbury Earthquake (Christchurch Replacement District Plan) Order 2014) being revoked on 18 March 2019.
2. Delegate to the Chief Executive authority to apply to the Environment Court, under section 86D(2) Resource Management Act 1991, for the proposed change to Rule 4.1.4.1.5 NC2 and its associated updated Woolston Risk Management overlay shown in Planning Map 47A to have immediate legal effect from either the date of public notification or the date of any order made by the Court. This application should be lodged immediately following revocation of the Order in Council on 18 March 2019 and before public notification.

Councillor Templeton/Councillor Scandrett

Carried

8. Chairperson's Report - Canterbury Earthquake (Resource Management Act Permitted Activities) Order 2011

Committee Comment

1. The staff recommendation was accepted with change, however a note was made for staff to provide an update to the Committee.

Committee Resolved RPCM/2019/00007

Part C

That the Regulatory Performance Committee:

1. Note the information in the Chairperson's report about the Canterbury Earthquake (Resource Management Act Permitted Activities) Order 2011, and any potential for its revocation.

Note: That staff will provide an update to the Committee after the completion of the latest audit work on the remaining permits, issued under the Canterbury Earthquake (Resource Management Act Permitted Activities) Order 2011.

Councillor Galloway/Councillor East

Carried

9. Resource Consents Monthly Report - January 2019

Committee Resolved RPCM/2019/00008

Part C

That Regulatory Performance Committee:

1. Receive the information in the Resource Consents Monthly Report – January 2019.

Councillor Chen/Councillor Scandrett

Carried

10. Building Consenting Unit Update

Committee Resolved RPCM/2019/00009

Part C

That the Regulatory Performance Committee:

1. Receive the information in the Building Consenting Unit Update report.

Councillor Galloway/Councillor Gough

Carried

Meeting concluded at 2.44pm.

CONFIRMED THIS 3rd DAY OF APRIL 2019

COUNCILLOR JAMIE GOUGH
ACTING CHAIRMAN

7. Proposed Temporary Alcohol Bans at Rugby League Playing Fields for the 2019 Season

Reference: 19/198811

Ruth Littlewood, Senior Policy Analyst

Presenter(s): Evangeline Emerenciana, Policy Analyst

Angela Leatherby, Sports Services Activation Advisor

1. Purpose of Report

- 1.1 The purpose of this report is to recommend a temporary alcohol ban on the playing fields allocated for rugby league for the 2019 season (April to August).

2. Executive Summary

- 2.1 In 2018 Canterbury Rugby League (CRL) made a submission to the Council requesting that alcohol bans be put in place for rugby league playing fields during the rugby league season. (**Attachment 1** – *CRL submission on the proposed Alcohol Restrictions in Public Places Bylaw in 2018*). The Council resolved that staff further investigate the matters raised in the CRL submission and this report is the result of the staff investigations.
- 2.2 The Council allocates playing fields on 17 parks to CRL and CRL asked for an alcohol ban to cover those playing fields together with immediately adjoining car parks, changing sheds, and playground areas. The current proposal is for a temporary ban to be in force for five months from April to August 2019 which would apply for the rugby league fields *only* during the time that games and training are taking place. The maximum period for the ban to apply would be from 3pm to 8.30pm Monday to Friday each week for training and from 9am to 6pm on Saturday and Sunday each weekend for matches.
- 2.3 CRL have embarked on a broad programme to change an unhealthy alcohol related culture within some sections of the rugby league community and the request for alcohol bans sits alongside a range of other initiatives; CRL have sought the bans because of ongoing problems associated with spectators and club members drinking on the side-lines or in adjacent areas. CRL consider that by creating alcohol bans for the rugby league fields, the clubs will be able to intervene early and prevent alcohol-fuelled incidents. At present the clubs have no control over people involved in incidents who are not club members and volunteer administrators have been abused when they attempt to talk to 'offenders'.
- 2.4 Before making an alcohol ban the Council must be satisfied that there is sufficient evidence of alcohol related harm to justify a ban and, that having regard to the rights and freedoms of people under the Bill of Rights Act 1990, that a ban is a proportionate response to alcohol related disorder and crime.
- 2.5 The Police have considered the issues referred to by CRL, and support the proposed temporary alcohol bans. The Council Parks and Sports and Recreation staff also support the proposed alcohol ban on playing areas allocated to rugby league and consider that the initiative provides a safer environment for park users e.g. players, spectators, volunteer officials, including children.

- 2.6 If the Council approves the ban, the Council will publicly notify the alcohol restrictions while CRL will take responsibility for erecting and removing signage e.g. teardrop 'Alcohol-Free Zone' or alcohol ban signs at the beginning and end of training and games.

3. Staff Recommendations

That the Regulatory Performance Committee recommend that the Council:

1. Note that the temporary ban will complement the local clubs non-regulatory alcohol management measures designed to ensure the safety of park users including spectators, players, and volunteer officials during rugby league games and training.
2. Resolves to impose under clause 5 of the Christchurch City Council Alcohol Restrictions in Public Places Bylaw 2018 temporary alcohol ban areas for designated playing fields and associated car parks, changing sheds, and playground areas (**see Attachment 2 – List of proposed ban areas**) as follows:
 - a. The temporary alcohol ban areas will apply during the periods that the fields are being used for rugby league training and games.
 - b. Between 3pm to 8.30 pm Monday to Friday and between 9am to 6pm on Saturday and Sunday of each week from the date of the decision of Council] to 31 August 2019.
3. Resolves that it is satisfied that:
 - a. With respect to the areas to which the proposed temporary alcohol ban will apply, there is a high level of crime or disorder that has been caused or made worse by alcohol consumption; and
 - b. the alcohol ban areas:
 - i. Are appropriate and proportionate in the light of the evidence; and
 - ii. Can be justified as a reasonable limitation on people's rights and freedoms.
4. Requests that Sports and Recreation staff work with Canterbury Rugby League to ensure that the conditions on alcohol-free playing fields referred to in Council and CRL agreements are communicated to all member clubs.
5. Requests policy staff review the effectiveness of the temporary alcohol ban area and to report back to the Council by December 2019 with recommendations as to whether (or not) the Alcohol Restrictions in Public Places Bylaw 2018 should be amended to include a permanent ban area for designated fields during the rugby league season.

4. Context/Background

Issue or Opportunity

- 4.1 In 2018, antisocial and inappropriate behaviour displayed by spectators and incidents associated with side-line drinking of alcohol within the rugby league community were reported by the local clubs to Canterbury Rugby League (CRL). These incidents include abuse of officials and spectators, confrontational challenges to volunteers, threats including those involving a weapon, and three assaults. CRL reports that 70 percent of the local clubs indicated they are dealing with alcohol-related behavioural issues on a weekly basis.
- 4.2 CRL considers that alcohol bans (in association with a range of non-regulatory measure) are necessary to reduce harm, disorder and crime associated with alcohol consumption and to provide for the safety of people watching rugby league games and other park users.

The proposed alcohol bans

- 4.3 The CRL request is for alcohol bans to apply on the playing fields allocated to rugby league and to adjoining public spaces such as children's play areas, car parks, and changing rooms. The proposed ban will apply only during the periods when the fields are in use for rugby league.
- 4.4 The current staff proposal for temporary alcohol ban areas would apply for the 2019 Rugby League season commencing in April and ending in August, between 3pm to 8.30pm on Monday to Friday each week; and between 9am to 6pm on weekends.
- 4.5 The clubs will take responsibility for erecting and removing the ban signage at the beginning and end of each training session and game.

Alcohol-related problems

- 4.6 This proposal was initiated by local rugby league clubs concerned about the ongoing impact of alcohol-related misbehaviour on spectators, players, officials and the wider community. The clubs are concerned about a culture within the wider rugby league community that supports drinking on the side-line even at parks located within a permanent alcohol ban area.
- 4.7 Some members of the rugby league community believe it is 'their right' to drink on the side-lines even when the field (Bradford Park –Sydenham) is within a current permanent alcohol ban area.
- 4.8 Anecdotal evidence of a significant problem includes -
 - 4.7.1 In the 2018 rugby league season there were reports of abuse directed at spectators, and volunteers were challenged by people who were drinking alcohol at junior games. Also, two players were threatened during the rugby league game at Linwood Park (source: The Press, Nov 23, 2018).
 - 3.1.1. 4.7.2 There have been alcohol related problems at rugby league games for a number of years. In 2012, a rugby league grand final game was called off after spectators joined a brawl on the field (source: The Press, Nov 23, 2018).
- 4.9 These problems have created high levels of dissatisfaction and helplessness among the volunteers and administrators of the clubs who consider that they lack effective power or authority to control and manage alcohol-fuelled incidents at their fields. Clubs have informed CRL that people are leaving the sport because of their concerns around alcohol and the impacts of side-line drinking.

CRL proposed initiatives to reducing alcohol-related harm

- 4.10 CRL are seeking to make a significant change to the culture of local rugby league including making side-lines 'alcohol free'. They propose a number of non-regulatory initiatives that local clubs can undertake to improve spectators' behaviour. These include:
 - 3.1.2. 4.9.1 CRL have entered into an agreement with the Christchurch City Council, Canterbury District Health Board and Sport Canterbury on the education and upskilling of clubs about alcohol licensing processes and requirements. Workshops were held and assistance in managing side-line-related incidents were identified as key priority for the clubs.
 - 3.1.3. 4.9.2 CRL proposed an alcohol management strategy (**see Attachment 3 – CRL's Alcohol Management Process**) which outlines a six-step process to create alcohol free side-lines. Initially Step – 1 is communication/education and only at Step 5 when a spectator refuses to remove alcohol from the ban area will club representatives seek

the assistance of the Police. The final action, Step 6 is to review any incident and to recommend (if required) further actions.

- 3.1.4. 4.9.3 Upskilling club volunteers focusing on a non-violent crisis interventions (tactical communications) training. Police will support CRL efforts to improve spectator behaviour and to avoid conflict by working with club volunteers and assist clubs with particular and ongoing alcohol-related problems.
- 3.1.5. 4.9.4 Creating 'champions' to lead culture change by extending the CRL communications strategy to engage wider club whanau at an early stage, promote the alcohol management process and communicating safety requirements to supporters.
- 3.1.6. 4.9.5 Updating the agreement between CCC and CRL with a 'no alcohol consumption' clause in relation to parks/playing fields allocated to Canterbury Rugby League.
- 3.1.7. *Criteria for making an alcohol ban under section 147 of the Local Government Act 2002*
- 4.11 Temporary alcohol ban areas are resolved by the Council under the Christchurch City Council Alcohol Restrictions in Public Places Bylaw 2018. Before making a resolution under the Bylaw, the Council must be satisfied that a ban meets the criteria set out in s147B of the Local Government Act 2002. The Council needs to be satisfied that the area has experienced a high level of crime or disorder caused or aggravated by alcohol consumption in the area, that the ban is a proportionate response in the light of the level of crime or disorder and that the ban can be justified as a reasonable limitation on people's rights and freedoms.
- 4.12 The purpose of the ban is to make the environment safer for players, officials, spectator and other park users. The proposed alcohol ban would apply to the fields allocated to rugby league on 17 Council parks. The effect of the proposed ban is to forbid the consumption of alcohol in the designated ban areas while rugby league training and games are taking place.
- 4.13 While the Police are not able to provide data on alcohol-related Calls for Service for rugby league matches, they have received reports of spectator abuse, threats and in some cases violence. They consider that the culture of drinking at rugby league contributes to these incidents.
- 4.14 The Police support both the proposed temporary alcohol ban and the other proposals by CRL to improve spectator behaviour. In particular they support the staged approach proposed in the CRL Alcohol Management Process to create alcohol free side-lines; only when education, persuasion and advocacy have failed, does the process involve enforcement of the ban. The Police would respond to alcohol related incidents as their resources allow and for clubs experiencing ongoing problems will involve community police officers.
- 4.15 It should be noted that the proposed ban areas are limited in their coverage and duration, they apply from April to August 2019, and only when rugby league is being played. A small number of people are likely to be 'negatively' affected by the ban; those people who wish to drink on the side lines of rugby league training and matches. A larger number of people, players, officials, spectators and other park users will enjoy the benefits of the ban including increased safety and perception of safety; being able to enjoy the game without the fear of alcohol related disorder and other misbehaviour.
- 4.16 Staff note that the proposed ban is more limited in coverage than those which apply elsewhere; for example Waimakariri District Council's Alcohol Control Bylaw includes a permanent alcohol ban area for Murphy Park which applies 24/7 during the rugby league and rugby seasons from April to September of each year. Overall staff consider that the currently proposed temporary alcohol ban is a proportionate response to the evidence of alcohol related disorder associated with rugby league.

Strategic Alignment

4.17 This option specifically aligns with the following

- *Strategic Priorities*

Maximising opportunities to develop a vibrant, dynamic and sustainable 21st century city

- *Community Outcomes*

Strong Communities with strong sense of community, active participation in civic life, and safe and healthy communities

- *Safer Christchurch City Strategy*

Proactive partnerships that have a shared commitment to a Safe City

Reducing and preventing incidence and effects of crime

- *Christchurch Alcohol Action Plan (CAAP)*

The proposed ban fits within the CAAP multi-agency approach to alcohol harm reduction. In particular it will contribute to the CAAP aims to create safer spaces, to collaborate, co-ordinate and communicate and to reduce exposure, accessibility and availability.

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

4.18.1 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.

Decision Making Authority

4.19 Section 147(2) of the Local Government 2002 allows the Council to make a bylaw for the purpose of prohibiting or regulating or controlling consumption, bringing and possession of alcohol in certain public places. The Council reviewed and made a new bylaw in 2018. Clause 5 of the Alcohol Restrictions in Public Places Bylaw 2018 enables the Council to make temporary alcohol ban areas. Section 147B of the Local Government Act 2002 sets out the matters which the Council must be satisfied of before it makes such a resolution.

Previous Decisions

4.20 CRL made a submission to the then proposed Alcohol Restrictions in Public Places Bylaw in 2018. The Hearings Panel considered the CRL submission and recommend that staff look further into the requested alcohol restrictions.

4.21 Following the recommendation of the Hearings Panel, the Council on 22 November 2018 requested staff to engage with sporting codes including Canterbury Rugby League, the New Zealand Police and other affected parties regarding the issues raised in the submission and to make recommendations to the Regulatory Performance Committee.

Assessment of Significance and Engagement

4.22 The decisions in this report are of low significance in relation to the Christchurch City Council's Significance and Engagement Policy.

4.23 The level of significance was determined by the relatively small number of people likely to be affected by the decision of the Council.

4.24 A few people are likely to be 'negatively' affected by the ban; those people who wish to drink on the side lines of rugby league training and matches while a larger number of people, (players, officials, spectators and other park users) will enjoy the benefits of the ban including increased safety and perception of safety; being able to enjoy the game without the fear of alcohol related disorder and other misbehaviour.

- 4.25 The proposed ban is temporary and relatively easy to reverse.

5. Options Analysis

Options Considered

- 5.1 The following reasonably practicable options were considered and are assessed in this report:
- Temporary alcohol ban to apply on rugby league playing fields for the 2019 winter season (to cover both training sessions and games)
 - Temporary alcohol ban on rugby league playing fields to apply (on weekends) for the 2019 games
- 5.2 The following options were considered but ruled out
- No temporary alcohol bans on rugby league playing fields - This is not a preferred option. The proposal for a temporary alcohol ban was initiated by the clubs through CRL to address ongoing antisocial behaviour associated with drinking alcohol both at rugby league games and less frequently at training sessions. Council staff consider that there is evidence of alcohol related disorder and misbehaviour during rugby league sessions which is best addressed with a combination of non-regulatory tools and a targeted alcohol ban.
- 5.3 **Preferred Option: To impose a temporary alcohol ban for the 2019 rugby league winter season to apply during rugby league training and games.**
- 3.1.8. 6.3.1 **Option Description:** The Council prohibits the drinking of alcohol on the allocated fields and immediately adjoining areas of 17 parks during the times the fields are used for rugby league games and training sessions.
- 3.1.9. 6.3.2 **Option Advantages**
- Lessens disorder and offensive behaviour caused by people drinking alcohol at rugby league training sessions and matches. While there are relatively few alcohol related incidents at training sessions, CRL advises that they do occur and cause difficulties for the clubs.
 - Applies to both rugby league training and games so provides a consistent message that side-lines are 'alcohol free'.
 - Supports the clubs with a regulatory backstop if other measures are not effective.
 - Gives the police a tool to deal with those people whose misbehaviour is alcohol related.
 - A safer environment for spectators, players, volunteers and other park users.
- 3.1.10. 6.3.3 **Option Disadvantages**
- An alcohol ban will limit the freedom of responsible alcohol consumers to drink within the ban area during the periods that the ban applies.
 - May result in moving alcohol-related issues to other open spaces within the parks which are not covered by the ban.
- 5.4 **Not preferred option- Temporary alcohol bans for rugby league games (only) on 2019 winter season**
- 3.1.11. 6.4.1 **Option Description:** The Council prohibits alcohol consumption in playing fields being used by rugby league games in 2019 winter season.

3.1.12. 6.4.2 **Option Advantages**

- New Zealand Police can monitor and control the inappropriate drinking of alcohol in designated rugby league playing fields during matches.
- Lessens disorder and offensive behaviour caused by people drinking alcohol on the side-line of games.
- General safety for spectators, players, volunteers and park users will be improved.

3.1.13. 6.4.3 **Option Disadvantages**

- It will not address the problems associated with people drinking during rugby-league training sessions.
- It is not the comprehensive ban sought by CRL and provides less support for the CRL initiatives than the preferred option.
- CRL are concerned that officials such as coaches may be reluctant to enforce 'alcohol free' side-lines at practice sessions unless there is some regulatory back-up. Police cannot support the club officials because drinking at a practice session would not be in breach of the bylaw.
- An alcohol ban reduce choices for responsible alcohol consumers at rugby league games during the 2019 season.

6. Community Views and Preferences

- 6.1 Key stakeholder groups were consulted in preparing this report.
- 6.2 The Community Boards have been briefed and invited to provide their feedback on the temporary bans. CRL and staff prepared a presentation for a combined community board seminar which was cancelled following the tragic events of Friday 15th March. Instead staff have distributed a memo together with a number of attachments and a power-point presentation to the Community Boards. Staff will gather feedback from the Boards and will report on the results of the consultation at the 3 April committee meeting.
- 6.3 The Police, the Council's Sports and Recreations and Parks staff support this alcohol ban proposal as discussed above.

7. Legal Implications

- 7.1 There is a legal context, issue or implication relevant to this decision.
- 7.2 The legal consideration is detailed below.
- 3.1.14. 8.2.1 Clause 5 of the Christchurch City Council Alcohol Restrictions in Public Places Bylaw 2018 provides for the Council to make temporary alcohol ban areas by way of a resolution. The clause requires that the Council must comply with the requirements of section 147B of the Local Government Act 2002. This section provides that before making a resolution under s 151 of the Local Government Act 2002 (ie a resolution under a bylaw of this type) the Council must be satisfied that–
- (a) there is evidence that the area to which the bylaw applies (or will apply by virtue of the resolution) has experienced a high level of crime or disorder that can be shown to have been caused or made worse by alcohol consumption in the area; and
 - (b) the bylaw, as applied by the resolution,
 - (c) is appropriate and proportionate in the light of the evidence; and

(d) can be justified as a reasonable limitation on peoples' rights and freedoms.

- 7.3 The attachments to this report (see the submission from CRL and the statement from the Police) provide evidence for the matters in paragraph (a). The evidence is of a general anecdotal nature (rather than offence statistics and the like) but there would seem to be a widespread issue across multiple sports fields which on balance may be described as a high level of crime or disorder that can be shown to have been caused or made worse by alcohol consumption in the areas in question. Given that different teams play at different fields, there does not seem to be a suggestion that behaviour at one field is more extreme than another.
- 7.4 In light of the evidence it is considered that the bylaw as applied by the resolution is appropriate. The bans will only apply to the fields when being used for Rugby League games or training sessions. Other sporting codes are not affected. The ban will apply for a temporary period. Given the evidence, it is considered that the imposition of temporary alcohol ban areas is a reasonable limitation on people's rights and freedoms.
- 7.5 Further, analysis to satisfy these requirements is provided in sections 4.10 to 4.15 of this report.
- 7.6 This report has been reviewed and approved by the Legal Services Unit.

8. Risks

- 8.1 Unless the ban is communicated widely and effectively including communicating the purpose of the ban, there is the risk of conflict between members of the rugby league community and resistance to the ban by some in the community.
- 8.2 To mitigate this risk the Council and CRL will prepare a communication plan and engage with members of the rugby league community through a range of media (i.e. media release, social media, etc.), training of club members and by word of mouth.

9. Next Steps

- 9.1 If the Council imposes a temporary alcohol ban in rugby league playing fields:
- 9.1.1 Council staff will place a Public Notice in the Press and inform the public of the temporary alcohol ban via 'Newline', social media and a media release.
- 9.1.2 CRL will communicate the ban to the rugby league community via their marketing portfolio (e.g. local sports radio, newspaper, etc.).
- 9.1.3 At the beginning of rugby league training sessions and games club members will erect 'alcohol-free zone' signage and remove the signage after each session/ game; and
- 9.1.4 Council Sports and Recreation staff will work with CRL to ensure that alcohol-free conditions in the Council-CRL agreement on the use of Council-owned park areas are communicated appropriately to club members.

1.1

Attachments

No.	Title	Page
A ↓	Attachment 1 - CRL submission on the proposed Alcohol Restrictions in Public Places Bylaw in 2018	20
B ↓	Attachment 2 - List of proposed alcohol ban areas	24
C ↓	Attachment 3 - CRL Alcohol Management Process	27

Confirmation of Statutory Compliance

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

Authors	<p>Evangeline Emerenciana - Policy Analyst</p> <p>Angela Leatherby - Sports Services Activation Advisor</p> <p>Ruth Littlewood - Senior Policy Analyst</p>
Approved By	<p>Emma Davis - Head of Strategic Policy</p> <p>Brendan Anstiss - General Manager Strategy and Transformation</p>

Hearings Panel
17 September 2018

Christchurch
City Council

Submission No: 44	
CHRISTCHURCH CITY COUNCIL Alcohol Restrictions in Public Places Bylaw 2018 - Received via Have Your Say - <i>Submissions close 5pm 3 September 2018</i>	
Full Name*:	George Lajpold
Contact Address*:	
Postcode:	
Telephone number:	
Email Address:	
Date Sent:	9/3/2018 4:45:59 PM
I am completing this submission for:	On behalf of a group or organisation
If representing a Group/Organisation – how many people for?	9000
Name of Organisation	Canterbury Rugby League
Role within Organisation	Capability and Game Manager
Would you like to speak at the hearing?	Yes
I/We ...	have some concerns
Submission:	<p>Canterbury Rugby League are making a submission raising concern the By Law proposal has not included a ban on rugby league playing fields (including child playground areas), rugby league changing sheds and associated car parks., during the rugby league season.</p> <p>Canterbury Rugby League has attached a document outlining the basis for this submission which highlights a key area of concern for the sport regarding the safety of spectators, players and officials as a result of sideline alcohol related incidents. At present our clubs are struggling to manage and feel unsupported when they have attempted to address alcohol related issues at their fields. The clubs are seeking the support of the community and the council to enable a safer space for the members of the rugby league fraternity and general public.</p> <p>Canterbury Rugby League are keen to present this submission to the council to enable further clarification on these concerns with strategies to manage these risks.</p>

Alcohol-Submission-Supporting-Letter-2018.pdf

Attachment A Item 6

Attachment A Item 7

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City Council



Canterbury Rugby League
Cavendish Business Park

www.canterburyrugbyleague.co.nz



Item 6

Attachment A

Item 7

Attachment A

Introduction

Rugby League has developed a stigma in sport in relation to the anti-social and inappropriate behaviour that is displayed by spectators, coaches, team officials and, on occasion, players. Over the years, there have been many media articles, both nationally and locally, that have highlighted the events that have raised the issues on alcohol and drugs within the sport

As a sport New Zealand Rugby League in partnership with the local districts have introduced a number of *'more than just a game'* initiatives to support the families of athletes and the broader rugby league community. These programmes include; Be A Sport Side Line Campaign, partnering ship with the 'It's Not Ok' initiative, the introduction of player and official Safety Zones and Drinking areas at matches, the introduction of the Good Sport programme for coaches and managers.

