
ORDINARY MEETING

OF

CITY STRATEGY COMMITTEE

AGENDA

Time: 9.30am
Date: Thursday, 16 August 2018
Venue: Committee Room 1
Ground Floor, Council Offices
101 Wakefield Street
Wellington

MEMBERSHIP

Mayor Lester
Councillor Calvert
Councillor Calvi-Freeman
Councillor Dawson
Councillor Day
Councillor Fitzsimons
Councillor Foster
Councillor Free
Councillor Gilberd
Councillor Lee
Councillor Marsh
Councillor Pannett (Chair)
Councillor Sparrow
Councillor Woolf
Councillor Young

NON-VOTING MEMBERS

Te Rūnanga o Toa Rangatira Incorporated
Port Nicholson Block Settlement Trust

Have your say!

You can make a short presentation to the Councillors at this meeting. Please let us know by noon the working day before the meeting. You can do this either by phoning 803-8334, emailing public.participation@wcc.govt.nz or writing to Democratic Services, Wellington City Council, PO Box 2199, Wellington, giving your name, phone number and the issue you would like to talk about.

AREA OF FOCUS

The role of the City Strategy Committee is to set the broad vision and direction of the city, determine specific outcomes that need to be met to deliver on that vision, and set in place the strategies and policies, bylaws and regulations, and work programmes to achieve those goals.

In determining and shaping the strategies, policies, regulations, and work programme of the Council, the Committee takes a holistic approach to ensure there is strong alignment between the objectives and work programmes of the seven strategic areas of Council, including:

- Environment and Infrastructure – delivering quality infrastructure to support healthy and sustainable living, protecting biodiversity and transitioning to a low carbon city
- Economic Development – promoting the city, attracting talent, keeping the city lively and raising the city's overall prosperity
- Cultural Wellbeing – enabling the city's creative communities to thrive, and supporting the city's galleries and museums to entertain and educate residents and visitors
- Social and Recreation – providing facilities and recreation opportunities to all to support quality living and healthy lifestyles
- Urban Development – making the city an attractive place to live, work and play, protecting its heritage and accommodating for growth
- Transport – ensuring people and goods move efficiently to and through the city
- Governance and Finance – building trust and confidence in decision-making by keeping residents informed, involved in decision-making, and ensuring residents receive value for money services.

The City Strategy Committee also determines what role the Council should play to achieve its objectives including: Service delivery, Funder, Regulator, Facilitator, Advocate

The City Strategy Committee works closely with the Long-term and Annual Plan committee to achieve its objectives.

Quorum: 8 members

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1 Meeting Conduct

1.1 Mihi

The Chairperson invites a member of the City Strategy Committee to read the following mihi to open the meeting.

Taiō Pōneke[†] – City Strategy Committee

Te wero

Toitū te marae a Tāne

Toitū te marae a Tangaroa

Toitū te iwi

Taiō Pōneke – kia kakama, kia māia!

Ngāi Tātou o Pōneke, me noho ngātahi

Whāia te aratika

Our challenge

Protect and enhance the realms of the Land and the Waters, and they will sustain and strengthen the People.

City Strategy Committee, be nimble (quick, alert, active, capable) and have courage (be brave, bold, confident)!

People of Wellington, together we decide our way forward.

[†] The te reo name for the City Strategy Committee is a modern contraction from 'Tai o Pōneke' meaning 'the tides of Wellington' – uniting the many inland waterways from our lofty mountains to the shores of the great harbour of Tara and the sea of Raukawa: ki uta, ki tai (from mountain to sea). Like water, we promise to work together with relentless synergy and motion.

1.2 Apologies

The Chairperson invites notice from members of apologies, including apologies for lateness and early departure from the meeting, where leave of absence has not previously been granted.

1.3 Conflict of Interest Declarations

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

1.4 Confirmation of Minutes

The minutes of the meeting held on 9 August 2018 will be put to the City Strategy Committee for confirmation.

1.5 Items not on the Agenda

The Chairperson will give notice of items not on the agenda as follows.

Matters Requiring Urgent Attention as Determined by Resolution of the City Strategy Committee.

The Chairperson shall state to the meeting:

1. The reason why the item is not on the agenda; and
2. The reason why discussion of the item cannot be delayed until a subsequent meeting.

The item may be allowed onto the agenda by resolution of the City Strategy Committee.

Minor Matters relating to the General Business of the City Strategy Committee.

The Chairperson shall state to the meeting that the item will be discussed, but no resolution, decision, or recommendation may be made in respect of the item except to refer it to a subsequent meeting of the City Strategy Committee for further discussion.

1.6 Public Participation

A maximum of 60 minutes is set aside for public participation at the commencement of any meeting of the Council or committee that is open to the public. Under Standing Order 3.23.3 a written, oral or electronic application to address the meeting setting forth the subject, is required to be lodged with the Chief Executive by 12.00 noon of the working day prior to the meeting concerned, and subsequently approved by the Chairperson.

Requests for public participation can be sent by email to public.participation@wcc.govt.nz, by post to Democracy Services, Wellington City Council, PO Box 2199, Wellington, or by phone at 04 803 8334, giving the requester's name, phone number and the issue to be raised.

2. Policy

LIQUOR CONTROL BYLAW REVIEW

Purpose

1. This report seeks the City Strategy Committee's agreement to consult on a proposed new Alcohol Ban Bylaw replacing the current Liquor Control Bylaw.

Summary

2. The Council is required to review its Liquor Control Bylaw by December 2018, at which point it otherwise expires. A review requires a broad inquiry of not only of whether the existing provisions (i.e. the current Liquor Control Area Map) are appropriate, but also whether a bylaw is the most appropriate way of dealing with the perceived problem.
3. Council officers recommend that the Council continue to have an alcohol control bylaw. Having an alcohol control bylaw with a ban area or areas is an accepted and effective way of helping reduce alcohol-related harm and helps to achieve Council's strategic vision of a people centred city.
4. Council officers have analysed the existing Liquor Control Area Map and engaged with key stakeholders about its retention or amendment. The area consists of a contiguous area covering the Central Area, Newtown, Oriental Bay, Aro Valley, Mount Cook, and Central Park. There is also an isolated area at the Mount Victoria Lookout. A map of the Liquor Control Area is included in Attachment 1.
5. Recent changes to legislation mean that in assessing the Liquor Control Area (and other related provisions) the Council must apply a more stringent threshold. In summary, to substantially continue the Liquor Control Area, the Council must be satisfied that a high level of alcohol-related crime or disorder would arise if the control were removed, and that the bylaw is appropriate and proportionate in light of that crime or disorder.
6. On the information available to date, Council officers propose that the Council consult on a bylaw which largely retains the existing Liquor Control Area, with
 - an adjustment to the boundary namely to extend the boundary up Majoribanks Street, along both sides of Brougham Street to Ellice Street.
 - the removal of the CentrePort area on the east side of Waterloo Quay.
7. Council officers also propose that the Liquor Control Bylaw be updated to reflect other recent legislative changes and drafting improvements.

Recommendations

That the City Strategy Committee:

1. Receives the proposed Bylaw and Statement of Proposal
2. Agree that pursuant to section 155(1) of the Local Government Act 2002, a bylaw is the most appropriate way of addressing the issues relating to the possession and consumption of alcohol in public places.
3. Agree that pursuant to section 155(2)(a) of the Local Government Act 2002, the proposed Alcohol Control Bylaw is the most appropriate form of bylaw to address the issues relating to the possession and consumption of alcohol in public places.
4. Agree that pursuant to section 155(2)(b) and section 155(3) of the Local Government Act 2002, the proposed alcohol control bylaw is not inconsistent with the New Zealand Bill of Rights Act 1990.
5. Agree to propose to revoke the existing Liquor Control Bylaw and to replace it with the proposed Alcohol Control Bylaw.
6. Agree that pursuant to sections 83 and 86 of the Local Government Act 2002, *Attachment 1: Statement of Proposal, Alcohol Control Bylaw*, be adopted for public consultation.
7. Agree to delegate to the Chief Executive and the Portfolio leader the authority to amend the proposed Statement of Proposal to include any amendments agreed by the Committee and any associated minor consequential edits.

Background

Legal framework for review

8. The Council is required to review its Liquor Control Bylaw by 19 December 2018. On that date the existing bylaw will expire by operation of law.¹ The Council may make a new bylaw on the same terms, amended terms, or not make a new bylaw.
9. A review requires an inquiry of not only of whether the existing provisions (ie the current Liquor Control Area) are appropriate, but also whether a bylaw is the most appropriate way of dealing with the perceived problem.
10. Recent changes to legislation require a review of alcohol control bylaws (including alcohol control areas) against a new, higher threshold. The new threshold means that areas inside the Liquor Control Area map can only be retained (or amendments to that area made with substantially the same effect) if the Council is satisfied that:
 - the bylaw can be justified as a reasonable limitation on people's rights and freedoms;
 - a high level of crime or disorder (being crime or disorder caused or made worse by alcohol consumption in the area concerned) is likely to arise in the area to which the bylaw is intended to apply if the bylaw is not made); and
 - the bylaw is appropriate and proportionate in light of that likely crime or disorder.²
11. If the Council is to make a new alcohol ban bylaw (eg amend the Liquor Control Area map to include substantially new areas), the Council:

¹ Due to section 11 of the Local Government (Alcohol Reform) Amendment Act 2012.

² Section 147A(3) Local Government Act 2002.

- must be satisfied that the expansion can be justified as a reasonable limitation on people's rights and freedoms; and
 - (except in the case of temporary large scale events), must also be satisfied that:
 - there is evidence that the area to which the bylaw is intended to apply has experienced a high level of crime or disorder that can be shown to have been caused or made worse by alcohol consumption in the area; and
 - the bylaw is appropriate and proportionate in light of that crime or disorder.³
12. There is no statutory definition of "high level of crime and disorder", or statutory guidance on the type of information the Council may reasonably rely on in forming its views. In the absence of such statutory guidance, Council officers have assessed all relevant information and given it appropriate weight on a case-by-case basis.
13. In addition to these statutory requirements, the matters set out in section 155 of the Local Government Act 2002 (LGA) must also be considered in this review – namely whether a bylaw is the most appropriate way of addressing the perceived problem; if so, the need to consider whether the proposed form of the bylaw is the most appropriate, and the need to consider any implications arising out of the New Zealand Bill of Rights Act 1990.

Background

14. The Council's strategic vision of a people centred city is set out in the Wellington Towards 2040: Smart Capital vision document. The Council's Alcohol Management Strategy "The Right Mix", adopted in 2013, recognises the harm that alcohol can have and supports Council and the community taking a wide range of measures to address that harm, while achieving our aspirations for a dynamic central city with vibrant suburban centres. Alcohol control bylaws implement the strategy by being a major component of the regulatory approach to managing alcohol, and requiring consideration of non-regulatory options.
15. Wellington has had a Liquor Control Bylaw in force since 2003. The initial bylaw was in place in the central city on Friday and Saturday nights until 6am the following day.
16. There have been a number of changes to the bylaw since its initial adoption; these have included the expansion of hours and the Liquor Control Area. The following is a list of changes:
- In 2006 the Bylaw was expanded to allow greater flexibility in the ability to monitor possession and consumption and allow for greater management and enforcement of events, which occurred outside of the Bylaw, in the period of 1 November 2006 to 30 May 2007.
 - Oriental Bay and Mount Victoria Lookout, were added in 2007, following lobbying and complaints to both the Council and the police in relation to antisocial behaviour.
 - Aro Valley and Central Park were added to the Liquor Control Area in 2008. These suburbs were viewed as potential areas that could see a 'spill over' from the liquor control area and as such it was decided to include them in the liquor control area. The 2008 amendment also extended the ban to 24/7 coverage.
 - Newtown and Mount Cook were added to the Liquor Control Area in 2010 following increasing issues relating to alcohol consumption in public places, particularly in Newtown.

³ 147A LGA

Discussion

Is a bylaw the most appropriate way of dealing with the problem?

Problem

17. The problem can be defined as alcohol-related crime or disorder made worse by the consumption of alcohol in public places. Out Local Hosts advise Council officers that they have seen a range of antisocial behaviour linked to alcohol consumption in public places, such as urinating, fighting, littering and noise.

Reasonably practicable options

Option 1: Regulation by bylaw

18. The Council has in the past reviewed the Bylaw against other options and has determined that having a bylaw to enable alcohol bans which regulate the possession or consumption of alcohol in public places is the most appropriate way to address the problem of addressing alcohol related antisocial behaviour and harm in public places.
19. Officers consider that these reasons remain valid. A bylaw is familiar to all stakeholders and members of the public, is generally seen as effective, and provides a useful tool for the police to protect public safety. Alcohol control bylaws are commonly used by local authorities in attempting to limit where alcohol consumption and possession takes place. It reduces the amount of alcohol consumed in public places. This helps reduce harm including levels of intoxication, noise, litter, harm and disorder.
20. Early engagement with stakeholders also indicates that they consider a bylaw an effective tool. For example, the NZ Police indicate that they are in favour of maintaining the Bylaw as a 'tool in the toolkit' for dealing with issues of disorder and antisocial behaviour associated with alcohol, and countering issues such as 'side loading'. Regional Public Health officials and community groups also see the Bylaw as an effective way to maintain public safety and discourage antisocial behaviour.
21. The disadvantages are the cost to develop and administer the bylaw and alcohol bans (including signage) and restrictions on the freedom of individuals to consume or possess alcohol in public places subject to alcohol bans.
22. It is considered that these potential disadvantages can be mitigated through: ongoing monitoring of areas, the Council developing guidance around alcohol bans, and the police issuing guidelines on how alcohol bans should be enforced.

A bylaw is considered the most appropriate option to address the perceived problem.

Option 2: Allow the Bylaw to lapse and rely on existing regulatory tools

23. The Council could choose to let the Bylaw (and the Liquor Control Area) lapse after midnight on 19 December 2018.
24. The Police would continue to have their general powers to protect public safety and individuals. In addition, the Council regulates licencing under the Sale and Supply of Alcohol Act 2012.
25. The advantage of this option is that it has no direct cost implications for Council as it would not have to make or maintain a bylaw, alcohol bans, or signage. This option would maximise public freedoms to carry, possess, and consume alcohol in public places in a peaceful and lawful way. This option would also avoid some of the

adverse consequences of having alcohol bans. Such as displacement (ie drinking moves to other places).

26. The disadvantage of this option is that it adversely affects the Council's ability to deliver and support the outcomes sought – especially to control a situation before it gets out of hand. This approach is expected to lead to an increase in alcohol-related harm and disorder in the areas concerned and is unlikely to meet the community's expectations that the Council will exercise its powers to protect community safety. This approach would also remove a tool that assists the Police in controlling alcohol consumption in public places.

This option will not deliver the required outcomes and is not recommended.

Option 3: Non-regulatory initiatives

27. This option proposes a range of non-regulatory approaches that the Council could take either itself or with other agencies.
28. Additional ways that the Council addresses alcohol related harm include the Council's Local Hosts, Meaningful Activities Funding and City Safety CCTV. The Council works collaboratively with other agencies and the Police to ensure a robust outreach team is present on the streets of Wellington to engage with the community. The Council also supports community and other patrols such as Māori wardens and other safety initiatives such as Take 10 to reduce harm in the city. Urban design also prioritises safety when approaching projects to ensure CPTED is incorporated in these. Other measures are included in the Council's Alcohol Management Strategy

Non-regulatory methods can be effective and work in conjunction with a bylaw; however it is considered that these approaches on their own are unlikely to deliver the objectives sought.

Is the Bylaw in the appropriate form?

29. As discussed below, the proposed Bylaw is considered to be the most appropriate form of bylaw because it:
- applies alcohol ban areas to those which officers consider meet the statutory test(discussed below)
 - updates the language to reflect recent legislative changes, e.g. to replace “liquor” with “alcohol” uses plain English and simplified drafting.

Engagement and data on the existing Liquor Control Area

30. In carrying out the review of the existing Liquor Control Area, officers have engaged with the following community groups and organisations located inside the existing Liquor Control Area.

Aro Valley Community Centre	Newtown Residents Association
Oriental Bay Residents Association	First Retail Group
Mt Cook Mobilised	Wellington South Community Patrol
Inner City Wellington	Massey University
Wellington City Council Youth Council	Pacific Advisory Group

31. These groups have expressed their interest in maintaining the existing Liquor Control Area. Each of these groups has indicated that they believe their communities are

safer as a result of the existing Liquor Control Bylaw. However, they expressed concerns about signage and education, ensuring that the public are better informed that there is a liquor ban in place, and a need for an increase in recycling and rubbish bins.

32. Officers have also engaged with the New Zealand Police and Regional Public Health officials.
33. In initial discussions, the Police consider that by restricting the ability for people to drink or possess alcohol in public areas inside the Liquor Control Area, they are reducing the risk of alcohol related crime and damage accompanying the antisocial behaviour.
34. Removal of the current Liquor Control Area could, in the view of the Police, lead to an increase of alcohol related crime and disorder. By intervening early on the process, restricting the possession and consumption of alcohol on the streets, they are able to work towards preventing more serious crimes. The NZ Police National Alcohol Assessment 2009 points out that “the highest proportion of those who committed an offence in a public place also named their place of last drink as a public place”.⁴ The Police have previously advised as part of the Council’s 2006 Liquor Control Bylaw Review Statement and Proposal that the bylaw has helped keep a lid on the offending and firmly advise that without the bylaw in place levels of offending would have increased.

Evidence and data

35. As part of the review the Council has worked with the communities affected as well as the NZ Police, Public Health, the Capital Coast District Health Board, the Council’s Local Hosts, and the Council’s call centre to collate evidence and data around crime and disorder relating to alcohol consumption in public places.
36. The data collectively makes up a body of evidence which officers have reviewed in order to be satisfied that a high level of alcohol-related crime or disorder would arise if the control were removed, and that the bylaw is appropriate and proportionate in light of that crime or disorder. There are some issues with attribution of the data which is discussed in paper. This data is attached in Attachment 2
37. The NZ Police have provided the Council with infringement data on breaches of the Liquor Control Bylaw. The data shows breaches between 2013 and 2017 and that these people are being processed by the Police. For privacy reasons the data provided by the Police is not site specific, but does show the street the infringement was issued on.
38. The Police have also provided the Council with data showing alcohol related offending and victimisation for Wellington between 1/1/2013 and 12/6/2018. This captures occurrences where the officer reporting the incident has filled out the Alco link data indicating where alcohol was involved. However, it is not possible to identify if the consumption of alcohol was in a public place, in a licenced establishment, or in a private home.
39. The Council’s Local host team record information about incidents and situations they observe and deal with. This information is used to make evidence-based decisions

⁴ Stevenson., R. (April 2009). *National Alcohol Assessment*. New Zealand Police.

within the Council for the purposes of city safety and urban design. The Local Hosts have collected data relating to liquor ban breaches, as well as anti-social behaviour and additional liquor incidents outside of the liquor control area between 2012 and May 2018.

