



KOMITI RATONGA RANGATŌPŪ ME TE RAUTAKI | POLICY, FINANCE AND STRATEGY COMMITTEE

2 July 2024

Order Paper for the meeting to be held in the
Council Chambers, 2nd Floor, 30 Laings Road, Lower Hutt,
on:

Tuesday 9 July 2024 commencing at 2:00 pm

The meeting will be livestreamed on the Council's Youtube channel

Membership

	Cr A Mitchell (Chair)
	Deputy Mayor T Lewis (Deputy Chair)
Mayor C Barry	Cr K Brown
Cr B Dyer	Cr S Edwards
Cr K Morgan	Cr C Parkin
Cr T Stallinger	

For the dates and times of Council Meetings please visit www.huttcity.govt.nz

Have your say

You can speak under public comment to items on the agenda to the Mayor and Councillors at this meeting. Please let us know by noon the working day before the meeting. You can do this by emailing DemocraticServicesTeam@huttcity.govt.nz or calling the Democratic Services Team on 04 570 6666 | 0800 HUTT CITY

KOMITI RATONGA RANGATŌPŪ ME TE RAUTAKI | POLICY FINANCE AND STRATEGY COMMITTEE

Chair:	Cr Andy Mitchell
Deputy Chair:	Deputy Mayor Tui Lewis
Membership:	Mayor Campbell Barry Cr Keri Brown Cr Brady Dyer Cr Simon Edwards Cr Karen Morgan Cr Chris Parkin Cr Tony Stallinger Refer to Council's Standing Orders (SO 31 Provisions for Mana Whenua)
Quorum:	Half of the membership
Meeting Cycle:	Meets on an eight-weekly basis or at the requisition of the Chair
Reports to:	Council
Membership RMA Hearings	An independent Commissioner plus a minimum of either three or four elected members (including the Chair) and alternates who have current certification under the Making Good Decisions Training Assessment and Certification programme for RMA Decision Makers

OVERVIEW:

This committee assists Council in setting the broad direction of the city, discharging statutory functions and overseeing organisational performance. The committee is aligned with the Office of the Chief Executive and Strategy and Engagement Directorate.

Its areas of focus are:

- Long term/high-level strategic focus
- Long Term Plan/ Annual Plan oversight
- Treaty partnerships
- Economic development
- Financial and non-financial performance reporting
- Oversight of the Property Working Group
- Oversight and general co-ordination (including community engagement) of strategies and policies
- Bylaw development
- Oversight of Council Controlled Organisations/Statements of Expectation/Statements of Intent
- Strategic oversight of current community engagement

PURPOSE:

To assist the Council in setting the broad vision and direction of the city to promote the social, economic, environmental and cultural well-being of the city's communities in the present and for the future.

This involves determining specific outcomes that need to be met to deliver on the vision for the city, and overseeing the development of strategies, policies, bylaws and work programmes to achieve those goals. This committee is also responsible for monitoring the overall financial management and performance of the Council Group.

DELEGATIONS FOR THE COMMITTEE'S AREAS OF FOCUS:

- All powers necessary to perform the committee's responsibilities including the activities outlined below.
- Develop required strategies and policies. **Recommend draft and final versions to Council** for adoption where they have a city-wide or strategic focus.
- Implement, monitor and review strategies and policies to ensure policies and strategies are consistent, effective and current.
- Identify the need for any new strategies and policies.
- Oversee the implementation of major projects provided for in the Long Term Plan or Annual Plan.
- Oversee budgetary decisions provided for in the Long Term Plan or Annual Plan.
- **Recommend to Council** the approval of any financial decisions required outside of the annual budgeting process.
- Advocate for strong relationships with Council's Mana Whenua partners as outlined in the Tākai Here agreements ensuring the outcomes of the committee are in line with the aspirations of the partners.
- Advocate for the best interests of Māori communities in Lower Hutt having regard to the committee's goals.
- Ensure the committee is operating in a way that is consistent with various pieces of legislation that provide for Te Tiriti o Waitangi.
- Maintain an overview of work programmes carried out by Council's Office of the Chief Executive and Strategy and Engagement, Directorate.
- Oversee any consultation/engagement processes required on issues before the committee.
- Approve and forward submissions (other than those delegated to the District Plan Review Committee).
- Any other matters delegated to the committee by Council in accordance with approved policies and bylaws.
- The committee has the powers to perform the responsibilities of another committee where it is necessary to make a decision before the next meeting of that other committee. When exercised, the report/minutes of the meeting require a resolution noting that the committee has performed the responsibilities of another committee and the reason/s.
- If a policy or project relates primarily to the responsibilities of the Komiti Ratonga Rangatōpū me te Rautaki | Policy, Finance and Strategy Committee, but aspects require additional decisions by the Komiti Hapori Ahurea me ngā Rangapū | Communities, Culture and Partnerships Committee, Komiti Hanganga | Infrastructure and Regulatory Committee and/or Komiti Kaupapa Taiao | Climate Change and Sustainability Committee, then the Komiti Ratonga Rangatōpū me te Rautaki | Policy, Finance and Strategy Committee has the powers to make associated decisions on behalf of those other committees. For the avoidance of doubt, this means that matters do not need to be taken to more than one of those committees for decisions.

Bylaw Delegations:

- Develop and agree the Statement of Proposal for new or amended bylaws for consultation/engagement.
- **Recommend to Council** the approval of draft bylaws before consultation.
- The Chair of the Komiti Ratonga Rangatōpū me te Rautaki | Policy, Finance and Strategy Committee, in conjunction with the Chief Executive, is authorised to appoint a subcommittee of suitably qualified persons to conduct hearings on draft bylaws on behalf of the committee.
- **Recommend to Council** new or amended bylaws for adoption.

Financial, Project and Performance Reporting Delegations:

- **Recommend to Council** the budgetary parameters for the preparation of Council's Long Term Plans and Annual Plans.
- Monitor progress towards achievement of budgets and objectives for the Council Group as set out in the Long Term Plan and Annual Plans, including associated matters around the scope, funding, prioritising and timing of projects.
- Monitoring and oversight of significant city-wide or strategic projects including operational contracts, agreements, grants and funding, except where these are the responsibility of another standing committee.
- Monitor progress towards achievement of the Council's outcomes as set out in its overarching strategies for the city and their associated plans.
- Oversee the activities of the Property Working Group in its implementation of the Purchase and Sale of Property for Advancing Strategic Projects Policy.
- Oversee the acquisition and disposal of property in accordance with the Long Term Plan.
- Monitor the integrity of reported performance information at the completion of Council's Annual Report process.
- **Review and recommend to Council** the adoption of the Annual Report.
- **Recommend to Council** the approval of annual Statements of Intent and annual Statements of Expectation for Council Controlled Organisations and Council Controlled Trading Organisations and granting shareholder approval of major transactions.
- Monitor progress against the Council Controlled Organisations and Council Controlled Trading Organisations Statements of Intent and **make recommendations to Council** in the exercising of Council powers, as the shareholder, about Council Controlled Organisations/Council Controlled Trading Organisations under sections 65 to 72 of the Local Government Act.
- Oversee compliance with Council's Treasury Risk Management Policy.
- Consider and determine requests for rate remissions.
- Consider and determine requests for loan guarantees from qualifying community organisations where the applications are within the approved guidelines and policy limits.

HUTT CITY COUNCIL

KOMITI RATONGA RANGATŌPŪ ME TE RAUTAKI
POLICY, FINANCE AND STRATEGY COMMITTEE

Meeting to be held in the Council Chambers,
2nd Floor, 30 Laings Road, Lower Hutt on
Tuesday 9 July 2024 commencing at 2:00 pm.

ORDER PAPER

PUBLIC BUSINESS

1. OPENING FORMALITIES - KARAKIA TIMATANGA

Whakataka te hau ki te uru
Whakataka te hau ki te tonga
Kia mākinakina ki uta
Kia mātaratara ki tai
E hī ake ana te atakura
He tio, he huka, he hau hū
Tihei mauri ora.

*Cease the winds from the west
Cease the winds from the south
Let the breeze blow over the land
Let the breeze blow over the ocean
Let the red-tipped dawn come with a
sharpened air.
A touch of frost, a promise of a glorious
day.*

2. APOLOGIES

No apologies have been received.

3. PUBLIC COMMENT

Generally up to 30 minutes is set aside for public comment (three minutes per speaker on items appearing on the agenda). Speakers may be asked questions on the matters they raise.

4. CONFLICT OF INTEREST DECLARATIONS

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

5. RECOMMENDATION TO TE KAUNIHERA O TE AWA KAIRANGI
COUNCIL - 25 July 2024

Approval to consult on the Control of Alcohol in Public Places Bylaw

Report No. PFSC2024/3/180 by the Senior Policy Advisor

8

CHAIR'S RECOMMENDATION:

"That the recommendations contained in the report be discussed."

6. HERITAGE BUILDINGS - CHANGES TO FINANCIAL ASSISTANCE

Report No. PFSC2024/3/168 by the Policy Lead

56

CHAIR'S RECOMMENDATION:

"That the recommendations contained in the report be endorsed."

7. INFORMATION ITEM

Komiti Ratonga Rangatōpū me te Rautaki | Policy, Finance and Strategy Committee Forward Programme

Memorandum dated 24 June 2024 by the Democracy Advisor

62

CHAIR'S RECOMMENDATION:

"That the recommendation contained in the memorandum be endorsed."

8. QUESTIONS

With reference to section 32 of Standing Orders, before putting a question a member shall endeavour to obtain the information. Questions shall be concise and in writing and handed to the Chair prior to the commencement of the meeting.

9. EXCLUSION OF THE PUBLIC

CHAIR'S RECOMMENDATION:

"That the public be excluded from the following parts of the proceedings of this meeting, namely:

10. RATES REMISSION APPLICATION

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

(A)	(B)	(C)
General subject of the matter to be considered.	Reason for passing this resolution in relation to each matter.	Ground under section 48(1) for the passing of this resolution.
Rates Remission Application	The withholding of the information is necessary to protect the privacy of natural persons. (s7(2)(a)).	That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding exist.

This resolution is made in reliance on section 48(1) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by section 6 or 7 of that Act which would be prejudiced by the holding of the whole or the relevant part of the proceedings of the meeting in public are as specified in Column (B) above."

Jack Kilty
DEMOCRACY ADVISOR

20 June 2024**Report no: PFSC2024/3/180**

Approval to consult on the Control of Alcohol in Public Places Bylaw

Purpose of Report

1. The purpose of this report is for the Policy, Finance and Strategy Committee (the Committee) to consider approving the draft Control of Alcohol in Public Places Bylaw (the Bylaw) and associated Statement of Proposal for public consultation.