The Local Scene

Within the Canterbury Rugby League community, the issues of sideline behaviour associated with alcohol related incidents in the 2018 season have included:

- Consumption of alcohol at junior games
- Abuse towards other spectators
- Abuse towards officials
- Confrontational challenges being made towards volunteers
- Threats being made towards individuals with a weapon
- 3 occurrences of assault.

In addition, 70% of the clubs have indicated they are dealing with alcohol related behaviour issues on a weekly basis.

The club's administrators have expressed a high level of dissatisfaction and helplessness in trying to manage alcohol related issues at their fields, acknowledging they have no power or authority to effectively address any inappropriate behaviour whilst stating they are regularly abused when attempting to address these issues. The clubs have also informed Canterbury Rugby League that membership are leaving the sport because of what is witnessed and heard on the sidelines and there is, at times, a general level of concern that sidelines are volatile and unsafe.

The Way Forward

Canterbury Rugby League have entered into agreement with the Christchurch City Council, Canterbury District Health Board and Sport Canterbury on the education and upskilling of clubs on Alcohol Liquor Licensing processes and requirements. The subsequent workshops have identified that assistance in the management of sideline related incidents is a key priority for the clubs and additional support is necessary to mitigate future incidents.

Canterbury Rugby League was asked to present at the launch of the Christchurch Alcohol Action Plan and we have raised these concerns along with our resolution strategies to the boarder Canterbury community.

To assist Canterbury Rugby League's with the implementation of our Alcohol Management strategies, Canterbury Rugby League are requesting the following support from the council:

- That the rugby league playing fields, children's play areas, the car parks and the changing rooms, at the venues listed below, have a temporary liquor ban imposed as follows:
 - Period for duration for the ban – 1 March to 30 September.
 - Days of the week – Monday to Sunday
 - Hours 12pm to 10pm
 - Parks where the liquor ban is to be applied:
 - Addington park – Senior Rugby League Field 1
 - Bishopdale Park – Senior Rugby League Field 1
 - Bradford Park – Continued allocation under the South Columbo alcohol ban area for Senior Rugby League Field 1.
 - Branstons Park – Senior Rugby League Field 1 and Junior Rugby League Fields 1 & 2.
 - Bromley Park – Senior Rugby League Field 1
 - Canterbury Agriculture Park – Junior Fields and Senior Rugby League Field 1.
 - Crosbie Park – Senior Rugby League Fields 1 & 2, Junior Rugby League Field 1.
 - Cuthberts Green – Senior Rugby League Fields 1 & 2, Junior Rugby League Field 1.
 - Halswell Domain – Senior Rugby League Fields 1,2,3 and 4.
 - Kyle Park - Junior Rugby League Fields 1 & 2.
 - Leslie Park – Senior Rugby League Field 1.
 - Linwood Park – Senior Rugby League Field 1, Junior Rugby League Field 1.
 - MacFarlane Park – Senior Rugby League Field 1 & 2,
 - Papanui Domain – Senior Rugby League Field 1 & 2
 - Queen Elizabeth Park – Training Rugby League Field 1.
 - Spreydon Domain – Senior Rugby League Field 1.
 - Wainoni Park – Senior Rugby League Fields 1 & 2.
 - Woolston Park – Senior Rugby League Field 1.
 - Nga Puna Wai - Senior Rugby League Fields 1 & 2
 - Nga Puna Wai – Community Rugby League Fields 1 & 2.

Item 6

Attachment A

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- In recognition of this Temporary Ban, Canterbury Rugby League are in discussion with the NZ Police to work in partnership with this initiative. Their supporting documentation will form part of Canterbury Rugby Leagues presentation to the council.

George Lajpold
Capability and Game Manager
Canterbury Rugby League
email

Attachment A Item 6

Attachment A Item 7

List of playing fields proposed for alcohol ban

#	Title	Community Boards	Park	Host Club/s	Training Days	Match Days	Season Start Date	Season End Date
1	Addington Park - Senior Rugby League 1	Spreydon-Cashmere	Addington Park	Addington NOTE: Addington RL are happy to use Sydenham fields on weekends	Tuesday and Thursday nights	NULL	01/04/2019	31/08/2019
2	Bradford Park - Senior Rugby League 1	Spreydon-Cashmere	Bradford Park	Sydenham	Tuesday, Thursday nights	Saturday, Sunday	01/04/2019	31/08/2019
3	Spreydon Domain - Senior Rugby League 1	Spreydon-Cashmere	Spreydon Domain	Addington	NO training	Saturday, Sunday	01/04/2019	31/08/2019
4	Linwood Park - Modified Rugby League 1	Central-Heathcote-Linwood	Linwood Park	Linwood	Monday to Friday	Saturday, Sunday	01/04/2019	31/08/2019
5	Linwood Park - Senior Rugby League 1	Central-Heathcote-Linwood	Linwood Park	Linwood	Monday to Friday	Saturday, Sunday	01/04/2019	31/08/2019
6	Bromley Park - Senior Rugby League 1	Central-Heathcote-Linwood	Bromley Park	Woolston	Tuesday, Wednesday, and Thursday	Saturday, Sunday	01/04/2019	31/08/2019
7	Bromley Park - Senior Rugby League 1	Central-Heathcote-Linwood	Bromley Park	Linwood Jnrs	Tuesday, Wednesday, Thursday	Saturday, Sunday	NOTE: Linwood junior league training only Presidents	
8	Canterbury Agricultural Park - Mini Rugby League 1	Halswell-Hornby-Riccarton	Canterbury Agric'l Park	CRL Juniors	NO training	Saturday	01/04/2019	31/08/2019
9	Canterbury Agricultural Park – Mini Rugby League 2	Halswell-Hornby-Riccarton	Canterbury Agric'l Park	CRL Juniors	NO training	Saturday	01/04/2019	31/08/2019
10	Canterbury Agricultural Park – Mini Rugby League 3	Halswell-Hornby-Riccarton	Canterbury Agric'l Park	CRL Juniors	NO training	Saturday	01/04/2019	31/08/2019
11	Canterbury Agricultural Park – Mini Rugby League 4	Halswell-Hornby-Riccarton	Canterbury Agric'l Park	CRL Juniors	NO training	Saturday	01/04/2019	31/08/2019
12	Canterbury Agricultural Park – Mini Rugby League 5	Halswell-Hornby-Riccarton	Canterbury Agric'l Park	CRL Juniors	NO training	Saturday	01/04/2019	31/08/2019
13	Canterbury Agricultural Park - Mini Rugby League 6	Halswell-Hornby-Riccarton	Canterbury Agric'l Park	CRL Juniors	NO training	Saturday	01/04/2019	31/08/2019
14	Canterbury Agricultural Park - Modified Rugby League 1	Halswell-Hornby-Riccarton	Canterbury Agric'l Park	CRL Juniors	NO training	Saturday	01/04/2019	31/08/2019
15	Canterbury Agricultural Park – Modified Rugby League 2	Halswell-Hornby-Riccarton	Canterbury Agric'l Park	CRL Juniors	NO training	Saturday	01/04/2019	31/08/2019
16	Canterbury Agricultural Park - Senior Rugby League 1	Halswell-Hornby-Riccarton	Canterbury Agric'l Park	CRL Juniors	NO training	Saturday	01/04/2019	31/08/2019

List of playing fields proposed for alcohol ban

#	Title	Community Boards	Park	Host Club/s	Training Days	Match Days	Season Start Date	Season End Date
17	Branston Park – Mini Rugby League 1	Halswell-Hornby-Riccarton	Branston Park	Hornby	Tuesday to Friday	Saturday, Sunday	01/04/2019	31/08/2019
18	Branston Park - Modified Rugby League 1	Halswell-Hornby-Riccarton	Branston Park	Hornby	Tuesday to Friday	Saturday, Sunday	01/04/2019	31/08/2019
19	Branston Park - Senior Rugby League 1	Halswell-Hornby-Riccarton	Branston Park	Hornby	Tuesday to Friday	Saturday, Sunday	01/04/2019	31/08/2019
20	Halswell Domain - Senior Rugby League 1	Halswell-Hornby-Riccarton	Halswell Domain	Halswell	Junior 12-18s: Monday to Friday (NOTE: Friday nights back-up)	Saturday, Sunday	01/04/2019	31/08/2019
21	Halswell Domain - Senior Rugby League 2	Halswell-Hornby-Riccarton	Halswell Domain	Halswell	Tuesday, Wednesday, and Thursday	Saturday, Sunday	01/04/2019	31/08/2019
22	Halswell Domain - Senior Rugby League 3	Halswell-Hornby-Riccarton	Halswell Domain	Halswell	Juniors: Monday to Friday	-	01/04/2019	31/08/2019
23	Halswell Domain - Senior Rugby League 4	Halswell-Hornby-Riccarton	Halswell Domain	Halswell	Juniors: Monday to Friday	Saturday, Sunday	01/04/2019	31/08/2019
24	Leslie Park - Senior Rugby League 1	Halswell-Hornby-Riccarton	Leslie Park	Hornby	Seniors: Tuesday to Friday, and Sunday	Saturday, Sunday	01/04/2019	31/08/2019
25	Hornby Domain – Rugby League	Halswell-Hornby-Riccarton	Hornby Domain	Hornby Juniors	Monday to Friday	-	-	-
26	Nga Puna Wai – Senior Rugby League 1	Halswell-Hornby-Riccarton	-	-	NOTE: Managed use, start to be confirmed	-	01/04/2019	31/08/2019
27	Nga Puna Wai – Senior Rugby League 2	Halswell-Hornby-Riccarton	-	-	NOTE: Managed use, start to be confirmed	-	01/04/2019	31/08/2019
28	Nga Puna Wai – Senior Rugby League 3	Halswell-Hornby-Riccarton	Community Fields		Friday nights	-	01/04/2019	31/08/2019
29	Nga Puna Wai – Senior Rugby League 4	Halswell-Hornby-Riccarton	Community Fields		Friday nights	-	01/04/2019	31/08/2019
30	Crosbie Park - Junior Rugby League 1	Fendalton-Waimairi-Harewood	Crosbie Park	Riccarton	Tuesday, Wednesday, and Thursday	Saturday, Sunday	01/04/2019	31/08/2019
31	Crosbie Park - Senior Rugby League 1	Fendalton-Waimairi-Harewood	Crosbie Park	Riccarton	Monday to Friday NOTE: Friday nights back-up	Saturday, Sunday	01/04/2019	31/08/2019
32	Crosbie Park - Senior Rugby League 2	Fendalton-Waimairi-Harewood	Crosbie Park	Riccarton	NO Training	Saturday, Sunday	01/04/2019	31/08/2019
33	Bishopdale Park - Senior Rugby League 1	Fendalton-Waimairi-Harewood	Bishopdale Park	Marist	Tuesday and Thursday	Saturday, Sunday	01/04/2019	31/08/2019

List of playing fields proposed for alcohol ban

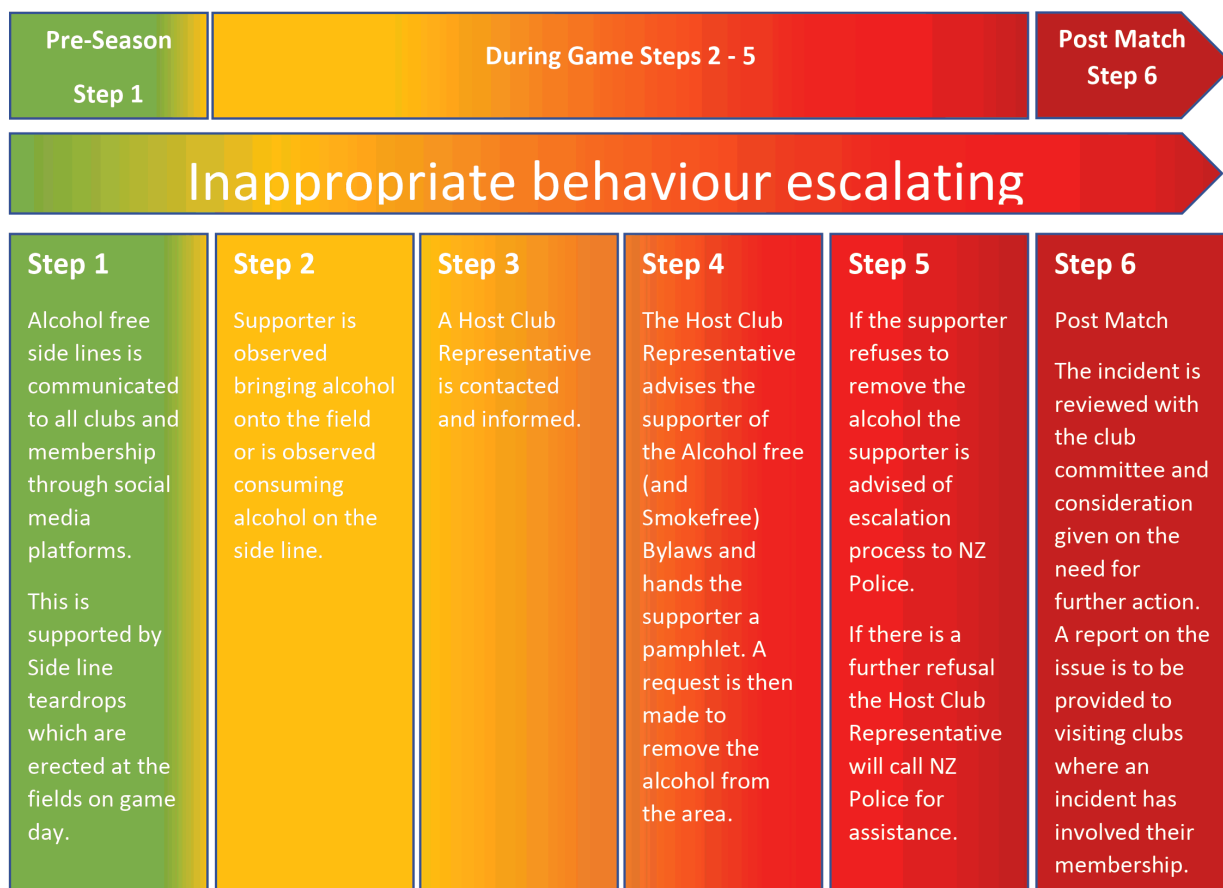
#	Title	Community Boards	Park	Host Club/s	Training Days	Match Days	Season Start Date	Season End Date
34	Macfarlane Park - Senior Rugby League 1	Papanui-Innes	Macfarlane Park	Shirley	-	Saturday, Sunday	01/04/2019	31/08/2019
35	Macfarlane Park - Senior Rugby League 2	Papanui-Innes	Macfarlane Park	Shirley	Tuesday and Thursday nights	Saturday, Sunday	01/04/2019	31/08/2019
36	Papanui Domain - Senior Rugby League 1	Papanui-Innes	Papanui Domain	Papanui	Monday to Thursday	Saturday, Sunday	01/04/2019	31/08/2019
37	Papanui Domain - Senior Rugby League 2	Papanui-Innes	Papanui Domain	Papanui	NO training	Saturday, Sunday	01/04/2019	31/08/2019
38	Cuthberts Green - Junior Rugby League 1	Coastal-Burwood	Cuthberts Green	Celebration	Monday to Friday nights	Saturday, Sunday	01/04/2019	31/08/2019
39	Cuthberts Green - Senior Rugby League 1	Coastal-Burwood	Cuthberts Green	Celebration	NO Training	Saturday, Sunday	01/04/2019	31/08/2019
40	Cuthberts Green - Senior Rugby League 2	Coastal-Burwood	Cuthberts Green	Celebration	Monday to Friday nights NOTE: Friday nights back-up	Saturday, Sunday	01/04/2019	31/08/2019
41	Wainoni Park - Senior Rugby League 1	Coastal-Burwood	Wainoni Park	Eastern	NO training	Saturday, Sunday	01/04/2019	31/08/2019
42	Wainoni Park - Senior Rugby League 2	Coastal-Burwood	Wainoni Park	Eastern	Tuesday to Friday, and Sunday	Saturday, Sunday	01/04/2019	31/08/2019



JOIN A CLUB - BECOME A REF

CRL Side line Alcohol Management Process

DRAFT



8. Potential Changes to the District Plan - Section 71 Opportunities

Reference: 19/230362

Maiki Andersen - Policy Advisor Natural Hazards

Presenter(s): Katie McFadden – Senior Policy Analyst

Michael Fisher - Team Leader City Planning

1. Purpose of Report

- 1.1 The purpose of this report is for the Regulatory Performance Committee to endorse the drafting of a proposal under section 71 of the Greater Christchurch Regeneration Act 2016 (GCRA) to amend the Christchurch District Plan for the following issues:
 - 1.1.1 The Port Hills slope instability overlays in specific locations where the risk has been removed or recalculated as being lower than originally anticipated.
 - 1.1.2 The minimum parking requirements applying to developments in the Commercial Banks Peninsula Zone in Lyttelton.

2. Executive Summary

- 2.1 The Committee has recently discussed a list of high priority changes needed to the District Plan, and around 25 have subsequently been prioritised. Two of these high priority Plan changes (the Port Hills slope instability overlays and Lyttelton parking) have been identified as potentially meeting the criteria to progress through the use of the GCRA.
- 2.2 The first proposed change to the District Plan is to update the slope instability overlays for certain properties on the Port Hills, where new technical information has shown that there is different or lesser risk for these properties.
- 2.3 The second proposed change is amending or removing the on-site parking requirements for developments in the Lyttelton town centre. These requirements are inhibiting the development of several sites along London Street, and therefore the wider regeneration of the Lyttelton town centre.
- 2.4 All other options for addressing these issues have been considered, and a change to the District Plan through the GCRA is deemed to be the best approach in both instances. The proposed changes are in accordance with one or more of the purposes of the GCRA, and can be reasonably considered necessary, taking into account all available alternatives.
- 2.5 Staff will continue to assess the suitability of using the GCRA to resolve other District Plan issues.

3. Staff Recommendations

That the Regulatory Performance Committee recommends that Council:

1. Agree to initiate a process to request the Minister for Greater Christchurch Regeneration to use section 71 of the Greater Christchurch Regeneration Act 2016 to amend the Christchurch District Plan for the two issues discussed in this report.
2. Request the Chief Executive to prepare draft proposals for the Minister's use of section 71 to amend the District Plan, and report directly to Council prior to engagement with strategic partners.

3. Note that staff will engage with the relevant Community Boards and affected stakeholders in developing the proposals.

4. Context/Background

Issue or Opportunity

- 4.1 The proposed changes to the District Plan that are the subject of this report are on the list of around 25 high priority plan changes, which was discussed with the Regulatory Performance Committee on 31 January 2019. Many of these priority plan changes will be able to be initiated through normal Resource Management Act (RMA) processes.
- 4.2 This paper deals with the two changes for which Council staff have assessed use of section 71 as being the most appropriate means to achieve the change to the District Plan. There may be other Plan changes that meet the stringent criteria for the use of the GCRA, however at this stage these are the only two that have been identified as immediately viable options.
- 4.3 *Slope Instability Overlays*
 - 4.3.1 After the Canterbury earthquakes, GNS slope instability modelling was undertaken in the Port Hills to identify which properties were affected by or deemed to be at risk from rockfall, cliff collapse or mass movement. This was a desktop study undertaken at a certain point in time, and was done with the best available information at that time.
 - 4.3.2 The District Plan then translated this modelling into mapped hazard areas called slope instability overlays, where most development requires resource consent.
 - 4.3.3 Subsequent hazard removal works and new technical information means that there is a different or lesser risk than originally mapped in the District Plan. Regardless, these properties remain subject to the rules of the original slope instability overlays.¹ This is imposing unnecessary restrictions, cost and uncertainty on landowners.
 - 4.3.4 There have been multiple requests from property owners requesting that the slope instability overlays in the District Plan are updated to reflect the change in risk profile in relation to their properties. Without an update, the ability for property owners to carry out activities on or develop their sites is affected, as is the property value.
 - 4.3.5 Up to 35 properties² have been identified as potentially belonging outside of the slope instability overlays through known removal works, individual queries from landowners, and approved certification and resource consent applications. These 35 properties have been identified as being the highest priority, as an initial assessment of risk has already been completed and, in some instances, landowners have been waiting for a change for a number of years. This number will be confirmed following geotechnical site assessments to confirm the extent of the immediate area affected.
 - 4.3.6 Without an amendment to the slope instability overlays, affected property owners will continue to have unnecessary restrictions, costs and uncertainty imposed upon them.

¹ Within the slope instability overlays most development, use and subdivision requires resource consent for a Restricted Discretionary or Non-Complying activity.

² The affected properties have been grouped into the following areas:

- 1) Bowenvale Avenue / Rockcrest Lane (5-7 properties),
- 2) Port Hills Road / Avoca Valley Road (5 properties),
- 3) Stoddart Lane / Holliss Avenue (5 properties),
- 4) Stronsay Lane (2-4 properties),
- 5) Taylors Mistake (6 properties),
- 6) Extra properties identified through resource consents (up to 8 properties)

This may result in property owners being unable to carry out activities on their properties, may hinder property sales and may be affecting property values.

4.4 Lyttelton Parking

- 4.4.1 The notified Christchurch Replacement District Plan included a provision that exempted local and neighbourhood commercial centres from having to provide a minimum number of car parks. Lyttelton was identified as a Neighbourhood Centre and was therefore exempted from the provisions. Following the hearings on submissions, the Independent Hearings Panel did not carry through the exemption into the final plan. Therefore, these centres must comply with the rules regarding the minimum and maximum number of car parks required under Clause 7.4.3.1 of the District Plan.
- 4.4.2 Council staff have been engaging with landowners regarding various development proposals in Lyttelton. These discussions have highlighted issues with meeting the minimum parking requirements for a number of development sites in the Lyttelton town centre. The parking requirements are unable to be met due to the topography and dimensions of the sites, which have not traditionally provided on-site parking.
- 4.4.3 There are a number of potential developments in the Lyttelton commercial area for which the Council may receive resource consent applications in the near future. The parking requirements may create challenges for a smooth and timely resource consenting process.
- 4.4.4 Without an amendment to the District Plan, the ability for landowners to develop their sites is affected. The resulting uncertainty amongst developers is hindering the regeneration of the Lyttelton town centre and its full recovery from the Canterbury Earthquakes, as development is either scaled back or does not proceed at all.
- 4.4.5 Wider parking arrangements in Lyttelton continue to be considered as part of the Council's implementation of the Suburban Parking Policy. This is important given the potential implications of a change to the District Plan for on-street parking.

Strategic Alignment

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

- 4.5.1 Activity: Strategic Planning and Policy

- Level of Service: 17.0.1.7 Advice to Council on high priority policy and planning issues that affect the City. Advice is aligned with and delivers on the governance expectations as evidenced through the Council Strategic Framework - Policy advice to Council on emerging an issues.

Decision Making Authority

- 4.6 As the Regulatory Performance Committee considers and reports to Council on issues and activities relating to, amongst other things, district planning matters, this has been brought to the Committee's attention in the first instance.
- 4.7 Additionally, staff would like the approval of the Council to prepare a proposal seeking section 71 amendments, as the Council has previously made decisions on the use of GCRA processes.

Previous Decisions

- 4.8 There have be no previous decisions related to this topic.

Assessment of Significance and Engagement

- 4.9 The decision in this report is of medium significance in relation to the Christchurch City Council's Significance and Engagement Policy.

- 4.10 The decision only impacts discrete areas and is likely to only be of interest to affected stakeholders. The impact on affected stakeholders would generally be positive, and have low to moderate environmental, social and cultural implications. There is minimal cost to the Council, ratepayers and the wider community, and the changes will not impact on the Council's capacity to carry out its role and functions.
- 4.11 There has been minimal engagement with strategic partners or affected stakeholders to date. In some instances stakeholders have contacted Council directly to query provisions relating to their property or land.
- 4.12 Engagement with stakeholders and strategic partners will take place once an approach to amending the District Plan (in regards to the two issues) has been confirmed.