40. The Capital Coast District Health Board has provided data on emergency admissions to Wellington Hospital between January 2014 and February 2018. From this Officers have isolated physical assaults that involve alcohol and that occurred in public places. The data does not show whether a breach of the liquor ban has occurred, or where the consumption took place.
41. The Council's call centre data (Confirm Complaints) has been used to analyse the number of phone complaints that mention the terms "drunken", "drinking", "breaking bottles." There were 83 calls relating to these terms between 2013 and 2018.
42. The Capital Views Survey of March 2018 found that 77 percent of those surveyed either supported or strongly supported the existing bylaw. The results have been broken down by Council ward to show the levels of support captured in the survey.

Question: "There are currently liquor bans in place in Wellington's central city and some surrounding areas including Oriental Bay, Aro Valley, Mt Cook, and Newtown. Drinking and/or the possession of liquor is prohibited at all times in any public places within these areas. To what extent do you support or oppose the liquor ban currently in place in Wellington's central city?"

Analysis of the data (Attachment 2)

43. The Police Infringement data shows that there have been 4,413 breaches of the bylaw between 2013 and 2017 and that these people were issued infringement notices and processed by the police. For privacy reasons the data provided is not site specific, but does show the street the infringement was issued on. The data shows that there is an increase in the occurrence of incidents in the summer months, with February having the highest number. The majority of infringements are issued at the weekend, with the average age of offenders being 26, however the majority of offenders are aged between 18 and 22.
44. The Police Alco-link data shows alcohol related offending and victimisation for Wellington between 1/1/2013 and 12/6/2018. There are 8,322 incidents recorded by the Police during this period. This captures occurrences where the officer reporting the incident has filled out "Alco link" data indicating where alcohol was involved. However, it is not possible to identify if the consumption of alcohol was in a public place, in a licensed establishment, or in a private home. Of these 8,322 incidents, 5,900 have occurred in the existing Liquor Control Area, with the remaining 2,422 incidents occurring in suburbs outside the Liquor Control Area. Officers have broken down this data to provide an analysis by suburb. Inside the Liquor Control area the majority of the arrests have occurred in the central city suburbs. Officers have also included a breakdown on additional suburbs outside of the existing area where there has been an interest in joining the bylaw. There have been 545 arrests made in the suburbs of Mt Victoria, Kilbirnie, Kelburn, and Berhampore. These four suburbs equate to 6.5% of the total number of arrests relating to alcohol.
45. Local hosts have collected data on 2,059 instances of a breach of the existing Bylaw, as well as 1,210 instances of anti-social behaviour. These are site specific and show the address where the offending behaviour took place. Local hosts also collected data

showing 80 instances public consumption of alcohol and 54 instances of antisocial behaviour outside of the Liquor Control area.

46. The Wellington Hospital assault data shows a similar pattern to both the police and Local Host data. The majority of incidents occur within the Central City and within the Liquor Control Area. A suburb by suburb breakdown of the data shows that there were 228 alcohol related assaults in the Central city/CBD, with the next highest area being unknown at 70 recorded incidents. Suburban areas were also analysed and recorded below with Mt Cook and Newtown having 13 and 12 incidents each. The remaining suburbs have been labelled geographically as the number of incidents is too low to display individually.

Suburb	Alcohol related assaults
Mt Cook	13
Eastern Suburbs	13
Newtown	12
Northern Suburbs	9
Southern Suburbs	6
Western Suburbs	4

47. Confirm data from the Council's call centre has shown that of the 83 calls received 65 of these were from suburbs already in the existing Liquor Control Area. There were 16 calls from other suburbs, with 10 of these being received from Kilbirnie. The remaining two calls were anonymous and were recorded as "call centre".

Officer recommendation to largely retain the existing Liquor Control Area

48. Officers consider that there is sufficient basis to be satisfied that a high level of alcohol related crime and disorder would arise if the Council did not make a bylaw continuing the current ban area. All of the data discussed above shows that the majority of the Police, Local Host, and hospital recorded incidents have occurred inside the existing Liquor Control Area. The majority of calls relating to "drunken", "drinking" and "broken bottles" are also from the existing area.
49. Feedback from engagement with stakeholders also indicates that the current Liquor Control Area is an appropriate and proportionate response. When combined with assault data and the Police view that the existing Liquor Control bylaw is a "tool in the tool belt" in dealing with alcohol related crime and disorder, that should be used alongside existing non-regulatory and social programmes, it is the recommendation of officers that the existing area be retained, with two relatively minor adjustments.
50. The first adjustment is to propose the removal of the CentrePort area on the east side of Waterloo Quay because the Council has no information of alcohol related crime or disorder in this area. The second adjustment is described in paragraphs 53-55 below.

Other Areas

51. The Council has previously been approached by representatives from suburbs requesting that their area be added to the Liquor Control Area. Recent expressions of interest have come from Mount Victoria, Kelburn, Berhampore, and Kilbirnie (discussed below).
52. Pre-engagement with community groups that are based outside of the existing Liquor Control bylaw has also been conducted. The following community groups have been

pre-engaged with by officers in order to gauge opinion, and understanding of the issues relating to expanding the Liquor Control Area.

Mount Victoria Residents Association	Victoria University of Wellington
Kilbirnie, Rongotai, Lyall Bay Residents Associations	Vic Neighbours
Kilbirnie BID	Berhampore Residents Association

Mt Victoria : engagement and data

53. The Mt Victoria Residents Association has suggested that there are a number of issues relating to the suburb’s proximity to the CBD and suffers from a “spill over” from the entertainment areas around Courtenay Place. They are concerned with what they perceive as an increasing level of noise, broken bottles, crime, and other alcohol related behaviour.
54. The existing boundary is based on the original bylaw from 2003 and was created using the boundaries of the District Plan. There is also a concern that the boundary of the existing area between the Central City and Mt Victoria creates confusion given that it only covers one side of the streets where it meets Mt Victoria. The Police Alcoholink data shows that there were 174 alcohol related arrests made in the suburb of Mt Victoria in the past five years. Of these arrests 80 were made in the existing Alcohol Control area. With 51 of these arrests carried out on the other side of the border by the NZ Police in the past five years. Local Host data also shows that there were 34 instances of people drinking in public, as well as 11 recordings of antisocial behaviour in the suburb.

Mt Victoria: officer recommendation

55. Officers recommend extending the boundary up Majoribanks Street, along both sides of Brougham Street to Ellice Street. The level of alcohol related crime and disorder (discussed above) is considered high in light of the relatively small geographic area and short time frame. This boundary adjustment is also considered appropriate and proportionate in light of being a relatively small expansion, and that it will also provide clarity and ease of enforcement around this border with the city.

Kelburn: engagement and data

56. The suburb and surrounding areas have had a number of “flashpoints” relating to alcohol consumption. There have been approaches in the past from residents, and residents groups requesting that the Council implement a Liquor Control bylaw in various parts of the suburb.
 - **Kelburn Park.** There have been concerns raised by the community around Kelburn Park in relation to public drinking predominantly by students from the University of Victoria. The University believes that an extension of the bylaw to include the park may only exacerbate matters, and shift the problem to the Botanic Garden or other areas where public safety may be a greater issue. At present the University is able to monitor the park, something it would not be able to do with the Garden, and is able to implement strategies aimed at curbing anti-social behaviour and alcohol related crime and disorder. This includes bussing students into town, and other support networks aimed at student safety. The University believes that a bylaw would not be the best solution to the problem.

- **The Botanic Garden.** The Council's Park, Sport and Recreation Team have reported a small group of people who have been intoxicated in the Garden and have led to complaints from residents. The Park, Sport and Recreation Team have said, however, that they are satisfied that the problem can be managed by City Hosts and rangers and that a bylaw would not be a proportionate response to the issue of a small number of people drinking. Implementing the bylaw to cover the Garden would have an unwanted effect on the Garden as a whole and "ruin" the environment for people to enjoy a drink during the summer months in the Garden.

Kelburn: Officer recommendation

57. Community feedback and data indicate a [moderate] degree of alcohol related crime or disorder in Kelburn (Attachment 2). Police arrest data shows 44 arrests relating to alcohol. Local Host data shows that the problem is not widely spread in Kelburn with four instances of anti-social behaviour recorded and 17 instances of drinking in a public place, as well as a single complaint to the call centre recorded over the past five years. Although there are three recordings of assaults taking place in Kelburn relating to alcohol consumption, these were in private homes. A bylaw regulating the possession or consumption of alcohol in public places would be ineffective to regulate this.
58. Ultimately officers are not satisfied that a bylaw is an appropriate and proportionate response in light of the level of crime and disorder in the Kelburn area, in particular, after considering feedback from Park Sports and Recreation and Victoria University about the potential adverse consequences of introducing an alcohol ban to manage the Kelburn 'flashpoints'. The Council will continue to support the University in its efforts to manage these issues.

Kilbirnie: engagement and data

59. Residents and businesses have expressed their desire to have Kilbirnie added to the Bylaw. There are reports of people living on the streets in the suburb that have reportedly been drinking and creating a nuisance around the Kilbirnie town centre.
60. Community feedback and data indicates a concern about the level of alcohol related crime and disorder in Kilbirnie. Police arrest data shows that there were 198 arrests in Kilbirnie relating to alcohol consumption across the whole suburb. Local Host data collected shows seven incidents of anti-social behaviour recorded with four incidences of drinking in a public place. Outside of the existing Liquor Control Area Kilbirnie does have the highest rate of calls to the call centre with 10; however, this has declined in recent years with 2015-2016 registering six of these calls. (Attachment 2)

Kilbirnie: officer recommendation

61. Despite the relatively high level of alcohol related crime and disorder in Kilbirnie, Officers are not satisfied that a bylaw would be an appropriate and proportionate response. Some of the incidents are related to more intractable issues of homelessness which would not be effectively addressed through the bylaw sanctions of a fine or arrest. The Council, through its community based programmes, is working with the Kilbirnie community to find solutions to these on street behaviour issues. There are also several bars in Kilbirnie, and as the bylaw only targets the possession

and consumption of alcohol in public places, it would be ineffective to regulate alcohol consumed in those areas.

Other neighbouring suburbs

Berhampore: engagement and data

62. Concerns around public disorder in Berhampore have previously been raised. There are recordings of assaults relating to alcohol consumption, with CCDHB data showing 12 assaults occurring in the suburb. These however, were predominantly in private residences. The Hospital data shows that there were six assaults across the Southern suburbs relating to alcohol consumption in public places between 2014 and 2018, with just one of these occurring in Berhampore.
63. Local Hosts have recorded one instance of drinking in public, and no recordings of anti-social behaviour.
64. Police arrest data shows that there were 130 arrests in Berhampore where alcohol is involved.

Berhampore: officer recommendation

65. There is data that shows alcohol-related crime and disorder occurring in Berhampore. However, it is not occurring predominantly in public places. Officers do not consider a bylaw would be an appropriate and proportionate response to this issue, as it cannot regulate alcohol consumed in private homes.

Removal of Areas from the Liquor Control Area

66. Officers recommend that the Centre Port area to the east of Waterloo Quay is removed from the Liquor Control Area.
67. This area is generally not open to the public and there is no data indicating that alcohol related crime or disorder occurs in this area.

Other changes to the bylaw – legislative changes and drafting improvements

68. Changes to the legislative framework for alcohol bans since the bylaw was last reviewed include:
 - replacing references to the word “liquor” to “alcohol” to reflect the more recent legislation;
 - requiring the review of the current Liquor Control Bylaws and alcohol bans against more stringent criteria (discussed above);
 - extending the definition of “public place” to include land generally open to the public (but excluding licensed premises);⁵
 - Police powers to issue an infringement fine (\$250) for alcohol ban breaches as well as the power of arrest.
69. Changes have been made to reflect these legislative changes, as well as drafting improvements to reflect a simplified drafting style.

Is the bylaw consistent with the New Zealand Bill of Rights Act?

70. Council officers have considered the implications of the proposed bylaw on people’s rights under the New Zealand Bill of Rights Act 1990, in particular rights relating to freedom of movement and freedom of association.


⁵ The definition previously covered only land that was owned or controlled by council and so excluded areas such as private car parks, schools and reserves managed by trusts.

71. These rights are general rights and accordingly any claim that any aspect of the proposed bylaw may breach these rights must be considered on its own facts. However, the proposed bylaw is considered not to give rise to concerns under, and to not be inconsistent with, the Bill of Rights Act, as the controls are reasonable and justifiable in the circumstances allowed for in section 5 of that Act, noting that:
- as discussed above the Alcohol Control Area is intended only to apply to those areas where Council is satisfied its inclusion is justified, assessed against a more stringent test;
 - the proposed bylaw provides exemptions; and
 - alcohol bans are well established and accepted in New Zealand.

Next Actions

72. Undertake consultation in accordance with the Special Consultative Procedure of the Local Government Act 2002.

Attachments

- Attachment 1. Attachment 1 - Draft Statement of Proposal [↓](#)  Page 21
Attachment 2. Attachment 2 - Evidence and Data [↓](#)  Page 41

Author	Jim Lewis, Policy Advisor
Authoriser	Kane Patena, Director, Strategy and Governance Baz Kaufman, Manager Strategy

SUPPORTING INFORMATION

Engagement and Consultation

Officers have been engaging with public groups, including residents associations and community organisations, gathering opinions from the community as to their positions on the bylaw. The Council is required to use the Special Consultative Procedure under Section 83 of LGA 2002 to consult with the relevant stakeholders and general public.

Formal Consultation will be undertaken in accordance with the LGA 2002 with the public under Section 83 as well as with the following groups.

Ministry of Health	NZ Police
Regional Public Health	First Retail Group
Residents Associations	Local Iwi
Wellington Chamber of Commerce	Local MPs
Suburban Business groups	Treasury
Victoria and Massey Universities	CCDHB

Treaty of Waitangi considerations

N/A

Financial implications

Signage will need updating to include the new area of Mt Victoria and CentrePort as well as changes to the wording if agreed.

Policy implications

Existing Council Policies	Implications
Liquor Control Bylaw	This bylaw will replace the existing Bylaw

Legislative implications

Legislation	Implications
Local Government Act 2002	The Council has the power under Sections 147 and 147A of the Local Government Act to make a bylaw for Liquor Control purposes.

Risks / legal

The bylaw must be reviewed by 18 December 2018; if this is not carried out the bylaw will lapse. This will have implications and issues for the public safety team, will put additional pressure on Local Hosts, as well as health officials. Wellington would also be the only major population centre in New Zealand without some form of liquor control bylaw.

Climate Change impact and considerations

N/A

Communications Plan

Public submissions will be open from 1 September to 30 September 2018. We will communicate with key stakeholders to ensure that they have the opportunity to submit on the proposal.

Key messages for public consultation

- Wellington has an existing liquor control bylaw, this is supported by the general public, communities, health agencies and the NZ Police.
- Changes to the LGA have meant that there is now a higher threshold of evidence needed to both retain the existing bylaw in the liquor control area, and expand it into additional areas.
- Before a liquor control bylaw can be introduced to any new areas, evidence has to be established of sufficiently high levels of alcohol related crime and disorder that can be shown to be made worse without the bylaw.

Health and Safety Impact considered

N/A

Attachment 1

Alcohol Control Bylaw

Statement of Proposal
August 2018

Summary of information

Wellington City Council is reviewing its Wellington Consolidated Bylaw 2008, part 4: Liquor Control and seeks your views on the proposed changes.

The Liquor Control Bylaw prohibits the consumption and possession of alcohol in public places within the area described as the Liquor Control Area. Having an alcohol control bylaw is generally considered to be an effective tool to help the Council and Police maintain public safety from alcohol related harm. It is also one of many measures outlined in the Council's Alcohol Management Strategy which supports the Council and other stakeholders to address that harm while achieving our aspirations for a dynamic central city with vibrant suburban centres.

The Council has reviewed the Bylaw and found that a bylaw is still the most appropriate way to regulate the possession and consumption of alcohol in public places to address alcohol-related harm.

The Council proposes largely retaining the existing Liquor Control Area, with:

- an adjustment to the boundary, namely to extend the boundary up Majoribanks Street, along both sides of Brougham Street to Ellice Street; and
- the removal of the CentrePort area on the east side of Waterloo Quay.

Council officers also propose that the Liquor Control Bylaw be updated to reflect other recent legislative changes and drafting improvements.

Have your say

Please let us know what you think about the proposed changes to the Liquor Control Bylaw.

To have your say about the proposed changes to the Liquor Control Bylaw you can:

- make a submission online at wellington.govt.nz/haveyoursay
- download a submission form from the website and email it policy.submission@wcc.govt.nz
- fill in the submission form and send it to Freepost 2199, Alcohol Ban Bylaw Review 2017, PO Box 2199, Wellington 6140
- drop a filled submission form to our service centre at 101 Wakefield St.

Printed copies of this statement of proposal are available from:

- the service centre
- libraries
- by emailing policy.submission@wcc.govt.nz
- phoning 04 499 4444

Questions for consultation:

These questions are intended to help guide your submission. We are interested in all submissions and thoughts on the proposed bylaw. You do not have to answer all the questions.

1. Do you agree to the changes to the boundary to extend the boundary up Majoribanks Street, along both sides of Brougham Street to Ellice Street? Yes or No, please leave any comments in the space below.
2. Do you agree with the proposed removal of the CentrePort area on the east side of Waterloo Quay? Yes or No, please leave any comments in the space below
3. Apart from the CentrePort area, are there any other areas in the existing Liquor Control Area that you think should be removed? Which areas and why?
4. Do you think we should include any other areas in the alcohol ban area? Which areas and why? – note in order to include new areas the Act requires there to be a high level of alcohol related crime or disorder in the area and an Alcohol ban in public places in that area needs to be the most appropriate and proportionate response in light of that crime or disorder.
5. What other actions could the council take to address public safety and alcohol related incidents that you are concerned about in your local community or other areas in Wellington?

Key dates:

31 August 2018	Submissions open
1 October 2018	Submissions close
18 October 2018	Oral hearings
November 2018	Strategy committee considers submissions
November 2018	The Council decides whether to adopt the proposal
December 2018	The Bylaw becomes effective.

1. Legal framework

The Council is proposing to revoke the existing Liquor Control Bylaw and replace it with the proposed Alcohol Control Bylaw. Before doing this, the Council must:

- determine whether a bylaw is the most appropriate way of addressing the perceived problem;
- be satisfied that:
 - the proposed bylaw can be justified as a reasonable limitation on people's rights and freedoms;
 - a high level of crime or disorder (being crime or disorder caused or made worse by alcohol consumption) is likely to arise in the area to which the bylaw is intended to apply if the bylaw is not made); and
- the proposed bylaw is appropriate and proportionate in light of that likely crime or disorder.

No bylaw may be made which is inconsistent with the New Zealand Bill of Rights Act, notwithstanding section 4 of that Act.

2. Review

Is a bylaw the most appropriate way to address the perceived problem?