Recommendations

That the Committee recommends Council:

- (1) notes that section 147 of the Local Government Act 2002 grants Council the power to make bylaws for alcohol control purposes;
- (2) notes that the Control of Alcohol in Public Places Bylaw (the Bylaw) outlines alcohol-free zones across Te Awa Kairangi ki Tai Lower Hutt;
- (3) notes that Council's previous Control of Alcohol in Public Places Bylaw was revoked in December 2023, and development of a new Bylaw requires consultation;
- (4) agrees to include the following proposals in the draft Bylaw for consultation:
 - (a) the alcohol-free zones and maps from the previous bylaw with minor adjustments to reflect changes in town centres; and
 - (b) the ability of the Chief Executive, in consultation with the Mayor and Committee Chairs, to authorise temporary alcohol-free zones in certain circumstances;
- (5) agrees with the Statement of Proposal attached as Appendix 1;
- (6) notes that public consultation on the Bylaw will occur from 26 July to 25 August 2024;
- (7) notes that the Committee has previously agreed to hear public submissions on the proposed Bylaw at its meeting on 10 September 2024; and
- (8) notes Council will consider adopting the proposed Bylaw on 1 October 2024.

For the reason that the Policy, Finance and Strategy Committee has delegated decision-making authority in relation to the Control of Alcohol in Public Places Bylaw.

Background

Legal Framework

2. Territorial authorities can make alcohol control bylaws under s147 of the Local Government Act 2002 (the Act).
3. Alcohol-free zones prohibit the consumption and possession of alcohol in certain public places. Alcohol-free zones can be made for temporary events or relate to specific areas where alcohol bans apply permanently.
4. Council can use the Bylaw to establish alcohol-free zones that assist Council and Police to promote and maintain public health and safety.
5. Under the Act, an alcohol ban must be a reasonable limitation on rights and freedoms and there must be evidence of a high level of crime or disorder that was caused or made worse by alcohol consumption. Any bylaw must be appropriate and proportionate in the light of that crime or disorder.

The previous Bylaw was revoked

6. Council's previous Bylaw was revoked in December 2023. Consultation is now required for the development of a new Bylaw.
7. On 7 May 2024 the Policy, Finance and Strategy Committee made the following resolutions:
 - a. to run a special consultative procedure on the proposed Bylaw;
 - b. to run the consultation on the Bylaw concurrently with the consultation on the Alcohol Fees Bylaw and the Local Alcohol Policy; and
 - c. hearings on the policy and two bylaws will be heard separately by relevant hearings subcommittees.

Discussion

Consultation on the proposed changes to the Bylaw

8. A statement of proposal forms the basis of consultation for a special consultative procedure. It outlines the purpose of the consultation and the scope of decisions to be made after considering the views.
9. The draft Statement of Proposal is attached at Appendix 1. The proposal includes:
 - a. the draft Bylaw;
 - b. a summary of proposed changes to the previous Bylaw;
 - c. a summary of the legal framework for bylaw making;
 - d. information on the consultation process and how to make a submission;
 - e. the timetable for the consultation process; and
 - f. a privacy statement.

Alcohol-free zones

10. Following analysis of the alcohol-free zones described in the previous Bylaw, including current supporting evidence from the Police and Medical Officers of Health set out at Appendix 2, officers propose to consult on 15 areas for alcohol-free zones.

The Bylaw can enable Council to make alcohol bans by resolution

11. The proposed Bylaw includes a mechanism to enable Council to make alcohol bans by resolution. This includes temporary alcohol-free zones associated with specific events or periods and permanent alcohol-free zones associated with specific areas or facilities.
12. For specified events or periods, the temporary alcohol ban must be publicly notified at least 14 days in advance of the specified event or period in accordance with s170(3) of the Act.
13. When time does not allow for the Council Resolution process to establish a temporary alcohol-free zone, officers propose that an application to establish a temporary alcohol-free zone be made to the Chief Executive in consultation with the Mayor and Committee Chairs.

Options

14. Public consultation will cover two proposals:
 - a. to reinstate alcohol-free zones and maps from the previous bylaw with minor adjustments to reflect changes in town centres; and
 - b. the Chief Executive, in consultation with the Mayor and Committee Chairs, have the authority to impose temporary alcohol-free zones for events under certain circumstances.

Climate Change Impact and Considerations

15. The matters addressed in this report have been considered in accordance with the process set out in Council's Climate Change Considerations Guide.

Consultation

16. The public consultation on the Bylaw will take place from 26 July to 25 August 2024.
17. Consultation on the Bylaw will follow the special consultative procedure process outlined in s83 of the Act.

Legal Considerations

18. Territorial authorities can make alcohol control bylaws under s147 of the Local Government Act 2002.

Financial Considerations

19. The Bylaw may require Council to provide funding for extra signage for alcohol-free zones.

Appendices

No.	Title	Page
1 ↓	Draft Statement of Proposal - Control of Alcohol in Public Places Bylaw	12
2 ↓	High level analysis of proposed alcohol free zones	41

Author: Angela Gordon
Senior Policy Advisor

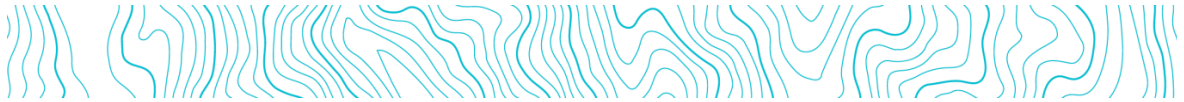
Author: Rachel Houlbrooke
Policy Lead

Reviewed By: Richard Hardie
Head of Strategy and Policy

Reviewed By: Bradley Cato
Chief Legal Officer

Reviewed By: Jarred Griffiths
Director Strategy and Engagement

Approved By: Jo Miller
Chief Executive



Appendix 1

Statement of Proposal

Control of Alcohol in Public Places Bylaw

Summary of proposal

Hutt City Council (Council) is developing a new Control of Alcohol in Public Places Bylaw (the Bylaw). Council can use this Bylaw to establish alcohol free zones that help the Council and Police to promote and maintain public health and safety. Alcohol free zones prohibit the consumption and possession of alcohol in certain public places. Alcohol free zones can be made for temporary events or relate to specific areas where alcohol bans apply permanently.

Proposal 1: Reinstate alcohol free zones from the previous bylaw with minor adjustments to reflect changes in town centres (see Appendix 1 within the Draft Bylaw).

Proposal 2: Give the Chief Executive Officer of Hutt City Council, in consultation with the Mayor and Chairs, the authority to impose temporary alcohol free zones for events under certain conditions.

Statement of Proposal: Control of Alcohol in Public Places Bylaw

How to have your say

We want your feedback on the proposed Control of Alcohol in Public Places Bylaw.

You can provide feedback in multiple ways:

- Make an online submission at haveyoursay.huttcity.govt.nz;
- Email your submission to alcohol2024@huttcity.govt.nz with 'Control of Alcohol in Public Places' in the email subject line; or
- Drop off a submission at the front counter at our office at 30 Laings Rd, Lower Hutt.

Timetable for consultation

The consultation is open from **26 July to 25 August 2024**.

Questions to consider

- Are there any areas where alcohol was banned in the prior bylaw that you think should be removed? Where and why?
- Are there any additional areas that alcohol should be banned? Where and why? Examples of alcohol related crime and disorder are required in making a case, please keep observations or experiences general and do not identify any individuals.
- Do you agree that the Council Chief Executive should have the ability to impose temporary alcohol free zones under certain circumstances?

Privacy Statement

We require your name, contact details and the suburb you live in as part of your feedback. All feedback will be published on our website with your name. All other personal or commercially sensitive information (including your email address and suburb) will be removed. Publishing feedback in full supports a transparent process and will assist in the public hearing process.

If you have specific reasons for not wanting your feedback publicly released, please contact alcohol2024@huttcity.govt.nz.

The feedback form asks for the suburb you live in to better understand how you are impacted by the changes happening in your suburb.

Statement of Proposal: Control of Alcohol in Public Places Bylaw

Public Hearings

The feedback form also asks if you want to present directly to Councillors at a hearing. If you state that you do want to present to Councillors, you will be contacted by council staff to arrange a time for you to speak.

Feedback will be considered by Council regardless of whether you wish to present your views at a hearing or not. Final decisions will be made in September 2024 and the Control of Alcohol in Public Places Bylaw will be adopted in October 2024.

Storing personal information

Council stores information with reasonable safeguards against loss and disclosure. Reasonable safeguards include physical and technological protections. Personal information is accessible to staff who have a legitimate reason to access it. Council has a code of conduct where unauthorised disclosure of confidential information or records in accordance with the provisions of the Public Records Act, which includes the authorised destruction of records once they are no longer required to be kept for legislative compliance or business purposes.

Access to your information

The information you provide will be accessible only by Council staff and is not shared with any third party. You have the right to ask for a copy of any personal information we hold about you, and to ask for it to be corrected if you think it is wrong. If you'd like to ask for a copy of your information, or to have it corrected, please contact us at policy@huttcity.govt.nz, or 04 570 6666, or 30 Laings Road, Lower Hutt 5010.

Statement of Proposal: Control of Alcohol in Public Places Bylaw

Legal Framework for bylaw making

Under sections 147A and 155 of the Local Government Act 2002(the Act), Councils are required to:

- determine whether a bylaw is the most appropriate way of addressing the perceived problem and that a proposed bylaw is the most appropriate form of the bylaw;
- be satisfied that
 - the proposed bylaw can be justified as a reasonable limitation on people's rights and freedoms;
 - except where the bylaw applies temporarily, there is evidence that the area to which the bylaw is intended to apply has experienced a high level of crime or disorder caused or made worse by alcohol consumption in the area; and
 - the proposed bylaw is appropriate and proportionate in light of that crime or disorder.

In addition, no bylaw may be made which is inconsistent with the New Zealand Bill of Rights Act 1990. Council must also comply with the general decision-making requirements in sections 76 to 82 of the Act in that it must identify and consider all reasonably practicable options and the community's views.

Is the Bylaw the most appropriate way to address the perceived problem?

The problem can be defined as "crime or disorder caused or made worse by the consumption of alcohol in public places". Council has liaised with key stakeholders including the Police, Medical Health Officer, City Safety Manager, Healthy Families, CCTV Team and Alcohol Licensing Inspectors, to understand the nature of alcohol related issues in Lower Hutt.

A number of concerns about crime and disorder in Lower Hutt have been raised and Council has considered how best to address these. Options for addressing the perceived problem include current Police powers to protect public safety and Council powers to regulate licensed premises under the Sale and Supply of Alcohol Act 2012.

Statement of Proposal: Control of Alcohol in Public Places Bylaw

Council could also develop controls in our policies, plans and hire agreements, use CCTV or advocate for more local Police. While these options could work, they are unlikely to address the problem on their own. Without a Control of Alcohol in Public Places Bylaw, there would be no ability to provide for temporary alcohol ban areas for events, or to deal with problem areas in the future. Bylaws are a well-recognised mechanism and provide a preventative tool to stop problems happening which is consistent with the “prevention first” strategy of the Police. This is preferable to waiting for problems to occur, particularly at or after events where large groups of people may gather.