5. Options Analysis

Options Considered

- 5.1 The following reasonably practicable options were considered and are assessed in this report (see Options Matrix in section 10 for more detail):
 - Section 71 of the GCRA.
 - Standard RMA Plan Change process.
 - Streamlined RMA Plan Change process.
 - No change.
- 5.2 The following option was considered but ruled out:
 - *Collaborative Planning Process* - This RMA process is primarily used for contentious issues that require the balancing of different values and allows the community to be more involved in all stages of the process. The proposed change is well understood by Council staff and there is consensus around the solution. The use of this process would result in significant time delays for affected property owners.
 - *Streamlined RMA Plan Change Process* - This process allows councils to make a request to the Minister for the Environment to use a streamlined planning process to enable councils to be more responsive to urgent issues and community needs. However, neither of the proposed changes meet any of the entry criteria required by section 80C(2) of the RMA in order to use this process. The streamlined process is generally intended to be used for issues that carry more weight than the ones at hand, which are discrete, local matters.

Options Descriptions

- 5.3 **Preferred Option:** Section 71 of the GCRA
 - 5.3.1 **Option Description:** Under this option, the Council would prepare a draft proposal under section 65 of the GCRA, asking the Minister for Greater Christchurch Regeneration (the Minister) to exercise her powers under section 71 of the GCRA to amend the District Plan.
 - 5.3.2 In order to use the GCRA to amend the District Plan, the Minister must be assured that the exercise of powers is in accordance with one or more of the purposes of the GCRA, and that he or she reasonably considers it necessary, taking into account all available alternatives³.

³ Greater Christchurch Regeneration Act 2016, section 65(2), (c)-(d)

5.3.3 The purposes of the GCRA, as outlined in section 3 are:

- Enabling a focused and expedited regeneration process
- Facilitating the ongoing planning and regeneration of greater Christchurch
- Enabling community input into decisions on the exercise of powers under section 71 and the development of Regeneration Plans
- Recognising the local leadership of Canterbury Regional Council, Christchurch City Council, Regenerate Christchurch, Selwyn District Council, Te Rūnanga o Ngāi Tahu, and Waimakariri District Council and providing them with a role in decision making under this Act
- Enabling the Crown to efficiently and effectively manage, hold, and dispose of land acquired by the Crown under the Canterbury Earthquake Recovery Act 2011 or this Act

5.3.4 Council staff estimate that this process may take 4-6 months, subject to agency support and all works and investigations being completed on time, which is faster than all other options. The Minister makes final decisions after the proposal has been publicly notified and is only able to accept or decline the proposal following public comment. This confines and controls the scope of any change.

5.3.5 For both issues the section 71 process would be the quickest and most efficient way to make the necessary changes to the District Plan to provide greater certainty to stakeholders. As the only changes sought are clear and discrete, a section 71 proposal provides more control and certainty of scope, and ought not to require amendment once submitted to the Minister.

5.3.6 The analysis of options below outlines the justification for asking the Minister to use the section 71 process for the two issues outlined below.

Slope Instability Overlays

- The current proposal to amend the slope instability overlays meets the purposes of the GCRA by enabling development for properties where the risk is reduced (i.e. enabling the ongoing planning and regeneration of Greater Christchurch), recognising and supporting the local leadership of the Council on this issue, and enabling viable future use prospects for residential red zoned land.
- The Minister should reasonably consider the proposed amendment necessary due to a policy commitment in the District Plan for Council to regularly update the Plan to reflect new information from site specific assessments. An additional consideration is the unfair restriction on the ability of property owners to carry out activities on their properties where risk has been removed or assessed as being different from the initial GNS modelling.
- Council staff have considered alternatives to using the section 71 process and none are able to achieve a resolution to this issue with the same efficiency and effectiveness. Other alternatives, such as continuing with the status quo would fail address issues of fairness, equity and uncertainty for property owners, while the standard plan change has a high risk of scope creep.

Lyttelton Parking

- The proposal for Lyttelton parking amendments meets the purposes of the GCRA in that it will help to efficiently and effectively facilitate the regeneration and rebuild of the Lyttelton town centre.

- The effects of the Canterbury Earthquakes on the Lyttelton town centre are still evident with several strategic sites and major buildings remaining vacant or empty. The current parking rules are inhibiting rebuilding and the enhancement of community facilities (for example the proposed Lyttelton Historical Museum). Using the GCRA would enable a more focused and expedited process for a plan change, thereby facilitating the ongoing planning and regeneration of this part of greater Christchurch.
- The Minister should reasonably consider it necessary to use section 71 due to the lack of viable alternatives to address the issue with the same efficiency and effectiveness. The standard plan change is the only other alternative that would achieve the desired outcome, however it would take significantly longer than a section 71 process, thereby undermining the regeneration and recovery process and failing to provide certainty to developers on projects that are already in train.

5.4 Standard RMA Plan Change Process

5.4.1 **Option Description:** The Schedule 1 RMA process is the default process used by Council to make changes to the District Plan. Council would prepare a plan change, notify for public submissions and further submissions, and hold a hearing if required. Following the Council making a decision on submissions, submitters have the right of appeal to the Environment Court.

5.4.2 This process is well understood and has 'best practice' guidance available. However, it can be a lengthy process (1 to 2 years) due to the number of steps in the process, and the potential for the plan change to be appealed.

5.4.3 There is the potential for high costs to be involved in this process (notification, processing submissions, hearings, litigation).

Slope Instability Overlays

- The prolonged and uncertain timeframes associated with this process would be unlikely to address fairness, equity and uncertainty issues with the urgency needed. There is also a high risk of scope creep if additional landowners request review and assessment of their sites in submissions or appeals, which could trigger a broader re-assessment of the slope instability overlays across the district.
- Scope creep in this instance is undesirable as it may result in delays to a resolution for the property owners of 'known' locations where assessment of risk has been completed and, in some instances, landowners have been waiting for a change for a number of years.
- The 'known' properties have been identified through reviewing risk changes as a result of the capital works programme, individual queries from landowners, and approved certification and resource consent applications.
- There will be an opportunity in the future to undertake assessment of risk for other areas and update the slope instability overlays across the Port Hills. This is anticipated to be in the form of rolling reviews, which will be recognised through updating the District Plan via a plan change every two years (if required), and a comprehensive assessment of around 1,300 properties leading up to 2027 (the 10 year Plan review).

Lyttelton Parking

- This process would not address the development issues in Lyttelton with the urgency and efficiency that a section 71 process would achieve. This would

increase uncertainty for landowners and developers in Lyttelton, who would still need to go through the consenting process, and thus not support regeneration outcomes.

5.5 No change to the District Plan

5.5.1 **Option Description:** This option would continue the status quo. There would be no additional time or cost to the Council, which would instead rely on business as usual processes such as resource consents.

Slope Instability Overlays

- Owners would continue to face uncertainty about what they can and can't do on their property, despite previous assurances by staff that it would be resolved as soon as practicable. Costs continue to be imposed on individual property owners (property value, cost of certification and/or resource consent), despite the Council holding information that the risk has been reduced or removed.
- Council would be failing to meet policy commitments in the District Plan to regularly update hazard information as new information becomes available.
- The Annual Individual Fatality Risk (AIFR) certification process was designed as a tool to be able to respond to and update or clarify hazard and risk information as it changed, as an alternative to the resource consent process. However, it is not working as anticipated and has resulted in limited effectiveness of this tool. The broader approach of certification processes in the District Plan will be investigated, as part of a separate plan change at a later date.

Lyttelton Parking

- This approach would not take into account the recognised specific complexities faced by development in Lyttelton.
- Developers would continue with current processes, including submitting resource consent applications in which they provide analysis and rationale for why they cannot comply with the on-site parking requirements. This approach determines, on a case-by-case basis, whether each development meets the statutory criteria for granting consent.
- While a consent process could progress for a particular development, this does not address the wider issues facing the Lyttelton town centre nor present a clear framework for all development to respond to. It is also inefficient as it imposes unnecessary private costs on developers.

Analysis Criteria

5.6 The analysis criteria used for the assessment of options are financial implications, certainty for development and future use, efficiency, effectiveness, impact on mana whenua and alignment with Council plans, policies and strategic objectives. Further detail can be found in the 'Options Matrix' table in section 10 of this report.

6. Community Views and Preferences

6.1 While there has been no formal engagement with affected stakeholders to date, Council staff have had informal conversations with developers in Lyttelton, and there have been multiple requests from property owners on the Port Hills requesting that the District Plan is updated to reflect the change in risk profile in relation to their properties.

- 6.2 Council staff have plans to engage with all stakeholders that are affected by the two proposals, through contacting property owners on the Port Hills and holding a meeting in Lyttelton for all affected stakeholders in that area.

7. Legal Implications

- 7.1 There are statutory processes relevant to this decision. The risks involved in these processes are outlined in Risks and Mitigations below.
- 7.2 This report has been reviewed by the Legal Services Unit
- 7.3 The legal considerations are set out throughout this report.

8. Risks and mitigations

- 8.1 There are a number of timing constraints involved in ensuring the section 71 process is undertaken efficiently, including the timing of decisions leading up to local elections, the ability of strategic partners to provide comments within reduced timeframes, and the timing of Minister decisions. To minimise this risk Council staff will undertake early engagement with affected parties, strategic partners, Regenerate Christchurch and the Department of Prime Minister and Cabinet (DPMC) to ensure all parties are on board with the approach and can meet proposed timeframes.
- 8.2 There may be reduced appetite for the use of powers under section 71, now that the Order in Council is revoked and Council can make plan changes under normal RMA processes. The Council will work closely with DPMC throughout the process to ensure that staff have an understanding of what advice DPMC is likely to provide to the Minister. We will also work closely with other strategic partners.
- 8.3 A general risk arises from the limited consultation requirements under a section 71 process. The negative perception of this will be mitigated through undertaking informal consultation with all affected stakeholders, from an early stage in the process. This risk is further mitigated by the fact that neither proposal is likely to be very contentious.
- 8.4 *Slope Instability Overlays*
- 8.4.1 There is a risk that the Council is seen to be enabling select landowners only due to the restricted scope of the changes to the District Plan. The areas identified in the scope of this project are the 'known' areas where assessment of risk has been completed and in some instances landowners have been waiting for a change for a number of years. There will be an opportunity in the future to undertake wider assessment of risk for wider slope instability areas and update the slope instability overlays across the Port Hills, but Council staff do not consider this a priority at this time as it would delay changes for known areas.
- 8.4.2 In order to include the properties in the Port Hills Road/Avoca Valley Road area it is necessary to wait until risk removal works are completed at the end of June 2019. Any delay to this work could impact the estimated timeframes of this project.
- 8.5 *Lyttelton parking*
- 8.5.1 The proposed scope is restricted to the Lyttelton town centre, although other neighbourhood centres are potentially faced with similar problems due to the minimum parking requirements. There is a risk that the proposed scope will therefore be questioned. This project addresses Lyttelton separately due to the specific regeneration issues in the Lyttelton town centre, unique site constraints imposed by topography, and

the urgency faced as a number of developments are likely to submit resource consent applications in the near future.

- 8.5.2 There is a risk that there will be a higher demand for on-street parking in the Lyttelton town centre and adjoining residential neighbourhood as a result of removing/amending the minimum on-site requirements. The extent of this problem will depend partly on the intensification of development that occurs. However, there was no parking provided pre-Earthquakes and staff understand that this was not a significant issue at that time. This risk could be at least partly mitigated through the recently-approved Suburban Parking Policy, which allows for residents' parking to be installed in specific circumstances.

9. Next Steps

- 9.1 If the recommended approach is endorsed, staff will proceed as follows:
- 9.1.1 Prepare a draft proposal in accordance with section 65 of the GCRA to amend the Christchurch District Plan;
 - 9.1.2 Complete additional technical work to confirm the scope, limitations and effects of the proposals;
 - 9.1.3 Engage with stakeholders and relevant Community Boards to assist in developing the proposals;
 - 9.1.4 Report back to the Council with draft proposals before engaging with strategic partners;
 - 9.1.5 Engage with Strategic Partners to meet statutory requirements under the GCRA; and
 - 9.1.6 Report back to the Council with final draft proposals to submit to the Minister (if still the preferred option following engagement).

10. Options Matrix

Slope Instability Overlays - Issue Specific Criteria				
Criteria		Option 1 - Section 71 (GCRA)	Option 2 - Standard Plan Change Process (RMA)	Option 3 - No change
Financial Implications	Cost to Implement	Staff time	Staff time	Nil
	Maintenance/Ongoing	Nil	Nil	Nil
	Funding Source	Existing operational District Plan budget	Existing operational District Plan budget	Nil
	Impact on Rates	Nil	Nil	Nil
Criteria 1 – Certainty for development and future use (plus issues of fairness and equity)		Provides certainty for affected property owners by reducing resource consenting requirements and/or more appropriately managing the type of risk.	Unlikely to address fairness, equity and uncertainty issues with the urgency needed and guaranteed scope.	Fails to address issues of fairness, equity and uncertainty for property owners.
Criteria 2 - Efficiency		Most efficient (4-6 months)	Uncertain and lengthy – approximately 12 months, or longer if appealed	N/A
Criteria 3 – Effectiveness		More control and certainty of scope due to Minister only able to accept or decline proposal, not make changes. Keeps change focussed on most immediate need.	Allows for scope creep if additional property owners request their site is included in the review, which would result in extended timeframes.	N/A

Statutory Criteria

Criteria	Option 1 - Section 71 (GCRA)	Option 2 - Standard Plan Change Process (RMA)	Option 4 - No change
Impact on Mana Whenua	Nil	Nil	Nil
Alignment to Council Plans & Policies	Council is required to ensure that people are informed about natural hazards relating to their property and surrounding area, and to notify regular plan changes to reflect updated hazard information. Option 1, 2 and 3 allow Council to meet these policy obligations.		This option does not allow Council to meet the policy obligations of District Plan.
Strategic Priorities <ul style="list-style-type: none"> Informed and Proactive Approach to Natural Hazard Risk 	Changing the District Plan aligns with the strategic priority to take an 'Informed and Proactive Approach to Natural Hazard Risk' as Council is taking a proactive approach to ensure slope instability overlays are up to date. The remaining strategic priorities have been considered, but are not relevant to this proposal.		Failing to change the slope instability overlays where Council holds information about differences in risk is inconsistent with this strategic priority.

Item 8

Lyttelton Parking - Issue Specific Criteria				
Criteria		Option 1 - Section 71 (GCRA)	Option 2 - Standard Plan Change Process (RMA)	Option 4 - No change
Financial Implications	Cost to Implement	Staff time	Staff time	Nil
	Maintenance/Ongoing	Nil	Nil	Nil
	Funding Source	Existing operational District Plan budget	Existing operational District Plan budget	Nil
	Impact on Rates	Nil	Nil	Nil
Criteria 1 - Certainty for development and future use		Provides certainty for developers by removing resource consenting requirements, and is enabling of	Unlikely to address uncertainty issues with the urgency and efficiency needed.	Provides no certainty (i.e. that a resource consent would be obtained) and therefore deters development of the town centre.

	future development in the Lyttelton town centre.		
Criteria 2 - Efficiency	4-6 months	Approximately 12 months, or longer if appealed	N/A
Criteria 3 - Effectiveness	This process provides more control and certainty of scope, which is appropriate as the change being sought is discrete.	Less efficiency, control and certainty with this process, eg. it would take longer and it could open the proposed change to a wider scope, i.e. other neighbourhood centres. This would undermine the regeneration focus of the changes sought for Lyttelton.	N/A

Item 8

Statutory Criteria			
Criteria	Option 1 - Section 71 (GCRA)	Option 2 - Standard Plan Change Process	Option 4 - No change
Impact on Mana Whenua	Nil	Nil	Nil
Alignment to Council Plans & Policies	Christchurch Transport Strategic Plan, which encourages flexible parking requirements to reduce the dependency on travel by private motor vehicles.		N/A
Strategic Priorities <ul style="list-style-type: none"> • Enabling active citizenship • Maximising opportunities to develop a vibrant, prosperous and sustainable 21st century city • Increased active, public and shared transport opportunities and use 	<p>This proposal supports the strategic priorities of ‘enabling active citizenship’, and ‘maximising opportunities to develop a vibrant, prosperous and sustainable 21st century’ by enabling the regeneration of the Lyttelton centre through the development of community centres and other developments. This will support the local economy, urban design and amenity, and help meet the social needs of the local community. This proposal also supports the strategic priority of ‘Increased active, public and shared transport opportunities and use’, by reducing the dependency on travel by private motor vehicles, which will encourage people to consider travel by other transport modes (such as Active and public transport).</p> <p>The remaining strategic priorities have been considered, but are not relevant to this proposal.</p>		Failing to remove the relevant parking provisions would be allowing an impediment to the regeneration of the area to remain in place, thereby compromising these strategic priorities.

•

Attachments

There are no attachments to this report.

Confirmation of Statutory Compliance

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

Authors	Katie McFadden - Senior Policy Analyst Alison Outram - Assistant Policy Planner Maiki Andersen - Policy Advisor Natural Hazards
Approved By	David Griffiths - Head of Planning & Strategic Transport Brendan Anstiss - General Manager Strategy and Transformation

9. Resource Consents Monthly Report - February 2019

Reference: 19/217061

Presenter(s): John Higgins – Head of Resource Consents

1. Purpose of Report

- 1.1 The purpose of this report is to provide a monthly update to the Regulatory Performance Committee with respect to the delivery of resource consent functions. This report covers activity for the month of February 2018.
- 1.2 **Attachment A** provides graphical information relating to application numbers and performance. Key aspects of that graphical information are also discussed below.
- 1.3 **Attachment B** provides a table of key applications.
- 1.4 **Attachment C** provides summary of customer feedback on the Resource Consents Service.
- 1.5 The author will be present at the Committee meeting to highlight key areas of the report and answer any questions.

2. Staff Recommendations

That the Regulatory Performance Committee:

1. Receive the information in the Resource Consents Monthly Report – February 2019.

3. Application Numbers

- 3.1 Applications received increased from 186 in January to 246 in February. The Unit normally sees an increase in applications following the holiday season.
- 3.2 One Temporary Accommodation approval was issued in February. 15 District Plan certificates were issued in February.
- 3.3 Overall application numbers are tracking slightly above the 2017/18 year, but below the 2015/16 and 2016/17 years.
- 3.4 195 applications were issued in February. A breakdown of processing type is shown in the table below (some applications types are excluded from this table).

Outcomes	Number issued	%	Number issued YTD	%
Activity not permitted (PBA, MAR)	0	0.00%	4	0.26%
Activity permitted (PBA, MAR)	7	3.59%	53	3.48%
Certificate can be issued (COC, EUC)	5	2.56%	19	1.25%
Certificate issued (241, 243, 226)	1	0.51%	12	0.79%
Certificate unable to be issued (COC, EUC)	1	0.51%	2	0.13%
Changes requested to Outline Plan	0	0.00%	3	0.20%
Declined	1	0.51%	6	0.39%
Granted	176	90.26%	1384	90.87%
Not specified	1	0.51%	1	0.07%
Outline plan accepted	1	0.51%	25	1.64%
Surrender accepted (138)	2	1.03%	13	0.85%
Surrender not accepted	0	0.00%	1	0.07%
Total	195	100%	1523	100%

- 3.5 Of the applications issued in February, the decision outcomes are reported in the table below (again some of the application types are excluded).

Process	Number issued	Number issued YTD
Fast track application		5
Limited notified with hearing	1	6
Limited notified without hearing		9
Non-notified - no written approvals	114	1098
Non-notified - with written approvals	18	226
Non-notified with hearing		5

4. Performance

- 4.1 98% of non-notified applications were processed within timeframe in February, although YTD is still tracking at 99%. Notified applications were 100% within timeframe for February and YTD.

5. List of Significant Applications

- 5.1 A list of significant applications received and issued is included in Attachment B.

6. Customer Satisfaction

- 6.1 Included on the decision letter for every resource consent is a link to an electronic survey. This survey provides feedback on the service which is reviewed regularly and feeds into the continuous improvement programme.
- 6.2 The detailed results of the surveys so far for this financial year is included at Attachment C. Overall 85% of applicants were satisfied with the service which is no change from January.

Attachments

No.	Title	Page
A	Attachment A - Key Statistics - February 2019	46
B	Attachment B - Key Applications - February 2019	55
C	Attachment C - Survey Results - February 2019	56

Confirmation of Statutory Compliance

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

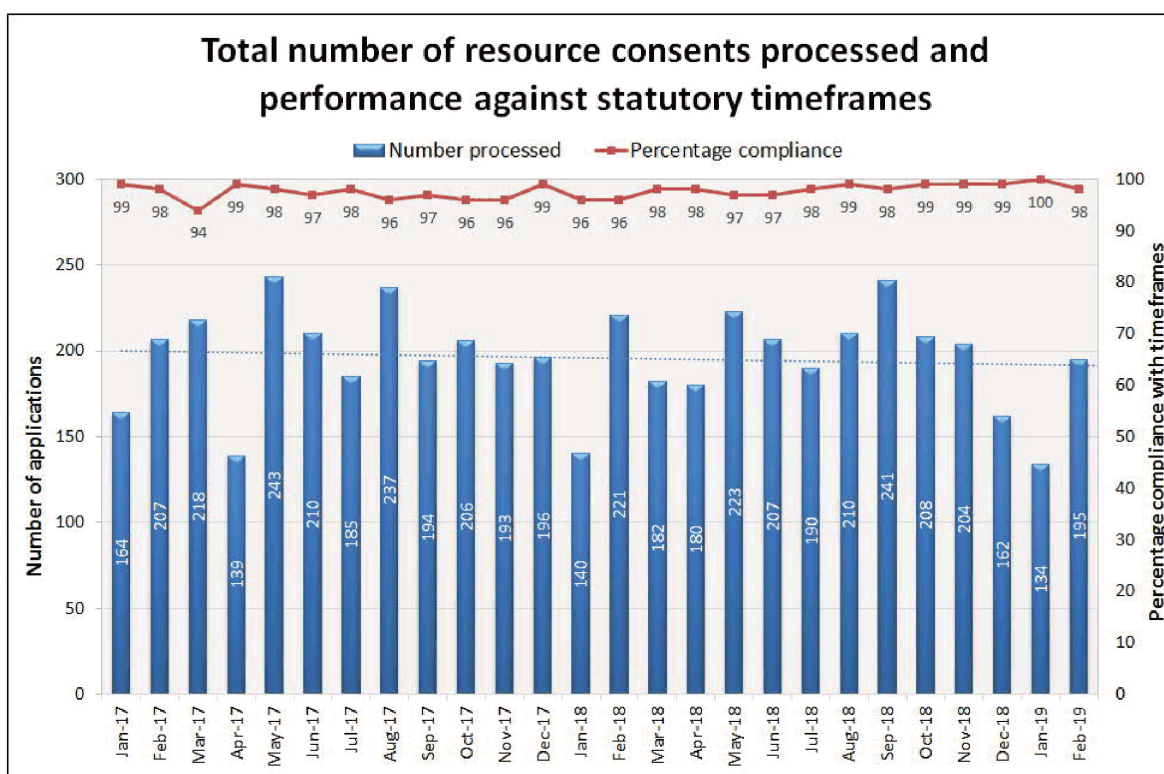
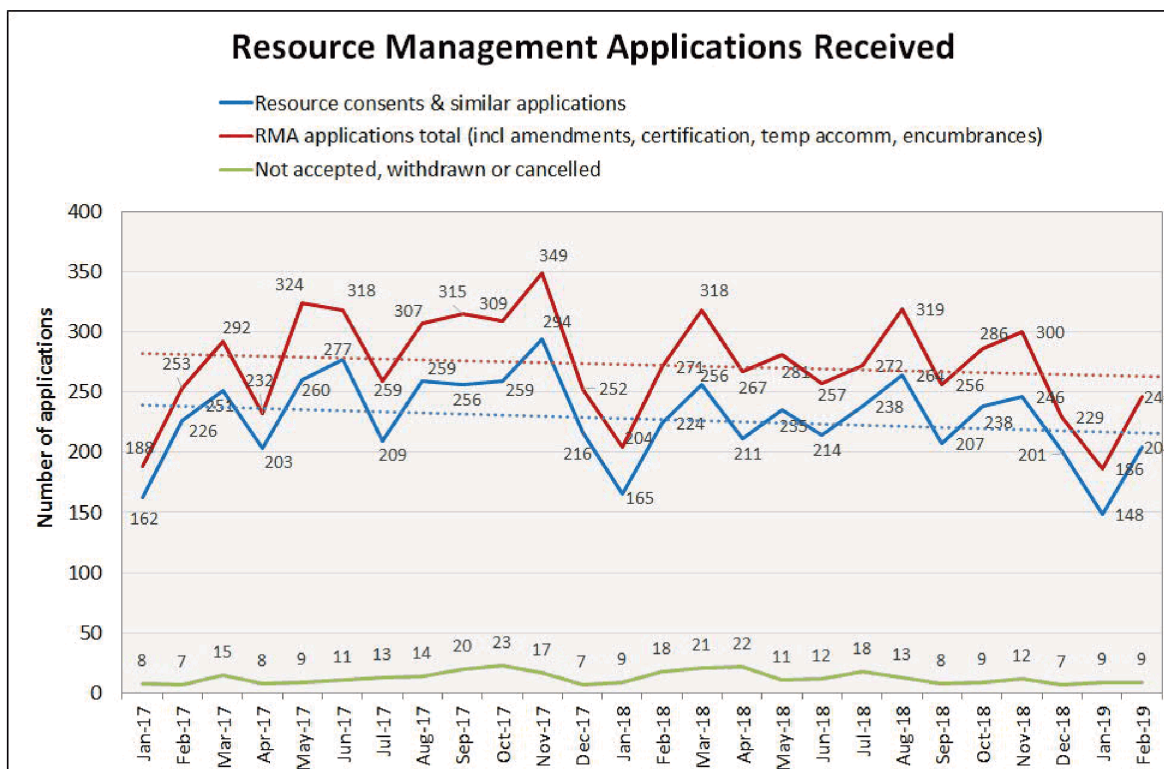
(a) This report contains:

- (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.