The problem can be defined as alcohol-related crime or disorder made worse by the consumption of alcohol in public places. There is a concern that alcohol consumption in public places can potentially lead to increased criminal offending and safety concerns for others who are in these public places. This is also the experience of our Local Hosts, who have said that they have seen antisocial behaviour such as urinating, fighting, littering and noise which they believe is linked to alcohol consumption in public places.

We have considered a number of possible options for addressing the problem including allowing the Bylaw to lapse and using other methods to manage behaviour. If a new bylaw is not made, the bylaw will lapse on midnight, 19 December 2018.

In this case the methods for control would include current Police powers to protect public safety and individuals and Council powers to regulate licensed premises under the Sale and Supply of Alcohol Act 2012. It would also include non-regulatory tools such as the Council's Local Hosts, Meaningful Activities Funding and City Safety CCTV. The Council works collaboratively with other agencies and the Police to ensure a robust outreach team is present on the streets of Wellington to engage with the community. The Council also supports community and other patrols such as Māori wardens and other safety initiatives such as Take 10 to reduce harm in the city. Our urban design work also prioritises safety when approaching projects to ensure Crime Prevention Through Environmental Design (CPTED) is incorporated in these. Other measures are included in the Council's Alcohol Management Strategy.

Letting the Bylaw lapse would have no direct cost implications for the Council as it would not have to make or maintain a bylaw, alcohol bans, or signage. However it would limit our ability to manage situations before they get out of hand. It is considered unlikely to deliver on community expectations that the Council will exercise its powers to protect community safety.

Existing methods of dealing with disorder and crime work in conjunction with the Bylaw but we think they are not likely to deliver the objectives we are seeking on their own.

Previous reviews of the bylaw have determined that having a bylaw to regulate the possession or consumption of alcohol in public places is the most appropriate option to address the problem of alcohol related anti-social behaviour and harm in public places. We believe this determination is still valid.

The Bylaw is familiar to all stakeholders and members of the public, is generally seen as effective and provides a useful tool for the Police to protect public safety. Alcohol control bylaws are commonly used tools by local authorities to limit where alcohol consumption and possession takes place.

The Bylaw is supported by health officials, the New Zealand Police, and the general public. Liquor Control Legislation is used both across New Zealand and around the world as a way of discouraging alcohol related antisocial behaviour and disorder. It reduces the amount of alcohol consumed in public places which helps reduce harm including levels of intoxication, noise, litter, and disorder.

Without the Bylaw, the Council would be unable to authorise its staff and the Police to carry out enforcement to reduce alcohol consumption and possession in public places, which could threaten public safety

Our proposal

The following sections explain the proposed bylaw content.

Largely maintain the existing Alcohol Ban Area

The Council considers that there is sufficient basis to be satisfied that removing the alcohol ban would cause alcohol related crime and disorder to return. Data shows that the majority of Police, Local Host, and Hospital recorded incidents have happened inside the existing Liquor Control Area.¹ The majority of calls to the Council's call centre relating to "drunken", "drinking", and "broken bottles" are also from the existing ban areas.

Police Support and evidence

In initial discussions, the Police consider that by restricting the ability for people to drink or carry alcohol in public areas inside the Liquor Control Area, reduces the risk of alcohol related crime, damage and anti-social behaviour. The Police have indicated that the Bylaw is an effective "tool in the toolkit" for dealing with issues of disorder and antisocial behaviour associated with alcohol. It does not stand alone but is used alongside a number of other tools. It is also an effective way of countering issues such as side loading. By intervening at an early stage and restricting carrying and drinking alcohol on the streets they believe they can work towards preventing more serious crimes.

Police have provided data to the Council on the number of infringements issued inside the Liquor Control Areas. This shows 4,413 infringements were issued by the Police between 2013 and 2017. Police believe removal of the Bylaw could lead to an escalation of alcohol related crime and disorder and a return to levels of crime from before the Bylaw was introduced. Data on alcohol related arrests also indicates that 5,900 arrests were carried out in response to alcohol related crime within the Liquor Control Area.

Council Local Host data

Local Hosts have collated data showing 2,059 breaches of the existing Bylaw, as well as 1,210 instances of antisocial behaviour inside the existing Liquor Control Area between 2012 and May 2018.

Public health support and evidence

Conversations with public health officials have indicated support for retaining the existing Bylaw. Data provided by Wellington Hospital shows 228 alcohol related assaults in the central city, with 12 and 13 alcohol related assaults recorded in Newtown and Mt Cook respectively.

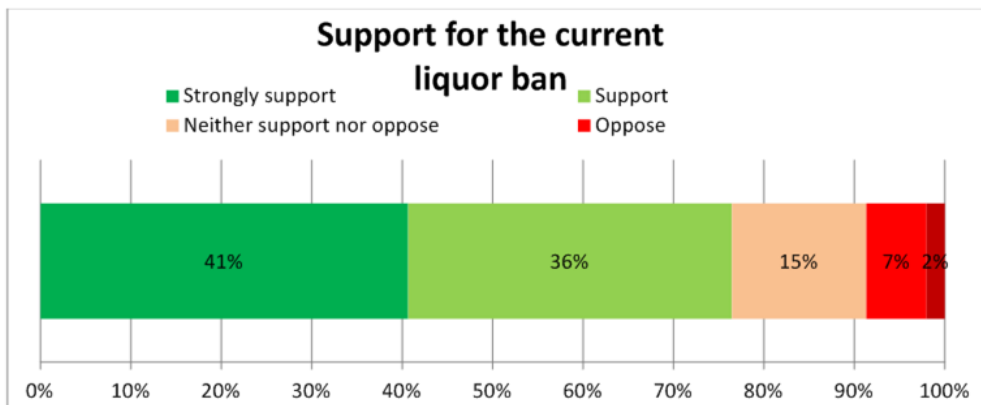
¹ To align with legislative changes, the "Liquor Control Area" is proposed to be renamed the "Alcohol Ban Area".

Community views

As part of the Capital Views Survey the Council has asked about the existing Bylaw. Most of those who responded (77 per cent) either support or strongly support the existing Bylaw. Many said public safety is one of the reasons they support the liquor ban. The survey asked 1,385 online respondents who visited the central city at night time for social or recreational purposes between 14 March and 26 March 2018, the following question:

Q. There are currently liquor bans in place in Wellington's central city and some surrounding areas including Oriental Bay, Aro Valley, Mt Cook, and Newtown. Drinking and/or the possession of liquor is prohibited at all times in any public places within these areas. To what extent do you support or oppose the liquor ban currently in place in Wellington's central city?

Figure 1: Public Support for the current Liquor ban



Two proposed adjustments to the Alcohol Ban Area

Mt Victoria

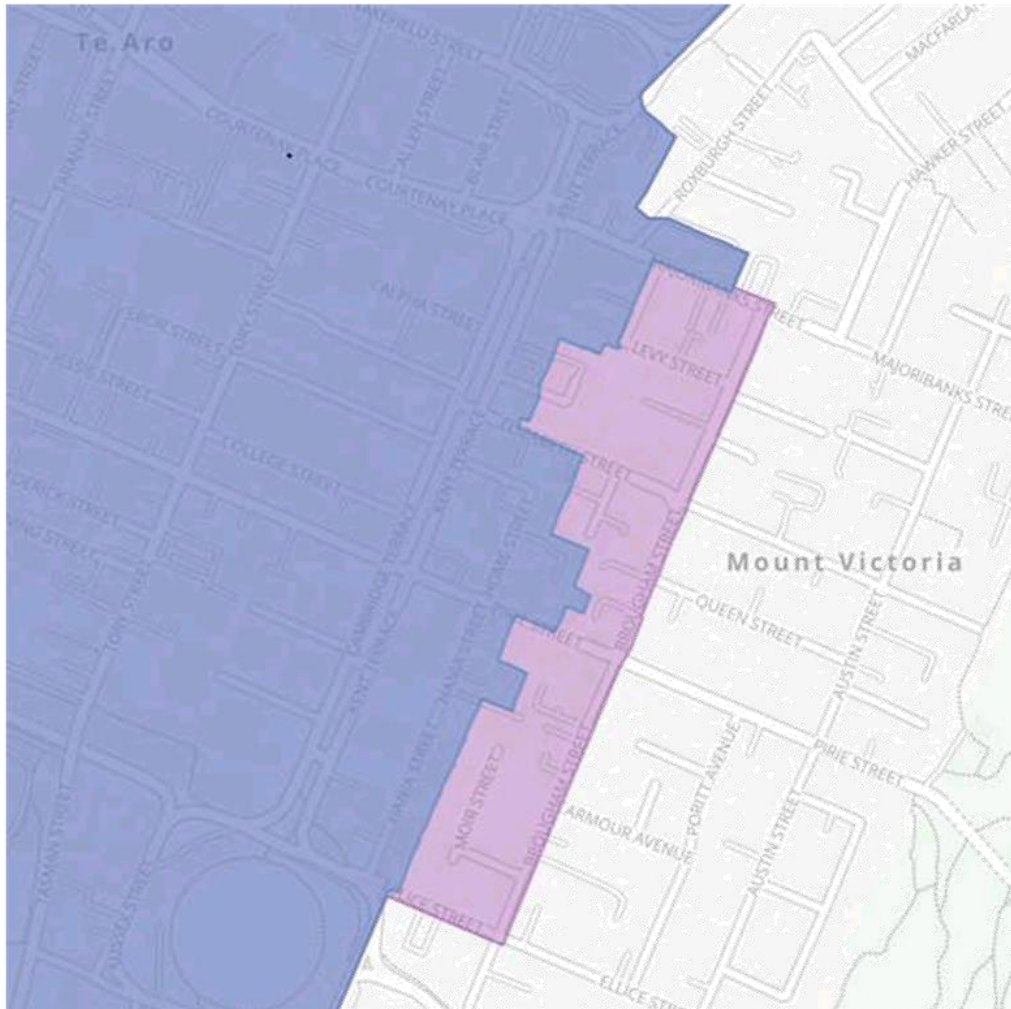
The Mt Victoria Residents Association has suggested that there are a number of issues relating to the suburb's proximity to the CBD and that it suffers from a "spill over" from the entertainment areas around Courtenay Place. They are concerned with what they perceive as an increasing level of noise, broken bottles, crime, and other alcohol related anti-social behaviour.

The existing boundary is based on the original bylaw from 2003 and was created using the boundaries of the Central Area in the District Plan. There is also a concern that the boundary of the existing area between the Central City and Mt Victoria creates confusion given that it only covers one side of the streets where it meets Mt Victoria. The Police Alco-link data shows that there were 174 alcohol related arrests made in the suburb of Mt Victoria in the past five years. Of these arrests 80 were made in the existing Alcohol Control Area and 51 carried out on the other side of the border. Local Host data also shows that there were 34 instances of people drinking in public, as well as 11 recordings of antisocial behaviour in the suburb.

The Council is recommending extending the boundary up Majoribanks Street, along both sides of Brougham Street to Ellice Street. This area is outlined in pink in the map below. (Figure 2)

The level of alcohol related crime and disorder in this area is considered high in light of the relatively small geographic area and short time frame. This boundary adjustment is also considered appropriate and proportionate in light of being a relatively small expansion, and that it will also provide clarity and ease of enforcement around this border with the city.

Figure 2: Proposed extension in Mt Victoria



The CentrePort area

The Council has no information of alcohol-related crime or disorder in the area east of Waterloo Quay, primarily used by CentrePort. Therefore it proposes that this area be removed from the Alcohol Ban Area. The area that is being removed is outlined in pink in the map (Figure 3).

Figure 3: CentrePort Area proposed to be removed from the Alcohol ban Area



Other proposed changes to the Bylaw

Other proposed changes to the Bylaw are set out below, and are included in both a proposed new Bylaw and a tracked changes version of the existing Bylaw. These changes are briefly explained below.

Reference	Proposed change	Reason
Title	“Liquor Control Bylaw” to “Alcohol Control Bylaw”	To reflect changes in the LGA to now refer to “alcohol” not “liquor”. This change has been applied throughout the proposed bylaw.
Clause 1: Purpose	Proposed new purpose statement	Simpler statement linked to problem
Clause 2: Interpretation	Proposed new interpretation clause	Previously relevant definitions were referred to in explanatory notes. For ease of reference, key statutory definitions are referred to a new interpretation clause.
Clause 3: Alcohol ban	Rephrased in plain English. Revised map referenced. New note on exemptions from the Bylaw.	Reasons for map revisions are set out in the body of this statement of proposal. Reference to “ban area” rather than “control area” to align with legislation. Exemptions from the Bylaw are expressed as notes as they now apply through definitions in section 147 of the LGA. For ease of understanding, these exemptions are briefly explained.
Clause 4: Signage	Replace “will” with “may”.	To reflect that it is a Council discretion to erect signage.
Clause 5: Council permission	Permission process inserted.	New drafting is designed to provide clarity around the permission process and timeframes (10 working days before the date on which the activity is to occur).
Clause 6: Offences	Plain English drafting changes. Reference to	The clause is proposed to make it clear that a breach of

	infringement fee inserted.	the bylaw is an offence and to set out the legislation that determines the infringement fee for that offence.
Clause 7: Enforcement	Reference to Police powers.	The Police powers under section 170 may only be exercised if the Police are authorised to exercise those powers under a bylaw made under section 147 LGA.

New Zealand Bill of Rights Act 1990 implications

The Council has considered the implications of the proposed bylaw on people's rights under the New Zealand Bill of Rights Act 1990, in particular, rights relating to freedom of movement and freedom of association.

These rights are general rights and accordingly any claim that any aspect of the proposed bylaw may breach these rights must be considered on its own facts. However, the proposed bylaw is considered not to give rise to concerns under, and to not be inconsistent with, the Bill of Rights Act, as the controls are reasonable and justifiable in the circumstances allowed for in section 5 of that Act, noting that:

- as discussed above the Alcohol Control Area is intended only to apply to those areas where Council is satisfied its inclusion is justified, assessed against a more stringent test;
- the proposed bylaw provides exemptions; and
- alcohol bans are well established and accepted in New Zealand.

Proposed Wellington City Council Alcohol Control Bylaw

Made pursuant to sections 145 and 147 of the Local Government Act 2002

1. Purpose

The purpose of this part of the bylaw is to control the consumption or possession of alcohol in public places to reduce alcohol-related harm.

2. Interpretation

2.1 In this part of the bylaw, unless the context otherwise requires:

Alcohol has the meaning given by section 5(1) of the Sale and Supply of Alcohol Act 2012

Alcohol Ban Area means that area including the Wellington Central Area, Oriental Bay, Mt Victoria Lookout, Mt Victoria, Aro Valley, Central Park, Mt Cook and Newtown as shown in the Alcohol Ban Area map attached as Schedule A.

Public place has the meaning given by section 147 of the Local Government Act 2002

Note: as at [insert date bylaw in force] the definition of a public place in section 147 of the Local Government Act 2002 is:

...a place that is open to or is being used by the public, whether free or on payment of a charge, and whether any owner or occupier of the place is lawfully entitled to exclude or eject any person from it; but does not include licenced premises.

Most areas where an encroachment licence has been granted will not be "public places" within this definition and will therefore not be subject to this part of the bylaw. A case-by-case assessment will be made.

3. Alcohol Ban

3.1 Every person is prohibited from consuming, bringing into, or possessing alcohol in any public place (including in a vehicle), in the Alcohol Ban Area. This prohibition is effective at all times.

Note: The exceptions listed in section 147(4) of the Local Government Act 2002 apply. These provisions provide certain exceptions for the transport of alcohol in an unopened container and exempt licenced premises from the bylaw.

4. Signage

4.1 The Council may erect signage within public places covered by this bylaw to provide information to the public on the terms of the bylaw. The size, location and terms of this

signage shall be at Council's discretion. To avoid any doubt, the absence of signage in any public place does not authorise breach of this part of the bylaw.

5. Council Permission

5.1 Any person may apply to the Council for permission for any activity that would otherwise be in breach of a prohibition under clause 3.

5.2 Any application under clause 5.1 must be made in writing using an application form approved by the Chief Executive of the Council and must be lodged with the Council no later than 10 working days before the date on which the activity is to occur. Fees may be prescribed by resolution for processing these permissions.

6. Offences

6.1 Every person commits an offence who:

- a. consumes or possesses any alcohol in, or brings alcohol into, a public place in breach of a prohibition under clause 3; or
- b. breaches, or permits a breach of, the terms of any Council permission granted pursuant to clause 5.

6.2 Every person who commits an offence under this part of the bylaw is liable to a penalty under the Local Government Act 2002.

Note:

As at [insert date of bylaw], the penalty for breaching an alcohol ban is an infringement fee of \$250 under the Local Government (Alcohol Ban Breaches) Regulations 2013.

7. Enforcement

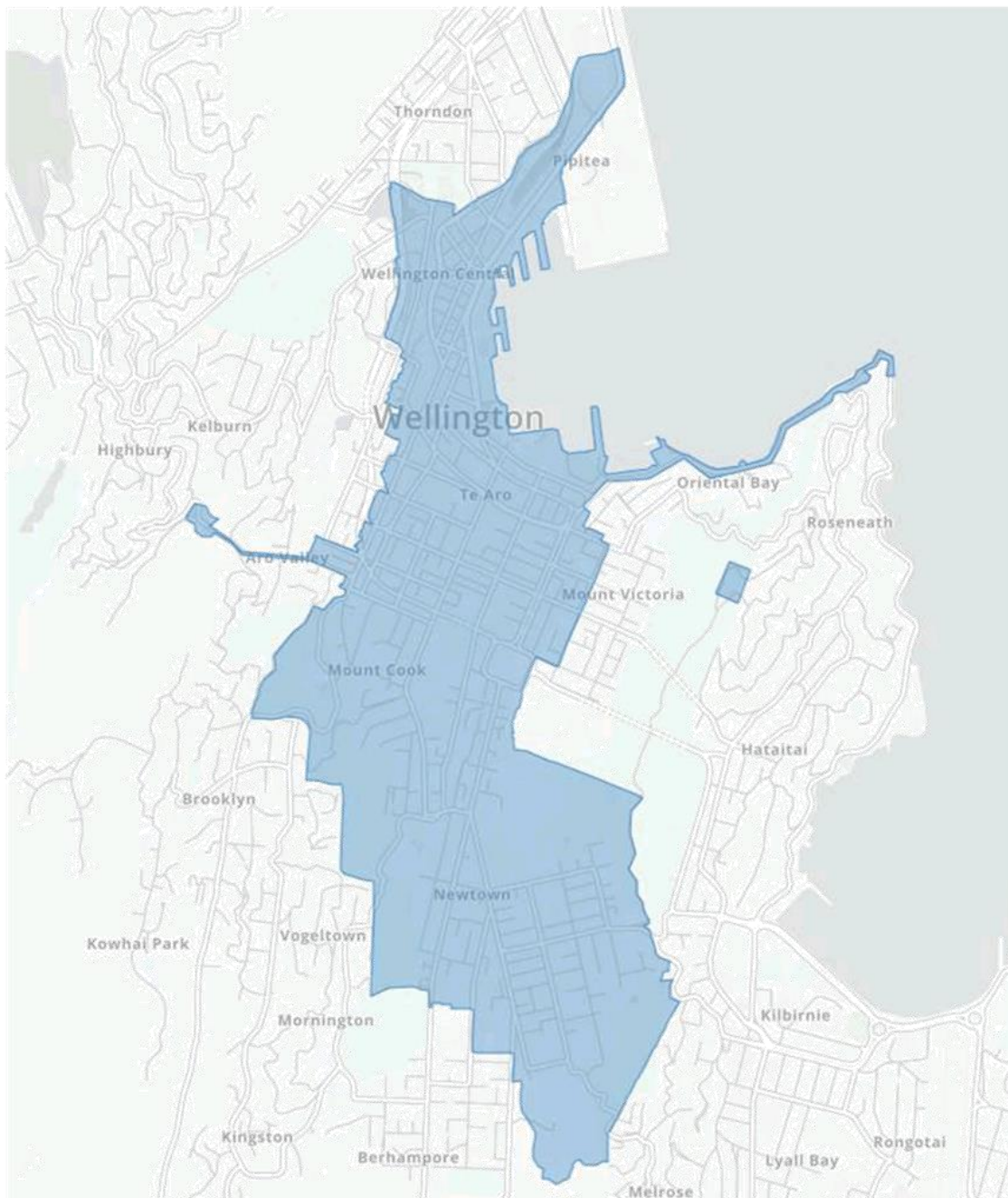
7.1 In addition to all the general powers granted under the Local Government Act 2002, this part of the bylaw specifically authorises any member of the New Zealand Police to exercise the power under section 170(2) of the Local Government Act (to search a container or vehicle immediately and without further notice) on specified dates or in relation to specified events notified in accordance with section 170(3) of that Act.

