



# 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](http://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](mailto: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

<b>Chair:</b>	Cr Andy Mitchell
<b>Deputy Chair:</b>	Deputy Mayor Tui Lewis
<b>Membership:</b>	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)
<b>Quorum:</b>	Half of the membership
<b>Meeting Cycle:</b>	Meets on an eight-weekly basis or at the requisition of the Chair
<b>Reports to:</b>	Council
<b>Membership RMA Hearings</b>	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**

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**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

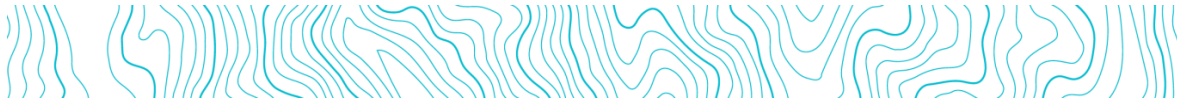
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**Reviewed By:** Richard Hardie  
Head of Strategy and Policy

**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

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## 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](https://haveyoursay.huttcity.govt.nz);
- Email your submission to [alcohol2024@huttcity.govt.nz](mailto: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](mailto: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.

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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](mailto: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.

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## 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:

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## 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**

<b>Proposal 1</b>	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.
<b>Proposal 2</b>	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
	<ul style="list-style-type: none"> <li>•Eastbourne shopping area, wharf and beach (refer to map AFZ6)</li> </ul>	9:00pm to 5:00am seven days per week	
Seaview/ Gracefield	<ul style="list-style-type: none"> <li>•refer to map AFZ7</li> </ul>	9:00pm to 5:00am seven days per week	
Wainuiomata (note minor adjusted area in green)	<ul style="list-style-type: none"> <li>•Norfolk Street Shopping Area (refer to map AFZ8)</li> </ul>	At all times	
	<ul style="list-style-type: none"> <li>•Homedale Village shops (refer to map AFZ9)</li> </ul>	At all times	
	<ul style="list-style-type: none"> <li>•Queen Street shops and Hugh Sinclair Park (refer to map AFZ10)</li> </ul>	At all times	
Stokes Valley	<ul style="list-style-type: none"> <li>•Stokes Valley Shopping Centre, Delaney Park and Speldhurst Park (refer to map AFZ11)</li> </ul>	At all times	
Central Business District (note minor adjusted area in green)	<ul style="list-style-type: none"> <li>•refer to map AFZ12</li> </ul>	At all times	
Taita	<ul style="list-style-type: none"> <li>•Taita shopping area (refer to map AFZ13)</li> </ul>	At all times	
Naenae	<ul style="list-style-type: none"> <li>•refer to map AFZ14</li> </ul>	At all times	
City wide	<ul style="list-style-type: none"> <li>•refer to map AFZ15</li> </ul>	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.

















































































**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 10m<sup>2</sup>.

### *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:
- a. 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
  - b. 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)
<b>Deposit fee</b>	\$1,503.52	\$6,977.50	\$27,910
<b>Total fee charged</b>	\$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**

<b>What</b>	<b>When</b>
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.

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**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

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1	Policy, Finance and Strategy Committee Forward Programme 2024	63

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