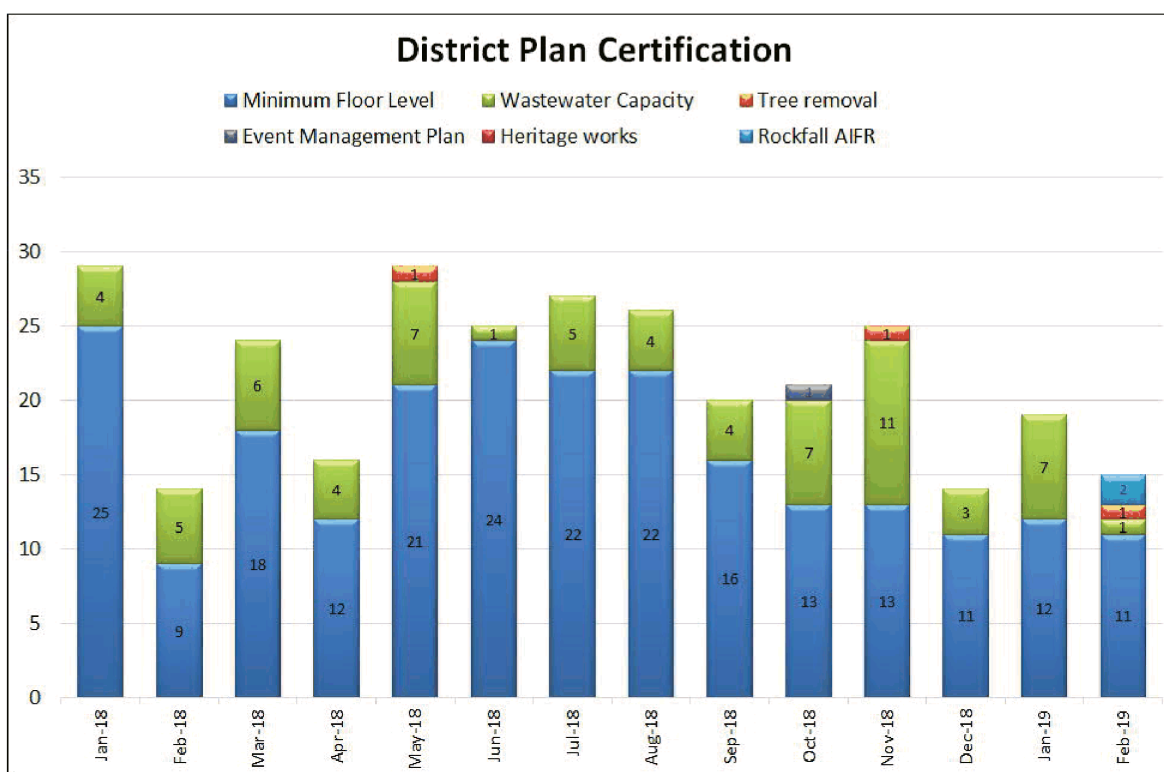
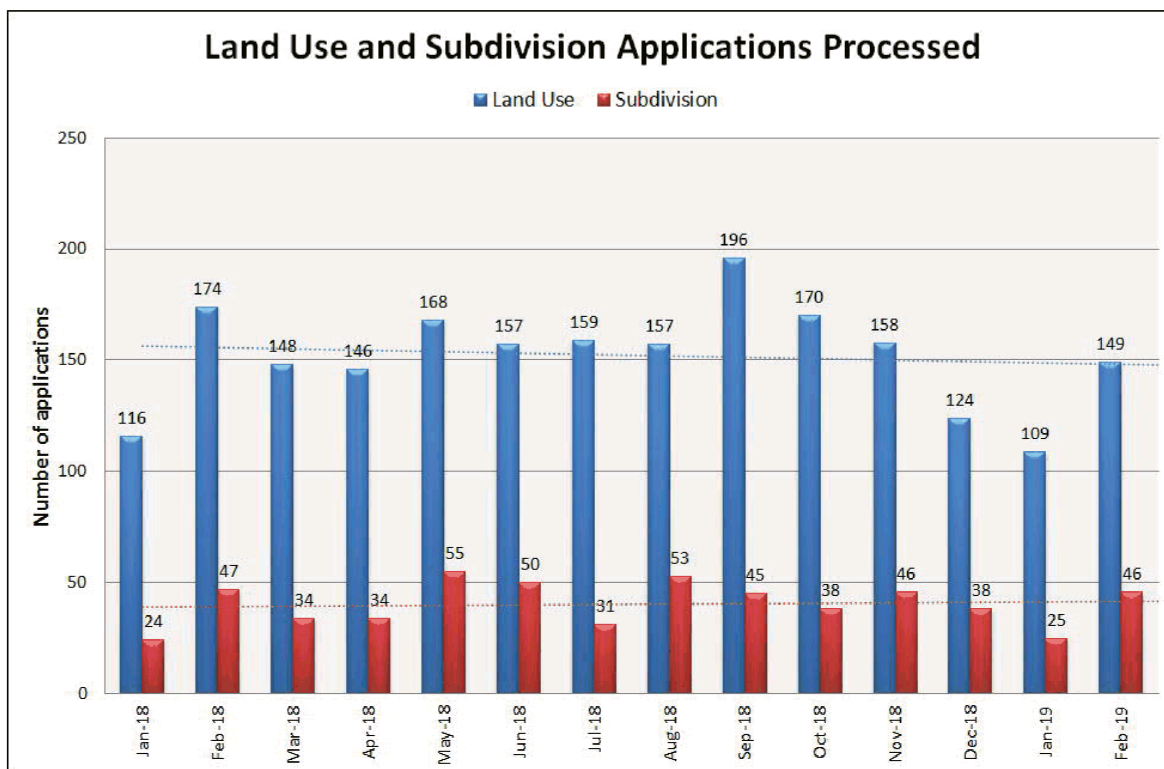
(b) The information reflects the level of significance of the matters covered by the report, as determined in accordance with the Council's significance and engagement policy.

Signatories

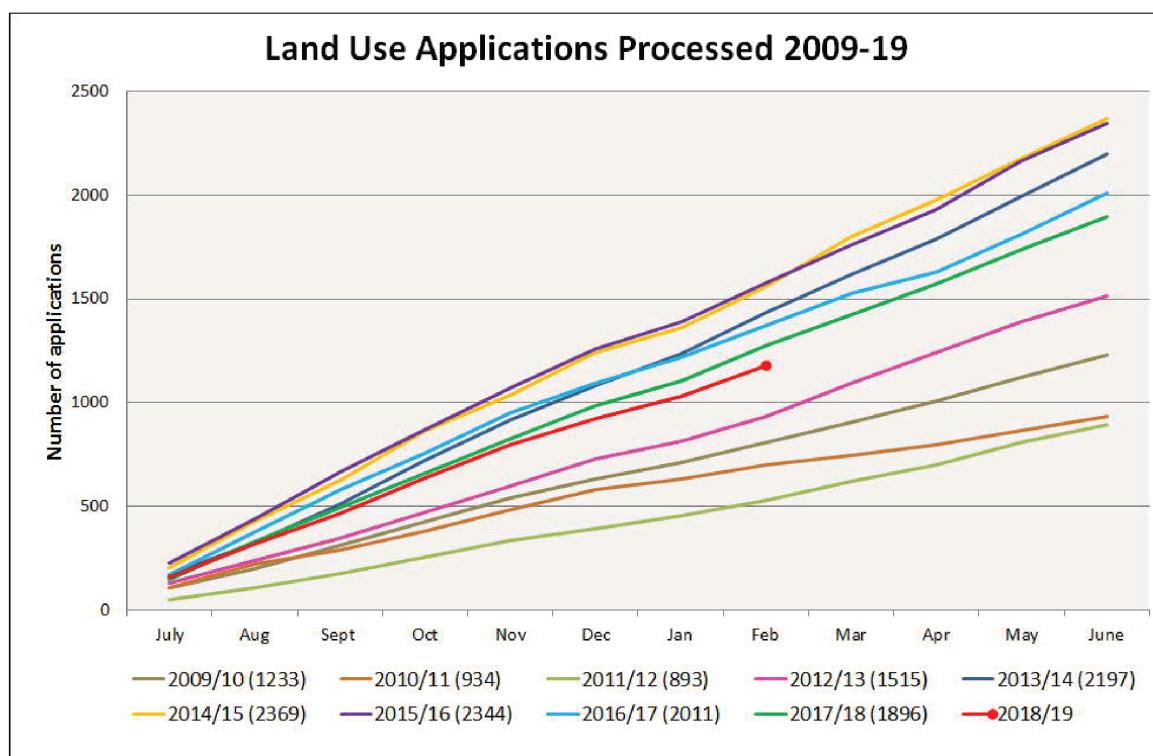
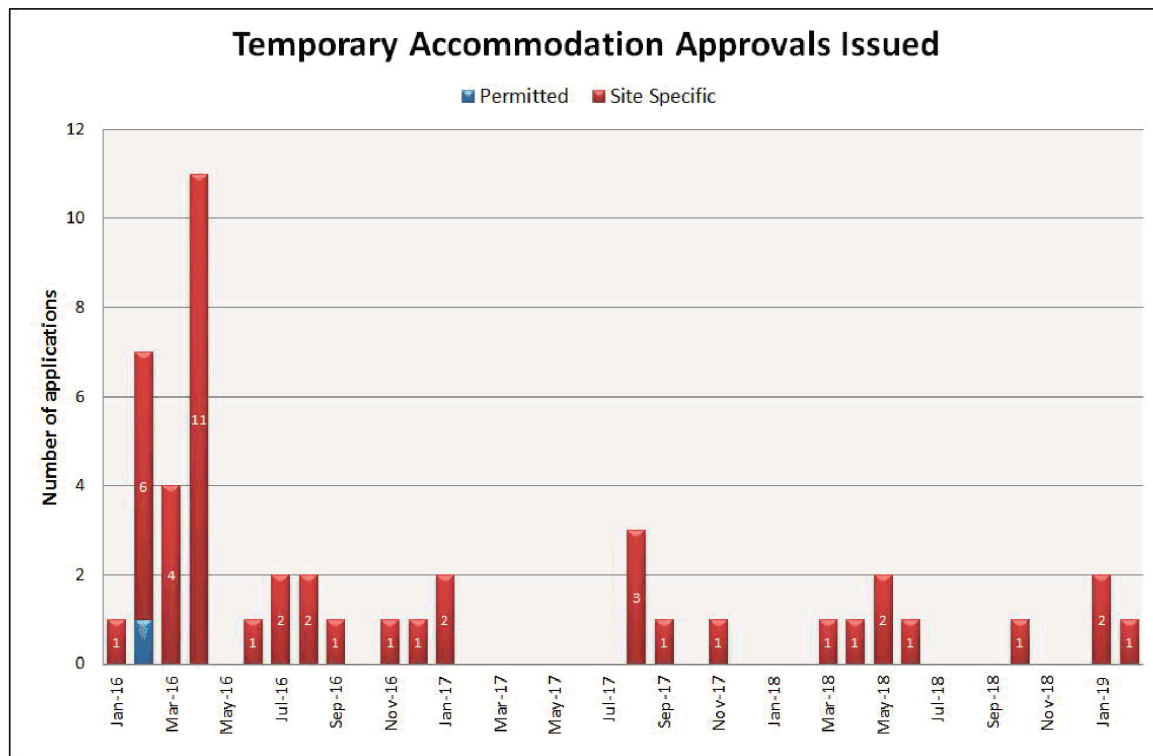
Author	John Higgins - Head of Resource Consents
Approved By	Leonie Rae - General Manager Consenting and Compliance