Note:

Under section 169 and 170 of the Local Government Act 2002, Police have powers of search, arrest and seizure in relation to alcohol bans.

Effective from

Schedule A: Alcohol Ban Area



Revoked Bylaw with Marked up Changes

Liquor Alcohol Control Bylaw

(with changes shown)

1. Purpose

The purpose of this part of the bylaw is to control the consumption or possession of alcohol in public places to reduce alcohol-related harm.

~~This part of the bylaw prohibits the consumption and possession of liquor in all public places at all times. It applies to all public places in the Wellington Central Area, Oriental Bay, Mt Victoria lookout, Aro Valley, Central Park, Mt Cook and Newtown (the Area) and is shown on the attached map. The bylaw includes a process to obtain prior written permission from the Council to authorise activities that would otherwise breach the bylaw. The Council will erect signage to communicate the terms of the bylaw to the public.~~

~~The purpose of this bylaw is to address concerns relating to potential offending and safety concerns that are linked to the possession or consumption of liquor in public places. By imposing this ban, the consumption of liquor in the Area should primarily be restricted to private residences or licensed premises.~~

~~The bylaw is introduced pursuant to s147 of the Local Government Act 2002 – this section should be read together with this part of the bylaw as it contains relevant definitions and the situations when this bylaw control will not apply (particularly relating to the transportation of unopened liquor). Pursuant to s169 and s170 of the Local Government Act 2002, the Police can enforce this part of the bylaw. Further details on the statutory provisions are provided as a note at the end of this part of the bylaw.~~

~~The prohibition does not apply to licensed premises or their outdoor areas, or to people carrying unopened liquor containers from licensed premises to areas outside the liquor free zone or to a private property.~~

(Old s.2) Exclusions

The prohibition on the consumption or possession of liquor in a public place in Wellington City does not apply to

- a) any area that is subject to a road encroachment licence issued by the Council;

~~b) Any licensed premises that occupies a paved area on legal road or Council land where permission to occupy has been granted by the Council including any public place for which there is a liquor licence at that time and that liquor licence allows the consumption of liquor in that location.~~

New s.2. Interpretation

2.1 In this part of the bylaw, unless the context otherwise requires:

Alcohol has the meaning given by section 5(1) of the Sale and Supply of Alcohol Act 2012

Alcohol Ban Area means that area including the Wellington Central Area, Oriental Bay, Mt Victoria Lookout, Mt Victoria, Aro Valley, Central Park, Mt Cook and Newtown as shown in the Alcohol Ban Area map attached as Schedule A.

Public place has the meaning given by section 147(1) of the Local Government Act 2002.

Note: as at [insert date bylaw in force] the definition of a public place in section 147 of the Local Government Act 2002 is:

...a place that is open to or is being used by the public, whether free or on payment of a charge, and whether any owner or occupier of the place is lawfully entitled to exclude or eject any person from it; but does not include licenced premises.

Most areas where an encroachment licence has been granted will not be "public places" within this definition and will therefore not be subject to this part of the bylaw. A case-by-case assessment will be made.

3. Liquor Alcohol Ban Prohibition

3.1 Every person is prohibited from consuming, bringing into, or possessing The consumption or possession of liquor alcohol in any public place (including while in a vehicle), in the Alcohol Ban Area. is prohibited within the Wellington Central Area, Oriental Bay, Mt Victoria Lookout, Aro Valley, Central Park, Mt Cook and Newtown (the) and is the area inside the boundaries depicted in the attached map. This prohibition is effective at all times.

(Old s.5) 4. Signage

4.1 The Council maywill erect signage within public places covered by this bylaw to provide information to the public on the terms of the bylaw. The size, location and terms of this signage shall be at Council's discretion. To avoid any doubt, the absence of signage in any public place does not authorise breach of this part of the bylaw.

(Old s4) 5. Council Permission

5.1 Any person may apply to the Council for ~~prior-written~~ permission for any activity that would otherwise be in breach of a ban on alcohol in clause 3. ~~any prohibition under this part of the bylaw.~~

5.2 Any application under clause 4.1 must be made in writing using an application form approved by the Chief Executive of the Council and must be lodged with the Council no later than 20 working days before the date on which the activity is to occur. The process for obtaining the Council's permission is outlined in Part 1 (Introduction) of this bylaw. Fees may be prescribed by resolution for processing these permissions, as set out in Part 1 of this bylaw (clause 1.6.1).

(Old s6) 6. Offences

6.1 ~~Everyone~~ person commits an offence who:

- c. ~~consumes or possesses any liquor~~ consumes or possesses any alcohol in, or brings alcohol into, a public place in breach of a prohibition under clause 3.1 ~~this part of the bylaw; and or~~
- d. ~~breaches, or permits a breach of, the terms of any Council permission granted pursuant to clause 4 of this bylaw.~~

6.2 Every person who commits an offence under this part of the bylaw is liable to a penalty under the Local Government Act 2002.

Note:

As at [insert date of bylaw], the penalty for breaching an alcohol ban is an infringement fee of \$250 under the Local Government (Alcohol Ban Breaches) Regulations 2013.

New 7. Enforcement

7.1 In addition to all the general powers granted under the Local Government Act 2002, this part of the bylaw specifically authorises any member of the New Zealand Police to exercise the power under section 170(2) of the Local Government Act (to search a container or vehicle immediately and without further notice) on specified dates or in relation to specified events notified in accordance with section 170(3) of that Act.

Note:

Under section 169 and 170 of the Local Government Act 2002, Police have powers of search, arrest and seizure in relation to alcohol bans.

~~This bylaw is introduced pursuant to the specific empowering provisions of the Local Government Act 2002 that provide for bylaws for liquor control purposes. This bylaw does~~

not repeat or paraphrase those statutory provisions, and accordingly those provisions should be read in conjunction with this bylaw. In particular, the following provisions are noted:

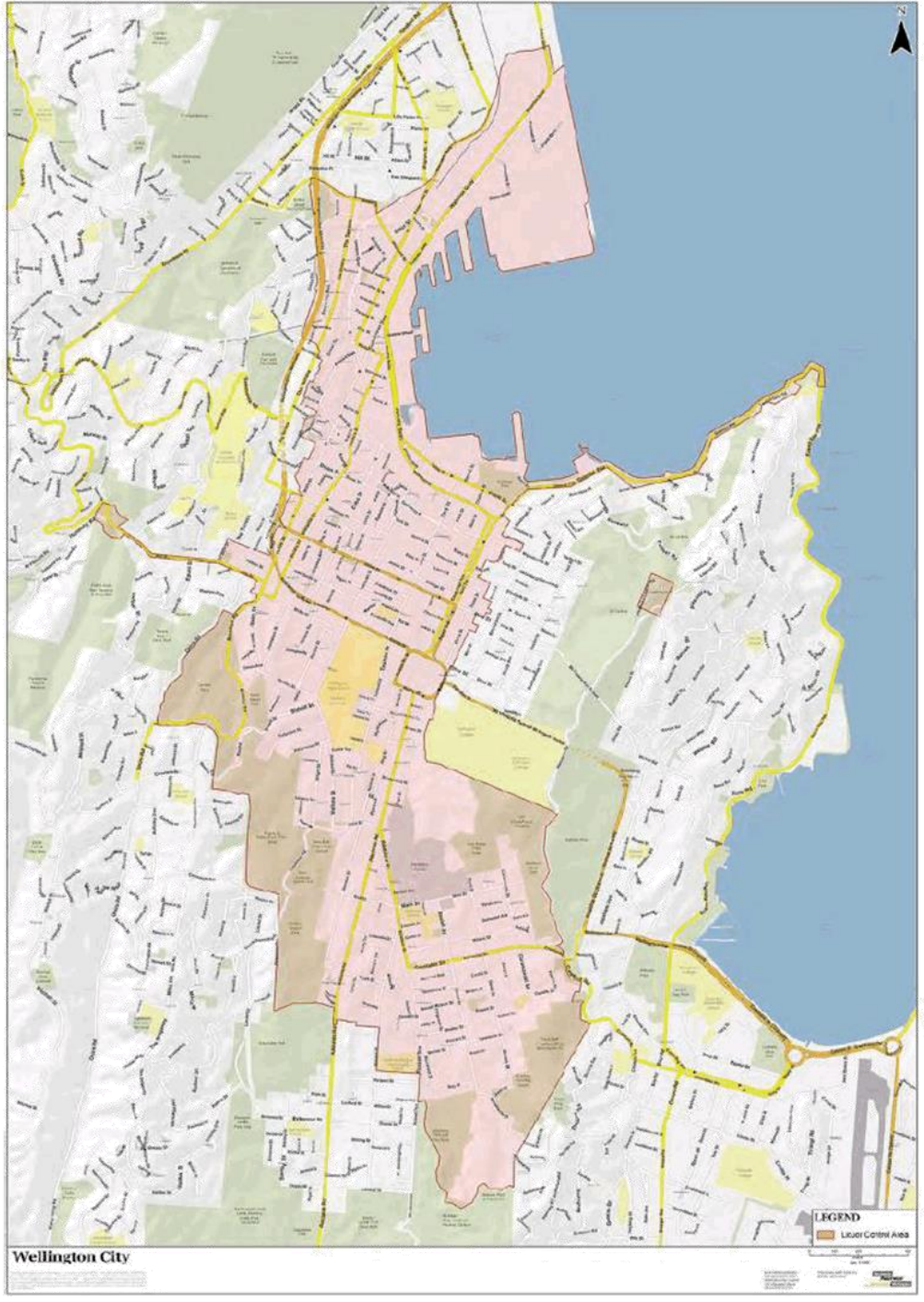
Section 147 empowers the Council to make this bylaw. It also defines 'liquor' and 'public place'. In addition, s147 (3) sets out a number of specific exemptions when the bylaw will not apply with respect to the transportation of unopened bottles or containers.

Section 169 provides the Police with powers of search and seizure, without warrant, to enforce the bylaw. The Police are responsible for enforcing the bylaw.

Section 170 sets out certain conditions imposed on the Police powers of search under s169

This bylaw has no effect on any other Police powers of search, seizure and arrest or any other statutory offences.

Existing Liquor Ban Area Map

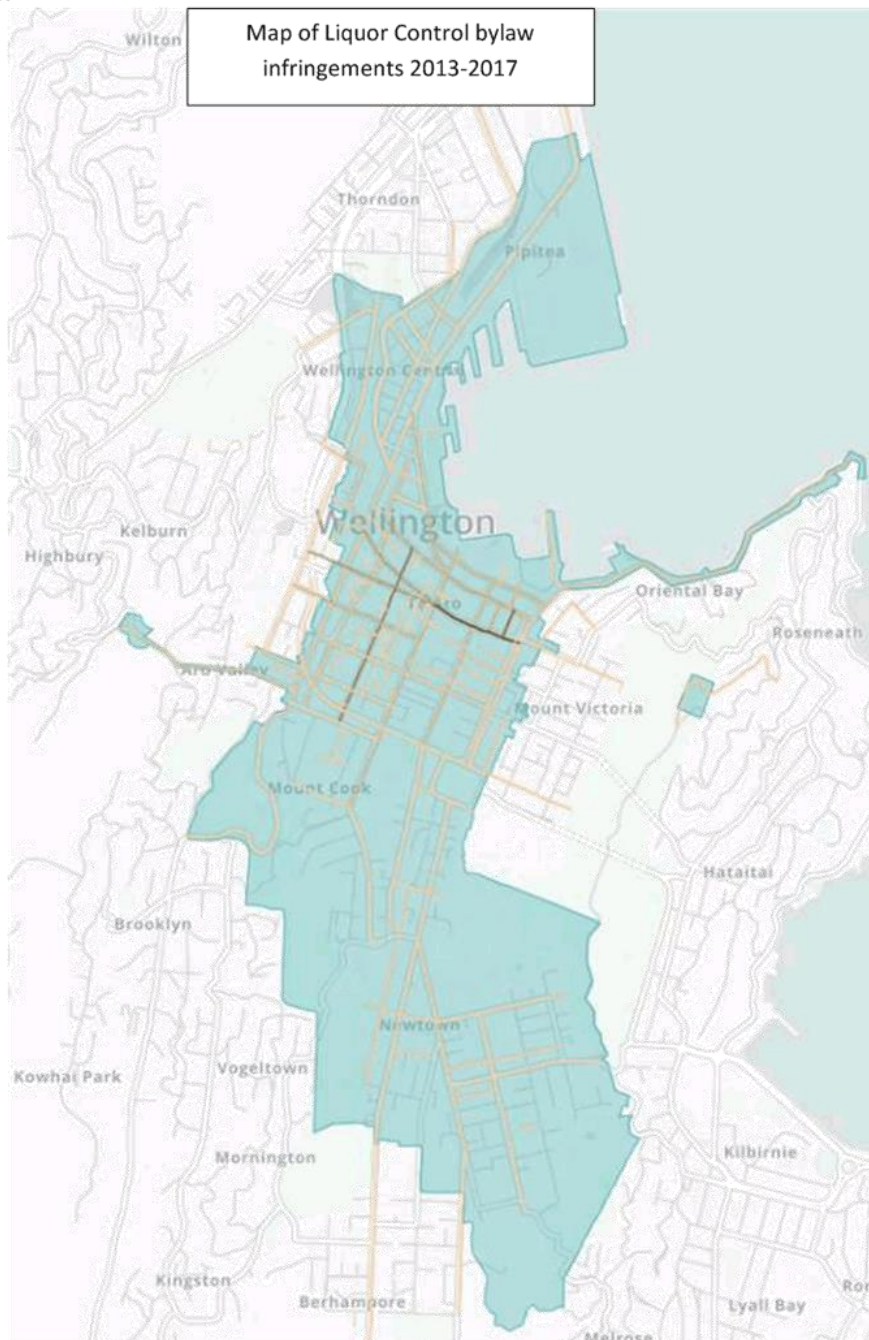


Attachment 2 - Data and evidence

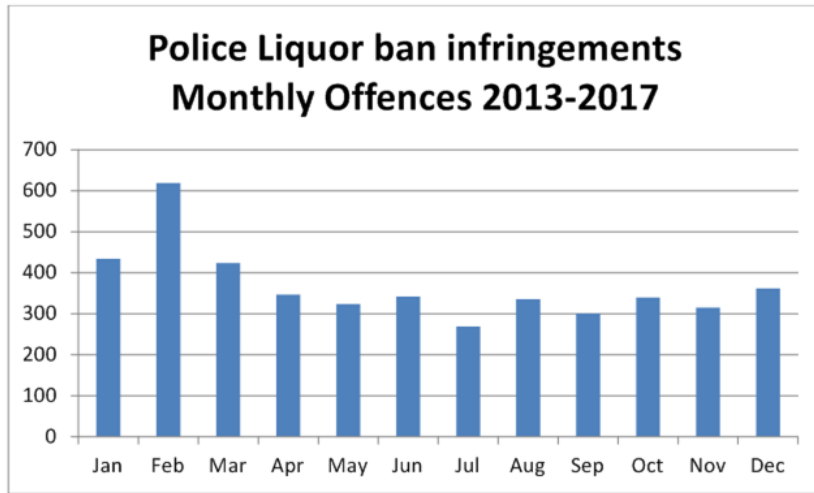
Police Data

Liquor ban breaches

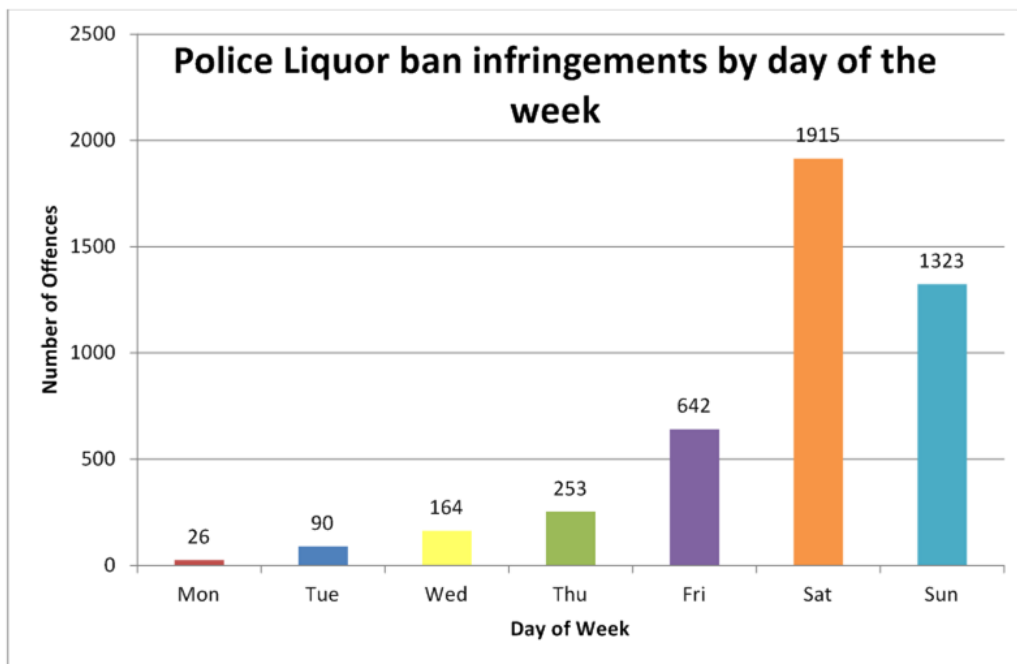
1. The Police have provided the Council with data on breaches of the Liquor Control Bylaw. The data shows that there have been 4,413 breaches of the bylaw between 2013 and 2017. For privacy reasons the data provided by the police is not site specific but does show the street the infringement was issued on. These are mapped below by street. The darker lines indicate a greater number of incidents.