Alcohol free zones, supported by signage, are enforced by the Police to prevent escalation and more serious incidents occurring. Alcohol free zones may also increase the perception of safety and order and raise the reputation of events. Without a bylaw, the Council and Police would have difficulty promoting and maintaining public health and safety by reducing alcohol possession and consumption in public.

Is the Bylaw the most appropriate form of the Bylaw?

Council considers the proposed Bylaw to be the most appropriate form of the bylaw as it provides for the following:

- the regulation of the possession and consumption of alcohol in public places leading to a reduction in crime and disorder caused or made worse by alcohol, as authorised under sections 145 and 147 of the Act;
- the promotion and maintenance of public health and safety;
- responsive decision-making for the control of events; and
- focus on specific and known problem areas.

The Bylaw is an appropriate balance between regulatory and non-regulatory strategies to reduce alcohol-related crime and disorder, and is certain, reasonable and proportionate.

Does the Bylaw give rise to any implications under the New Zealand Bill of Rights Act 1990?

The New Zealand Bill of Rights Act 1990 provides for certain rights and freedoms in relation to:

Statement of Proposal: Control of Alcohol in Public Places Bylaw

- life and the security of people;
- democratic and civic rights;
- non-discrimination and minority rights;
- search, arrest and detention; and
- criminal procedure and rights to justice.

The Bylaw could potentially limit rights and freedoms of expression, freedom of peaceful assembly and freedom of movement by limiting people's ability to possess and consume alcohol in areas subject to alcohol bans. However, these limitations are justified (as provided in section 5 of the New Zealand Bill of Rights Act 1990) because Council's ability to make alcohol bans is limited by legislative criteria and the restrictions are fair and reasonable in the interest of public health and safety.

Proposals for public consultation

Proposal 1	Reinstating alcohol free zones and maps from the previous Control of Alcohol in Public Places Bylaw with minor adjustments to reflect changes in town centers.
Proposal 2	The Chief Executive of Hutt City Council, in consultation with the Mayor and Elected Members, having the authority to impose temporary alcohol free zones for events under certain conditions.

Previous alcohol free zones with minor adjustments to reflect changes in town centres (maps are at Appendix 1 in the Draft Bylaw attached)

Alcohol free zone area	Description and corresponding map	Permanent	Temporary
Western Hills	•Oakleigh Street carpark (refer to map AFZ1)	9:00pm to 5:00am seven days per week	
	•Jubilee Park (refer to map AFZ2)	9:00pm to 5:00am seven days per week	
Petone	•Pito-One Road and Cornish Street (refer to map AFZ3)	9:00pm to 5:00am seven days per week	
	•Focus on Jackson Street area (refer to map AFZ4)	At all times	
Eastbourne	•Days Bay (refer to map AFZ5)	9:00pm to 5:00am seven days per week	On Guy Fawkes night from 6:00pm on 5 November to

Statement of Proposal: Control of Alcohol in Public Places Bylaw

			5:00am on 6 November, each year
	•Eastbourne shopping area, wharf and beach (refer to map AFZ6)	9:00pm to 5:00am seven days per week	
Seaview/ Gracefield	•refer to map AFZ7	9:00pm to 5:00am seven days per week	
Wainuiomata (note minor adjusted area in green)	•Norfolk Street Shopping Area (refer to map AFZ8)	At all times	
	•Homedale Village shops (refer to map AFZ9)	At all times	
	•Queen Street shops and Hugh Sinclair Park (refer to map AFZ10)	At all times	
Stokes Valley	•Stokes Valley Shopping Centre, Delaney Park and Speldhurst Park (refer to map AFZ11)	At all times	
Central Business District (note minor adjusted area in green)	•refer to map AFZ12	At all times	
Taita	•Taita shopping area (refer to map AFZ13)	At all times	
Naenae	•refer to map AFZ14	At all times	
City wide	•refer to map AFZ15	9:00pm to 5:00am seven days per week	

Enable Council to make alcohol bans by resolution

The Bylaw will include a mechanism to enable Council to make alcohol bans by resolution. This includes temporary alcohol-free zones associated with specific events or periods and permanent alcohol-free zones associated with specific areas or facilities.

For specified events or periods, the temporary alcohol ban must be publicly notified at least 14 days in advance of the specified event or period in accordance with section 170(3) of the LGA.

When time does not allow for the Council Resolution process to establish a temporary alcohol free zone, it is proposed that an application to establish a

Statement of Proposal: Control of Alcohol in Public Places Bylaw

temporary alcohol free zone can be made to the Chief Executive, who will make a decision in consultation with the Mayor and Elected Members.

Statement of Proposal: Control of Alcohol in Public Places Bylaw

Draft Control of Alcohol in Public Places Bylaw

Division	Strategy and Policy		
Date created	Month Year		
Publication date	Month Year		
Review period	October 2029		
Owner	Strategy and Policy		
Approved by	Name		

Version	Author	Date	Description
V 1.0	Name	Month Year	Insert brief description here
V 2.0	Name	Month Year	Insert brief description here

Statement of Proposal: Control of Alcohol in Public Places Bylaw

1. Commencement

1.1 This Bylaw will come into force on [insert date]

2. Application

2.1 This Bylaw applies to the Lower Hutt District.

3. Interpretation

3.1 In this Bylaw, the following definitions apply:

- **Act** means the Local Government Act 2002.
- **Alcohol** has the meaning given to it in section 5(1) of the Sale and Supply of Alcohol Act 2012.
- **Alcohol free zone** means an alcohol ban area made under this Bylaw in accordance with section 147 of the Act.
- **Bylaw** means this Control of Alcohol in Public Places Bylaw.
- **Council** means Hutt City Council.
- **License** has the meaning given to it in section 5(1) of the Sale and Supply of Alcohol Act 2012.
- **Public Place** has the meaning given to it in section 147(1) of the Act.

4. Restrictions in Alcohol Free Zones

4.1 A person must not consume, bring or possess alcohol in any public place or in any vehicle in any public place where:

- a. an alcohol free zone made by Council in accordance with clause X of this Bylaw applies; or
- b. an alcohol free zone in a Schedule of this Bylaw applies.

4.1.1. a public place does not include licensed premises.

4.2 However, subclause (1) does not apply in those circumstances described in section 147(4) or section 147 (1)(b) of the Local Government 2002.

Statement of Proposal: Control of Alcohol in Public Places Bylaw

4.2.1 Explanatory note on section 147(1) and 147(4): The possession or transport of alcohol in public places in alcohol free zones is limited by this bylaw and the Local Government Act, and is generally only allowed when transporting, carrying, or delivering alcohol through an area.

5. Alcohol Free Zones

Permanent Alcohol Free Zones

5.1 The public places in each of the areas identified in Schedule 1 to this Bylaw are alcohol free zones.

Alcohol Free Zones by Council resolution

5.2 The Council may, by resolution, specify additional permanent or temporary alcohol free zones, including where and when an alcohol-free zone will apply.

5.3 A resolution made under clause 5.2 may specify a temporary alcohol free zone associated with specific events or periods and permanent alcohol-free zones associated with specific areas or facilities.

5.4 For specified events or periods, the temporary alcohol free zone must be publicly notified at least 14 days in advance of the specified event or period in accordance with section 170(3) of the Act.

5.5 The Council may amend or revoke an Alcohol Free Zone under clause 5.1 or a resolution made under clause 5.2 at any time.

5.6 Before making a resolution under clause 5.2, the Council must be satisfied that the requirements of section 147B of the Act are met. Council may also take into account the following:

- a. whether it is necessary to consult the public to gauge community views on a proposed alcohol free zone;
- b. the nature, features, and scale of the proposed alcohol free zone;
- c. the problems that have been caused by the consumption of alcohol in the proposed alcohol free zone including the nature and severity of the problems, and the times and days that problems have occurred;

Statement of Proposal: Control of Alcohol in Public Places Bylaw

- d. the likelihood that alcohol will be present in the proposed alcohol free zone on the days or period specified;
- e. the extent to which the proposed alcohol free zone may assist in addressing these problems;
- f. any restrictions or limitations on private individuals' rights that would be caused by a proposed alcohol free zone; and
- g. any other information considered by the Council to be relevant.

Chief Executive approval for temporary alcohol free zones

5.7 Where there is insufficient time to specify a temporary alcohol free zone by Council resolution, a temporary alcohol free zone can be imposed by the Chief Executive, in consultation with the Mayor and Chairs in respect of that event during the specified times for that alcohol free zone area.

5.8 The Chief Executive, in consultation with the Mayor and Chairs, may only impose a temporary alcohol free zone after consideration of:

- The nature of the event;
- The number of people expected to attend the event; and
- The history of the event (if any).

Implementation

5.9 For specified events or periods, the temporary alcohol free zone must be publicly notified at least 14 days in advance of the specified event or period in accordance with section 170(3) of the Act.

5.9.1 Applications to establish a temporary alcohol free zone can be made to the Chief Executive. Decisions will be made in consultation with the Mayor and Chairs.

5.9.2 Explanatory note: If approved, a formal process with time limits, access for setting up temporary alcohol free zones (eg Police only), an application form, fee and signage requirements will be agreed.

6. Hutt City Council Alcohol Free Zones

Statement of Proposal: Control of Alcohol in Public Places Bylaw

6.1 The Council resolved at its meeting held on XXXXX to create the alcohol-free zones and times set out in Schedule 1 to which the Bylaw will apply. Maps outlining the areas in all the alcohol free zones in the table below can be found at Appendix 1.

Schedule 1: Alcohol free zones [To be updated following public consultation and subcommittee hearing]

Alcohol free zones	
9pm to 5am everyday	<ul style="list-style-type: none"> As per previous bylaw, no changes
24-hour alcohol free zone everyday	<ul style="list-style-type: none"> Proposed updated boundary for the Central Business District Proposed updated boundary for Queen Street, Wainuiomata All other alcohol free zones as per previous bylaw

7. Signage in alcohol free zones

7.1 Where it is practicable or reasonable to do so, the Council will erect signage within alcohol free zones to provide information to the public about the restrictions. The size, location and content of the signage will be at the Council's discretion.

7.2 The absence of signage in any alcohol free zone does not authorise a breach of this Bylaw.

7.3 This clause is subject to any regulations made under section 147C of the Act.

8. Offence and penalty

8.1 Every person who breaches this Bylaw commits an infringement offence under section 239A of the Act and may be served with an infringement notice under section 245 of the Act and may be liable to pay an infringement fee.