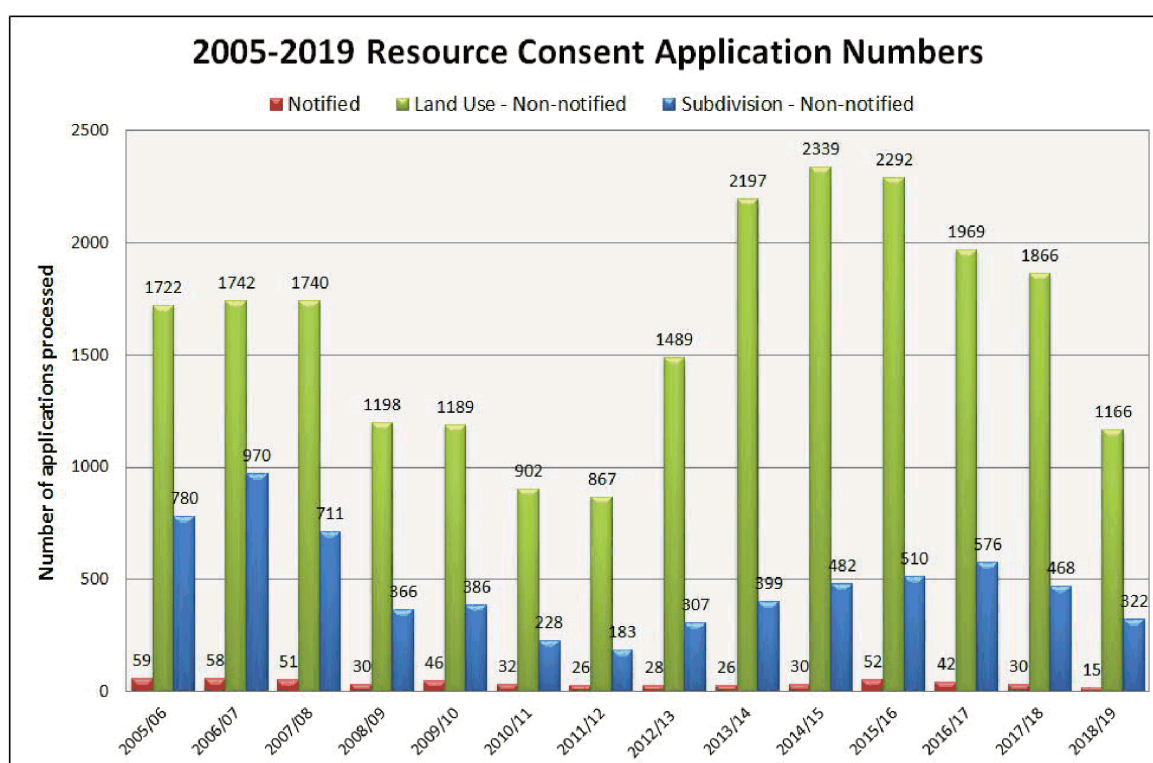
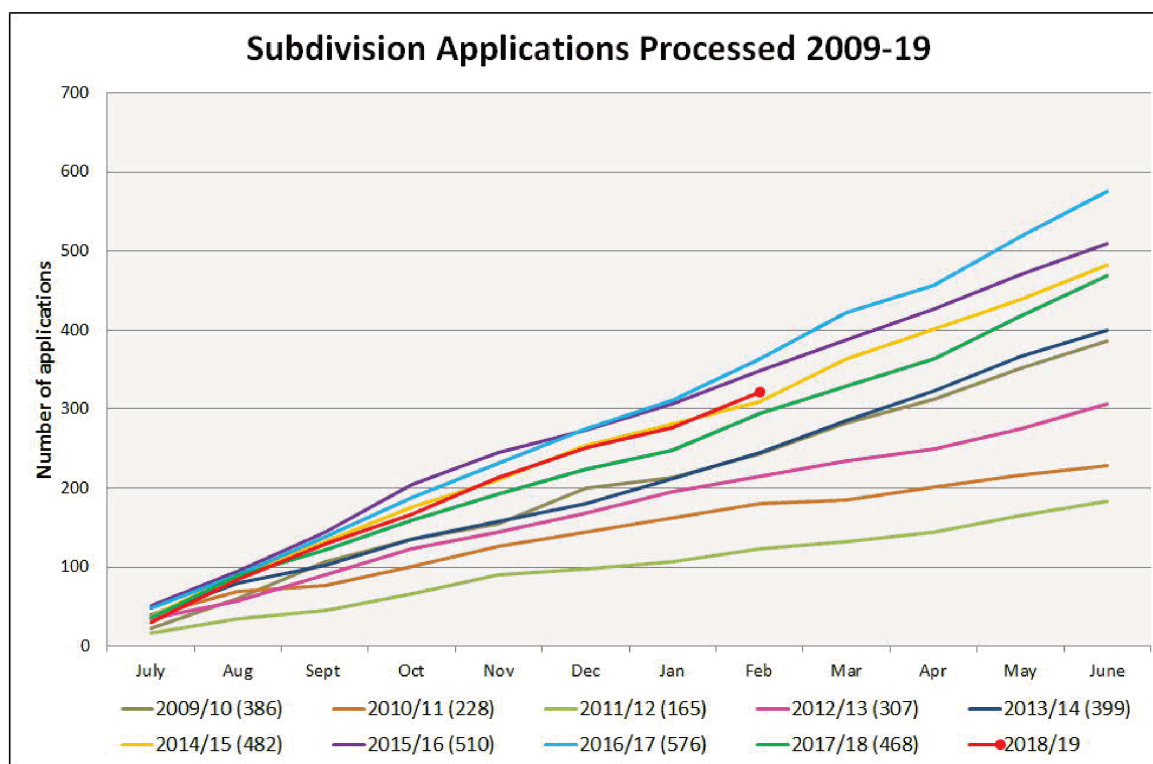
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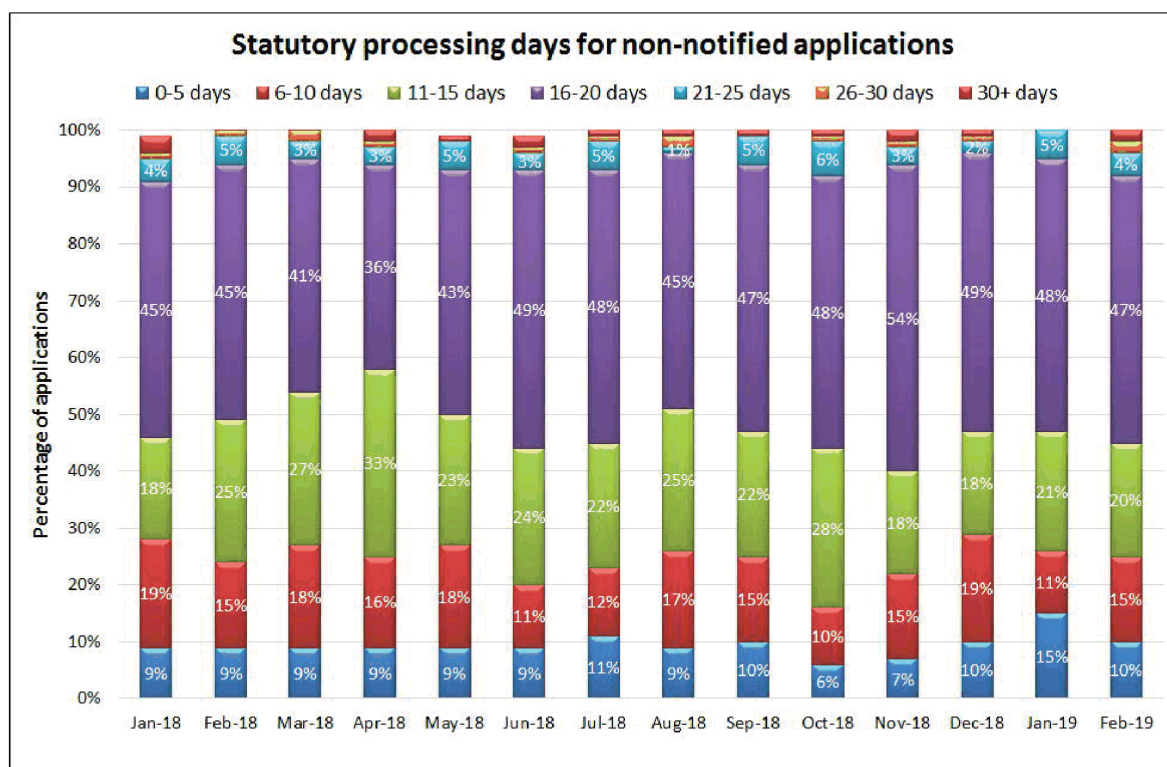
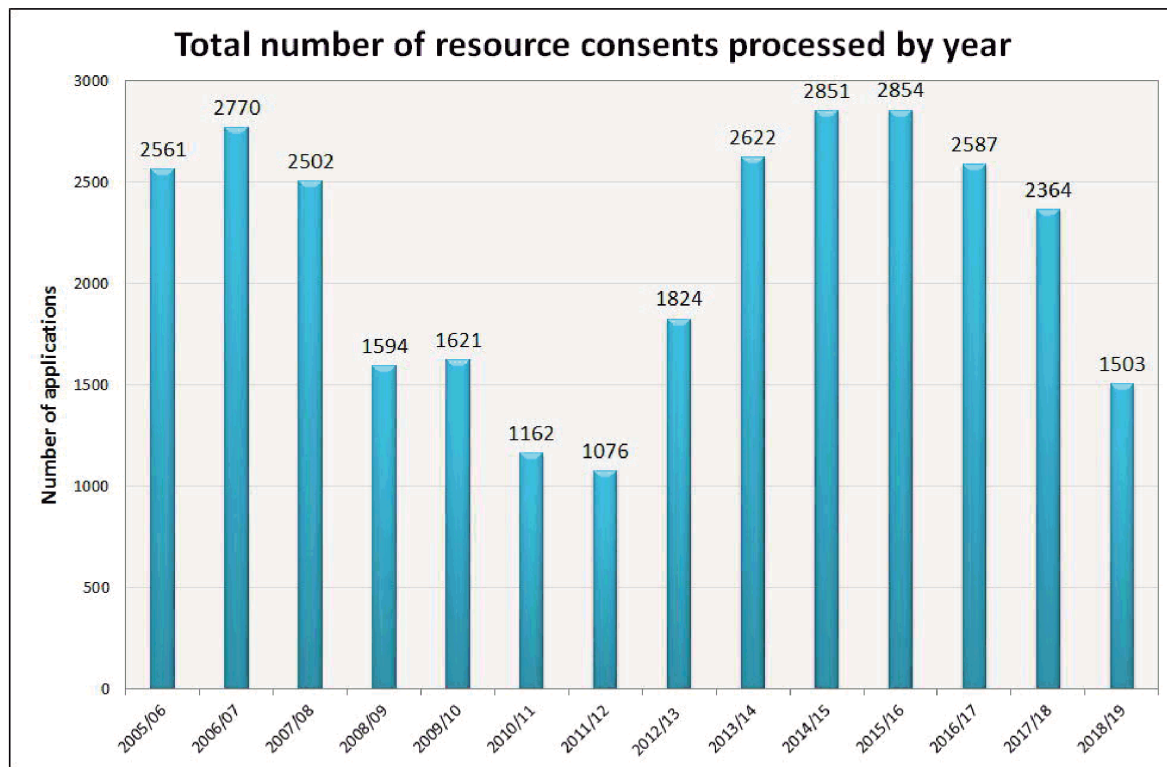
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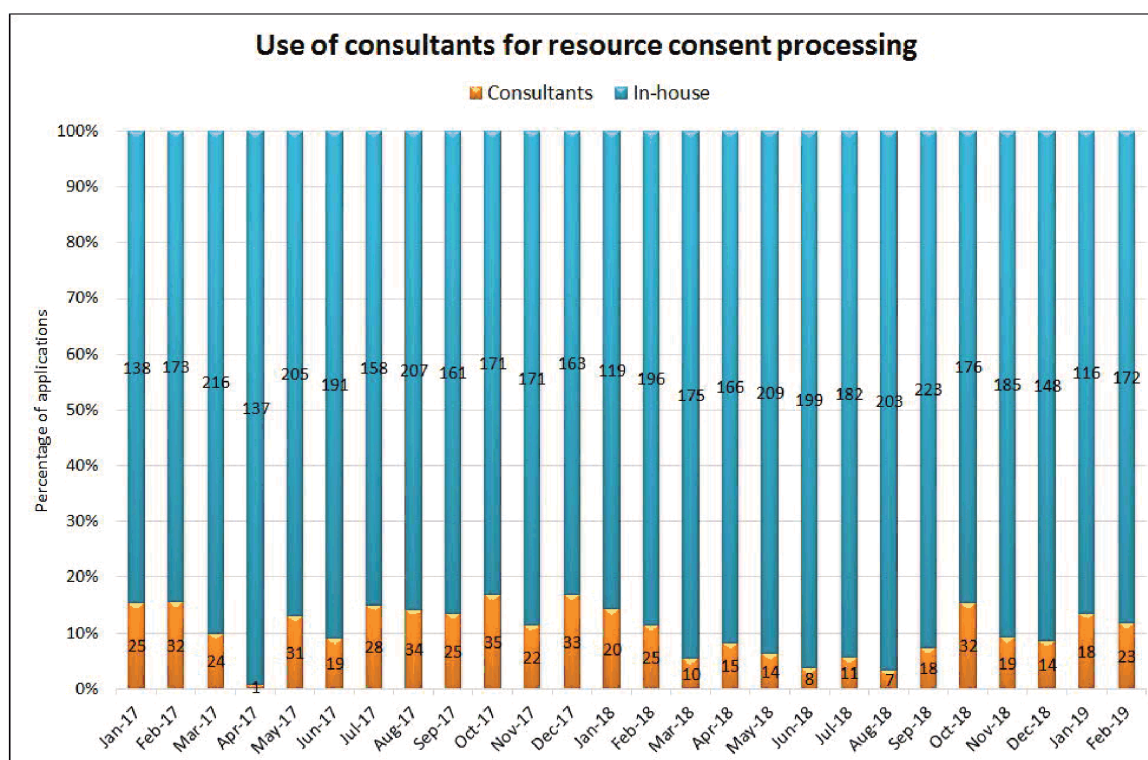
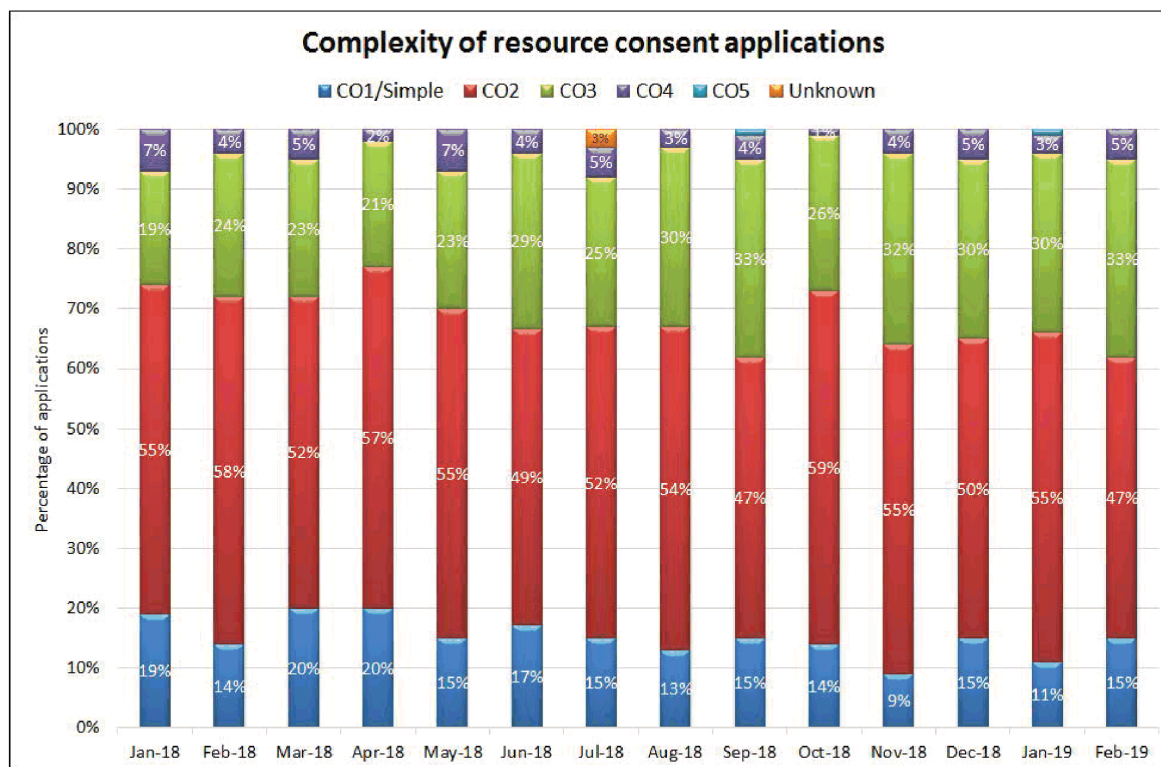
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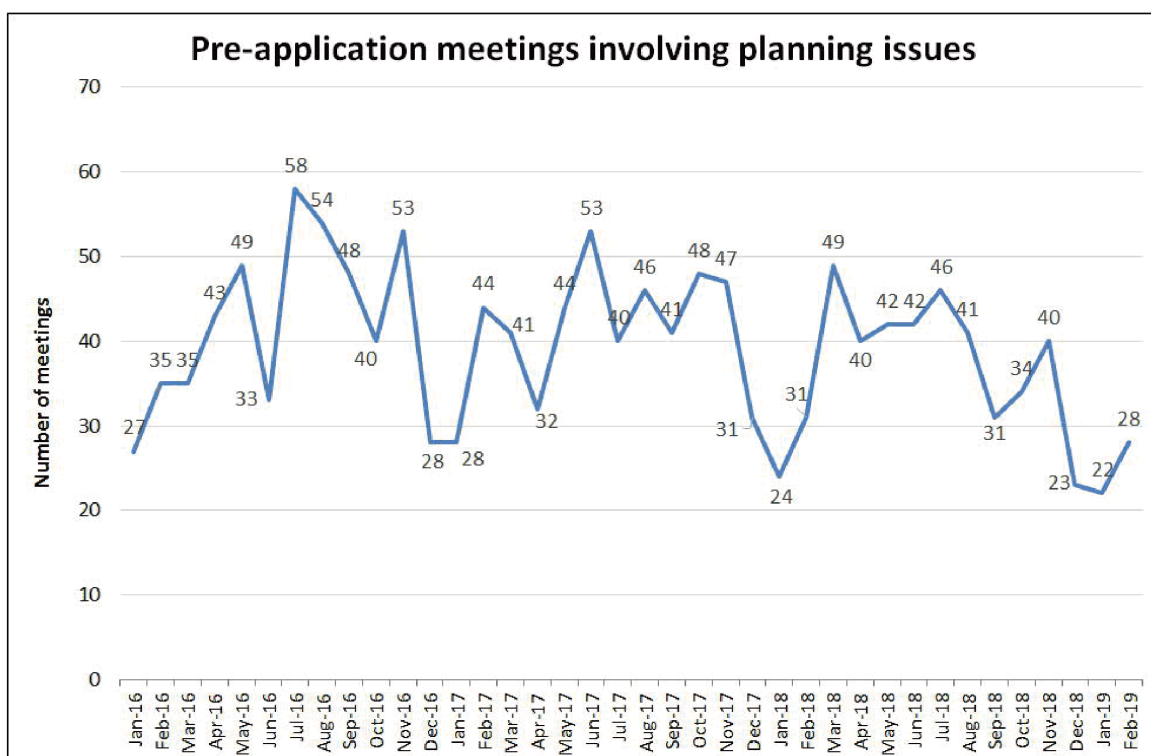
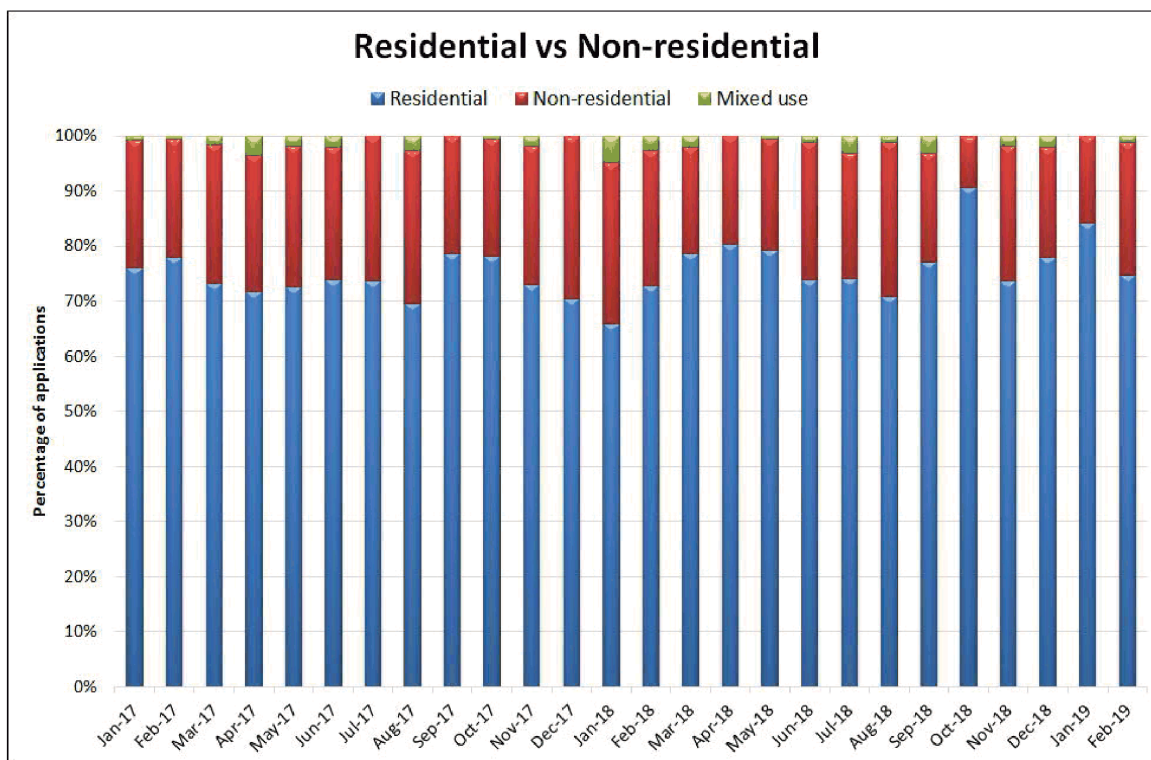
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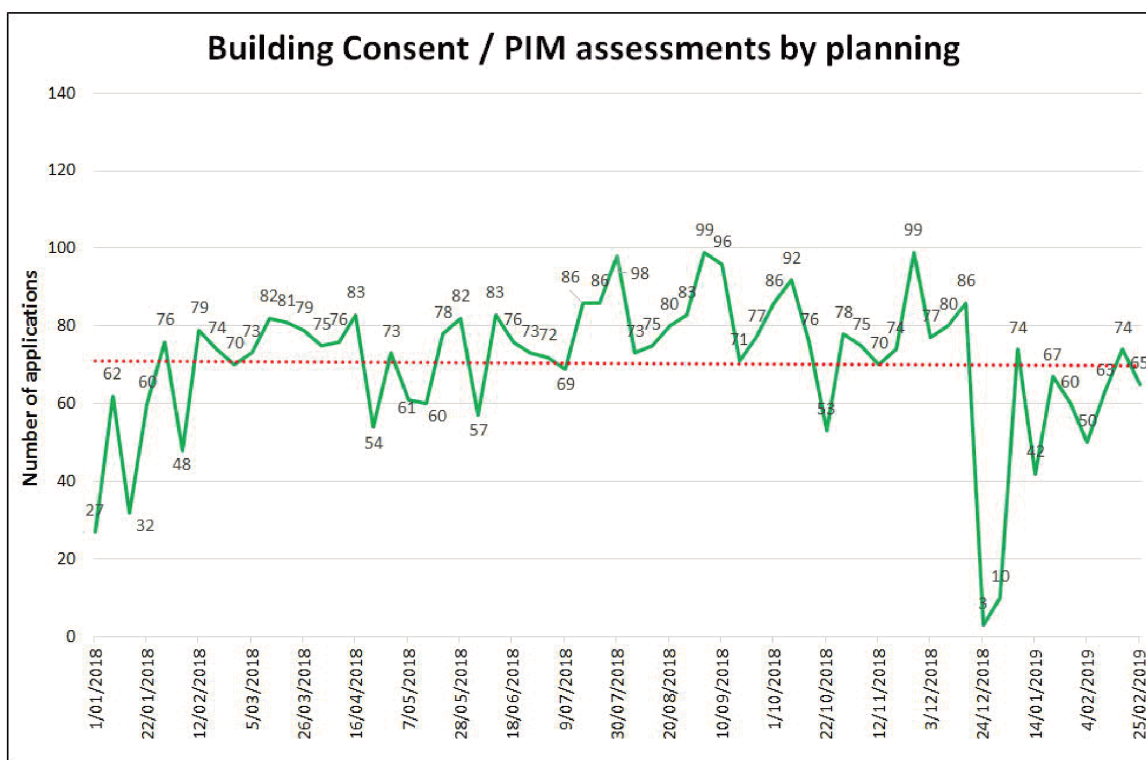
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Yearly totals

2017/18 = 2364

1896 land use applications - 72 exceeded the statutory timeframe
468 subdivision applications - 1 exceeded the statutory timeframe

2016/17 = 2587

2011 land use applications – 50* exceeded the statutory timeframe
576 subdivision applications – 9 exceeded the statutory timeframe

* 13 of these were associated with the introduction of the Connect system. Specifically, a system “bug” relating to incorrect counting of days when there are overlapping holds, and some user error in putting applications on hold while staff became familiar with how to use the new system.

2015/16 = 2854

2344 land use applications – 20 exceeded the statutory timeframe
510 subdivision applications – 3 exceeded the statutory timeframe

2014/15 = 2851

2385 land use applications – 19 exceeded the statutory timeframe
462 subdivision applications – 3 exceeded the statutory timeframe

Processed	2013/14	2014/15	2015/16	2016/17	2017/18
Land Use (incl EUC, NOR, CoC, outline plans/waivers)	2223	2369	2344	2011	1896
Subdivision	399	482	510	576	468
Total resource consents & NOR	2622	2851	2854	2857	2364
Notified applications (included in land use above)	26	30	52	48	30
Temporary Accommodation	137	47	49	9	10
s.223 certificates	187	199	230	450	349
s.224 certificates (s.223/224 combined up to 2015/16)	287	339	422	456	368

HPRM 13/1137232

FEBRUARY 2019

APPEALS

No appeals were received

RECEIVED

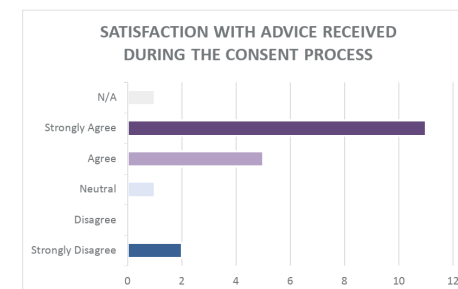
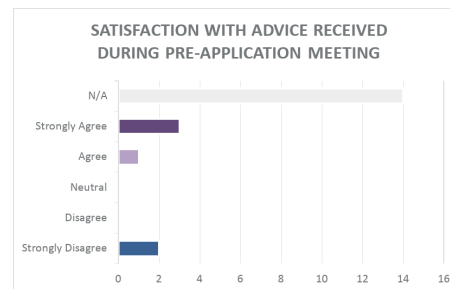
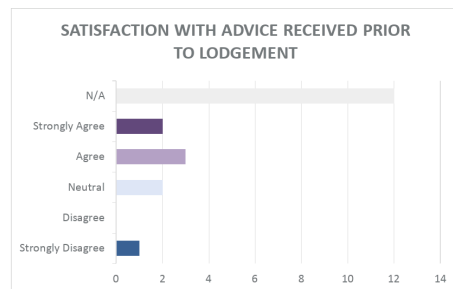
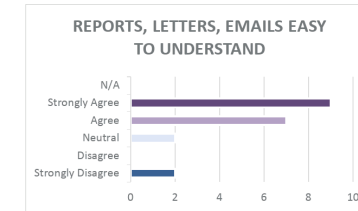
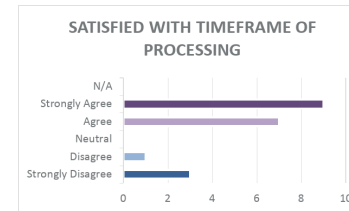
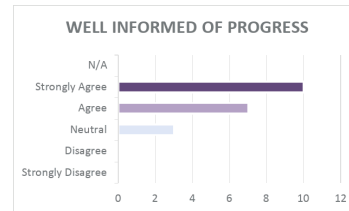
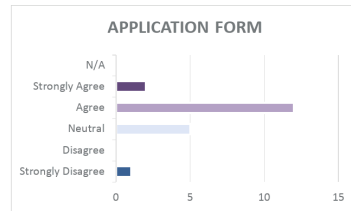
Address	Description	Applicant	Received Date	Ward	Status of application
94 Hoani Street Papanui	To Establish Eighteen Social Housing Units	Housing New Zealand Corporation - National Office	26/02/2019	Papanui	Processing
93 Conservators Road Harewood	To Extend the Area of an Existing Quarry	SOL Quarries Limited	25/02/2019	Harewood	Processing
90 The Runway Hornby	To Construct and Operate an Eight-Cinema Complex	Canterbury Property Investments Limited	25/02/2019	Halswell	Processing
60A Creyke Road Ilam	To Construct 14 Minor Residential Dwellings	Wascondell Limited	8/02/2019	Fendalton	Processing

ISSUED

Address	Description	Applicant	Application type	Received date	Issued date	Outcome	Ward
28 Gracefield Avenue Central City	Multi-unit residential complex (20 units)	Elizabeth Lauren Harris, John Graham Harris	Land Use Consent	17/08/2018	20/02/2019	Granted	Central
128 Park Terrace Central City	Construct thirteen residential units.	Countrywide 128 Limited	Land Use Consent	2/11/2018	5/02/2019	Granted	Central
60A Creyke Road Ilam	To Construct over Ten Sites - 13 Residential Units and 14 Minor Residential Dwellings	Wascondell Limited	Land Use Consent	9/11/2018	1/02/2019	Granted	Fendalton
90 Ilam Road Ilam	To establish and operate a new halls of residence, energy centre, stormwater attenuation, staff and visitor parking and landscaping and undertake earthworks and removal of contaminated soil	University Of Canterbury	Land Use Consent	9/10/2018	5/02/2019	Granted	Riccarton

RESOURCE CONSENT CUSTOMER SATISFACTION SURVEY

JULY 2018 - FEBRUARY 2019



Survey Questions

Resource Consents - How Was Your Service

I was satisfied with the quality of advice I received:						
	Strongly Disagree	Disagree	Neutral	Agree	Strongly Agree	N/A
Prior to lodging the application (over the phone or at the front counter)						
During the pre-application meeting (if applicable)						
During the consent process						

Please continue to rate the following						
	Strongly Disagree	Disagree	Neutral	Agree	Strongly Agree	N/A
The consent application form and supporting information available was clear and suitably informative						
I was kept well-informed of progress throughout the process						
I was satisfied with the timeframes involved in the processing of my application						
Reports, letters and emails were easy to understand						
Overall I was satisfied with the quality of service I received throughout my consent experience						

10. Building Consenting Unit Update April 2019

Reference: 19/261430

Presenter(s): Robert Wright Head of Building Consenting

1. Purpose of Report

- 1.1 The purpose of this report is to provide an update for the Regulatory Performance Committee from the Building Consenting Unit. This update includes information from February 2019. Attachment A is the performance report and attachment B is a report showing year on year data trends.

2. Staff Recommendations

That the Regulatory Performance Committee:

1. Receive the information in the Building Consenting unit update report.

3. Building Consenting Update

3.1 Key Performance Indicators:

The legislative requirement is that building consents are granted within 20 working days. Agreed LTP level of service is to issue 95% of building consents within 19 working days from the date of acceptance.	LTP target achieved at 97.7%.
The legislative requirement is to grant code compliance certificates within 20 working days. Agreed LTP level of service is issue 95% of code compliance certificates within 19 working days from the date of acceptance. .	LTP target achieved at 98.4%.
LTP level of service is that 98% of inspections are carried out within three working days of customer request.	LTP target achieved at 100%.

3.2 Earthquake Prone Buildings

By the end of February 2019, there were 621 Christchurch buildings on the national earthquake prone building register. During February there were 26 Christchurch buildings added, and four removed due to structural strengthening being completed. We sent two 133AH notices to owners requesting a Detailed Seismic Assessment report to clarify the earthquake prone building status of their building.

Link to the register: <https://epbr.building.govt.nz/>

The team are now working on establishing the buildings with unreinforced masonry situated on priority routes in Christchurch (<http://www.ccc.govt.nz/thoroughfaresandstrategicroutes>) and will soon be writing to the owners about the timeframe they will now have to strengthen or demolish their buildings. [earthquake-prone-buildings/epb-priority-buildings.pdf](#)

3.3 Stakeholder Engagement

Building Consenting managers meet and collaborate regularly with a number of our customers including other councils across the country, Master Builders, Certified Builders, Architects NZ, Housing NZ, and both large and smaller group home builders.

3.4 Pre-Application Meetings

Pre-application meetings are available for projects requiring building consents, resource consents or both. Discussions with applicants and/or their representatives are held prior to lodgement of the application and can be especially helpful before or at the design stage. The meeting(s) will involve as many staff as required (e.g. a planner, senior inspector, eco-advisor, case manager) to assist applicants with submitting quality applications.

The Building Consenting Unit are required to review pre-application customer satisfaction survey results and review issues quarterly for resolution. The most recent survey result is from October to December 2018, with 91.07% satisfaction.