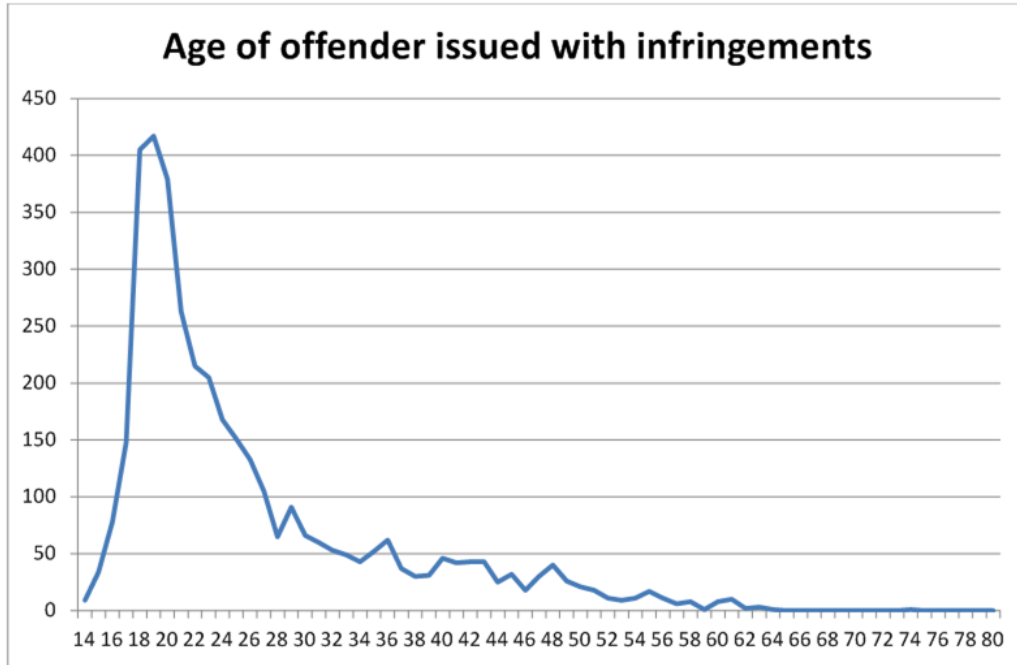
2. Further analysis of the Police infringement data shows that there is an increase in the occurrence of incidents in the summer months with February having the highest number. This is shown in the graph below.



3. The majority of incidents also occur at the weekend as shown in the graph below



4. The Police maintain data on the age of the offenders who have been issued with infringements, the average age of offender is 26, with the majority of offenders aged between 18 and 22. This is shown in the graph below.



Police Arrest data

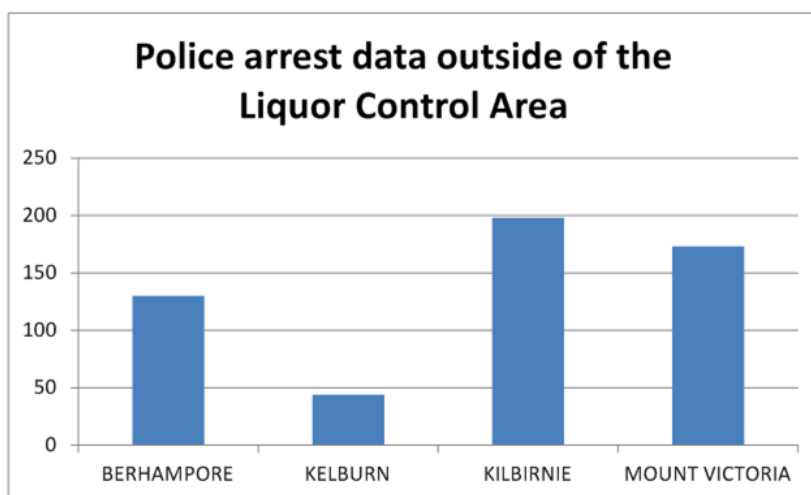
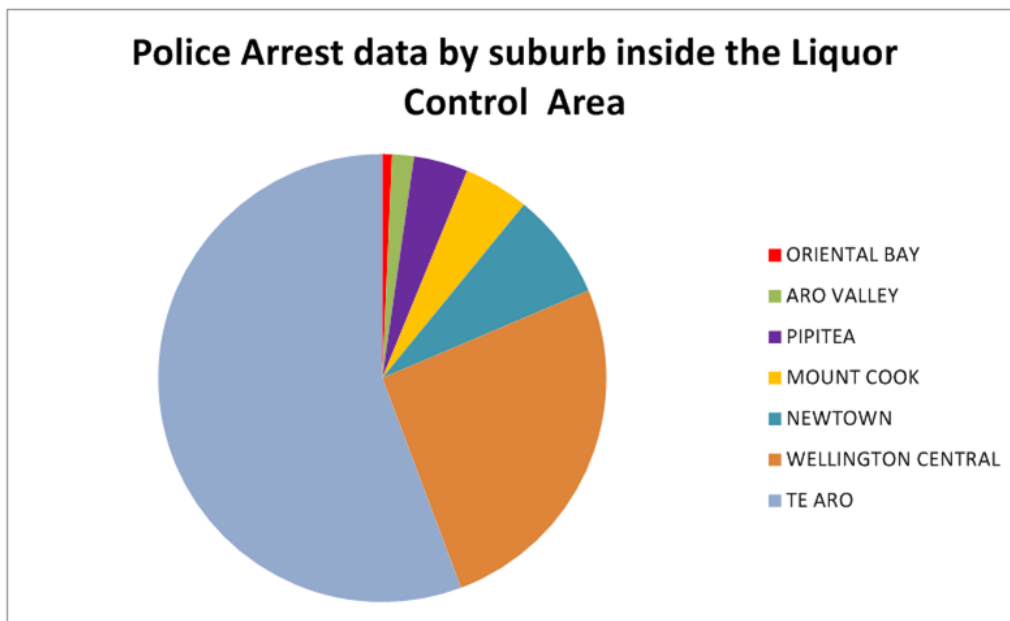
5. The Police have also provided the Council with data showing alcohol related offending and victimisation for Wellington between 1/1/2013 and 12/6/2018. There are 8,322 incidents recorded by the police during this period. This captures occurrences where the officer reporting the incident has filled out “Alco link” data indicating where alcohol was involved. However, it is not possible to identify if the consumption of alcohol was in a public place, in a licensed establishment, or in a private home. Of these 8,322 incidents, 5,900 have occurred in the existing Liquor control area, with the remaining 2,422 incidents occurring in suburbs outside the liquor control area. Officers have broken down this data to provide an analysis by suburb. Inside the Liquor Control area the majority of the arrests have occurred in the central city suburbs. Officers have also included a breakdown on additional suburbs outside of the existing area where there has been an interest in joining the bylaw. There have been 545 arrests made in the suburbs of Mt Victoria, Kilbirnie, Kelburn, and Berhampore.
6. The below table outlines the number of arrests made in different suburbs both inside and outside the existing liquor control area¹.

Police Arrest data by suburb	Number of arrests
Inside the Liquor Control Area	
Te Aro	3,287
Wellington Central	1,515
Newtown	455
Mount Cook	278
Pipitea	231
Aro Valley	93
Oriental Bay	41

¹ The Police offending and victimisation data does not indicate where the drinking has taken place, it is therefore not as reliable as the police infringement data, in that it is possible that the drinking may have taken place in a public place, a licenced establishment or a private residence.

Outside of the Liquor Control area	
Kilbirnie	198
Mount Victoria	173
Berhampore	130
Kelburn	44

7. The below table shows the majority of alcohol arrests inside the Liquor Control Area occur inside the central city suburbs of Te Aro and Wellington Central.



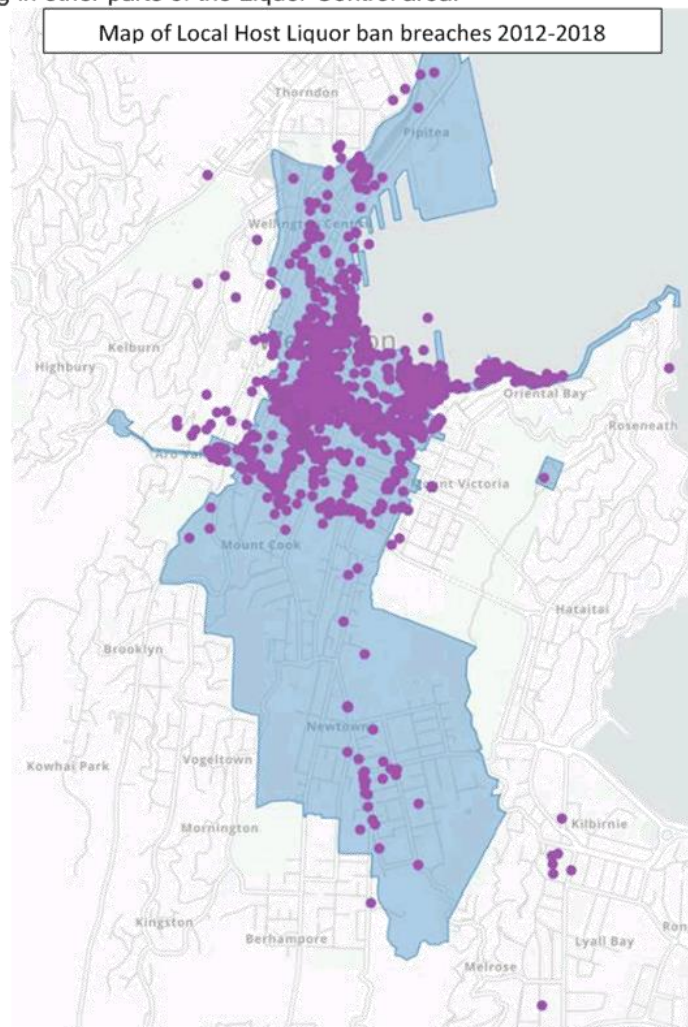
8. The police have made arrests in the above suburbs involving alcohol consumption, however, these four suburbs total 545 incidents of alcohol related arrests, equating to only 6.5% of the total number of arrests.

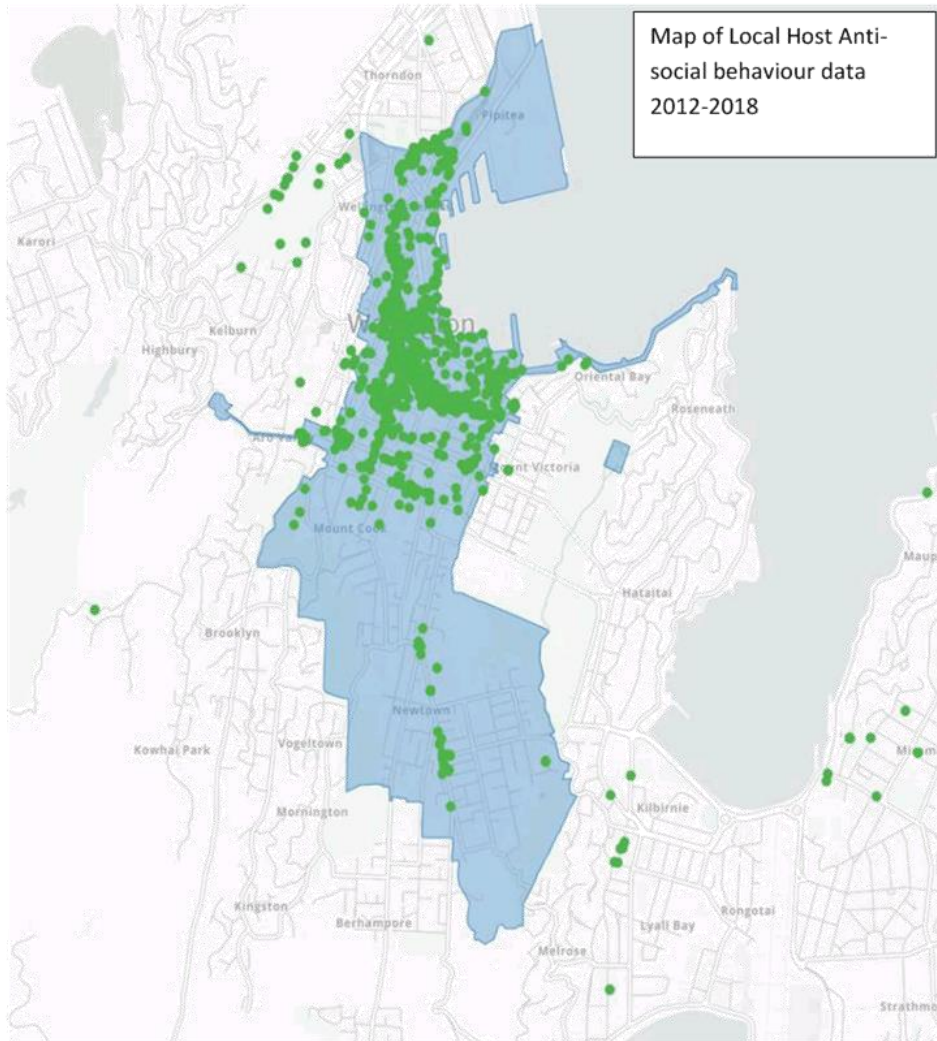
Local Host data 2013-2018

9. The Council’s Local Host team record information about incidents and situations they observe and deal with. This information is used to make evidence-based decisions within the Council for the purposes of city safety and urban design.
10. The Local Hosts have collected data relating to liquor ban breaches, as well as anti-social behaviour and additional liquor incidents outside of the liquor control area.

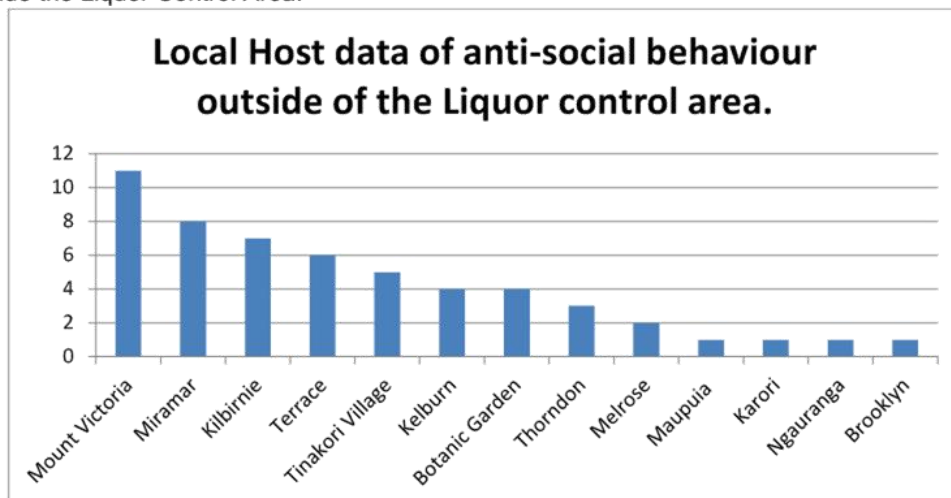
Local Host data	Number of instances
Liquor ban breaches	2,059
Anti-social behaviour inside the Liquor control area	1,210
Liquor incidents outside the Liquor control area	80
Anti-Social behaviour outside the liquor control area.	54

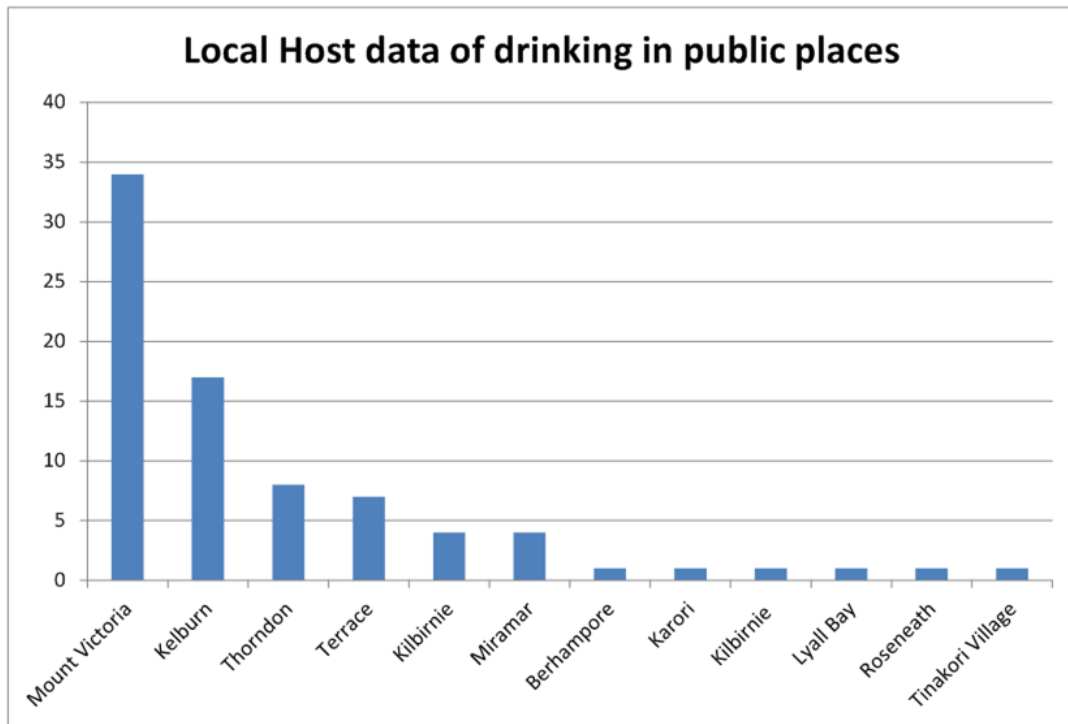
11. The Local Host data is address specific and allows the Council to see where alcohol is being consumed in public places. The map below shows that the majority of Local Host captured breaches of the Liquor control bylaw as well as anti-social behaviour occurs in the Central city, with a smaller amount occurring in other parts of the Liquor Control area.





12. Local Hosts have also collected data indicating anti-social behaviour and drinking in public places outside the Liquor Control Area.