8.2 Any person in breach of the restrictions in place in an alcohol free zone is subject to any action taken by the Police in accordance with the powers given to the Police in the Act. These include the powers of search and seizure of

Statement of Proposal: Control of Alcohol in Public Places Bylaw

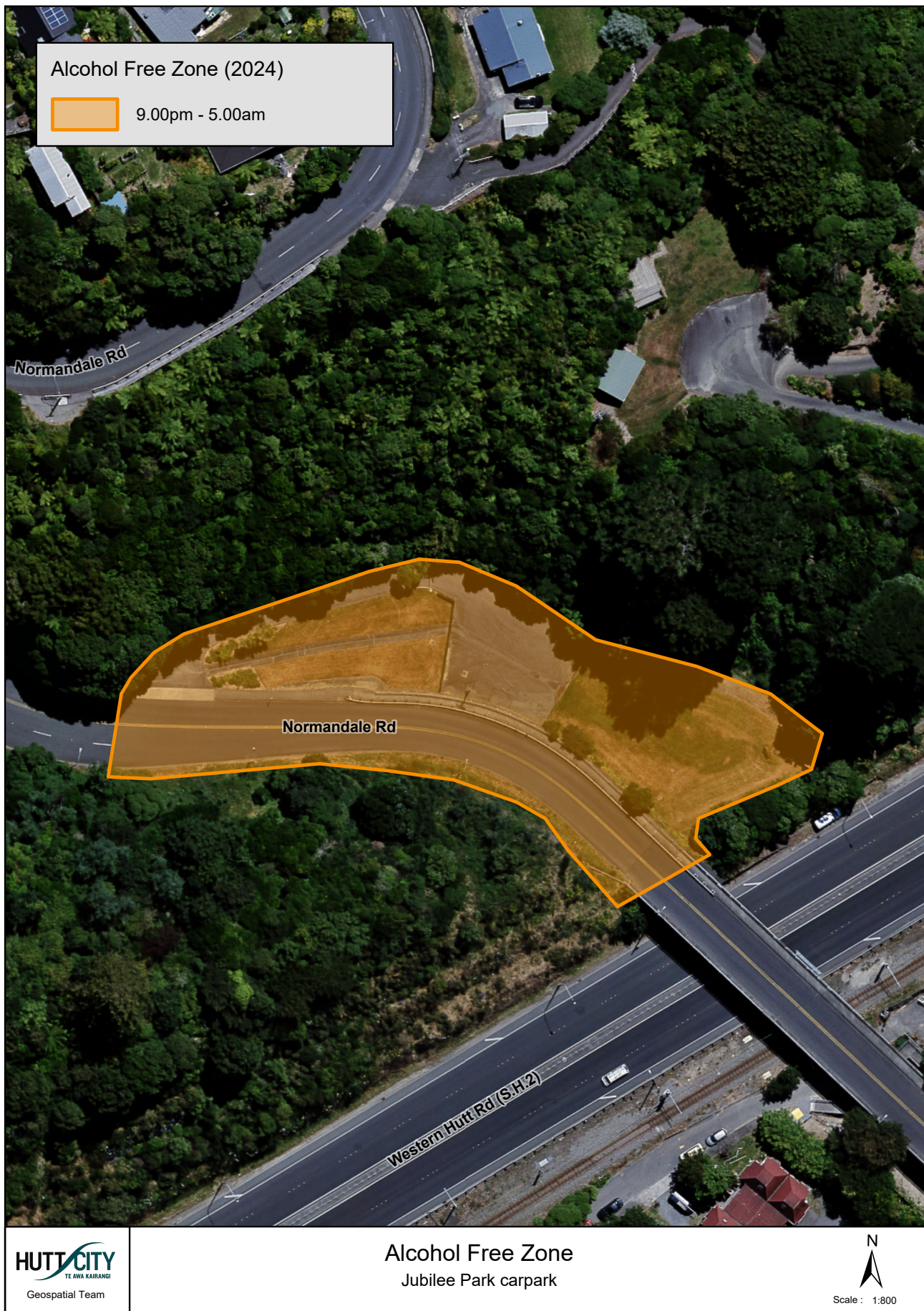
alcohol, arrest, and the power to issue an infringement notice. For the avoidance of doubt, this includes the powers in section 170(2) of the Act.