3.5 Building Warrants of Fitness

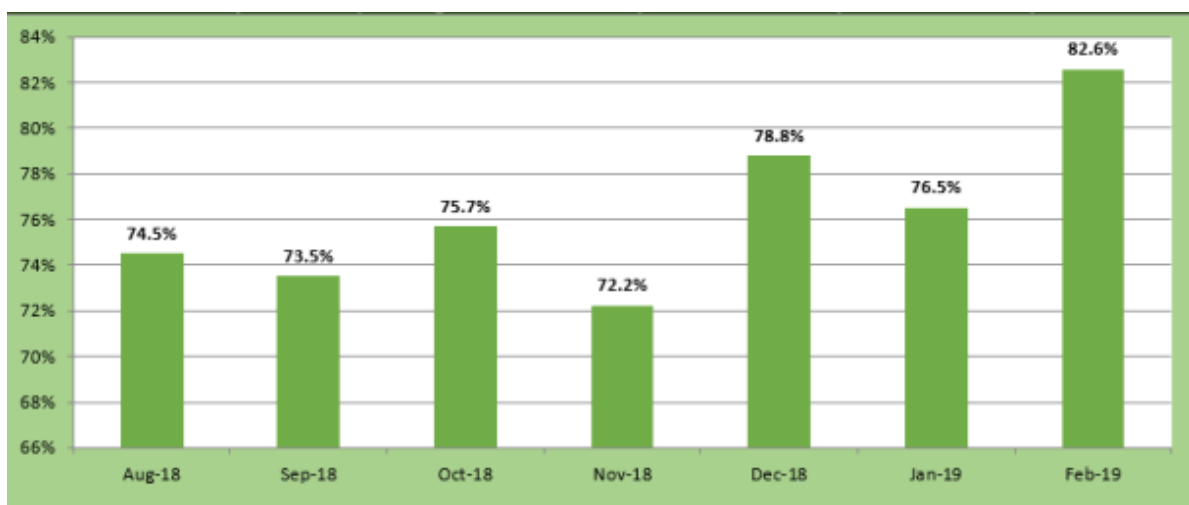
A building warrant of fitness is a statement signed by the building owner (or owners agent), stating that the requirements of the building's compliance schedule have been fully complied with in the previous 12 months.

Received warrants of fitness are regularly audited for accuracy. During February, there were 70 audits completed (210 this financial year).

3.6 Customer Satisfaction

The Building Consenting unit send short surveys to our customers each week as one of our measures to gauge customer satisfaction. Respondents comment that our staff are helpful and assist them well throughout the building consenting process. Most of the comments indicating dissatisfaction are around the cost. The February result for customer satisfaction was one of our highest to date, at 82.6%. The graph below shows results from the last six months.

Customer satisfaction survey results for August 2018-February 2019:



Managers and team leaders receive survey results weekly and deal with any issues raised with both the customer and consenting staff if necessary. Results and comments are registered so common themes for improvement can be identified and resolved where possible.

3.7 Eco-Design

The Eco Design Service workload for February reached 32 individual consultations for residential building working with homeowners, designers, building consent officers. We have carried out 251 out of the 300 consultations required for the financial year. The EDA service was also involved with several groups including Council elected members, and not for profit associations.

3.8 Significant Consents in February 2019:

Address	Value of Building Work	Building Consent Details
83 Marshs Road	\$10,000,000	Construction of bulk-store and office.
229 Riccarton Road	\$3,500,000	Construction of Hotel - base build only.
142 St Asaph Street	\$2,500,000	Construction of vehicle dealership and workshop.

Attachments

No.	Title	Page
A ↓	Building Consenting Unit Performance Report February 2019	62
B ↓	Building Consenting Trending Data Report February 2019	65

Confirmation of Statutory Compliance

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

(a) This report contains:

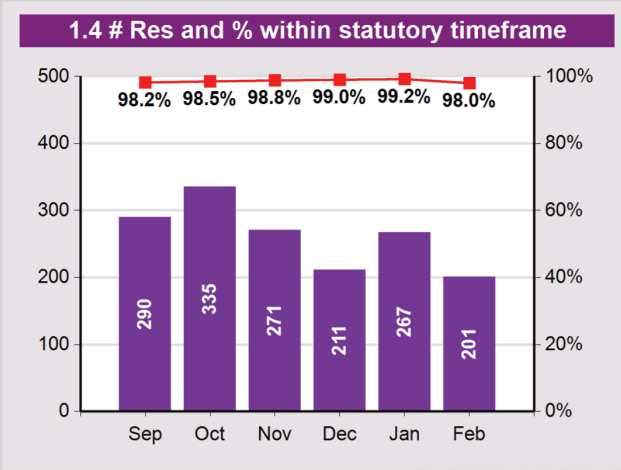
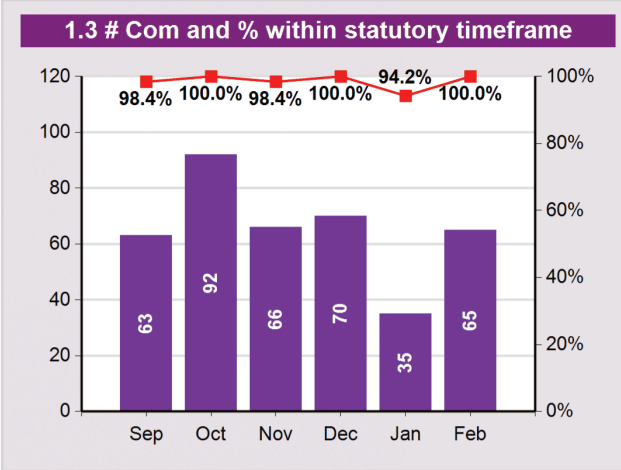
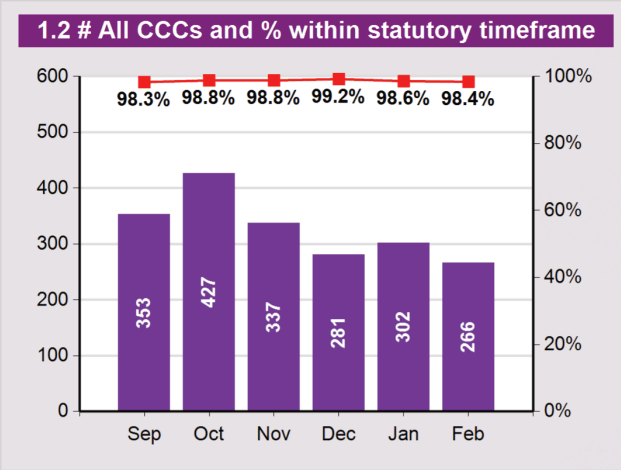
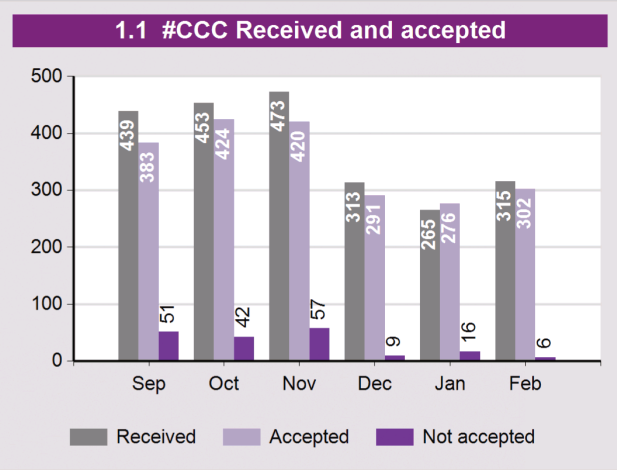
- (i) sufficient information about all reasonably practicable options identified and assessed in terms of their advantages and disadvantages; and
- (ii) adequate consideration of the views and preferences of affected and interested persons bearing in mind any proposed or previous community engagement.

(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.

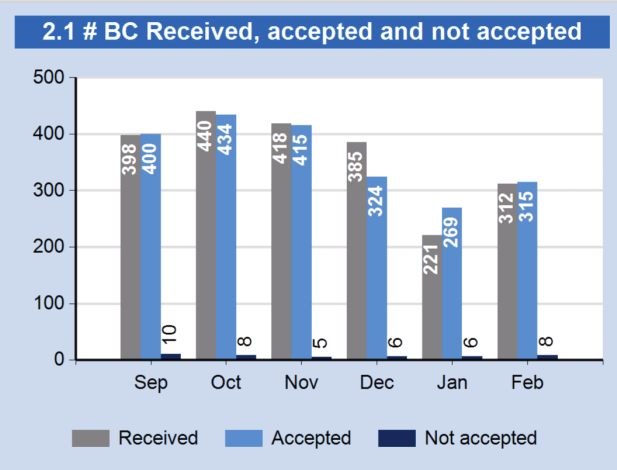
Signatories

Author	Robert Wright - Head of Building Consenting
Approved By	Leonie Rae - General Manager Consenting and Compliance

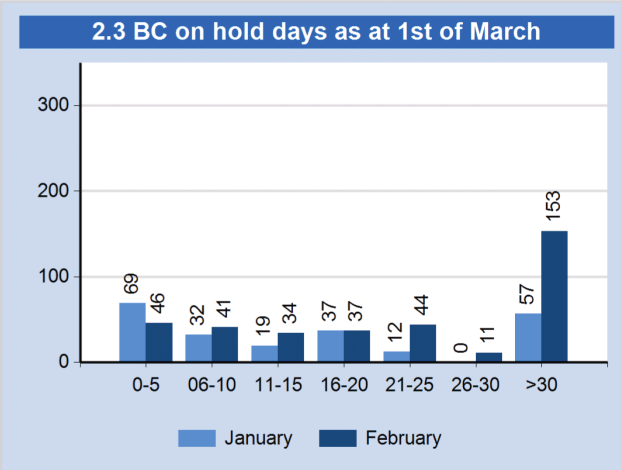
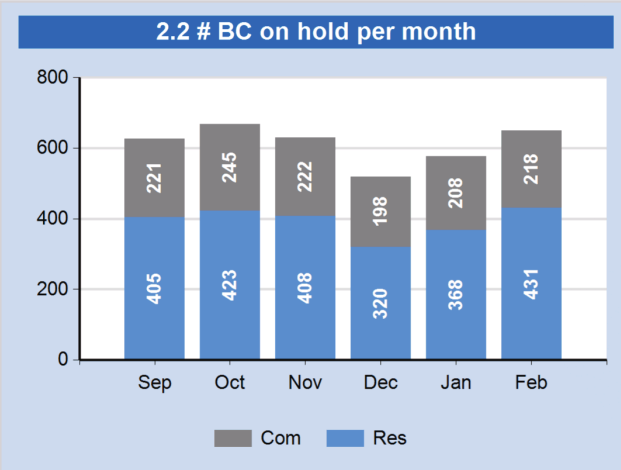
Code Compliance Certificates (CCC) decisions (S95 refusals and CCC issued)



Building Consents (BC) received / accepted



BC on hold



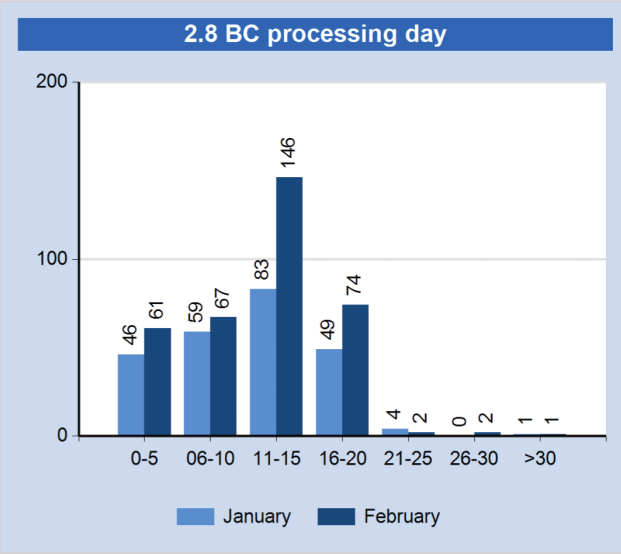
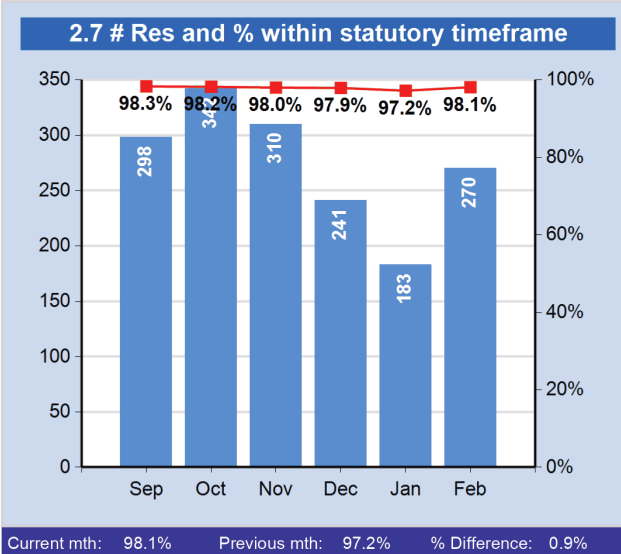
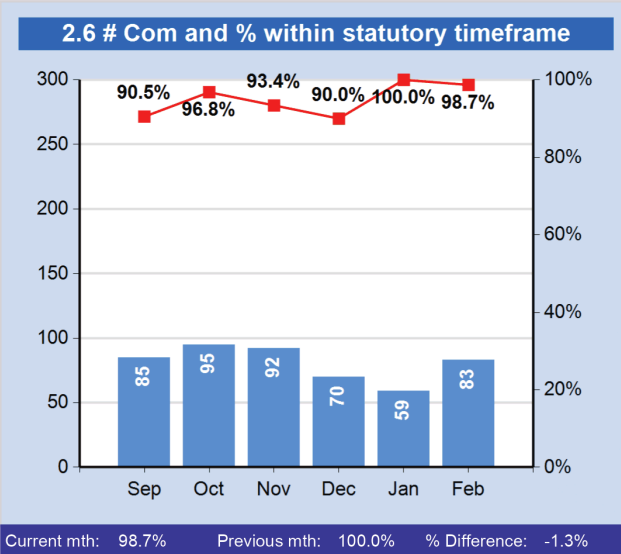
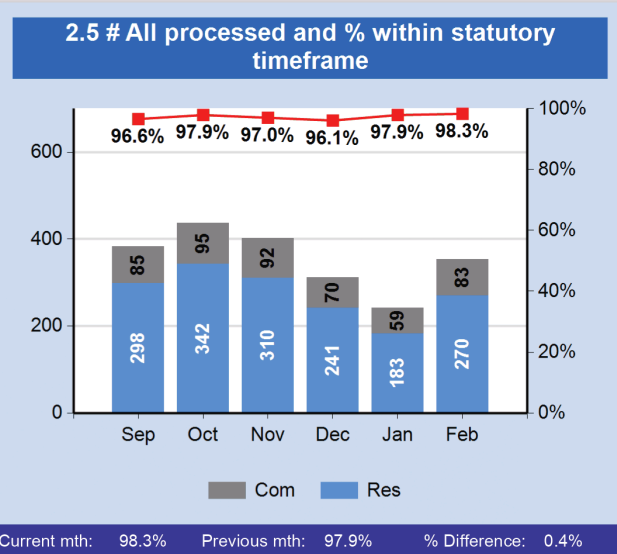
2.4 BC processing summary

# Processed			
Current Month	354	% Difference	46.3%
Previous Month	242	Six Month Average	355
- Unassigned complexity for the current month: 1			
Financial YTD	3072	Last Financial YTD	4753

% Within Statutory Timeframe			
Financial YTD	97.6%	Last Financial YTD	98.0%

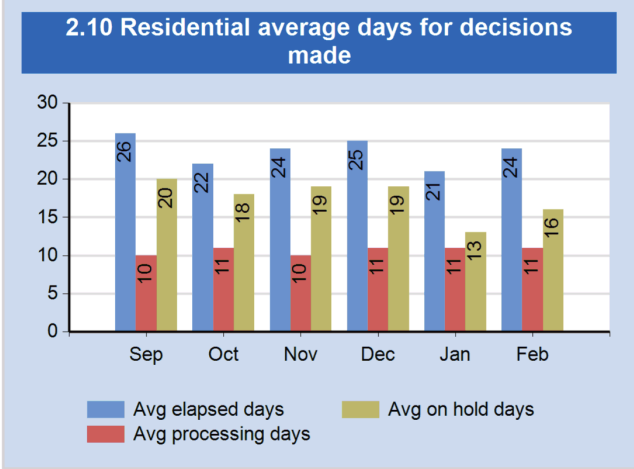
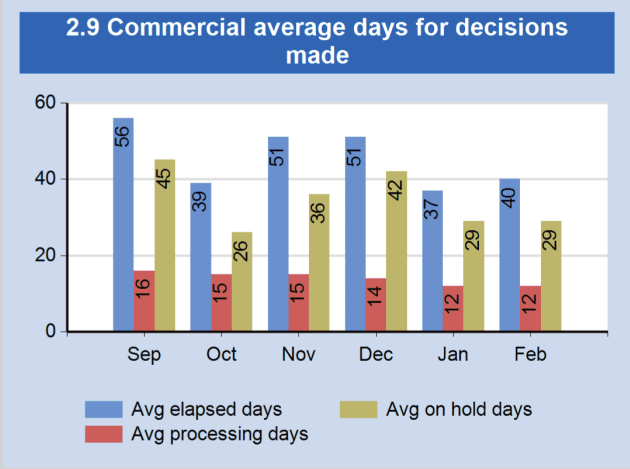
# On Hold			
Current Month	649	Six Month Average	611
Previous Month	576	% Difference	12.7%

BC processing decision

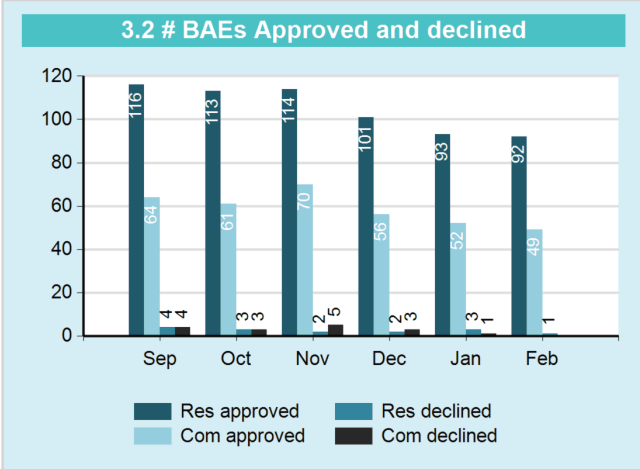
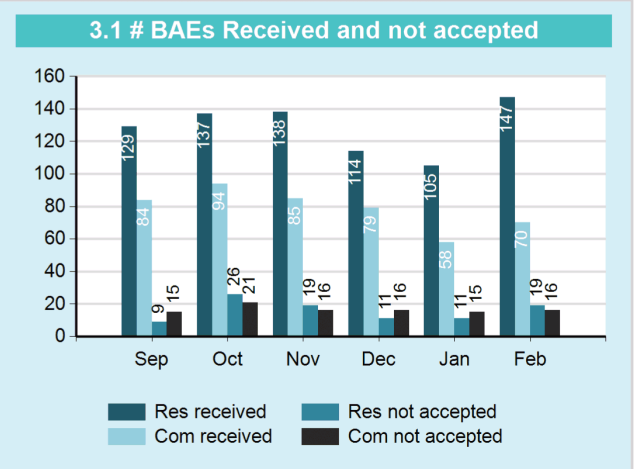


Com - Commercial complexity

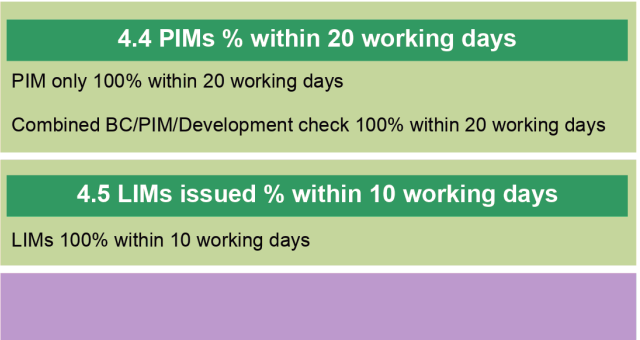
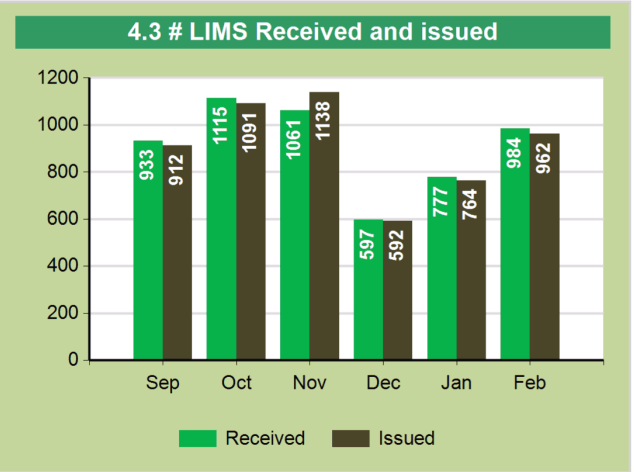
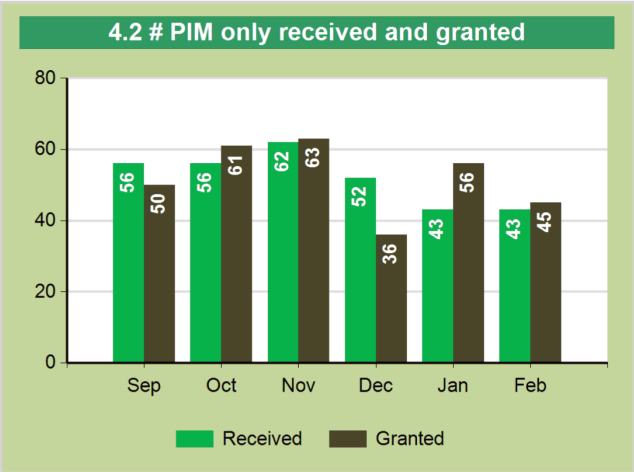
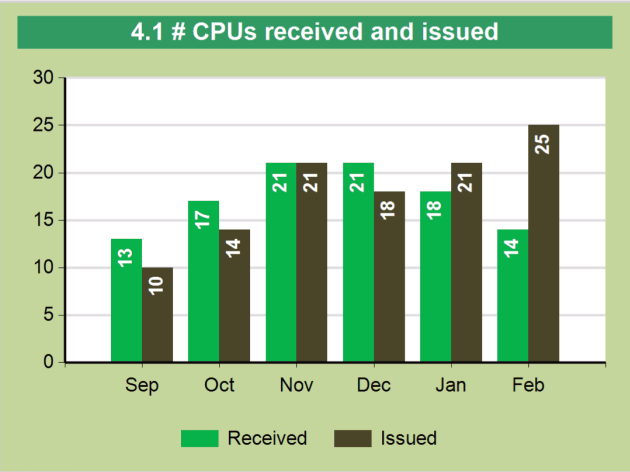
Res - Residential complexity