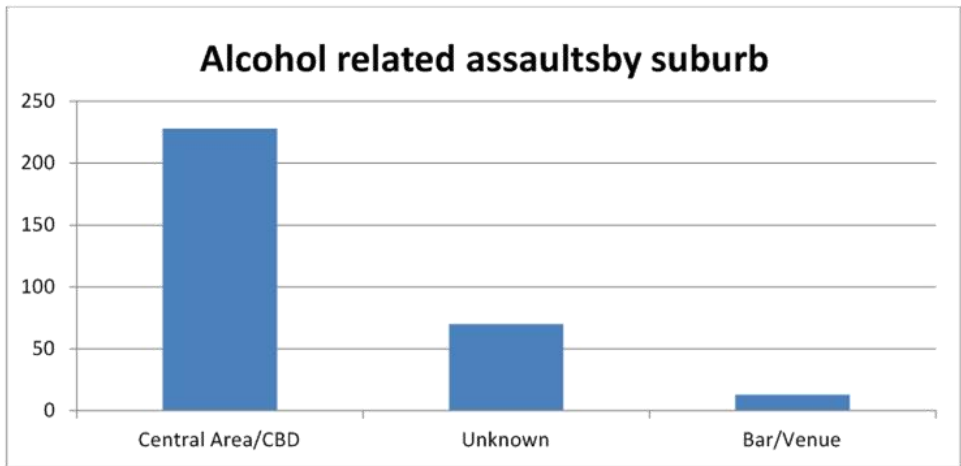
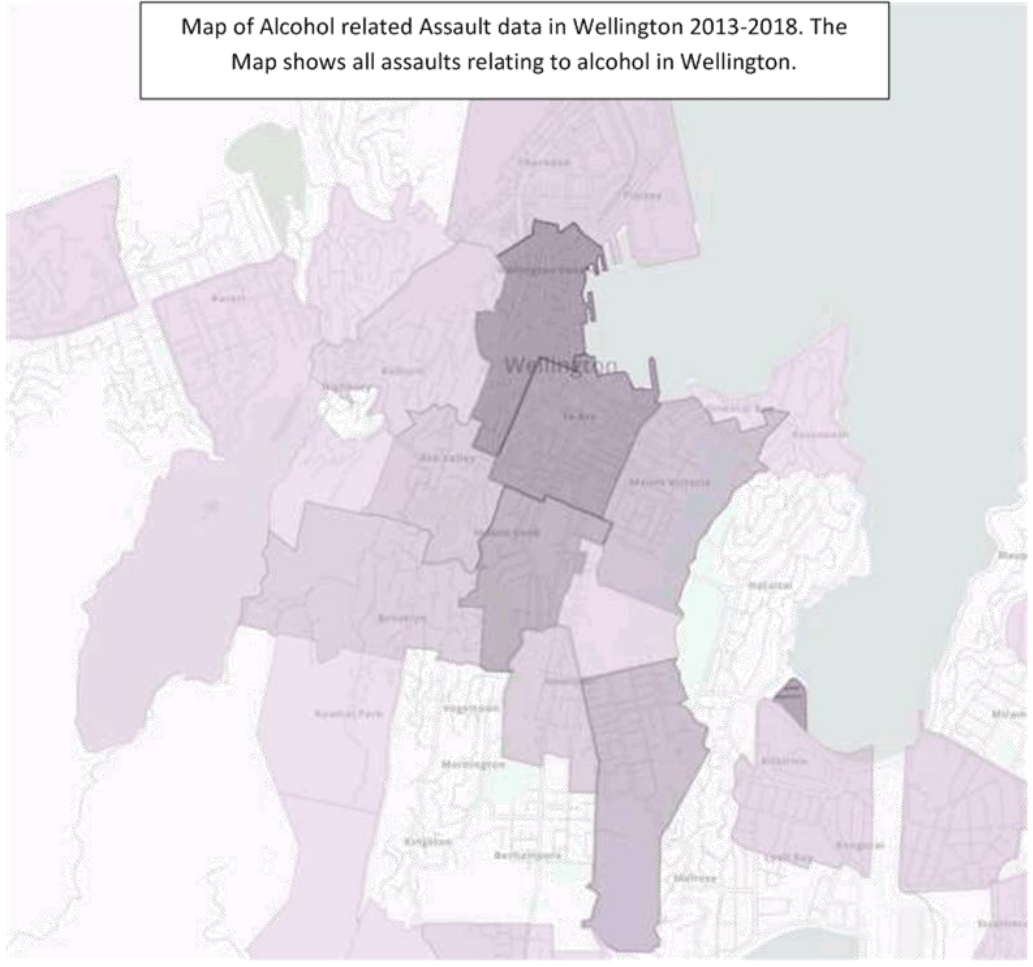


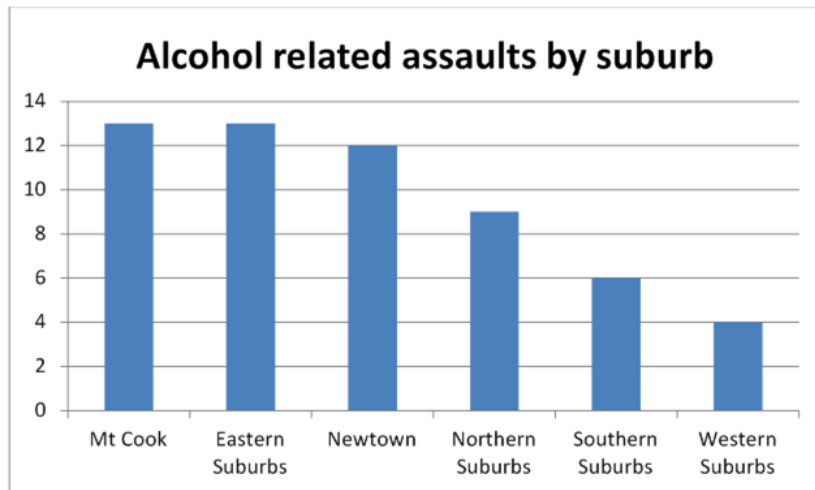


Capital Coast District Health Assault data January 2014 – February 2018

13. The Council has obtained data from the CCDHB on emergency admissions to Wellington Hospital. From this physical assaults in public places has been isolated and this shows a similar pattern to both the police and Local Host data. The majority of incidents occur within the central city and within the liquor control area. The data does not show whether or not a breach of the liquor ban has occurred, or where the consumption of alcohol took place. There is a small number of alcohol related assaults in other suburbs across Wellington. The map of data shows the suburbs where assaults have taken place, with the darker colours indicating a higher number of assaults in the area. The graphs show the data by suburb.

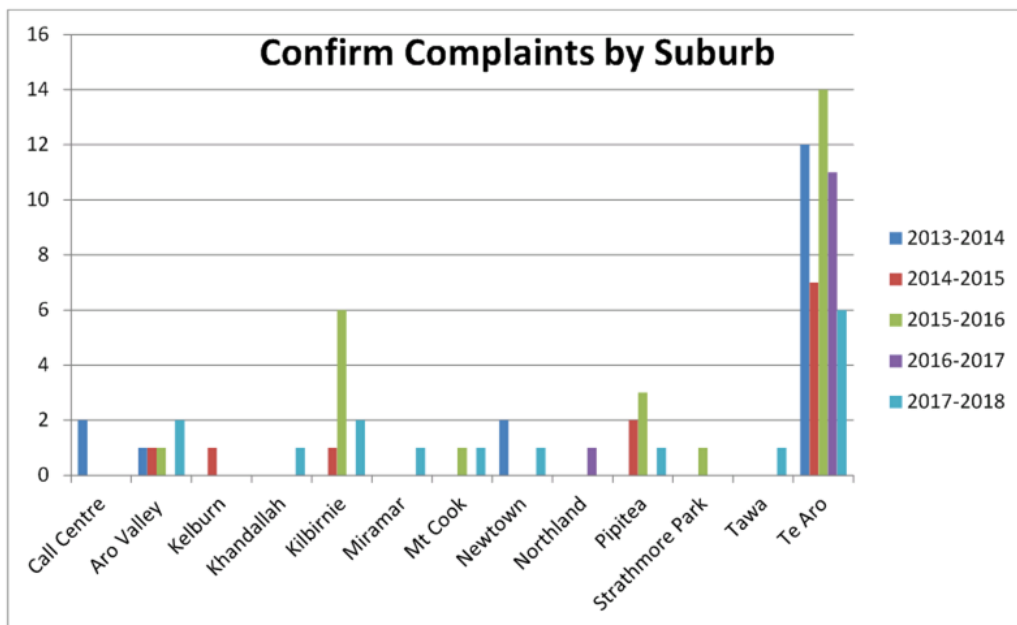
Map of Alcohol related Assault data in Wellington 2013-2018. The Map shows all assaults relating to alcohol in Wellington.





Council Contact Centre

- 14. The Council's call centre data (Confirm Complaints) has been used to analyse the number of phone complaints that mention the terms "drunken", "drinking", "breaking bottles."
- 15. There have been 83 calls relating to the above terms as part of the Confirm Complaints between 2013 and 2018. This has been broken down into suburbs below and the results point to the 65 calls relating to suburbs inside the existing liquor control areas. There are 16 calls related to areas outside the Liquor Control area.



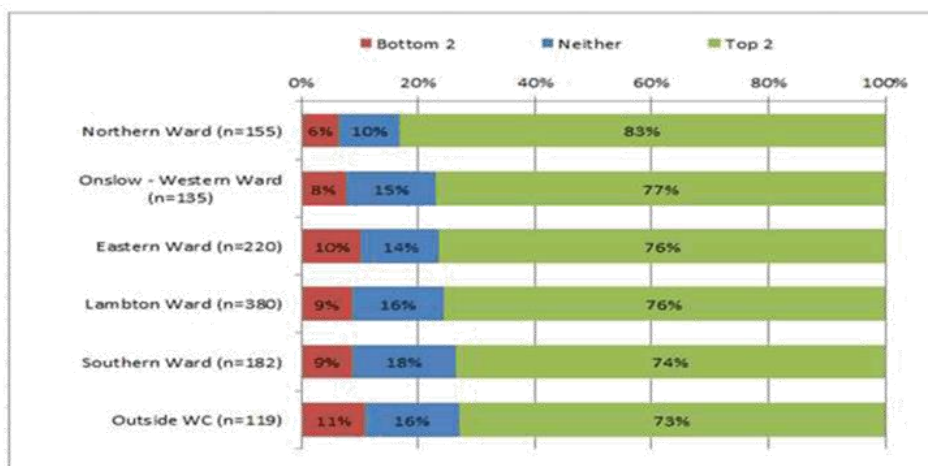
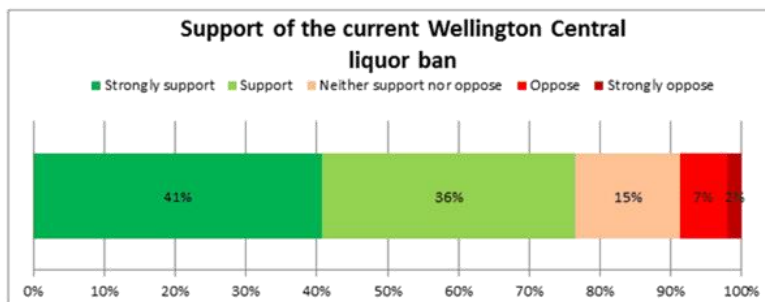
Public Opinion

16. The Capital Views Survey of March 2018 found that 77 percent of those surveyed either supported or strongly supported the existing bylaw.

Question: “There are currently liquor bans in place in Wellington’s central city and some surrounding areas including Oriental Bay, Aro Valley, Mt Cook, and Newtown. Drinking and/or the possession of liquor is prohibited at all times in any public places within these areas. To what extent do you support or oppose the liquor ban currently in place in Wellington’s central city?”

17. The results have been broken down by Council ward to show the levels of support captured in the survey.

Position	Number	Percentage	
Strongly Support	563	41%	77%
Support	496	36%	
Neither Support nor Oppose	206	15%	
Oppose	92	7%	9%
Strongly Oppose	28	2%	
Total	1385	100%	



WELLINGTON HOUSING ACCORD - NOMINATION OF SPECIAL HOUSING AREAS

Purpose

1. This report seeks the Committee's agreement to recommend to the Minister of Building and Construction the rolling-over of nine existing Special Housing Areas (SHA) in accordance with the Housing Accords and Special Housing Areas Act 2013 (HASHAA).

Summary

2. The Council entered into a Housing Accord with Government in June 2014. The Accord is a tool to increase the supply of housing in the City. This aligns with the recently adopted Housing Strategy which lists housing supply as a significant challenge for Wellington City.
3. On the 8 June 2017 the Committee recommended the current nine SHAs. These SHAs lapse on the 14 August 2018. The Committee also directed officers to explore options for requiring affordable housing within future SHAs.
4. As part of the Long-term Plan, Councillors also resolved that establishment of future Special Housing Areas (SHAs) "will not happen without full consultation about the nature of the SHAs and the resource management outcomes that are intended".
5. This report recommends that the existing nine SHAs be "rolled-over" for a further 1 year period (up to 16 September 2019), at which point the HASHAA enabling legislation is scheduled to be revoked. This includes a SHA for Arlington Sites 1 and 3. No further consultation is considered necessary given that these are existing SHAs (most of which are the City's existing identified growth areas). No new SHAs are proposed.

Recommendation/s

That the City Strategy Committee:

1. Receives the information.
2. Recommend to Council that the Minister of Building and Construction approve the following special housing areas and associated qualifying development criteria as identified in the Special Housing Area maps:
 - **Adelaide Road**, with qualifying development criteria being 2 or more dwellings or allotments.
 - **Lower Stebbings**, with qualifying development criteria being 10 or more dwellings or allotments.
 - **Lincolnshire - Woodridge**, with qualifying development criteria being 10 or more dwellings or allotments.
 - **Johnsonville**, with qualifying development criteria being 2 or more dwellings or allotments.
 - **Central Area North (Thorndon)**, with qualifying development criteria being 10 or more dwellings or allotments.
 - **Central Area South (Te Aro)**, with qualifying development criteria being 10 or more dwellings or allotments.
 - **Arlington**, with qualifying development criteria being 10 or more dwellings or allotments.
 - **28 Westchester Drive, The Reedy Land, Glenside**, with qualifying development criteria being 10 or more dwellings or allotments.
 - **30 White Pine Avenue, Woodridge**, with qualifying development criteria being 10 or more dwellings or allotments.
3. Agree that authority will be delegated to the Chief Executive in consultation with the portfolio lead to approve any minor editorial changes to the Special Housing Area maps as deemed necessary for clarity.

Background

6. The Council entered into a Housing Accord with Government in June 2014 in order to increase housing supply in the city and, by extension, improve housing affordability.
7. The Accord outlines targets for the number of dwellings approved and sections consented across the city. The targets and development numbers are as follows:

	2014/15	2015/16	2016/17	2017/18	2018/19
Target	1000	1500	1500	1500	1500
Development	837	778	1702	1136	Unavailable at this time

8. Since that time, the Council has recommended five tranches of SHAs totalling 25 sites. As of 14 of August 2018, all SHAs will have lapsed.
9. The first tranche of SHAs focused on the previously established Council's key growth areas. They were established quickly after the Accord was agreed in order to provide an initial tranche of SHAs in areas targetted for growth. Thereafter four further tranches were approved by the Council. These tranches approved site specific SHAs, along with reconfirming the larger growth areas.

10. As part of nominating the first tranche of sites, the Council agreed to a range of assessment criteria under which future sites would be assessed for nomination as SHAs. The sites proposed for nomination in this tranche have been assessed and approved against those criteria previously and have been reassessed against those again below.
11. The Council also approved a series of incentives to aid the consent process within the approved SHAs. These incentives span a range of measures from financial to process incentives.
12. Consenting under the Accord has contributed to an overall increase in consenting numbers. For the period between 1 March 2017 and 16 July 2018, consents were issued for 1136 new sections and dwellings, 360 sections and dwellings consented within SHAs.

Discussion

13. The sites proposed for nomination provide a range of development opportunities for various housing types. Approving the “roll-over” of the existing sites will simply reinstate a number of SHAs relevant to the Councils key growth areas. No new SHAs are proposed.
14. The proposed sites are:
 - Adelaide Road: The proposed SHA encompasses the Mt Cook Centre overlay, a specifically identified area surrounding Adelaide Road. The underlying zoning is Centres which anticipates residential development.
 - Lower Stebbings: The proposed SHA replicates that area created in the first tranche. It applies to the residentially zoned portion of the Lower Stebbings growth area.
 - Lincolnshire – Woodridge: The proposed SHA is based on the area that was amended in the fifth tranche, which relates only to those portions of the site zoned for residential development.
 - Johnsonville: The proposed SHA replicates that area created in the first tranche and applies to the Johnsonville Medium Density Residential Area.
 - Central Area (North): The proposed SHA replicates that area created in the first tranche. It applies to a section of the Central Area around Molesworth Street that has a height limit of 27m or less.
 - Central Area (South): The proposed SHA replicates that area created in the first tranche. It applies to all of the Central Area south of Cable Street that has a height limit of 27m or less and excludes all areas identified as Heritage Areas.
 - Arlington: The site has an area of 7495m² and is zoned Inner Residential. The site provides for a significant portion of the Council’s social housing stock and is undergoing redevelopment.
 - The Reedy Land, 28 Westchester Drive, Glenside: This is a 20 hectare site (approximately), containing one residential dwelling, primarily zoned Rural and in part subject to a Ridgelines and Hilltops overlay in the District Plan. A consent has now been issued for residential subdivision of approximately half of the overall site.
 - 30 White Pine Avenue, Woodridge: The site has an area of approximately 3.8 hectares and is zoned Outer Residential. The site is currently vacant.

Affordability

15. When approving the previous tranche of SHAs, the Committee directed officers to give consideration to implementing affordability criteria for future SHAs. Officers will

continue to explore this in conjunction with any new proposals and in preparation for any future legislative change, whether this is a continuation of SHA or a new mechanism.

16. Auckland Council applies affordable housing criteria within SHAs. Where a development involves 15 or more houses at least 10% of the units must be affordable based on a median housing price calculation or the gross monthly income of a household.
17. Queenstown Lakes District Council (QLDC) require the inclusion of varied and smaller housing types (studio, 1 or 2 bedroom dwellings) within an SHA.
18. QLDC also take another approach, to ask landowners to negotiate with a public housing trust to provide either funding or land to the trust, who would then develop affordable housing.
19. There are however a range of challenges that would need to be addressed around these approaches, including the assessment of what constitutes affordable housing and how to ensure houses remain affordable once they are on-sold. Developers have also been known to avoid the affordability requirements by building less dwellings than required to trigger the affordability criteria.
20. The Council is currently developing a specific housing affordability measure for Wellington called the Wellington Housing Affordability Measure (WHAM). This will more comprehensively take account of a household's overall costs and affordability by location. This work is not yet complete and therefore not able to be applied to SHAs at this stage.
21. In relation to existing SHAs, there are a number of large-scale developments currently being considered by greenfield developers. These developments are relying on these SHAs to be rolled over in a similar manner to previous tranches. The Council itself is relying on the existing SHA for Arlington sites 1 and 3 to be rolled over to enable higher densities for a range of housing typologies and price points.
22. Affordability remains a key part of the Council's Housing Strategy and affordable housing is important to the housing continuum, so too is the ongoing supply of all housing. HASHAA is a tool that has helped unlock the development potential of difficult sites and to promote Wellington's growth areas. Social housing developments, such as Arlington, other Council housing activities identified in the Strategic Housing Investment Programme (SHIP), and Government's initiatives such as Kiwi Build, are additional projects and initiatives available to help us achieve the affordability goals of the City.