AFZ1

Hutt City Council
Control of Alcohol in Public Places
Bylaw 2016



AFZ 2

Hutt City Council
Control of Alcohol in Public Places
Bylaw 2016

AFZ3

Hutt City Council
Control of Alcohol in Public Places
Bylaw 2016

AFZ4

Hutt City Council
Control of Alcohol in Public Places
Bylaw 2016

AFZ5

Hutt City Council
Control of Alcohol in Public Places
Bylaw 2016

AFZ6

Hutt City Council
Control of Alcohol in Public Places
Bylaw 2016

AFZ7

Hutt City Council
Control of Alcohol in Public Places
Bylaw 2016

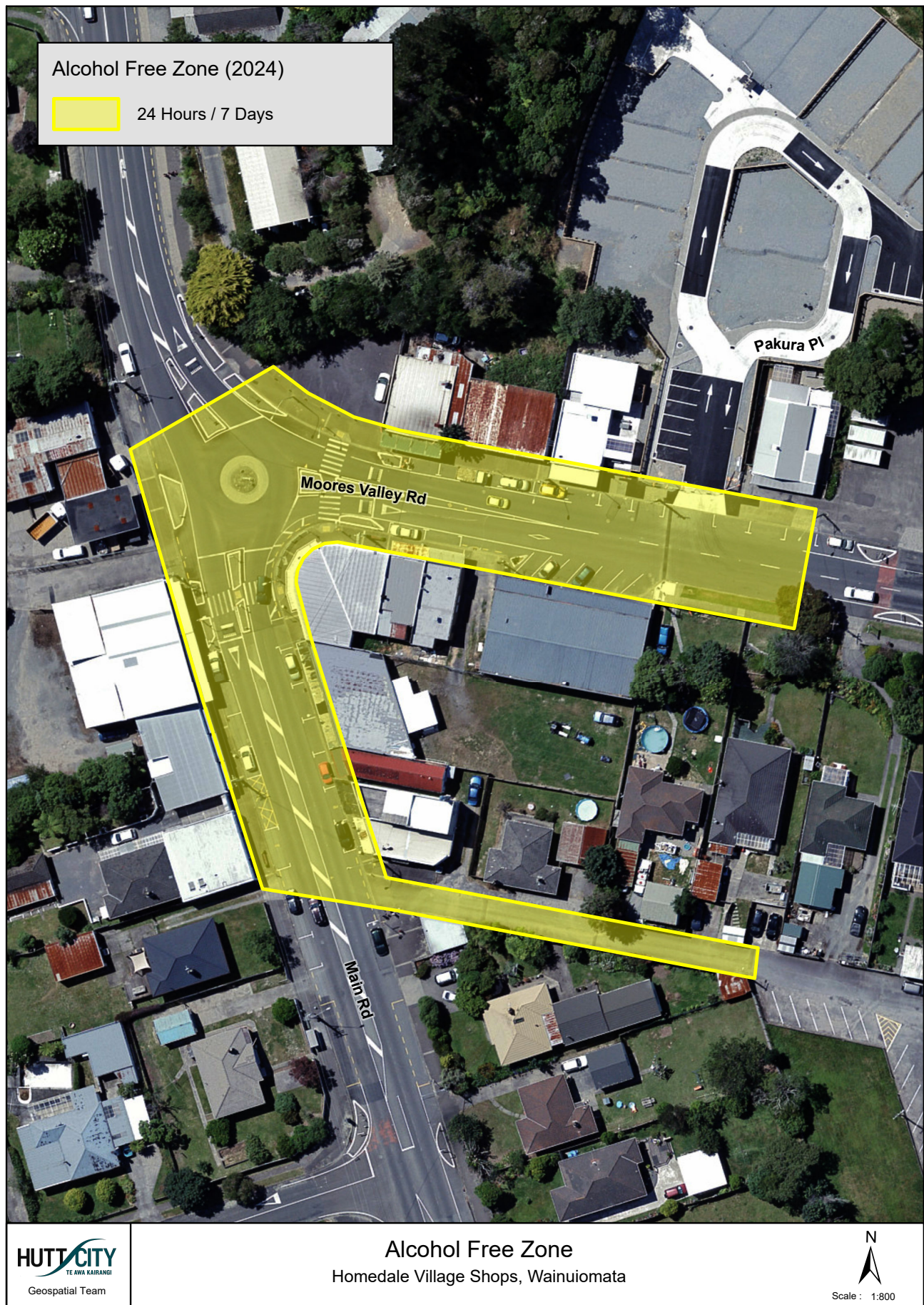
AFZ8

Hutt City Council
Control of Alcohol in Public Places
Bylaw 2016



AFZ9

Hutt City Council
Control of Alcohol in Public Places
Bylaw 2016



AF210

Hutt City Council
Control of Alcohol in Public Places
Bylaw 2016

AFZ11

Hutt City Council
Control of Alcohol in Public Places
Bylaw 2016





AFZ13

Hutt City Council
Control of Alcohol in Public Places
Bylaw 2016



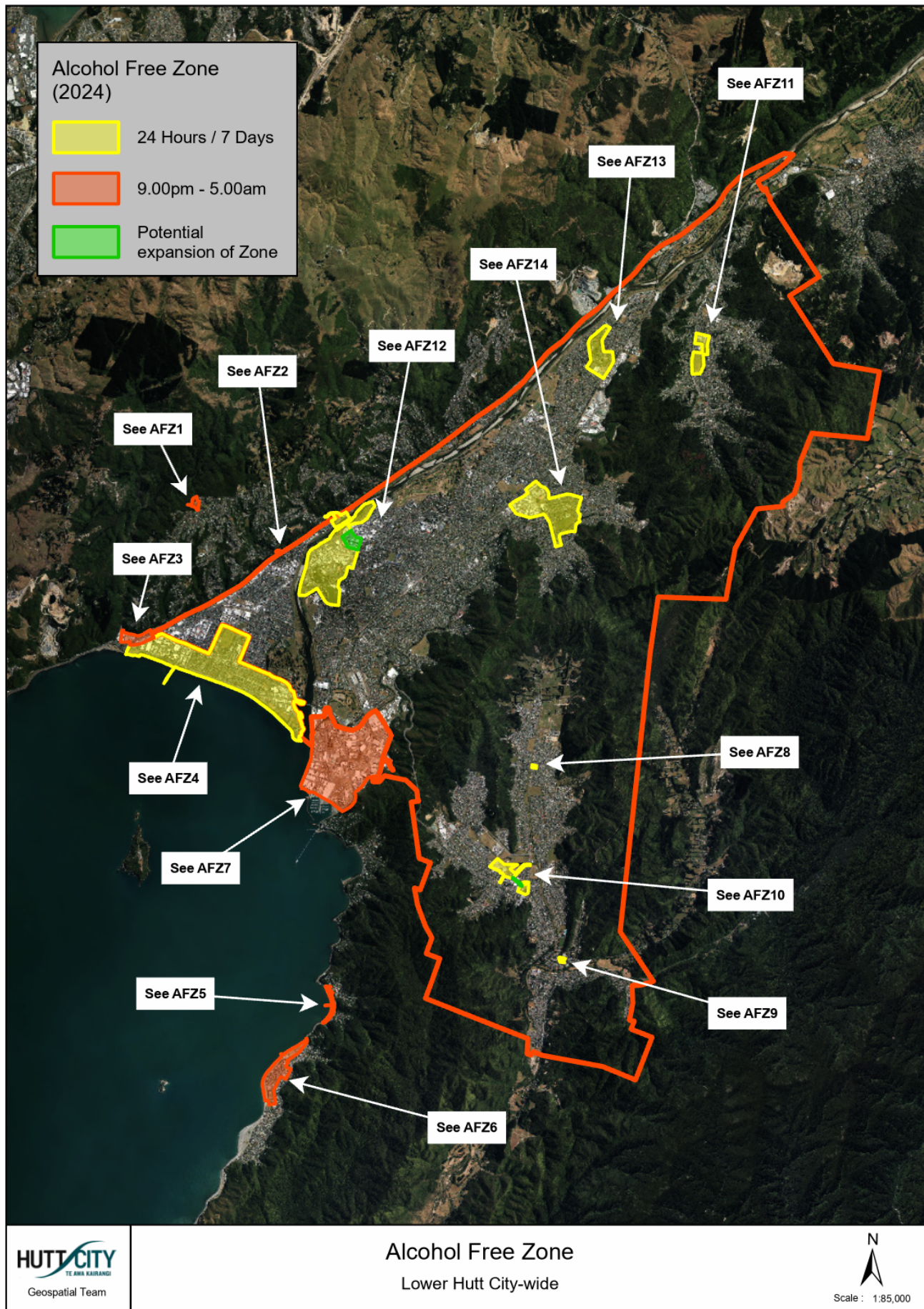
AFZ14

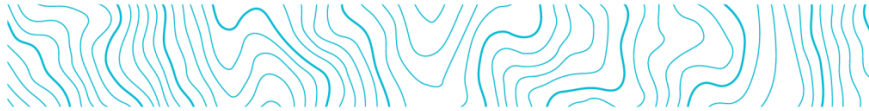
Hutt City Council
Control of Alcohol in Public Places
Bylaw 2016



AFZ15

Hutt City Council
Control of Alcohol in Public Places
Bylaw 2016





Appendix 2: Proposed alcohol free zones

High level summary of alcohol related data

Proposed alcohol free zone location: Eastbourne		Recommendation																		
<p>Temporary: Days Bay Beach 6pm, 5 November to 5am, 6 November (Guy Fawkes) (refer to map AFZ5)</p> <p>Licenses in this alcohol free zone: 3 on-licenses outside the alcohol free zone</p>	<p>Police: Approximately 18% of all events recorded by Police have alcohol as a contributing factor in Eastbourne.</p>	Retain this alcohol free zone.																		
<p>Permanent: Eastbourne 9pm to 5am Mon to Sun (refer to map AFZ6)</p> <p>Current license numbers for all of Eastbourne: Club license: 4 Off-license: 3 On-license: 7</p> <p>Licenses in this alcohol free zone: 4 club licenses – 3 in the alcohol free zone, 1 outside the alcohol free zone 3 off-licenses – 2 in the alcohol free zone, 1 just outside the alcohol free zone 7 on-licenses – none in the alcohol free zone</p>	<p>Police: Approximately 18% of all events recorded by Police have alcohol as a contributing factor in Eastbourne.</p> <table border="1"> <thead> <tr> <th>Year</th><th>NIA</th><th>CARD</th></tr> </thead> <tbody> <tr> <td>2020</td><td>29</td><td>12</td></tr> <tr> <td>2021</td><td>11</td><td>8</td></tr> <tr> <td>2022</td><td>18</td><td>8</td></tr> <tr> <td>2023</td><td>16</td><td>8</td></tr> <tr> <td>Total:</td><td>74</td><td>36</td></tr> </tbody> </table> <p>NIA are occurrences that Police respond to, and the offences, infringements or incidents found or tasks undertaken. CARD are the numbers of events reported to Police.</p> <p>Public Health Data: Proportionately low number of alcohol related emergency department attendances and hospital admissions for this area.</p>	Year	NIA	CARD	2020	29	12	2021	11	8	2022	18	8	2023	16	8	Total:	74	36	Retain this alcohol free zone.
Year	NIA	CARD																		
2020	29	12																		
2021	11	8																		
2022	18	8																		
2023	16	8																		
Total:	74	36																		

Proposed alcohol free zone location: Wainuiomata		Recommendation																		
<p>Permanent: Norfolk Street 24 hours Mon to Sun (refer to map AFZ8)</p> <p>All of Wainuiomata: CCTV breach of bylaw 2015/16: 27 2022: 10 2023: 0</p> <p>Local Alcohol Policy off-license cap for all of Wainuiomata: 6</p> <p>Current license numbers for Wainuiomata: Club license: 6 Off-license: 6 On-license: 4</p> <p>Licenses in this alcohol free zone: <i>There are no alcohol licenses in this alcohol free zone at the time of this report.</i></p> <p>There is one off-license and one on-license just outside the alcohol free zone.</p>	<p>Police: Approximately 18% of all events recorded by Police have alcohol as a contributing factor in Wainuiomata.</p> <p>When only violent offending and family harm occurrences are considered, 25% of all occurrences involve alcohol.</p> <table border="1"> <thead> <tr> <th>Year</th><th>NIA</th><th>CARD</th></tr> </thead> <tbody> <tr> <td>2020</td><td>15</td><td>2</td></tr> <tr> <td>2021</td><td>15</td><td>5</td></tr> <tr> <td>2022</td><td>7</td><td>2</td></tr> <tr> <td>2023</td><td>18</td><td>3</td></tr> <tr> <td>Total:</td><td>55</td><td>12</td></tr> </tbody> </table> <p>NIA are occurrences that Police respond to, and the offences, infringements or incidents found or tasks undertaken. CARD are the numbers of events reported to Police.</p> <p>Public Health Data: For all of Wainuiomata Historical deprivation index: 2020: 7 2021: 6 2022: 7 2023: 6</p> <p>Alcohol-related hospital admissions increasing over time but at levels that are not unusual when compared to other parts of the city.</p>	Year	NIA	CARD	2020	15	2	2021	15	5	2022	7	2	2023	18	3	Total:	55	12	<p>Retain this alcohol free zone but improve signage.</p>
Year	NIA	CARD																		
2020	15	2																		
2021	15	5																		
2022	7	2																		
2023	18	3																		
Total:	55	12																		

Proposed alcohol free zone location: Wainuiomata		Recommendation																		
<p>Permanent: Homedale Village– 24 hours Mon to Sun (refer to map AFZ9)</p> <p>All of Wainuiomata: CCTV breach of bylaw 2015/16: 27 2022: 10 2023: 0</p> <p>Local Alcohol Policy off- license cap for all of Wainuiomata: 6</p> <p>Current license numbers for all of Wainuiomata: Club license: 6 Off-license: 6 On-license: 4</p> <p>Licenses in this alcohol free zone: <i>There are no alcohol licenses in this alcohol free zone at the time of this report.</i></p> <p><i>There is one off-license and one on-license just outside the alcohol free zone.</i></p>	<p>Police: Approximately 18% of all events recorded by Police have alcohol as a contributing factor in Wainuiomata.</p> <p>When only violent offending and family harm occurrences are considered, 25% of all occurrences involve alcohol.</p> <table border="1"> <thead> <tr> <th>Year</th><th>NIA</th><th>CARD</th></tr> </thead> <tbody> <tr> <td>2020</td><td>19</td><td>1</td></tr> <tr> <td>2021</td><td>13</td><td>4</td></tr> <tr> <td>2022</td><td>19</td><td>1</td></tr> <tr> <td>2023</td><td>24</td><td>4</td></tr> <tr> <td>Total:</td><td>75</td><td>10</td></tr> </tbody> </table> <p>NIA are occurrences that Police respond to, and the offences, infringements or incidents found or tasks undertaken. CARD are the numbers of events reported to Police.</p> <p>Public Health Data: For all of Wainuiomata Historical deprivation index: 2020: 7 2021: 6 2022: 7 2023: 6</p> <p>Alcohol-related hospital admissions increasing over time but at levels that are not unusual when compared to other parts of the city.</p>	Year	NIA	CARD	2020	19	1	2021	13	4	2022	19	1	2023	24	4	Total:	75	10	<p>Retain this alcohol free zone but improve signage.</p>
Year	NIA	CARD																		
2020	19	1																		
2021	13	4																		
2022	19	1																		
2023	24	4																		
Total:	75	10																		

Proposed alcohol free zone location: Wainuiomata		Recommendation																		
<p>Permanent: Queen Street shops and Hugh Sinclair Park 24 hours Mon to Sun (refer to map AFZ10)</p> <p>All of Wainuiomata: CCTV breach of bylaw 2015/16: 27 2022: 10 2023: 0</p> <p>Local Alcohol Policy off-license cap for all of Wainuiomata: 6</p> <p>Current license numbers for all of Wainuiomata: Club license: 6 Off-license: 6 On-license: 4</p> <p>Licenses in this alcohol free zone: <i>There are no alcohol licenses in this alcohol free zone at the time of this report.</i></p> <p><i>There are two off-licenses, two on-licenses and two club licenses just outside this alcohol free zone.</i></p>	<p>Police: Approximately 18% of all events recorded by Police have alcohol as a contributing factor in Wainuiomata. When only violent offending and family harm occurrences are considered, 25% of all occurrences involve alcohol.</p> <p>Police acknowledge the population growth in Wainuiomata. The Fitzroy Tavern no longer exists and has been replaced with high-density housing. Much of Hugh Sinclair Park has been replaced by the Masonic Retirement Village. The alcohol free zone from the previous bylaw is still sufficient for the recreational spaces in the vicinity.</p> <p>The alcohol free zone on Queen Street needs to remain. This location sees heavy foot traffic and vagrancy. Ta Ara Raukura is a new street in the Wainuiomata CBD that links Queen Street with The Strand. Police recommend that this get included in the alcohol free zone.</p> <table border="1"> <thead> <tr> <th>Year</th><th>NIA</th><th>CARD</th></tr> </thead> <tbody> <tr> <td>2020</td><td>65</td><td>19</td></tr> <tr> <td>2021</td><td>70</td><td>22</td></tr> <tr> <td>2022</td><td>30</td><td>34</td></tr> <tr> <td>2023</td><td>55</td><td>17</td></tr> <tr> <td>Total:</td><td>220</td><td>92</td></tr> </tbody> </table> <p>NIA are occurrences that Police respond to, and the offences, infringements or incidents found or tasks undertaken. CARD are the numbers of events reported to Police.</p> <p>Public Health Data: For all of Wainuiomata Historical deprivation index: 2020: 7 2021: 6 2022: 7 2023: 6</p> <p>Alcohol-related hospital admissions increasing over time but at levels that are not unusual when compared to other parts of the city.</p>	Year	NIA	CARD	2020	65	19	2021	70	22	2022	30	34	2023	55	17	Total:	220	92	<p>Update this alcohol free zone with Police suggestions and improve signage.</p>
Year	NIA	CARD																		
2020	65	19																		
2021	70	22																		
2022	30	34																		
2023	55	17																		
Total:	220	92																		