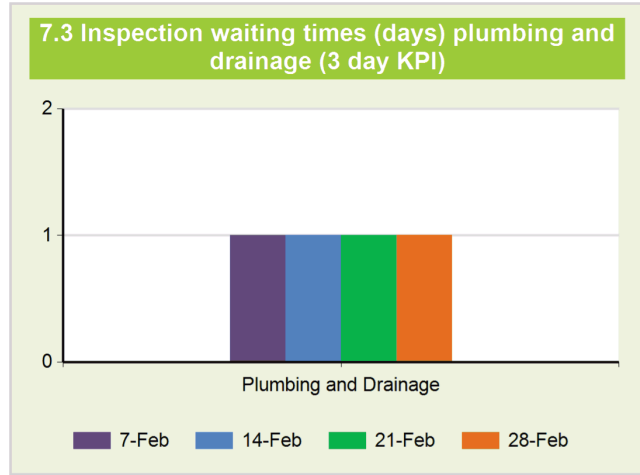
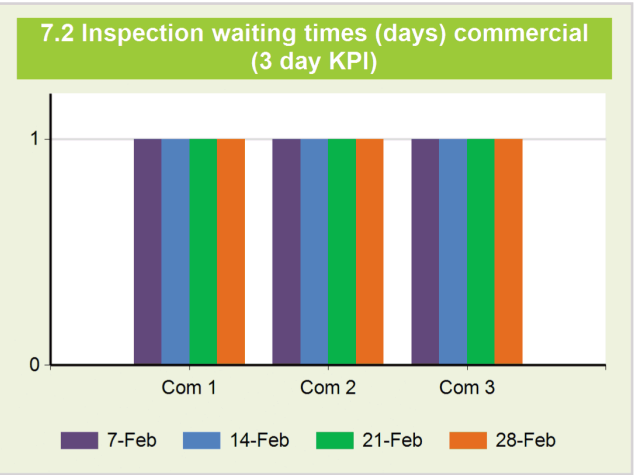
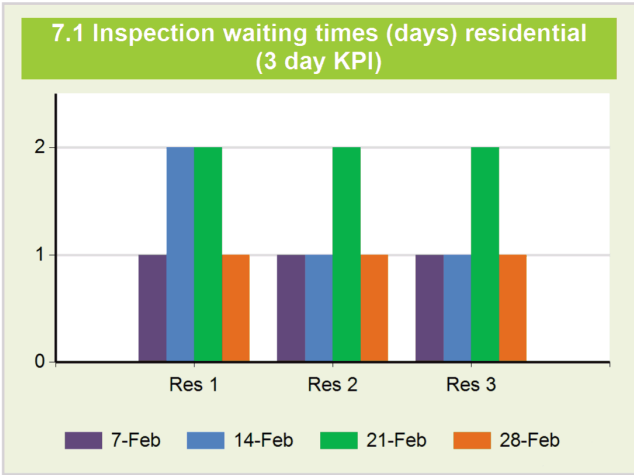
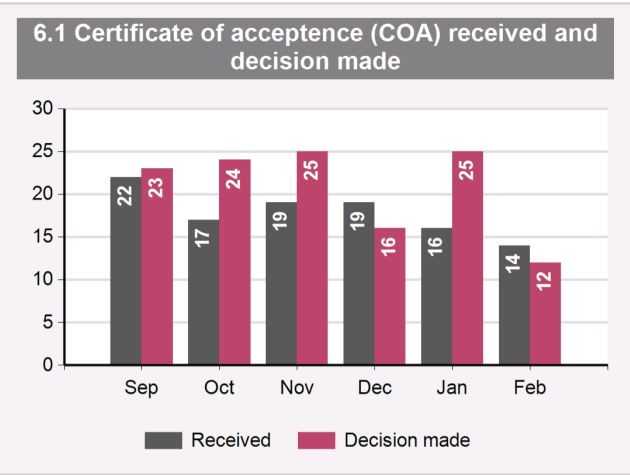
Building Act Exemptions (BAE)



Certificate of Public Use (CPU), PIMs and LIMs

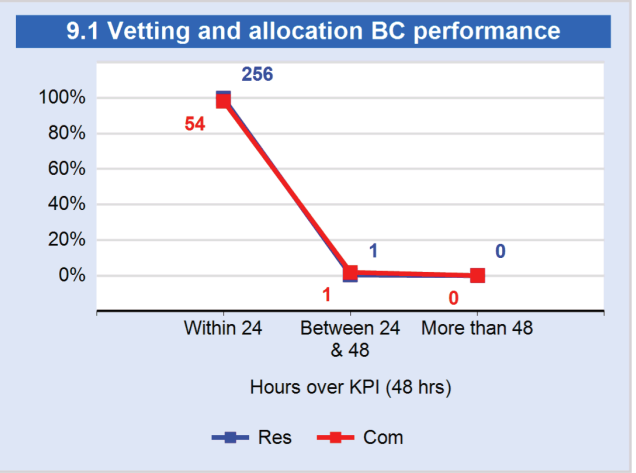
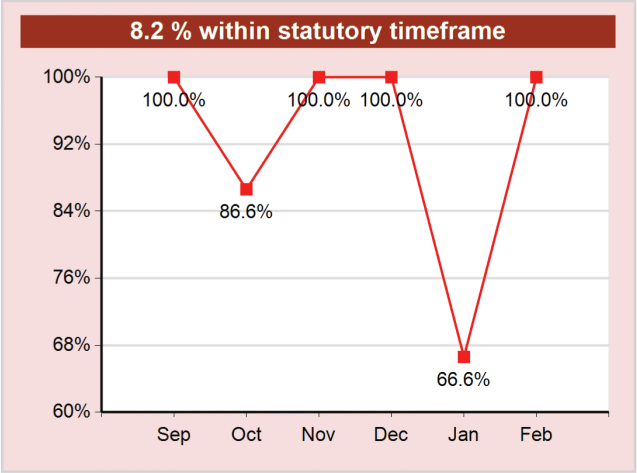
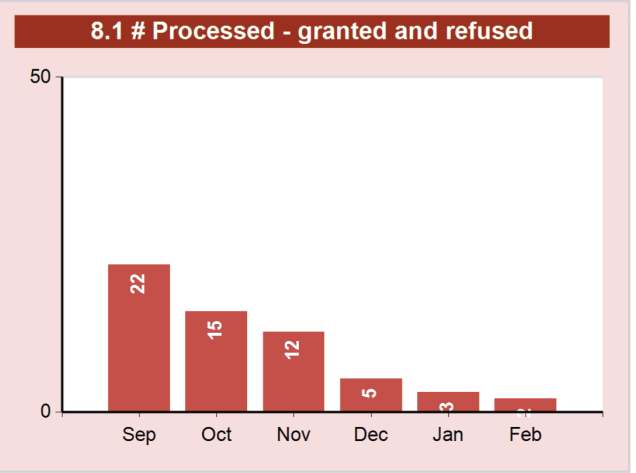
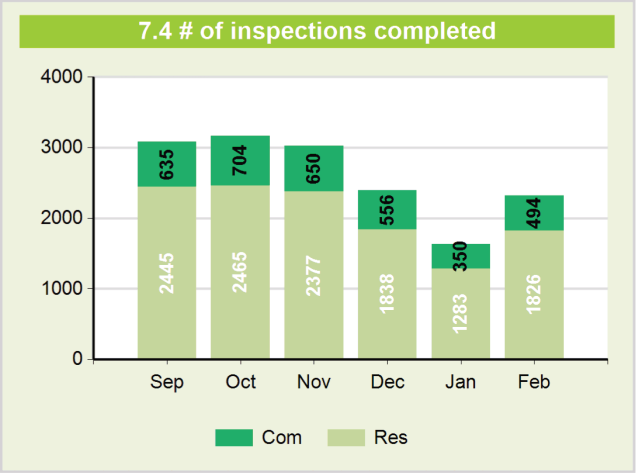


Inspections



Com - Commercial complexity Res - Residential complexity

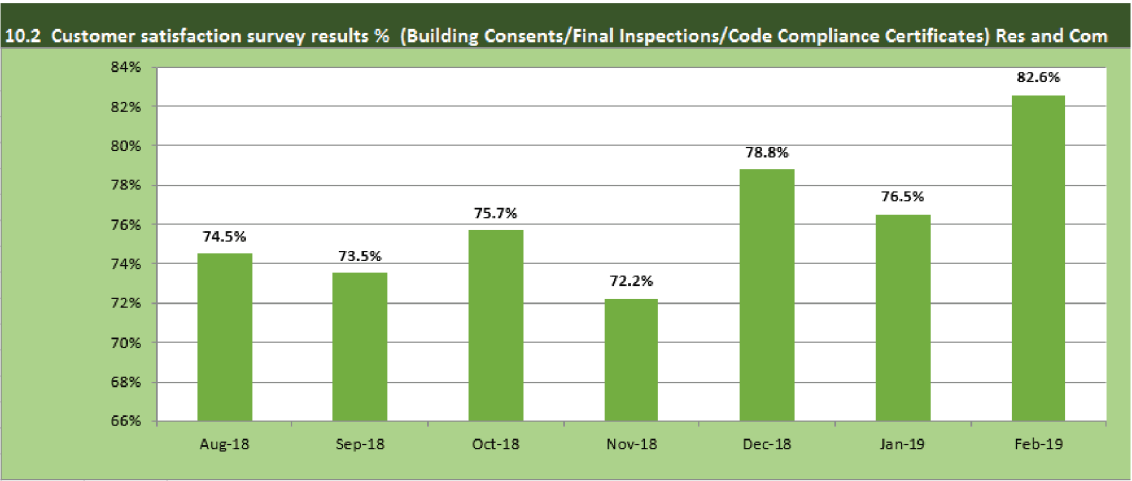
External BCA Performance



10.1 Internal KPI

95% processed within 19 days		
	Current Month	Current Financial YTD
BC Processed	97.7%	95.6%
CC Certificate Decisions	98.4%	98.6%

98% of inspections booked within 3 days of requested date		
	Current Month	Current Financial YTD
Inspections	100.0%	100.0%



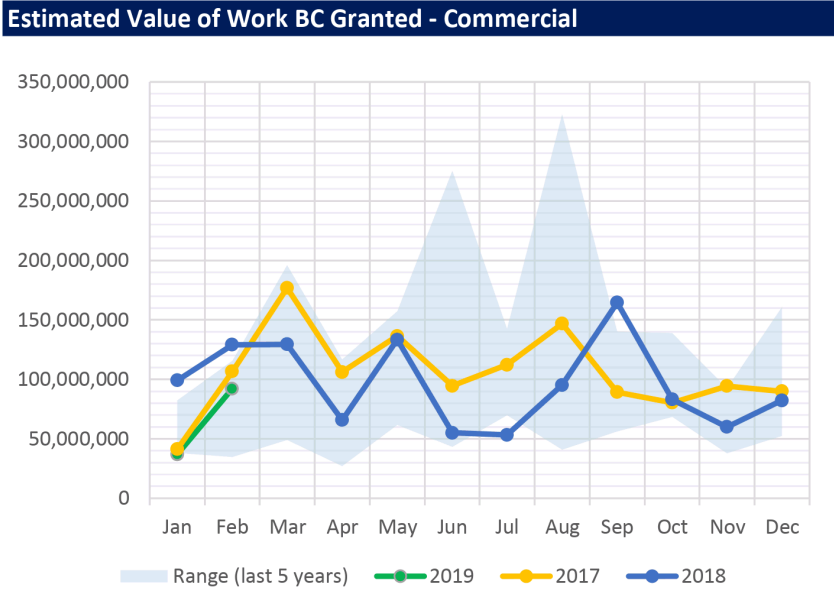
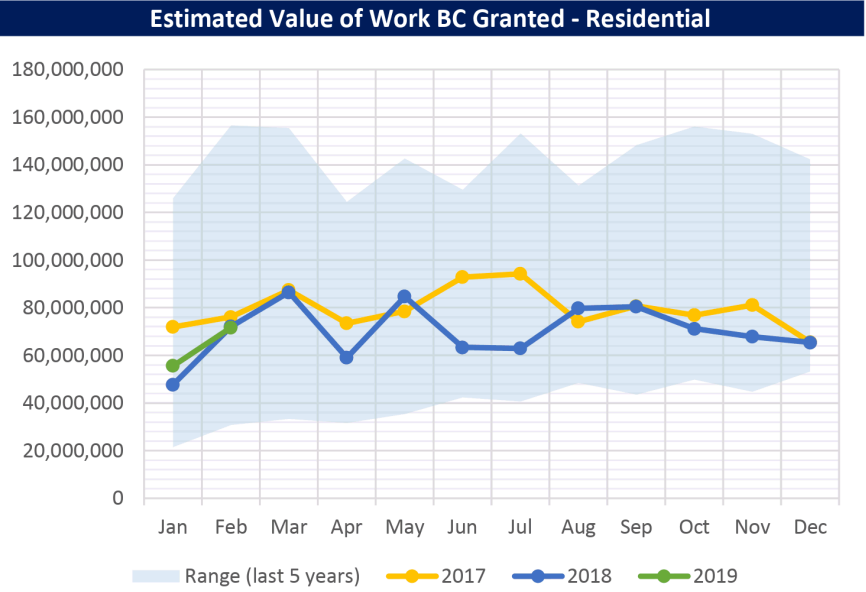
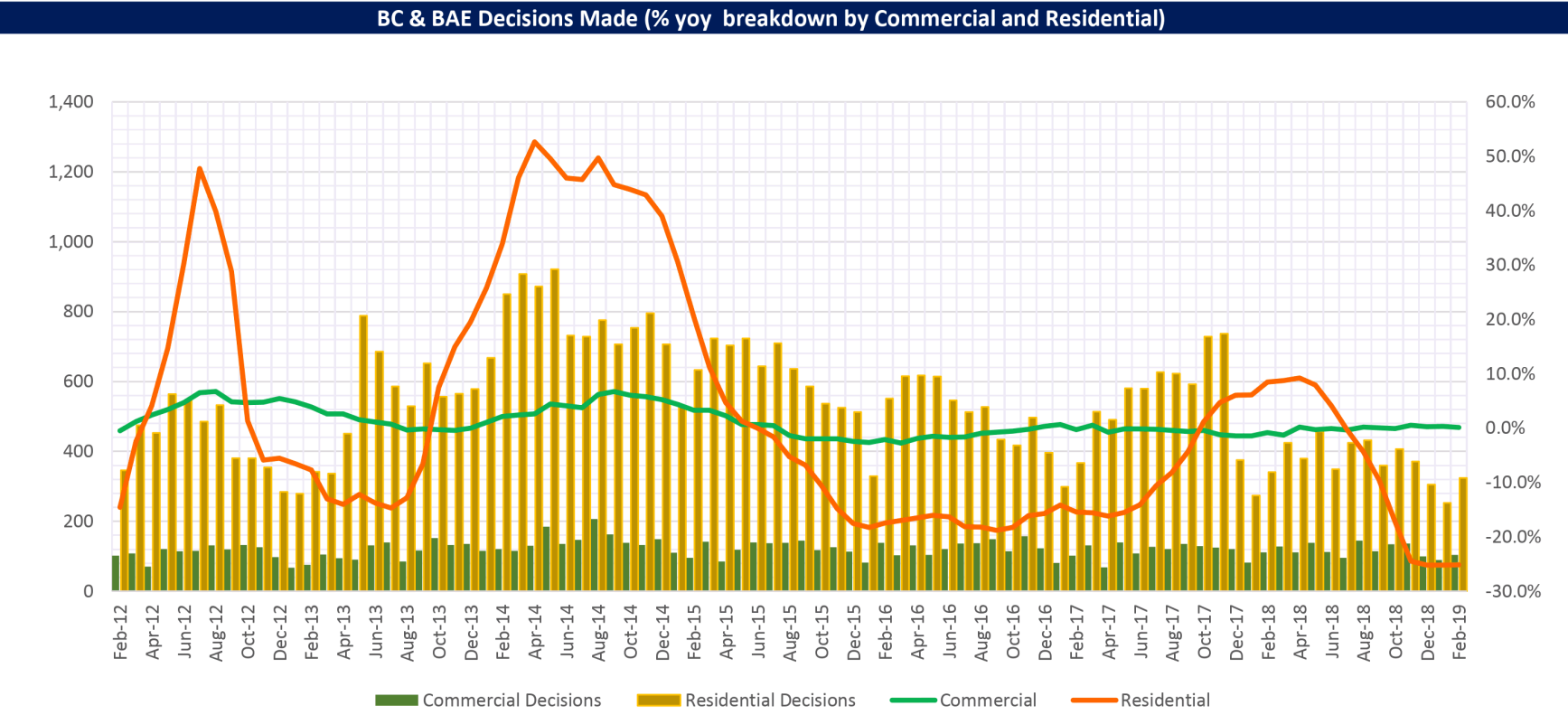
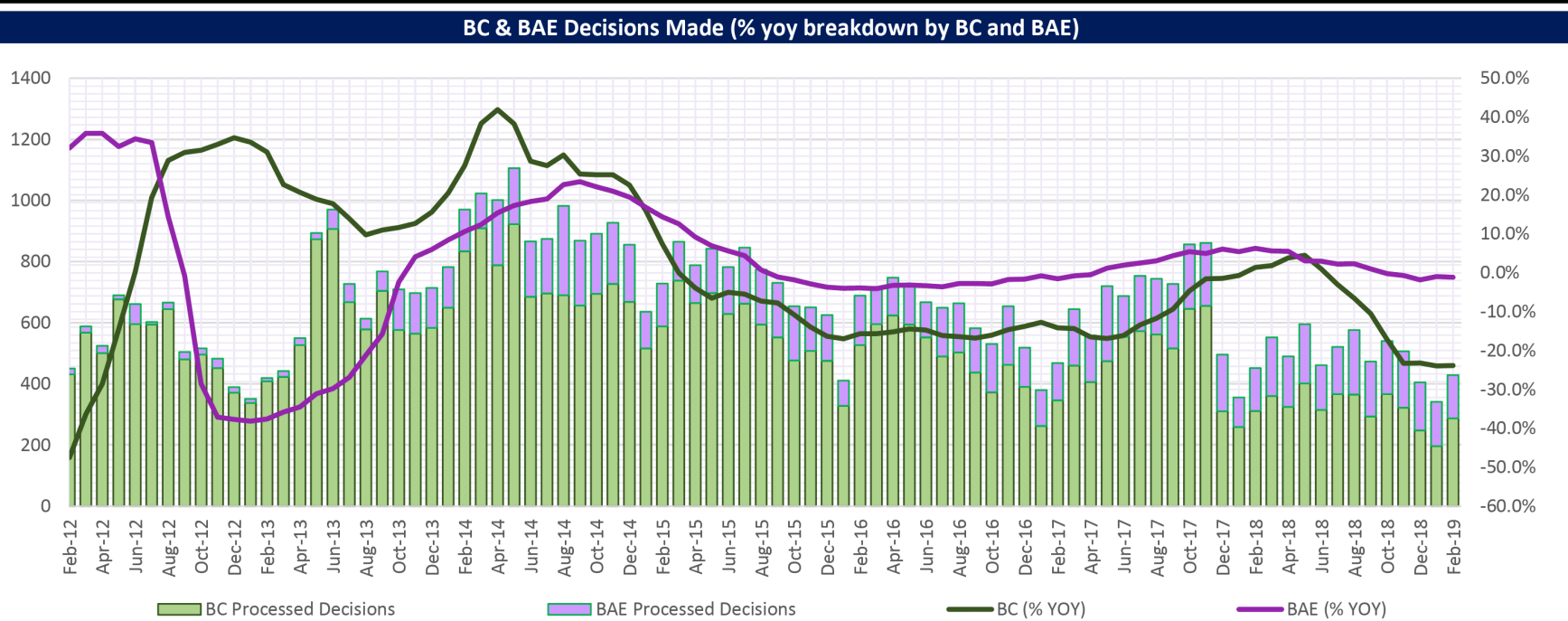


Monthly Councillors Report - Building Consenting

Report date: Feb-2019

Excludes all amendments. Commercial and Residential classification are in accordance to complexity levels with exceptions to BAE.

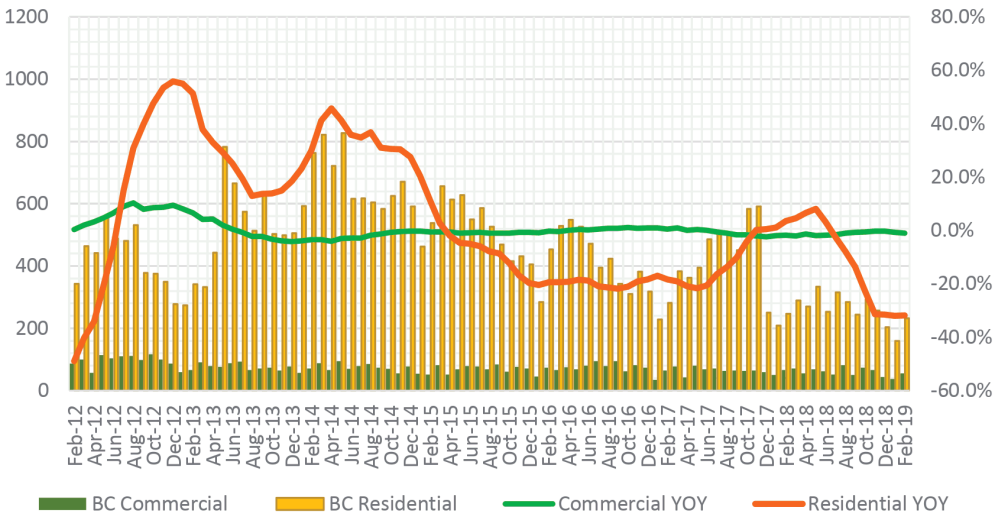
Building Trends



Building Consent Decisions (BC)

Nominal				
	2016	2017	2018	2019
Jan	329	263	259	197
Feb	527	346	312	288
Mar	595	460	361	
Apr	624	406	325	
May	594	475	402	
Jun	552	555	315	
Jul	490	573	367	
Aug	503	562	366	
Sep	437	516	294	
Oct	373	646	367	
Nov	463	655	323	
Dec	391	310	248	
Total	5,878	5,767	3,939	485

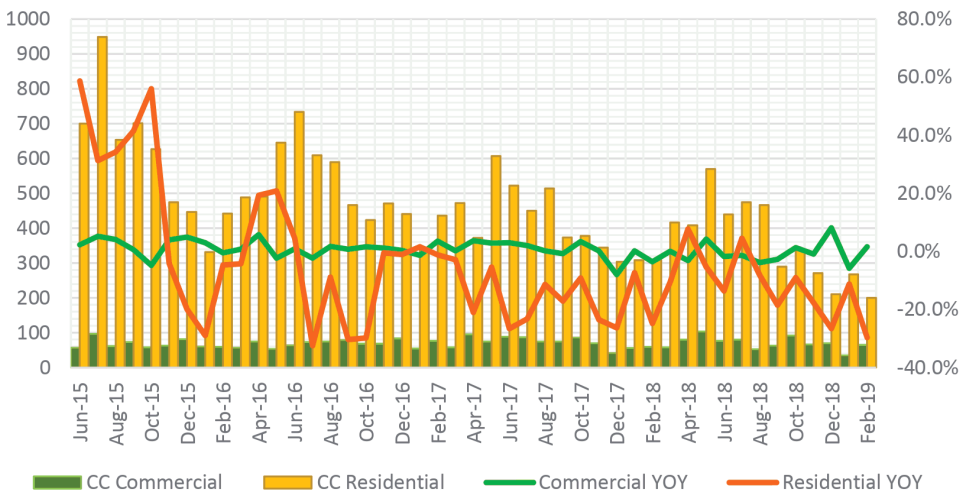
BC breakdown - Commercial & Residential (YOY)



Code Compliance Certificate (CCC) Decisions (S95 Refusal & Issued)

Nominal				
	2016	2017	2018	2019
Jan	391	392	364	302
Feb	501	513	368	265
Mar	545	530	474	
Apr	565	467	488	
May	699	681	673	
Jun	798	610	516	
Jul	682	537	554	
Aug	664	589	518	
Sep	545	448	353	
Oct	492	464	428	
Nov	540	414	337	
Dec	525	345	281	
Total	6,947	5,990	5,354	567

CC breakdown - Commercial & Residential (Prop. YOY)

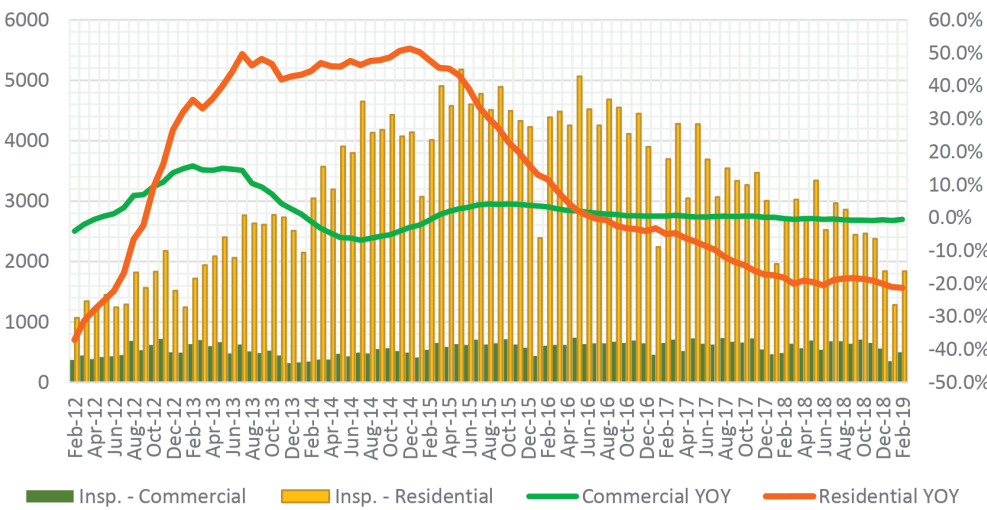


*Due to system changes, code compliance decisions are only accurately accounted for as of mid 2013

Inspections

Nominal				
	2016	2017	2018	2019
Jan	2,825	2,700	2,419	1,633
Feb	4,996	4,347	3,176	2,330
Mar	5,100	4,983	3,659	
Apr	4,870	3,564	3,236	
May	5,804	5,001	4,029	
Jun	5,154	4,332	3,058	
Jul	4,900	3,692	3,643	
Aug	5,325	4,277	3,536	
Sep	5,220	4,002	3,080	
Oct	4,763	3,926	3,169	
Nov	5,139	4,189	3,027	
Dec	4,544	3,550	2,394	
Total	58,640	48,563	38,426	3,963

Inspection breakdown - Commercial & Residential (Prop. YOY)



11. Regulatory Performance Committee - Regulatory Compliance Unit Status Report - 3 April 2019

Reference: 19/267302

Presenter(s): Tracey Weston, Head of Regulatory Compliance

1. Purpose of Report

- 1.1 The purpose of this report is to provide the Regulatory Performance Committee with an update on the Unit's performance against our Key Performance Indicators across the last two months.