Consistency with the Housing Strategy

23. The Housing Strategy states housing supply is a key element in addressing the challenge of housing pressures in Wellington, "with up to 30,000 additional housing units required by 2043" it is important the Council utilises all mechanisms available to it to achieve this supply goal. The Housing Strategy also identifies "Private Ownership" as a key part of the "housing continuum" required across the city.
24. This is reinforced by the work of the Mayor's Housing Taskforce which recommended the Council to "define its role in, and approach, to increasing supply across all aspects of housing".
25. The continuation of SHAs is one part of the Council's wider role in increasing housing supply through Wellington's identified growth areas. There are many other tools across the Council to increase supply of housing, as well as affordable housing in the city.

Housing Accord Criteria

26. Proposed SHAs are assessed against the following headings:

Consistency with the Wellington Housing Accord

27. The SHAs proposed for nomination are consistent with the Housing Accord's aim of increasing housing supply, as well as the Council's policy of urban containment as the areas are generally within the existing urban footprint.
28. The areas support the sufficiency of supply that is required under the National Policy Statement on Urban Development Capacity.

Consistency with the District Plan

29. Generally the zoning of the SHAs proposed is consistent with the District Plan's zoning in providing for housing. The 'Reedy Land' is the exception, but half of this area is already consented for housing, via the previous SHA confirmation.
30. Site specific controls in the District Plan (such as a heritage listing or other overlay) are taken into account as they normally would be in considering any future resource consent application for the proposed SHAs.
31. Recommendation of these sites as SHAs does not approve a development proposal, nor guarantee that a development proposal will be approved. Proposals must still go through a resource consent process.

Infrastructure availability

32. Comments were sought on the availability of three waters infrastructure for the site.
33. Wellington Water Ltd (WWL) have advised that in respect of water supply, there are no known supply or capacity issues, in any areas that are already serviced. The Lincolnshire site may require new water supply infrastructure.
34. In respect of wastewater, there are known capacity and access constraints within the Lincolnshire, Johnsonville, Lower Stebbings and CBD areas. Site specific design solutions may be required which can be addressed at the resource consent stage.
35. In respect of stormwater, WWL advise there are network capacity issues in the Adelaide Road, Central and Johnsonville areas which can be addressed at the resource consent stage. This can be done via achieving hydraulic neutrality, avoiding overland flow paths and requiring raised floor levels.

Landowner and Iwi views

36. None of the sites proposed for nomination are known to have any particular significance to iwi. None of the sites are identified as a 'Maori Site', and none area located within a 'Maori Precinct' in the District Plan.
37. For specific sites in single ownership, owners are supportive of nominations.

Demand for Housing

38. Ongoing demand for housing exists within the present urban area of the city. The sites proposed for nomination would cater for a range of development options and housing types thereby boosting housing supply and helping to meet the demand for housing.










Qualifying Development Criteria

39. Qualifying development criteria relate to the number of dwellings/sections required within each SHA for a development to be able to progress under the HASHAA. The recommended criteria for these proposed SHAs is consistent with previous Council decisions on Tranches 1-5.

Next Actions

40. Following the nomination of this sixth tranche to the Minister of Building and Construction, officers will continue to liaise with Ministry of Business, Innovation and Employment (MBIE) staff on the ongoing monitoring of consents under the Accord.
41. Officers will also work with MBIE to assess the success and implementation of SHAs across Wellington to inform the Government's review ahead of any decision on the future of the legislation, and ahead of the repeal date of September 2019.
42. Parts of HASHAA may be used in achieving the governments' housing objectives, through working with Kiwi Build and, or, an Urban Development Agency. Officers will remain engaged with this process and will inform the Council of any changes or updates as the Government makes them available to officers.

Attachments

Attachment 1.	Adelaide Road SHA map ↓ 	Page 60
Attachment 2.	Arlington SHA map ↓ 	Page 61
Attachment 3.	Central Area North SHA (Thorndon) map ↓ 	Page 62
Attachment 4.	Central Area South (Te Aro) SHA map ↓ 	Page 63
Attachment 5.	Johnsonville SHA map ↓ 	Page 64
Attachment 6.	Lincolnshire - Woodridge SHA map ↓ 	Page 65
Attachment 7.	Lower Stebbings SHA map ↓ 	Page 66
Attachment 8.	Reedy Land SHA map ↓ 	Page 67
Attachment 9.	White Pine Avenue SHA map ↓ 	Page 68

Author	David Mitchell, Spatial Planning Advisor
Authoriser	John McSweeney, Place Planning Manager David Chick, Chief City Planner

SUPPORTING INFORMATION

Engagement and Consultation

No further consultation is considered necessary given that these are existing SHAs (most of which are the City's existing identified growth areas) and no new SHAs are proposed.

Treaty of Waitangi considerations

There are no known implications.

Financial implications

There are no known implications.

Policy and legislative implications

Council has signed a Housing Accord with the Crown. The Special Housing Areas recommended for approval will need to be approved by the Minister of Building and Construction, and Cabinet, before being gazetted and included as a schedule to the Housing Accord and Special Housing Areas Act as Special Housing Areas.

Risks / legal

There are no known risks or legal implications from the recommendation of these sites as Special Housing Areas.

Climate Change impact and considerations

The proposed Special Housing Areas provide for the development of sites within the existing urban footprint and/or on sites zoned for residential development. This supports the Council's policy of urban containment. Promoting a compact urban form reduces the consumption of fossil fuels and harmful greenhouse gas emissions which result in negative climate change impacts.

Communications Plan

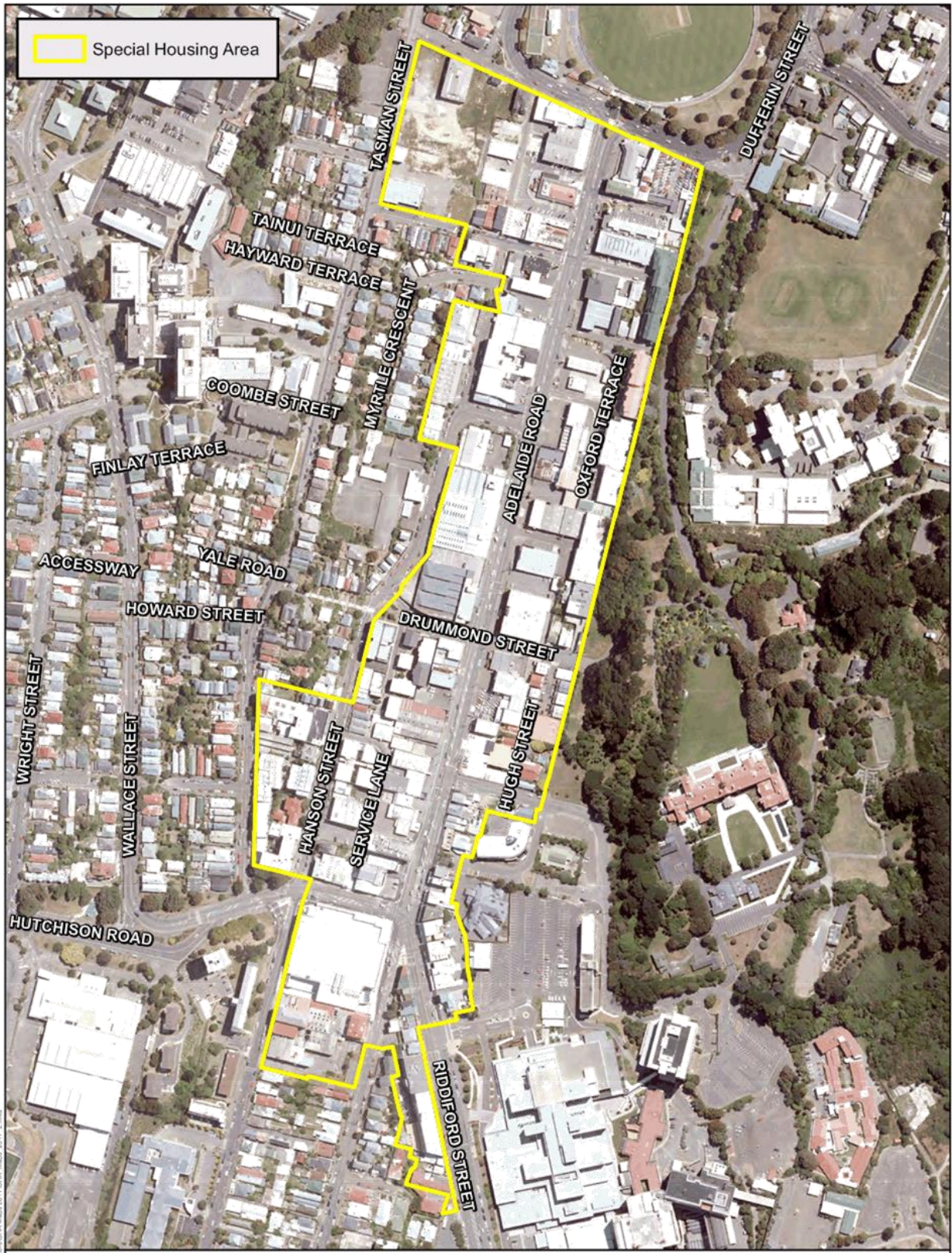
A Communications Plan for the Housing Accord was prepared in 2014 following the signing of the Accord outlining the Council's general approach to communication in respect of the Housing Accord.

Six of the nine proposed SHAs have been extensively consulted on in the recent past and are identified as the City's strategic growth areas in the Wellington Urban Growth Plan (WUGP).

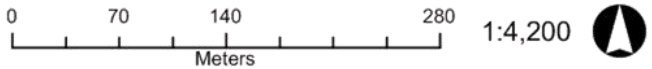
No consultation beyond that undertaken with landowners is proposed as part of recommending these sites. Officers have consulted staff from the Ministry of Business, Innovation and Employment and Wellington Water in preparing this paper.

Health and Safety Impact considered

There are no known risks.



Adelaide Road
Proposed Special Housing Area



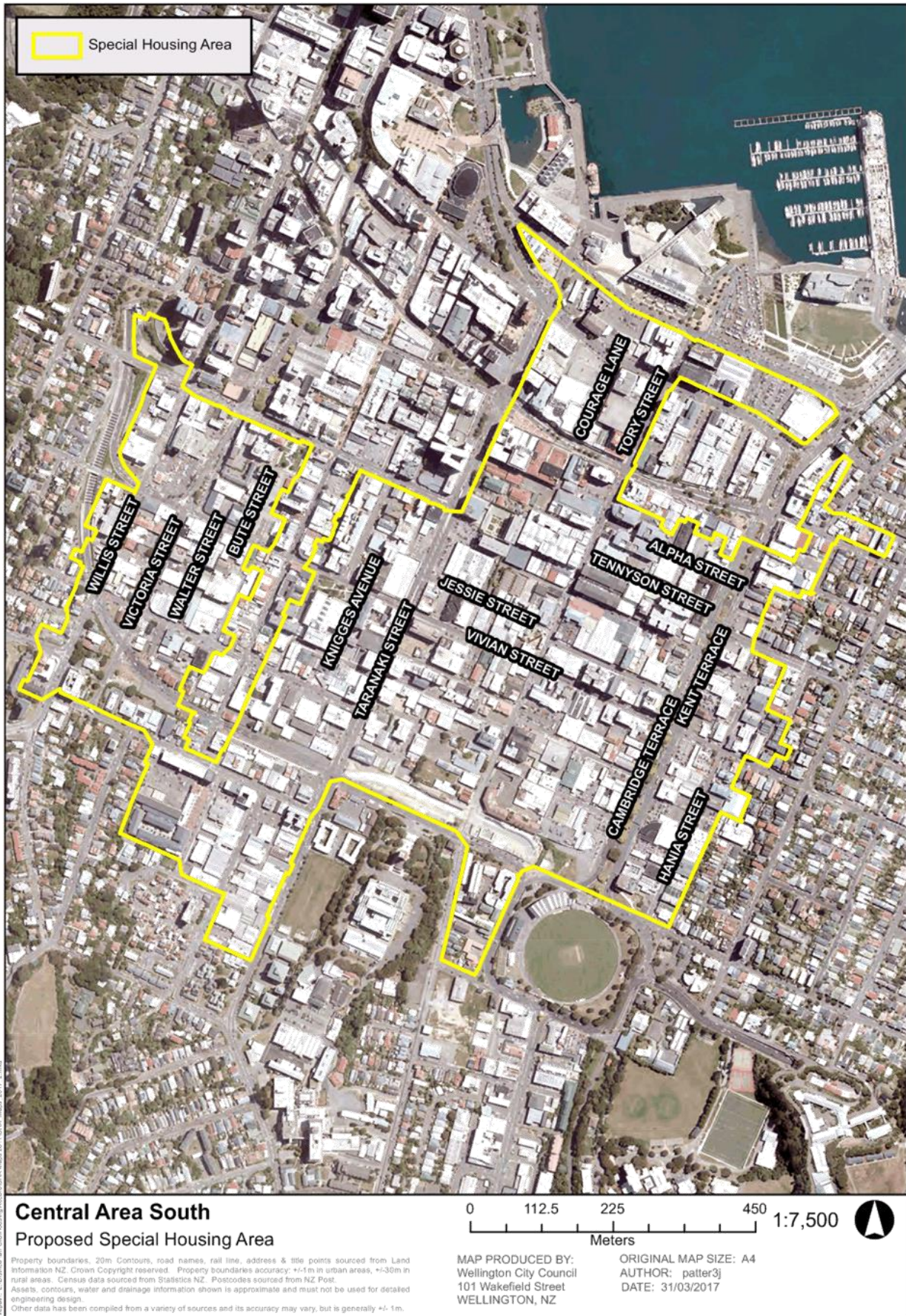
Source: LIDAR/Plan 888/roading/Access/2014/Map 2017 2.mxd
 Property boundaries, 20m Contours, road names, rail line, address & title points sourced from Land Information NZ. Crown Copyright reserved. Property boundaries accuracy: +/-1m in urban areas, +/-30m in rural areas. Census data sourced from Statistics NZ. Postcodes sourced from NZ Post.
 Assets, contours, water and drainage information shown is approximate and must not be used for detailed engineering design.
 Other data has been compiled from a variety of sources and its accuracy may vary, but is generally +/- 1m.

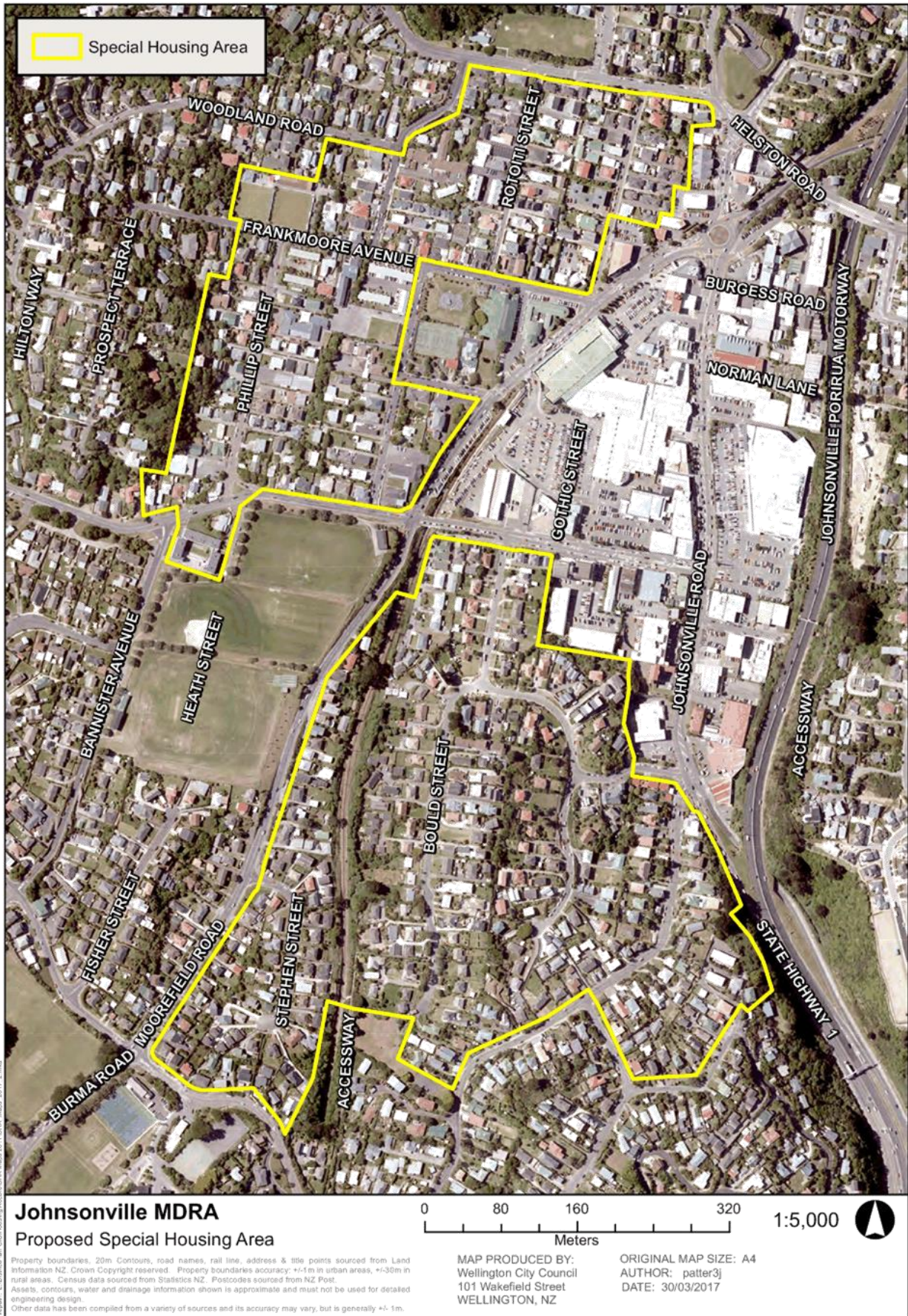
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 Wellington City Council
 101 Wakefield Street
 WELLINGTON, NZ