Proposed alcohol free zone location: Stokes Valley		Recommendation																		
<p>Permanent alcohol free zone from previous bylaw:</p> <p>Stokes Valley shopping centre, Delaney Park and Speldhurst Park 24 hours Mon to Sun (refer to map AFZ11)</p> <p>All of Stokes Valley: CCTV breach of bylaw 2015/16: 28 2022: 6 2023: 1</p> <p>Local Alcohol Policy off-license cap for all of Stokes Valley: 3 (licenses under the cap by 1 for XXXX)</p> <p>Current license numbers for all of Stokes Valley: Club license: 5 Off-license: 2 On-license: 1</p> <p>Licenses in this alcohol free zone: <i>There are three club licenses, two off-licenses and one on-license within this alcohol free zone.</i></p>	<p>Police: No specific stats were provided by the local Police for this alcohol free zone. However, less than 18% of all events recorded by Police have alcohol as a contributing factor in Stokes Valley.</p> <p>Police report that there are sporadic calls for service in this area but they view the alcohol free zone to be sufficient.</p> <table border="1"> <thead> <tr> <th>Year</th><th>NIA</th><th>CARD</th></tr> </thead> <tbody> <tr> <td>2020</td><td>84</td><td>19</td></tr> <tr> <td>2021</td><td>49</td><td>17</td></tr> <tr> <td>2022</td><td>68</td><td>13</td></tr> <tr> <td>2023</td><td>58</td><td>7</td></tr> <tr> <td>Total:</td><td>259</td><td>56</td></tr> </tbody> </table> <p>NIA are occurrences that Police respond to, and the offences, infringements or incidents found or tasks undertaken. CARD are the numbers of events reported to Police.</p> <p>Public Health Data: Historical deprivation index: 2020: 5 2021: 5 2022: 5 2023: 5</p> <p>Alcohol-related emergency department attendance levels are in decline and the same generally for alcohol-related hospital admissions. These levels are not unusual for the city.</p>	Year	NIA	CARD	2020	84	19	2021	49	17	2022	68	13	2023	58	7	Total:	259	56	<p>Retain this alcohol free zone but improve signage.</p>
Year	NIA	CARD																		
2020	84	19																		
2021	49	17																		
2022	68	13																		
2023	58	7																		
Total:	259	56																		

Proposed alcohol free zone location: Petone		Recommendation																		
<p>Permanent alcohol free zone from previous bylaw:</p> <p>Petone 24 hours Mon to Sun (refer to map AFZ4)</p> <p>CCTV breach of bylaw 2015/16: 21 2022: 6 2023: 3</p> <p>Local Alcohol Policy off-license cap: no cap</p> <p>Current license numbers in the alcohol free zone: Club license: 1 Off-license: 13 On-license: 33</p> <p>Licenses in Petone but outside the alcohol free zone: Outside of the Petone alcohol free zone there are: Club licenses: 4 Off-licenses: 6 On-licenses: 12</p>	<p>Police: Approximately 18% of all events recorded by Police have alcohol as a contributing factor in Petone. When only violent offending and family harm occurrences are considered, almost 25% involve alcohol.</p> <p>The Police report that the closing times in Petone are sufficient and the alcohol free zone covers all of the public places within close proximity to any of the on-licenses. Generally, there is little activity in Petone from midnight onwards and the on-licenses are quiet. Police can adequately Police the small overflow.</p> <table border="1"> <thead> <tr> <th>Year</th><th>NIA</th><th>CARD</th></tr> </thead> <tbody> <tr> <td>2020</td><td>311</td><td>121</td></tr> <tr> <td>2021</td><td>340</td><td>95</td></tr> <tr> <td>2022</td><td>391</td><td>112</td></tr> <tr> <td>2023</td><td>423</td><td>100</td></tr> <tr> <td>Total:</td><td>1,465</td><td>428</td></tr> </tbody> </table> <p>NIA are occurrences that Police respond to, and the offences, infringements or incidents found or tasks undertaken. CARD are the numbers of events reported to Police.</p> <p>Public Health Data: Historical deprivation levels: 2020: 6 2021: 6 2022: 5 2023: 6</p> <p>Alcohol-related emergency department attendances are in decline since 2021 but alcohol-related hospital admissions are increasing. These are levels that are higher than average per head of population compared to most other areas in Lower Hutt.</p>	Year	NIA	CARD	2020	311	121	2021	340	95	2022	391	112	2023	423	100	Total:	1,465	428	<p>Retain this alcohol free zone but improve signage.</p>
Year	NIA	CARD																		
2020	311	121																		
2021	340	95																		
2022	391	112																		
2023	423	100																		
Total:	1,465	428																		

Proposed alcohol free zone location: Central Business District		Recommendation																		
<p>Permanent alcohol free zone from previous bylaw: Central Business District 24 hours Mon to Sun (refer to map AFZ12)</p> <p>CCTV breach of bylaw 2015/16: 268 2022: 90 2023: 103</p> <p>Local Alcohol Policy off-license cap: 11 (two licenses under the cap by 2 for XXX)</p> <p>Current license numbers in the alcohol free zone: Club license: 2 Off-license: 6 On-license: 24</p> <p>Licenses outside this alcohol free zone: Outside of the Lower Hutt CBD alcohol free zone there are: Club licenses: 1 Off-licenses: 3 On-licenses: 2</p>	<p>Police: In Lower Hutt CBD, approximately 18% of all events recorded by Police have alcohol a contributing factor. The vast majority of Alcohol Infringement Notices were issued in the Lower Hutt Central Business District.</p> <p>The Police believe that there is capacity for greater focus on the alcohol free zone in the Lower Hutt CBD, and would like to see the area expanded to include Cornwall Street, Pretoria Street, High Street and Melling Road to the stop bank. Within this expanded area are a number of food, commercial and retail outlets and an off-license.</p> <table border="1"> <thead> <tr> <th>Year</th><th>NIA</th><th>CARD</th></tr> </thead> <tbody> <tr> <td>2020</td><td>185</td><td>178</td></tr> <tr> <td>2021</td><td>171</td><td>179</td></tr> <tr> <td>2022</td><td>221</td><td>162</td></tr> <tr> <td>2023</td><td>299</td><td>134</td></tr> <tr> <td>Total:</td><td>876</td><td>653</td></tr> </tbody> </table> <p>NIA are occurrences that Police respond to, and the offences, infringements or incidents found or tasks undertaken. CARD are the numbers of events reported to Police.</p> <p>Public Health Data: Historical deprivation levels 2020: 5 2021: 5 2022: 4 2023: 5</p> <p>Levels of both alcohol-related hospital admissions and emergency department attendances are average for the city.</p>	Year	NIA	CARD	2020	185	178	2021	171	179	2022	221	162	2023	299	134	Total:	876	653	<p>Change this alcohol free zone to incorporate Police suggestions to extend the area and improve signage.</p>
Year	NIA	CARD																		
2020	185	178																		
2021	171	179																		
2022	221	162																		
2023	299	134																		
Total:	876	653																		

Proposed alcohol free zone location: Taita		Recommendation																		
<p>Permanent alcohol free zone from previous bylaw:</p> <p>Taita shopping area 24 hours Mon to Sun (refer to map AFZ13)</p> <p>CCTV breach of bylaw 2015/16: 8 2022: 6 2023: 3</p> <p>Local Alcohol Policy off- license cap: 3</p> <p>Current license numbers in the alcohol free zone:: Club license: 1 Off-license: 2 On-license: 1</p> <p>Licenses outside the alcohol free zone: There is one off-license and one on-license outside the Taita alcohol free zone.</p>	<p>Police: Less than 18% of all events recorded by Police have alcohol as a contributing factor in Taita.</p> <p>Police report that the alcohol free zone in Taita is a location which anecdotally has higher rates of crime and the town centre frequently deals with vagrancy. The alcohol free zone in the previous Control of Alcohol in Public Places Bylaw is sufficient to address the current known problems.</p> <p>The extension of this alcohol free zone is unlikely to have any notable influence on anti-social behaviour and would be difficult to justify from a policing perspective.</p> <table border="1"> <thead> <tr> <th>Year</th><th>NIA</th><th>CARD</th></tr> </thead> <tbody> <tr> <td>2020</td><td>89</td><td>43</td></tr> <tr> <td>2021</td><td>88</td><td>39</td></tr> <tr> <td>2022</td><td>78</td><td>27</td></tr> <tr> <td>2023</td><td>98</td><td>32</td></tr> <tr> <td>Total:</td><td>353</td><td>141</td></tr> </tbody> </table> <p>NIA are occurrences that Police respond to, and the offences, infringements or incidents found or tasks undertaken. CARD are the numbers of events reported to Police.</p> <p>Public Health Data: Historical deprivation levels 2020: 9 2021: 9 2022: 9 2023: 9</p> <p>There has been a general decline in alcohol-related emergency department attendances since 2021, but a peak in alcohol-related hospital admissions in 2023 at a level that stands out for this area, similar to Naenae and Petone.</p>	Year	NIA	CARD	2020	89	43	2021	88	39	2022	78	27	2023	98	32	Total:	353	141	<p>Retain this alcohol free zone but improve signage.</p>
Year	NIA	CARD																		
2020	89	43																		
2021	88	39																		
2022	78	27																		
2023	98	32																		
Total:	353	141																		