2. Staff Recommendations

That the Regulatory Performance Committee:

1. Receive the information in the Regulatory Compliance Unit Status report.

3. Compliance activities of interest

This information is provided to the Committee for the purpose of information sharing and as a demonstration of some of the various activities the teams have been involved in over the reporting period.

3.1 Freedom Camping Season

The freedom camping season continues with enforcement and monitoring taking place throughout the Christchurch and Banks Peninsula area, 7 days a week.

For the period of January and February, a total of 91 freedom camping infringements were issued.

3.2 Abandoned/Vacant properties

For this reporting period the Compliance and Investigations and/or the Environmental Health team(s) have received 18 complaints associated with vacant properties across the City. A summary of these complaints is provided below.

Vacant and Abandoned Building: Three complaints have been received. One investigation is completed following action by property owner and the other two remain under investigation.

Vermin: Six complaints relating to vermin on vacant properties were received and have been followed up. No health nuisances have been detected that required further action.

Litter: Six complaints were received. Investigation into all complaints have been initiated. Four complaints resulted in action taken by property owners to tidy litter/rubbish. Two remain ongoing at this stage.

Mosquitoes: Two complaints regarding mosquito breeding have been followed up and completed. No evidence of mosquito breeding were found at the sites.

Trespassing: A report of persons occupying a vacant building was received. Due to this being private property, the matter was referred to the property owner for resolution.

4. Performance against the Unit's Key Performance Indicators

4.1 The following and attached data provides a summary of how the Unit is tracking against our Key Performance Indicators for the period from 1 January 2019 – 28 February 2019.

4.2 Compliance and Investigations

Protect the health and safety of the community by ensuring Resource Management Act activities comply with legislative requirements	
Measure – High risk Resource Management Act consents and clean fill sites are monitored at least once every 3 months	Target 95%
Reporting period commentary: High Risk sites and Clean Fill sites are programmed for inspection to achieve this rolling target of monitoring at least once every three months. There are currently 3 high risk sites, with 2 of those being visited during the January/February period. There are 22 clean fill sites, 13 of which were inspected during the January/February period.	

Protect community safety through the timely and effective response to complaints about public safety	
Measure – Investigations of dangerous building reports are initiated and identified hazards secured within 24 hours, 7 days a week	Target 100%
Reporting period commentary: A total of 4 Investigations of dangerous buildings were reported and initiated during this reporting period with 2 occurring in January and 2 in February.	
Measure – Investigations into reports of incidents covered by the Resource Management Act that meet serious risk to public safety criteria are initiated within 24 hours, 7 days a week	Target 100%
Reporting period commentary: No reports were received during January or February 2019 for RMA related incidents.	

4.3 Please refer to Appendix A – Regulatory Compliance Unit Status Report - KPI Dashboard for the remaining data for our Key Performance indicators.

Attachments

No.	Title	Page
A ↓	Regulatory Compliance Unit Status Report - KPI Dashboard	70

Confirmation of Statutory Compliance

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

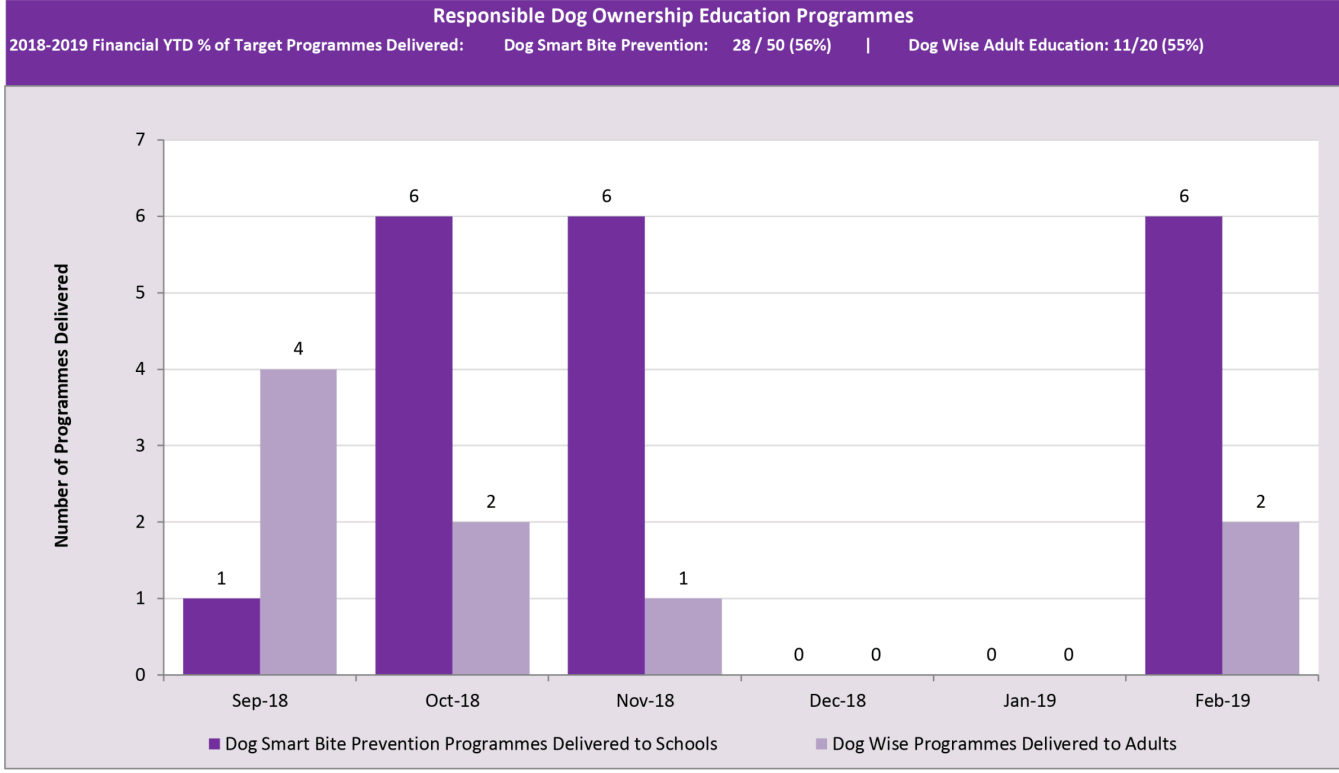
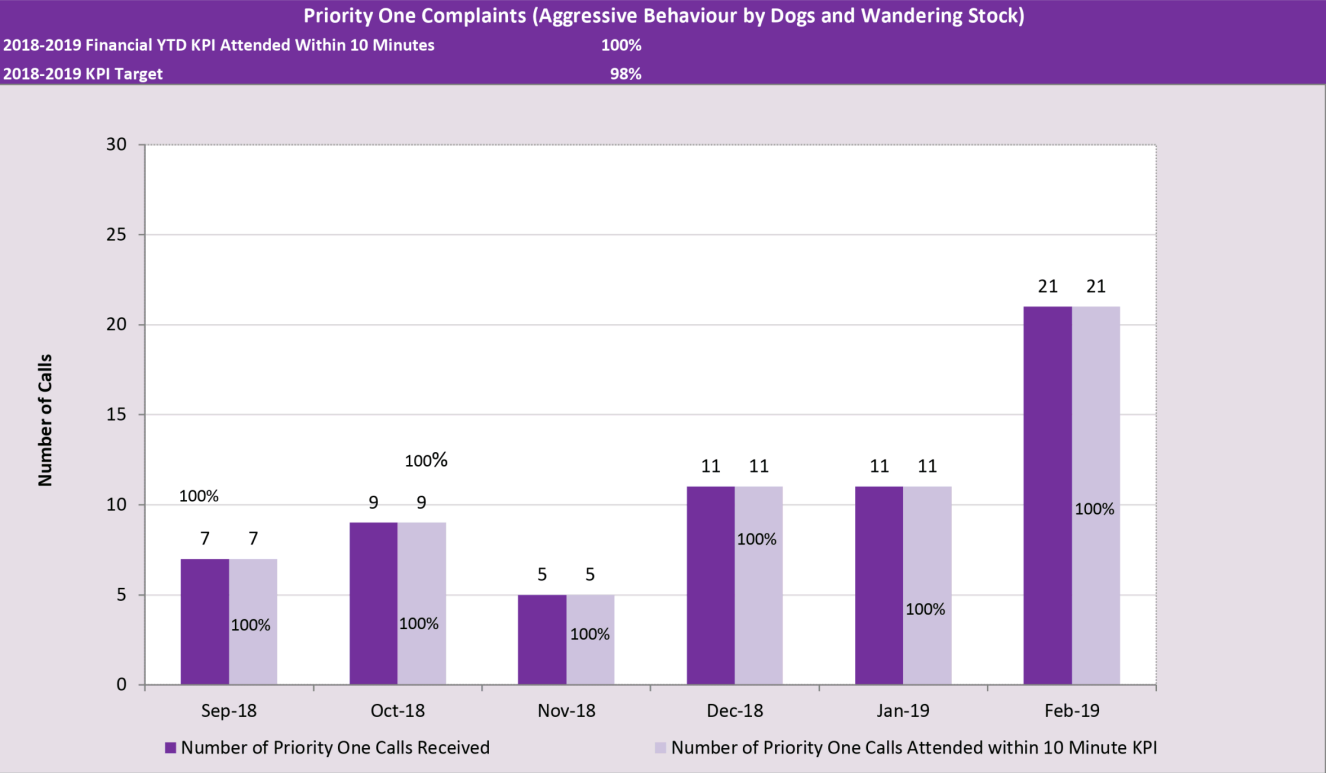
Author	Jennifer Steel - Team Leader Compliance Support
Approved By	Tracey Weston - Head of Regulatory Compliance Leonie Rae - General Manager Consenting and Compliance



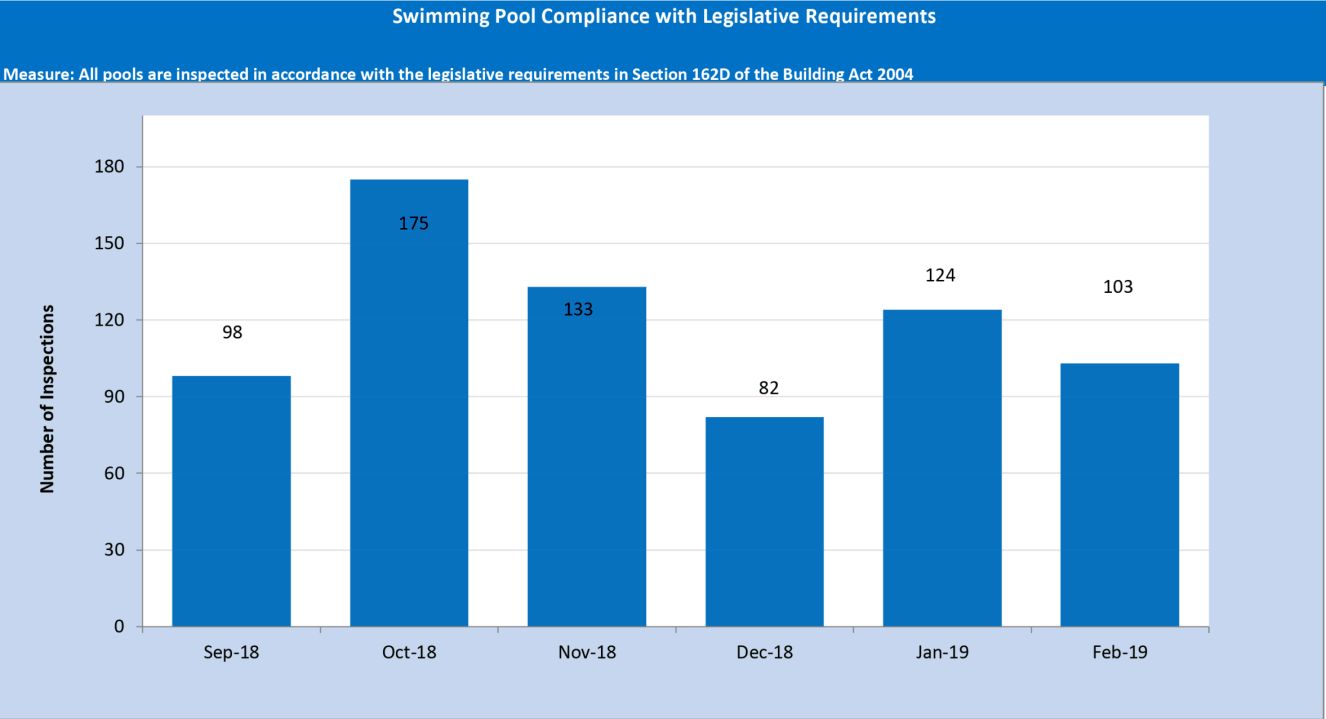
Regulatory Performance Committee - Regulatory Compliance Unit Status Report

4-Apr-19

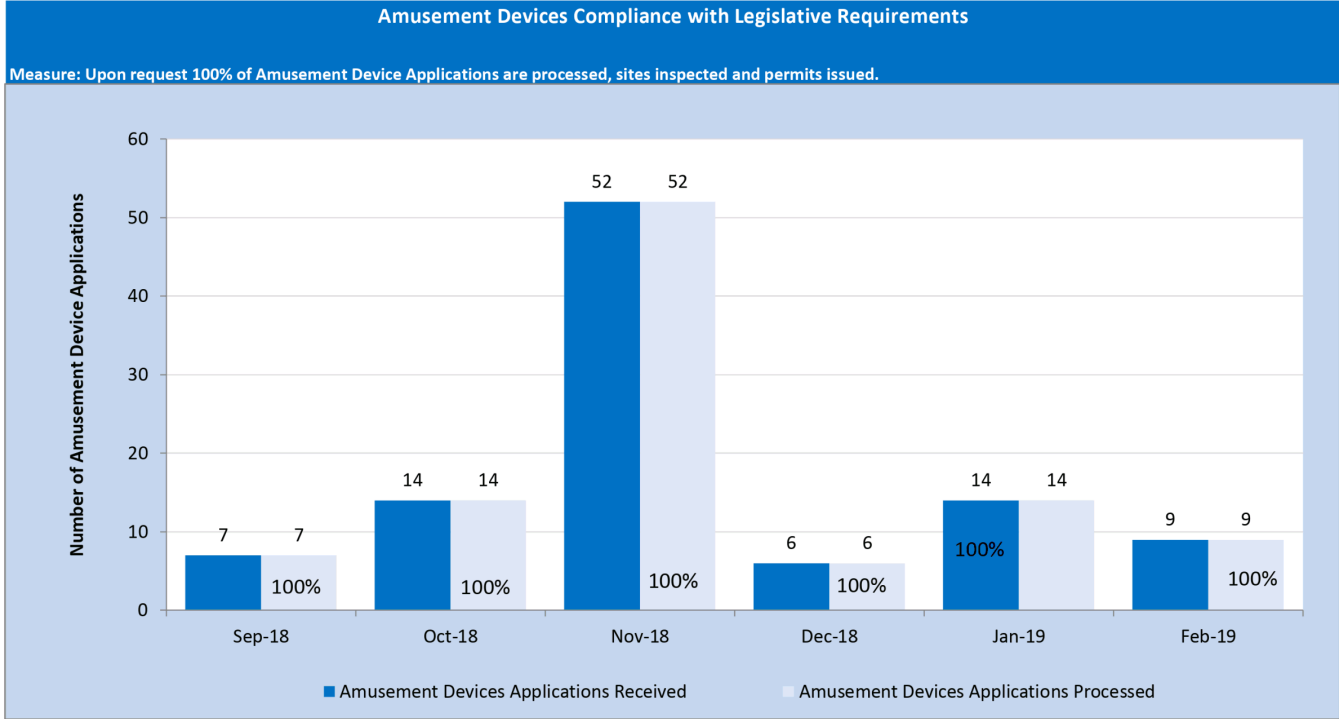
Animal Management



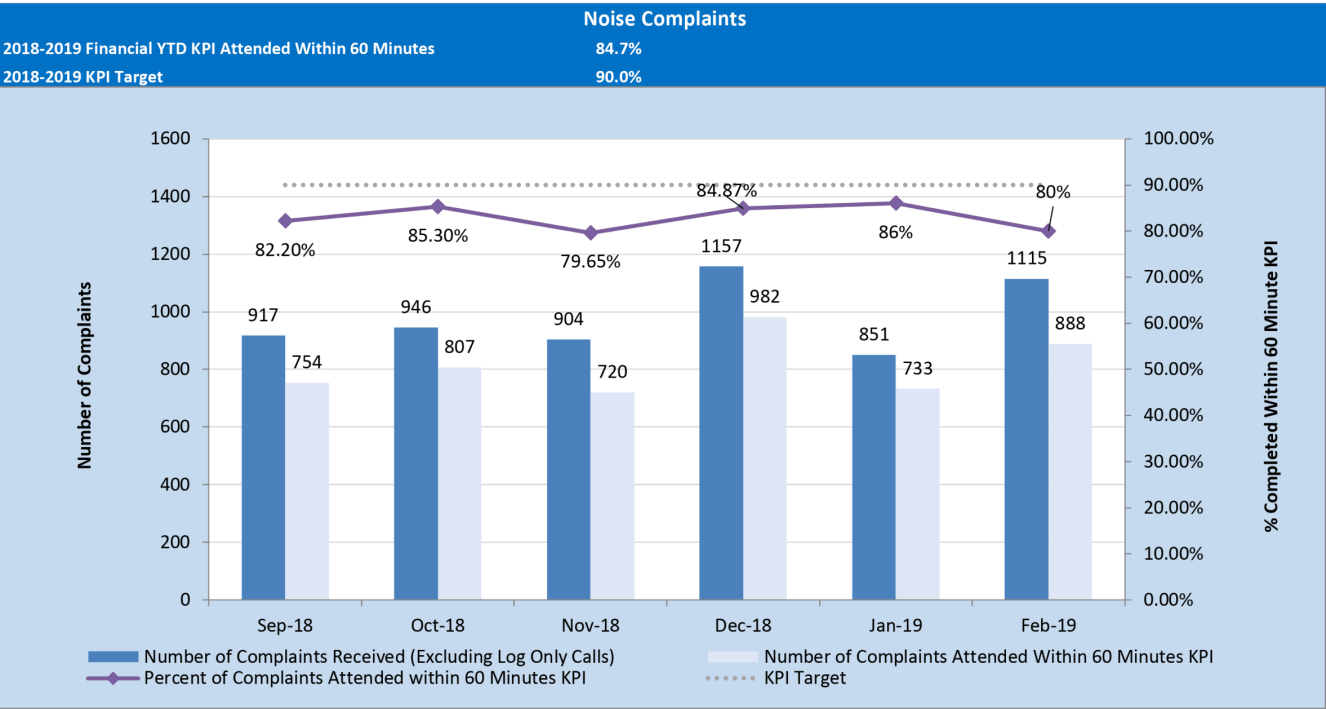
Swimming Pools



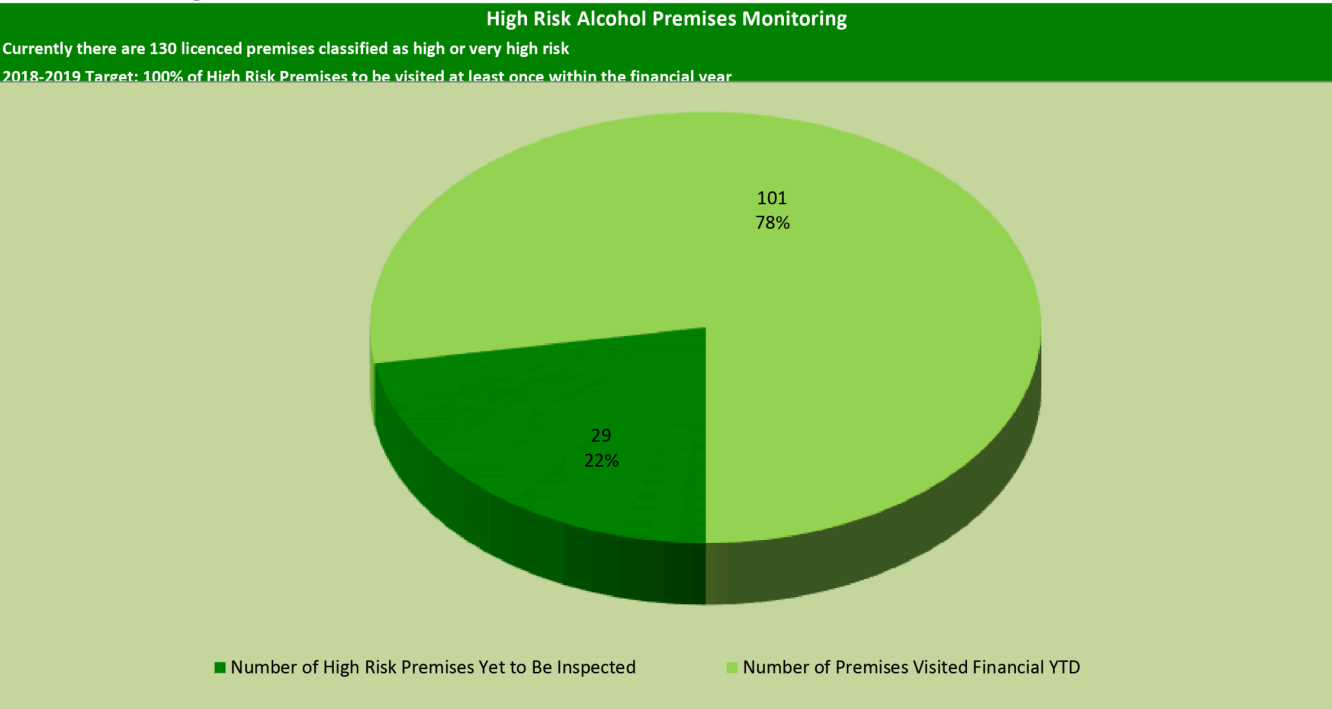
Amusement Devices



Environmental Health



Alcohol Licensing



Food Safety