Proposed alcohol free zone location: Naenae		Recommendation																		
<p>Permanent alcohol free zone from previous bylaw:</p> <p>Naenae 24 hours Mon to Sun (refer to map AFZ14)</p> <p>CCTV breach of bylaw 2015/16: 60 2022: 21 2023: 27</p> <p>Local Alcohol Policy off-license cap: 4</p> <p>Current license numbers in the alcohol free zone: Club license: 4 Off-license: 3 On-license: 2</p> <p>Licenses: There is one off-license outside the Naenae alcohol free zone.</p>	<p>Police: Approximately 18% of all events recorded by Police have alcohol as a contributing factor in Naenae.</p> <p>The Police report that the alcohol free zone in Naenae is a location which anecdotally has higher rates of crime and the town centre frequently deals with vagrancy. The alcohol free zone in the previous Control of Alcohol in Public Places Bylaw is sufficient to address the current known problems.</p> <p>The extension of this alcohol free zone is unlikely to have any notable influence on anti-social behaviour and would be difficult to justify from a policing perspective.</p> <table border="1"> <thead> <tr> <th>Year</th><th>NIA</th><th>CARD</th></tr> </thead> <tbody> <tr> <td>2020</td><td>191</td><td>75</td></tr> <tr> <td>2021</td><td>196</td><td>97</td></tr> <tr> <td>2022</td><td>176</td><td>80</td></tr> <tr> <td>2023</td><td>147</td><td>61</td></tr> <tr> <td>Total:</td><td>710</td><td>313</td></tr> </tbody> </table> <p>NIA are occurrences that Police respond to, and the offences, infringements or incidents found or tasks undertaken. CARD are the numbers of events reported to Police.</p> <p>Public Health Data: Historical deprivation levels: 2020: 9 2021: 9 2022: 9 2023: 9</p> <p>There has been a decline in alcohol-related emergency department attendances since 2020 but has plateaued since. Alcohol-related hospital admissions have been increasing since 2021 and peaking in 2023, similar to Taita and Petone.</p>	Year	NIA	CARD	2020	191	75	2021	196	97	2022	176	80	2023	147	61	Total:	710	313	<p>Retain this alcohol free zone but improve signage.</p>
Year	NIA	CARD																		
2020	191	75																		
2021	196	97																		
2022	176	80																		
2023	147	61																		
Total:	710	313																		

Proposed alcohol free zone location: Oakleigh Street Carpark		Recommendation																		
Permanent alcohol free zone from previous bylaw: Oakleigh Street Carpark 9pm to 5am (refer to map AFZ1)	Police: There is no police data in reference to this alcohol free zone. <table border="1"> <thead> <tr> <th>Year</th><th>NIA</th><th>CARD</th></tr> </thead> <tbody> <tr> <td>2020</td><td>1</td><td>1</td></tr> <tr> <td>2021</td><td>1</td><td>0</td></tr> <tr> <td>2022</td><td>1</td><td>0</td></tr> <tr> <td>2023</td><td>2</td><td>0</td></tr> <tr> <td>Total:</td><td>5</td><td>1</td></tr> </tbody> </table> NIA are occurrences that Police respond to, and the offences, infringements or incidents found or tasks undertaken. CARD are the numbers of events reported to Police.	Year	NIA	CARD	2020	1	1	2021	1	0	2022	1	0	2023	2	0	Total:	5	1	Potential to not re-establish this alcohol free zone.
Year	NIA	CARD																		
2020	1	1																		
2021	1	0																		
2022	1	0																		
2023	2	0																		
Total:	5	1																		

Proposed alcohol free zone location: Pito-One Road and Cornish Street		Recommendation
Permanent alcohol free zone from previous bylaw: 9pm to 5am Mon to Sun (refer to map AFZ3)	Police: There is no data specific to this alcohol free zone.	Potential to not re-establish this alcohol free zone.

Proposed alcohol free zone location: Seaview/Gracefield		Recommendation																		
<p>Permanent alcohol free zone from previous bylaw:</p> <p>9pm to 5am Mon to Sun (refer to map AFZ7)</p> <p>Current license numbers in the alcohol free zone:</p> <p>Club license: 0 Off-license: 1 On-license: 1</p> <p>Licenses:</p> <p>Just beyond the alcohol free zone boundary there is one off-licenses, two club license and two on-licenses.</p>	<p>Police:</p> <p>Hutt Valley sees the vast majority of anti-social vehicle use in the Wellington region. NIA and CARD numbers relate mostly to anti-social vehicle use in the Seaview/Gracefield area which is a well known hot spot. Police would encourage maintaining this alcohol free zone.</p> <table border="1"> <thead> <tr> <th>Year</th><th>NIA</th><th>CARD</th></tr> </thead> <tbody> <tr> <td>2020</td><td>56</td><td>16</td></tr> <tr> <td>2021</td><td>41</td><td>12</td></tr> <tr> <td>2022</td><td>71</td><td>15</td></tr> <tr> <td>2023</td><td>67</td><td>13</td></tr> <tr> <td>Total:</td><td>235</td><td>56</td></tr> </tbody> </table> <p>NIA are occurrences that Police respond to, and the offences, infringements or incidents found or tasks undertaken. CARD are the numbers of events reported to Police.</p>	Year	NIA	CARD	2020	56	16	2021	41	12	2022	71	15	2023	67	13	Total:	235	56	<p>Retain this alcohol free zone but improve signage.</p>
Year	NIA	CARD																		
2020	56	16																		
2021	41	12																		
2022	71	15																		
2023	67	13																		
Total:	235	56																		

Proposed alcohol free zone location: Jubilee Park		Recommendation
Permanent alcohol free zone from previous Bylaw: 9pm to 5am Mon to Sun (refer to map AFZ2)	Police: There is no specific data for this alcohol free zone.	Potential to not re-establish this alcohol free zone.

Proposed alcohol free zone location: Waterloo		Recommendation																		
<p>Not identified as an alcohol free zone in the previous Bylaw.</p> <p>Licenses: There are two off-licenses in the Waterloo shopping area.</p>	<p>Police: There are no specific recommendations from the Police about the Waterloo shopping area.</p> <table border="1"> <thead> <tr> <th>Year</th><th>NIA</th><th>CARD</th></tr> </thead> <tbody> <tr> <td>2020</td><td>138</td><td>62</td></tr> <tr> <td>2021</td><td>135</td><td>40</td></tr> <tr> <td>2022</td><td>127</td><td>33</td></tr> <tr> <td>2023</td><td>144</td><td>40</td></tr> <tr> <td>Total:</td><td>544</td><td>175</td></tr> </tbody> </table> <p>NIA are occurrences that Police respond to, and the offences, infringements or incidents found or tasks undertaken. CARD are the numbers of events reported to Police. (Note: These numbers include parts of Fairfield and Hutt Central.)</p> <p>Public Health Data: Historical deprivation levels: 2020: 4 2021: 4 2022: 4 2023: 4</p> <p>There has been a definite decline in alcohol-related emergency department attendances since 2020 and are at average levels. There has been a definite increase in alcohol-related hospital admissions in this area.</p>	Year	NIA	CARD	2020	138	62	2021	135	40	2022	127	33	2023	144	40	Total:	544	175	<p>Potential to consider a cap for off-licenses in this area.</p>
Year	NIA	CARD																		
2020	138	62																		
2021	135	40																		
2022	127	33																		
2023	144	40																		
Total:	544	175																		

Proposed alcohol free zone location: Moera		Recommendation																		
<p>Not identified as an alcohol free zone from previous Bylaw, but in 2016 noted as an area to monitor for a potential alcohol free zone in the future:</p> <p>Licenses: There is one off-license, one club license and one on-license in Moera.</p>	<p>Police: The Police have not offered any specific information about Moera.</p> <table border="1"> <thead> <tr> <th>Year</th><th>NIA</th><th>CARD</th></tr> </thead> <tbody> <tr> <td>2020</td><td>205</td><td>76</td></tr> <tr> <td>2021</td><td>246</td><td>76</td></tr> <tr> <td>2022</td><td>210</td><td>53</td></tr> <tr> <td>2023</td><td>253</td><td>43</td></tr> <tr> <td>Total:</td><td>914</td><td>248</td></tr> </tbody> </table> <p>NIA are occurrences that Police respond to, and the offences, infringements or incidents found or tasks undertaken. CARD are the numbers of events reported to Police. (Note: these numbers capture parts of Waiwhetu and Petone.)</p> <p>Public Health Data: Historical deprivation levels: 2020: 10 2021: 10 2022: 10 2023: 10</p> <p>Incidences of alcohol related emergency department attendances and hospital admissions surpasses other areas of the city. However, there has been a general decline in alcohol-related emergency department admissions per head of population.</p>	Year	NIA	CARD	2020	205	76	2021	246	76	2022	210	53	2023	253	43	Total:	914	248	<p>Potential to consider a cap of off-licenses in this area.</p>
Year	NIA	CARD																		
2020	205	76																		
2021	246	76																		
2022	210	53																		
2023	253	43																		
Total:	914	248																		

07 June 2024

Report no: PFSC2024/3/168

Heritage buildings - changes to financial assistance

Purpose of Report

1. To seek agreement from the Policy, Finance and Strategy Committee (the Committee) to develop new heritage conservation incentive tools and to report back to the Committee with detailed criteria in November 2024.

Recommendations

That the Committee:

- (1) notes on 27 April 2021 Council approved the Taonga Tuku Iho – Heritage Policy and sought further advice on proposed conservation incentives tools for built heritage;
- (2) notes the two heritage conservation tools currently operating are the Heritage Grant Fund and the rates remission mechanism, both of which are underutilised;
- (3) agrees that officers develop two new heritage incentive tools:
 - a. a resource consent fee waiver for heritage building owners (for non-demolition consents); and
 - b. additional pre-application advice to support heritage building owners with resource consent applications;
- (4) notes that officers will report back to the Policy, Finance and Strategy Committee on 19 November 2024 to seek agreement to:
 - a. discontinue the Heritage Grant Fund and the rates remission mechanism for historic heritage; and
 - b. the detailed criteria and guidelines for implementing the proposed resource consent fee waiver and advice;
- (5) notes that activity to conserve and improve sites and areas of cultural significance have previously not qualified for funding under the Heritage Grant Fund;
- (6) notes that officers will report back to the Committee on 19 November 2024 to seek agreement on the detailed criteria and an implementation plan for a 12-month trial to support sites and areas of cultural significance;

- (7) notes that costs associated with the proposed 12-month trial would be covered by reallocating up to \$30,000 funding from the Heritage Grant Fund and will therefore be financially neutral; and
- (8) notes that if agreed by Council, the amended approach would be trialled after the proposed District Plan is notified (in early 2025).

Background

- 2. On 27 April 2021, Council approved the Taonga Tuku Iho – Heritage Policy (the Heritage Policy).
- 3. The Heritage Policy includes five goals:
 - a. Goal 1: Recognition and identification;
 - b. Goal 2: Retention, protection, enhancement and conservation;
 - c. Goal 3: Celebration and promotion;
 - d. Goal 4: Sustainable economic use; and
 - e. Goal 5: Council effectiveness.
- 4. The Heritage Policy included an Appendix that identified 12 activities and incentives designed to make heritage conservation more economically viable and to reduce the risk of demolition.
- 5. When considering the Heritage Policy, Council referred the activities and incentives Appendix to the District Plan review team for further submissions, evaluation, and consideration before Council committed to the use of any particular incentive approach or tool. A final recommendation has not yet been brought back to Council for consideration.

District plan – built heritage

- 6. Council has been undertaking a full review of its District Plan since 2019. This includes a full review of the heritage buildings, structures and areas identified in the District Plan, as well as the objectives, policies, and rules to protect their historic heritage from inappropriate subdivision, use and development.
- 7. The Draft District Plan includes a chapter on Historic Heritage identifies 200 individual heritage buildings and structures, and six heritage areas (the list of heritage buildings, structures and areas identified in the Draft District Plan is currently being revised).
- 8. The rules of the Draft District Plan would:
 - a. permit maintenance and repair of heritage buildings/structures, and internal alterations, additions and demolition;
 - b. require resource consent for all other alterations and additions, and for demolition and relocation of the building/structure; and
 - c. only permit new buildings on a site with a heritage building/structure or in a heritage area if the building is an accessory building, located to the rear of the primary building of the site, and has a footprint smaller than 10m².

Heritage Grant Fund

9. The Heritage Grant Fund (the Fund) was established in 2020 to incentivise owners to preserve, restore, and protect the heritage values of their buildings or structures. The Fund has an ongoing allocation of \$150,000 per year. For the five years that the Fund has been active it has been underspent. The annual spend is outlined in Table 1 below.

Table 1: Heritage Grant Fund Annual Spend

Year	Spend	Total cases
2021-2022	\$6,593.16	1
2022-2023	\$90,033.99	5
2023-2024	\$68,505.53	4

10. The work covered by the Fund has included repair of weatherboards, replacement of windows, replacement of roofing, earthquake strengthening, replacement of cladding, veranda strengthening, and the maintenance of a grave in Taita cemetery.

Rates Remission Policy Review

11. Council began a review of the Rates Remission Policy in 2023 as part of the preparation for LTP2024-34. This included reports to Council (HCC2023/3/189) as well as the LTP/AP Subcommittee (LTPAP2023/4/249).
12. Part 4 of the Rates Remission Policy covers land protected for natural, historic or cultural conservation purposes. Applications for heritage properties can be approved under this part of the Rates Remission Policy.
13. In the last five years, Council has received one application for rates remission for a heritage property. This was approved for \$1,752 against the 2021/22 annual rates.
14. While the rates remission mechanism for historic heritage has been underutilised to date, there is a risk that if demand increases Council may not be able to meet the cost within the current funding allocation.
15. The review of the Rates Remission Policy included a review of seven other councils' policies. In relation to heritage, the review found that only one of the councils has a rates remission specifically for heritage properties.
16. The Rates Remission Policy review proposed changes to provide clarity for officers and ratepayers. Because of the separate review into how Council approaches heritage, including financial support of heritage property owners, the review of Part 4 of the Rates Remission Policy did not apply to heritage properties.

Resource consent fees

17. A recent review found 17 resource consents for heritage structures/buildings have been approved between January 2021 and May 2024. One additional application is currently being processed by officers.
18. For resource consents:
- deposit fees are determined by the number of hours the application takes to process (this is an hourly fee and is subject to change on an annual basis); and
 - total cost to applicants includes the deposit fees and any additional processing fees and expert advice required during the consenting process.
19. The cost breakdown of the 17 relevant applications over the last four years in Table 2 below.

Table 2: Heritage-related resource consent fees

	Average cost (per consent)	Average annual cost (per year)	Total cost (during the 4-year period)
Deposit fee	\$1,503.52	\$6,977.50	\$27,910
Total fee charged	\$5,117.97	\$21,751.40	\$87,005.60

Discussion*Repurpose the Heritage Grant Fund*

20. Resource consent fees for heritage related activities are an extra, unavoidable expense for heritage building owners. To help offset this cost, officers recommend using funding repurposed from disestablishing the existing Heritage Grant Fund to waive the resource consent fees for built heritage related activities.
21. Resource consent officers advise that alongside the proposed resource consent fee waiver there could be improved education around restrictions related to heritage resource consents and pre-application advice. This could also be funded from the Heritage Grant Fund budget.
22. Officers anticipate a resource consent fee waiver may incentivise heritage building owners to undertake heritage conservation on their properties.
23. If agreed, officers will report back to the Committee on 19 November 2024 with the proposed guidelines covering the resource consent fee waiver and associated education, financial risks, and implementation plan to test the new approach with a 12-month trial.

Sites and areas of cultural significance

24. One concern previously identified with the Heritage Grant Fund is that it prioritises colonial heritage and is not particularly accessible to improve sites and areas of cultural significance.
25. Officers note that sites and areas of cultural significance (including significant sites for Mana Whenua) identified in the District Plan would be eligible to receive the proposed resource consent fee waivers provided they have identified historic heritage value.
26. To broaden the scope of support for conserving areas and sites of cultural significance, officers will work with Mana Whenua to develop tools for improving outcomes for these sites and areas.
27. If agreed, officers will report back to the Committee on 19 November 2024 with the proposed guidelines and implementation plan for a 12-month trial.
28. The costs associated with the proposed 12-month trial would be covered by reallocating up to \$30,000 funding from the Heritage Grant Fund and will therefore be financially neutral.

Next Steps

29. The next steps include stakeholder engagement, and the development of detailed criteria and guidelines, as set out below.

Table 3: Timeframe for implementation

What	When
Council briefing	4 July 2024
Report to PFS Committee	9 July 2024
Report to Full Council	25 July 2024
Stakeholder engagement	August-September 2024
Drafting criteria and guidelines	September-October 2024
Report to PFS Committee	19 November 2024
Report to Full Council	10 December 2024
Notification of Proposed District Plan	Early 2025
12-month trial period begins	Early 2025 (after District Plan notified)
Report back to PFS and Council	Early 2026 (after the trial period)

30. At the conclusion of the trial period, officers will report the results back to Council. This will support elected members to make further decisions on heritage support settings and provisions for improving sites and areas of cultural significance.

Options

Option One: develop new conservation incentive tools and report back

31. Officers are seeking the Committee's agreement to develop and report back on criteria for two new heritage incentive tools:
 - a. a resource consent fee waiver for heritage building owners (for non-demolition consents); and
 - b. additional pre-application advice to support heritage building owners with resource consent applications;
32. Officers will report back to the Committee on 19 November 2024 to seek agreement on the detailed criteria and an implementation plan for a 12-month trial to support sites and areas of cultural significance.

Option Two: maintain existing conservation incentive tools

33. An alternative option is to continue with the current conservation incentive tools – ie the Heritage Grant Fund and the rates remission mechanism and not seek to develop alternative tools.

Climate Change Impact and Considerations

34. The matters addressed in this report have been considered in accordance with the process set out in Council's Climate Change Considerations Guide.

Consultation

35. During the development of this memorandum the Policy team consulted with the District Plan, Finance, Urban Development, and Resource Consents teams.

Legal Considerations

36. If the Heritage Grant Fund is discontinued, current obligations to heritage building owners with active applications would need to be honoured.

Financial Considerations

37. It is assumed that the Heritage Grant Fund's annual allocation of \$150,000 will be enough to cover the proposed resource consent fee waivers and allocation of up to \$30,000 to improve outcomes for sites and areas of cultural significance. Risk mitigation will be included in the developed guidelines.

Appendices

There are no appendices for this report.

Author: Rachel Houlbrooke, Policy Lead

Reviewed By: Richard Hardie, Head of Strategy and Policy

Reviewed By: Tim Johnstone, Head of Planning

Reviewed By: Jenny Livschitz, Group Chief Financial Officer

Approved By: Jarred Griffiths, Director Strategy and Engagement

TO: Chair and Members



Policy, Finance and Strategy Committee

FROM: Jack Kilty

DATE: 24 June 2024

SUBJECT: KOMITI RATONGA RANGATŌPŪ ME TE RAUTAKI |
POLICY, FINANCE AND STRATEGY COMMITTEE
FORWARD PROGRAMME

Purpose of Memorandum

1. The memorandum aims to provide the Committee with a draft forward programme of work planned for the Committee for 2024.

Recommendation

That the Committee receives and notes the draft forward programme for 2024 attached as Appendix 1 to the memorandum.

Background

2. The Committee assists Council in setting the broad vision and direction of the city to promote the social, economic, environmental, and cultural well-being of the city's communities in the present and for the future.
3. This involves determining specific outcomes that need to be met to deliver on the vision for the city, and overseeing the development of strategies, policies, bylaws, and work programmes to achieve those goals. This committee is also responsible for monitoring the overall financial management and performance of the Council Group.
4. The forward programme for 2024 provides a planning tool for both members and officers to coordinate programmes of work for the year. The programme is attached as Appendix 1 to the memorandum.

Executive Summary

5. The forward programme is a working document and is subject to change.

Appendices

No.	Title	Page
1	Policy, Finance and Strategy Committee Forward Programme 2024	63

Author: Jack Kilty
Democracy Advisor

Approved By: Kathryn Stannard
Head of Democratic Services

Policy, Finance and Strategy Committee – Forward Programme 2024											
Description	Business Unit	Cycle 4 10 Sept	Cycle 4 14 Oct draft Annual Plan	Cycle 5 29 Oct Annual Plan	Cycle 5 19 Nov	Pending					
Forward Programme	Democratic Services	✓			✓						
3ML six-month report (July-Dec)	Finance	✓			✓						
JPL six month report (July-Dec)	Finance	✓			✓						
Hutt Valley Chamber of Commerce half year report	Business & Economy						2025 (March)				
3ML draft SOI	Finance					✓	2025				
JPL draft SOI	Finance					✓	2025				
Council performance overview quarterly report	EPMO	✓		✓							
WZLGFA Half Year Report	Finance					✓	2025				
Strategy and Policy work programme	Strategy & Policy					✓	2025				
Parking Policy Review	Transport	✓			✓		Approve draft in July, adopt in November				
Heritage Policy Options	Strategy & Policy				✓						
Control of Alcohol in Public Places Bylaw – hearing of submissions		✓									
2024 Standard and Poor's Credit Rating	Finance	✓									
Class Four Gambling Venue and Board Venue Policy	Strategy & Policy	✓									
Hutt Valley Chamber of Commerce 12 month report	Business & Economy		✓								
Seaview Business Assoc.12-month report	Business & Economy		✓								
Jackson Street programme 12 month report	Business & Economy		✓								
Love Wainuiomata 12 month report	Business & Economy		✓								
JPL Annual Report (year end June 2023)	Finance		✓								
3ML Annual Report (year end June 2023)	Finance		✓								
Wellington Water Ltd Annual Report	Environment & Sustainability		✓								
WZLGFA Annual Report	Finance		✓								
Draft and final Annual Report	Finance		✓	✓							
Speed Management Bylaw	Transport					✓					
Illegal Street Racing Bylaw	Transport					✓					
Freedom Camping Bylaw	Strategy & Policy					✓					
Hutt City Group Annual Report	Strategy & Policy										
Chamber of Commerce reports Feb(half year) and Sept (full year)											