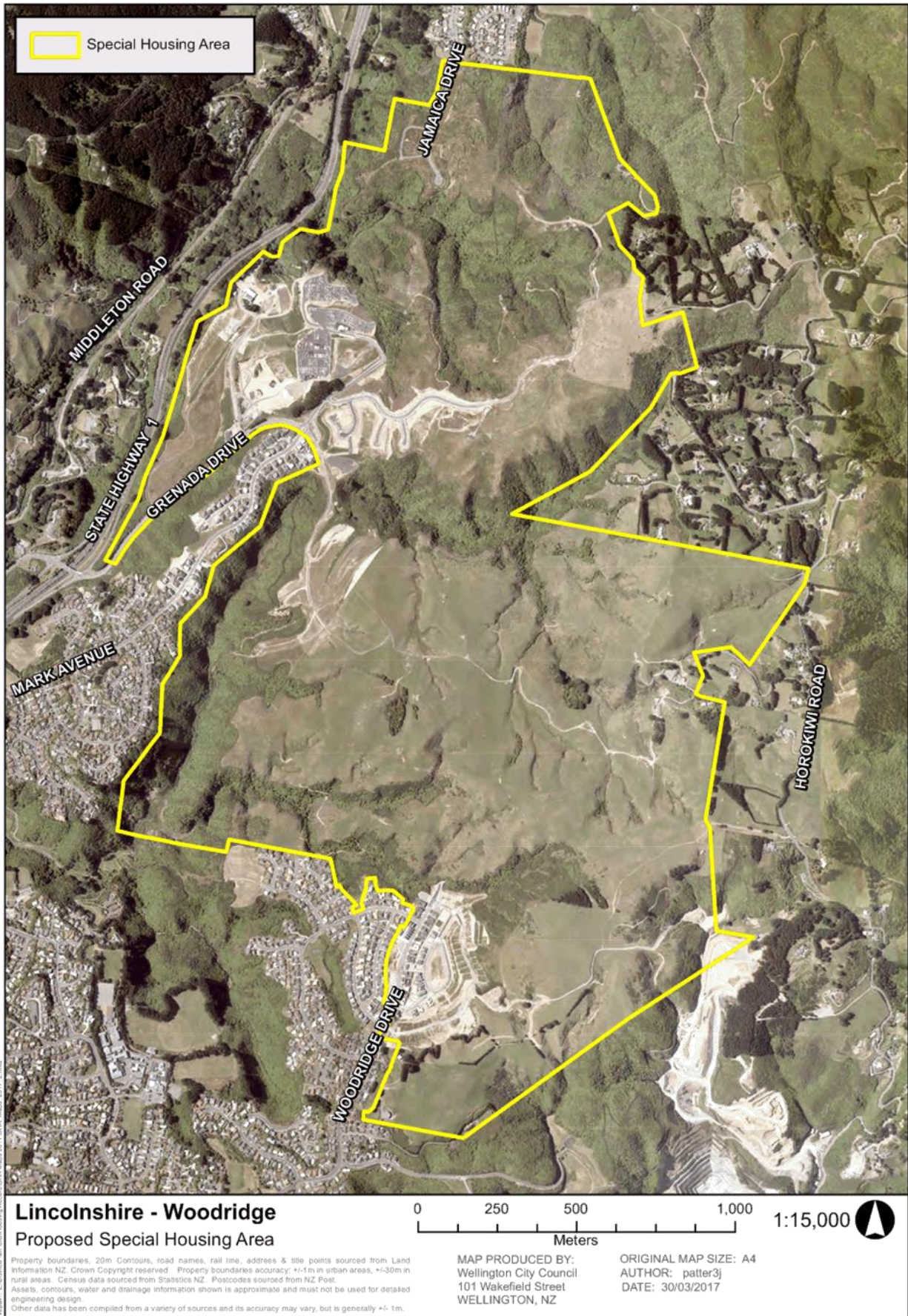
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 DATE: 30/03/2017

















3. Monitoring

ENVIRONMENTAL REFERENCE GROUP AND YOUTH COUNCIL ANNUAL REPORTS 2016 AND 2017

Purpose

1. This report provides the City Strategy Committee with annual reports for two of Council's advisory groups:
 - Youth Council (reporting on 2016 and 2017)
 - Environmental Reference Group (reporting on 2016 and 2017).

Recommendation/s

That the City Strategy Committee:

1. Receive the information.

Background

2. Wellington City Council operates the following advisory groups:
 - Accessibility Advisory Group
 - Environmental Reference Group
 - Pacific Advisory Group
 - Youth Council
3. The advisory groups serve a range of general purposes:
 - To advise Council officers working on relevant policies, strategies and operations on how to improve outcomes for the city and communities, based on their experience and knowledge; and
 - To pass information on issues relevant to communities between Council and advisory groups.
4. Each advisory group has a terms of reference, which sets out its purpose and expectations.
5. Each advisory group is required to submit an annual report to the Committee which outlines work achieved over the previous year. Starting from 2016, the advisory groups report on the previous calendar year.
6. This report encloses the 2016 and 2017 annual reports for the Environmental Reference Group and Youth Council. Annual reports for the Accessibility Advisory Group and Pacific Advisory Group will be presented at a future meeting of the City Strategy Committee.

Discussion

Environmental Reference Group

-
7. Under the Environmental Reference Group's (ERG) terms of reference its purpose is to:
- Advise Council on the best ways to improve Wellingtonian's quality of life environmentally, socially, culturally and economically by protecting and enhancing the local environment.
 - Bring knowledge and insight into Council around the environment, including water, energy, waste, biodiversity urban design and transport management, in the context of the Council's roles and priorities.
8. The ERG's focus over 2016 and 2017 when providing advice and feedback to Council and its officers was to highlight that climate change adaptation will be a critical part of building a resilient city, that water sensitive urban design is critical to Wellington's future and the need for cultural change.
9. The ERG has provided feedback and submissions on a number of strategies and plans, including:
- The Waste Minimisation Plan
 - The Shelly Bay Development
 - The Outer Green Belt Management Review
 - The Let's Get Welly moving proposal
10. In the reporting period the ERG has experienced a major shift in its membership but has retained and benefited from a diverse mix of well qualified experienced members across a wide range of disciplines which has helped the ERG to achieve its purpose.
11. The ERG feels it has given Council valuable advice and feedback over the past two years and looks forward to the remainder of 2018.

Youth Council

12. Youth Council sees its role as providing a youth voice at local government. Under its terms of reference, Youth Council's main functions are to:
- Assist and advice the City Council on how to help grow a great City where young people thrive and contribute to the City Council's priorities.
 - Bring extra insight to Council (a youth perspective) to solve problems facing a changing world.
 - Develop the capabilities of its members (including leadership and engaging wider youth.
13. In 2016 and 2017, a key focus of Youth Council was to participate in the consultation processes of Wellington City Council, Greater Wellington Regional Council, Parliament, and many other public entities. Highlights included:
- Wellington City Council 2016/17 and 2017/18 Annual Plans
 - Wellington City Council Play Spaces Policy
 - Wellington Waste Management and Minimisation Plan
 - Greater Wellington Regional Council Better Metlink Fares
 - Parliamentary inquiry into the 2016 local authority elections.

14. In 2016, Youth Council also focused on engaging young people and improving turnout of young people at the local election by developing a social media strategy to reach out to young people, inform them of the elections and encourage them to participate.
15. Another main focus of Youth Council during 2016 and 2017 was the development of a Youth Engagement Framework. This work was partly funded through the Local Government Youth Projects Fund, administered by the Ministry of Youth Development. The MYD funding resourced two activities: a Learning Tour to Auckland, where some members met with Auckland Council elected members and officers, Kaipātiki Local Board youth representatives and then-mayoral candidate Chlöe Swarbrick; and a series of hui across Wellington to find out how young people want to be engaged with and what proposed methods of engagement were best. Based on the information gathered from the learning tour and hui, and from engaging with Wellington City Council officers, Youth Council began to develop a framework to guide Council on when and how it engages with young people. The Youth Engagement Framework will be presented to City Strategy Committee in 2018.
16. Member development activities in 2016 and 2017 included participation in a custom-built professional development programme in 2016 and attendance at the State Opening of Parliament in 2017.
17. Youth Council feels that it has had two very successful years and is looking forward to the remainder of 2018.

Next Actions

Accessibility Advisory Group and Pacific Advisory Group

18. Annual reports for the Accessibility Advisory Group and Pacific Advisory Group will be presented at a future meeting of the City Strategy Committee.

Review of advisory groups

19. A review of the advisory groups will take place during the current financial year.
20. Findings resulting from the review of advisory groups will be reported to City Strategy Committee in 2019.

Attachments

- | | | |
|---------------|--|---------|
| Attachment 1. | Environmental Reference Group annual report 2016 and 2017 | Page 73 |
| Attachment 2. | Youth Council annual report 2016   | Page 79 |
| Attachment 3. | Youth Council annual report 2017   | Page 88 |

Authors	Dominic Tay, Senior Democracy Advisor Esther Hoskin, Democracy Advisor
Authoriser	Penny Langley, Democracy Services Manager Kane Patena, Director, Strategy and Governance

SUPPORTING INFORMATION

Engagement and Consultation

N/A

Treaty of Waitangi considerations

N/A

Financial implications

None identified at this time.

Policy and legislative implications

None identified at this time.

Risks / legal

N/A

Climate Change impact and considerations

N/A

Communications Plan

Not required.

Health and Safety Impact considered

None identified at this time.

Environmental Reference Group

Annual Report for the period January 2016 – December 2017

Purpose

The Environmental Reference Group's (ERG) purpose is to:

- Advise Council on the best ways to improve Wellingtonian's quality of life environmentally, socially, culturally and economically by protecting and enhancing the local environment.
- Bring knowledge and insight into Council around the environment, including water, energy, waste, biodiversity urban design and transport management, in the context of Council's roles and priorities.

Portfolios

During 2016 and 2017 the ERG has experienced many changes in membership but has retained and benefited from a diverse mix of well qualified and experienced members across a wide range of disciplines. The principal areas of interest to the ERG are split into portfolios with single or shared leads as displayed in the table below:

Portfolio Group	ERG Lead
Transport	Paula Warren
Climate Change	Chris Watson
Waste	Martin Payne
Urban Growth/Open Space	Graeme Sawyer; Kena Duignan
Water	Chris Paulin
Resilience	Lynn Cadenhead
Urban Design Agency	Shenagh Gleisner; Mark Higham
Mana whenua iwi & Treaty Relations	Mark Fenwick
Biodiversity	Lynn Cadenhead; Mike Britton

Policies and Strategies

During the period of this report, the ERG consulted with various WCC officers on a number of WCC plans and strategies, including:

- The open space planning process
- The Wellington Water Modelling
- Urban Development Authority principles and priorities
- The Waste Minimisation Plan

Submissions

During the period, the ERG provided submissions to Council on:

- The Place Space Policy

- The Wellington Regional Waste Minimisation Management Plan
- The Annual Plan (2017)
- The Animal Policy
- The Shelly Bay Development

The main themes that the ERG has focused on through their submissions have been:

- Encouraging Council's efforts to increase integration across units, to overcome the negative effects of "silos".
- Highlight to the council the importance of developing good performance indicators and targets that will encourage work towards priority outcomes, and help mainstream programmes such as 'Our Natural Capital'.
- Emphasising the need to invest in cultural change, not just infrastructure change, to address some of the long term issues facing the city, including climate change.
- Highlighting climate change adaptation as we predict it will be a critical part of building a resilient city. That adaptation should address a range of issues, including but not limited to sea level rise, changes in rainfall patterns and more frequency and strength of extreme weather events. It is important that any adaptation improves biodiversity and environmental outcomes and community resilience.
- ERG emphasised that water sensitive urban design is critical to Wellington's future. While the Council has a good policy, it should be moved in a timely manner to implementation and it should be ensured that work is integrated with regional water planning and the three waters policy.
- ERG indicated that it would like to see a long term solution developed for waste that does not involve extension of the landfill, and encourages steady progress towards a zero waste city.
- While acknowledging that Wellington has made great progress in tackling biodiversity issues and building community involvement through initiatives such as Predator Free Wellington, ERG believes that it is vital to ensure that support for work with biodiversity priorities in other areas and initiatives also continues to grow.

Feedback

During the period, the ERG provided feedback on:

- The Resilience Strategy
- The Outer Green Belt Management Review
- The Predator Free Project
- The Let's Get Welly Moving proposal

Assessment on Process

In many cases Councillors and Council officers have adapted to the ERG's preferred strategy of early engagement and targeted expert advice. Positive and constructive submissions have been made on key plans and policies. For example, the ERG made a positive submission to the controversial Shelly Bay development through a better understanding of the intricate nature of the iwi/Council

relationship and was able to balance the environmental concerns with the wider benefits to iwi and Wellington City.

Likewise, the ERG contributed to early discussions on the Outer Green Belt Management Review, the 2017 Annual Plan and the Predator Free Project. Working closely with Council officers can only enhance this process in the future and the ERG members are keen to be involved with workshops and meetings outside of the monthly meetings. Some support for this time should be considered.

Challenges

Challenges for the ERG include communication between members outside of meetings (technology and timing issues) and building trust with Council officers.

Issues to Consider

The ERG would like to recommend the following:

- The ERG would like to encourage Council officers to provide background reading prior to presenting at meetings and to provide specific questions they would like advice on. Presentations should be brief with plenty of discussion time.
- The ERG is keen for more involvement with Councillors outside of meetings and submission processes but also continued and increased involvement within meetings.
- The ERG feels that Council could better utilise the extensive network the ERG members have within the environmental space.
- The ERG believes it would be an immense help to create feedback loops after discussion and submissions. For example, the involvement of Councillor Gilberd, David Chick and Moana Mackey in the ERG meetings has made the ERG's efforts feel valued and heard.
- The ERG would like to encourage more diversity and representation from iwi, youth and other groups that could contribute on environmental matters.
- It has been noted that the ERG provides scientific and expert advice that feeds into political discussion making. This political reality often dilutes our message. Feedback from Council when this happens would be useful to ensure that the ERG still feels valued.
- On a specific topic the ERG would like to be involved with the next LTP as soon as officers' start thinking about what it will contain and how the ERG can contribute.

Wellington City Council Environmental Group

Profile of members as at December 2017

Mark Fenwick (Chair)

For the last six years Mark has been employed by the National Institute of Water and Atmospheric Research Ltd (NIWA) as a marine ecology technician. He has a varied role, working on the environmental impacts of fishing on marine habitats and fisheries stock assessments for hoki, oreo, orange roughy, blue cod and crayfish. He also works on environmental impact studies for major developments, including roads and sea floor mining.

Mark is a beneficiary member of the Port Nicholson Block Settlement Trust, the Wellington Tenth Trust and the Palmerston North Maori Reserves Trust and he affiliates to Te Atiawa and Taranaki Iwi and is a descendant of Te Whiti O Rongomai. His marae is Te Tatau o te Po in Petone and he currently sits on Te Atiawa ki Te Upoko o te Ika a Maui Potiki Trust (the marae fisheries trust).

He has an MSc from Victoria University, Wellington where he studied the genetic relationships of the New Zealand freshwater mussels (Kakahi) in conjunction with DoC, Iwi and Te Papa. While studying he worked in various roles at the National Museum, Te Papa Tongarewa in the Natural Environment department, the highlight of which was his involvement with the defrost and preservation of the colossal squid where he had a high profile role as the lead technician.

Outside of work, Mark is a keen fisherman and diver and a part-time dive instructor, helping other people discover our fantastic coast and underwater world. He spends time tramping in the Tararua Ranges, chasing trout, and just generally enjoying the great outdoors. Mark is passionate about our natural environment and believes that tangata whenua have a key role to play in ensuring that our environment is used in cautious, sustainable ways.

Mike Britton

Mike has a background in protected area management with a special interest in national parks and nature protection. He is a former General Manager of Forest & Bird and also Assistant Director of Fish & Game New Zealand. More recently, Mike has become involved in fundraising, primarily for nature protection. Over the last three years he has helped raise money with BirdLife International for island restoration, predator control and the development of sustainable livelihoods in the Pacific. Mike is a member of the Tongaririo Taupo Conservation and the Taupo-nui-a-Tia Management Boards.

Lynn Cadenhead

Lynn Cadenhead is a registered landscape architect with a zoology honours degree and an environmental science background. She recently relocated to Wellington from Nelson where she was an active member in Heritage Nelson and the New Zealand Institute of Landscape Architects Nelson branch, chairing both groups and writing submissions.

Lynn has been involved in a wide range of environmental and community projects, both as a professional landscape architect and as a volunteer. These have included landscape assessments, revegetation reports and projects, reserve and playground designs, and involvement in roading and transport issues.

Kena Duignan

Kena Duignan has worked both internationally and in New Zealand in a range of roles to help people reduce our negative environmental impacts, especially when it comes to our food systems. She currently works as a Political and Media Advisor for the Green Party.

Kena has a Bachelor of Science majoring in Biology and Environmental Studies and a Masters of Environmental Studies.

She is a Wellingtonian to her bones. Outside of work hours, she spends time out and about in the city, bush and beach with her whanau and friends. She also runs a nature playgroup, volunteers with the Brooklyn Food Group and sits on the board of Wesley Community Action.

Shenagh Gleisner

Shenagh Gleisner has particular expertise in central government, having been a CE in the public sector and worked in many agencies across the state sector. Her expertise is as a generalist, with a good understanding of how advisory committees work well with the political system to contribute and influence. Shenagh has a particular interest in biodiversity, as a volunteer at Zealandia, and in urban planning, transport and social enterprise.

Chris Paulin

Chris Paulin is a marine biologist with 37 years' experience as a marine biology curator at the National Museum of New Zealand (Te Papa Tongarewa), where his research ranged from the taxonomy of New Zealand fishes to traditional Māori fish-hooks and customary fishing techniques.

Chris has published in over 60 scientific papers, including descriptions of 17 species new to science, as well as eight books on NZ fishes and marine life, and fishing in New Zealand. Now self-employed (fishhook Publications & Photography), Chris specialises in macro-photography and has produced two books on the intertidal biota of the Wellington South Coast, and Taranaki regions, and in 2016 published "Te Matau a Maui: fish-hooks, fishing and fisheries in New Zealand".

Martin Payne

Martin, a professional qualified engineer, runs a design and consultancy company focussed on sustainable water and energy management systems. His particular interest in Water Sensitive Urban Design (WSUD) principles recognises the impacts of stormwater, transport, waste management and land development on aquatic environments. He has currently completed several papers towards a Masters in Public Health (Environmental Health) with a focus on residential rainwater harvesting.

As a long time environmental advocate, urban water researcher and resident in Wellington City, Martin firmly believes that the natural environment makes an essential contribution to the prosperity and liveability of Wellington City and that protecting this taonga can be achieved by an engaged community. As co-ordinator of Friends of Owhiro Stream, he has been involved in the physical restoration of this urban stream, as well as acting as a strong advocate for the protection of these sensitive environments at local and regional government levels.

Graeme Sawyer

Graeme comes from a background in the water industry, and latterly has gained experience in public policy development in waste, science commercialisation and environmental monitoring. He is currently self-employed as a stakeholder engagement consultant.

Graeme is active in his local Johnsonville community, where he presides over the local residents' group, the JCA. With a degree in Zoology and a strong interest in native trees and ecology, he recently began a project to construct new walking tracks accompanied by re-vegetation with endemic canopy species in the parks & reserves of northern Wellington.

Graeme has a particular interest in how the city might ensure that higher density suburban development is complimented by improved "liveability", particularly with regard to quality, including the quality of public greenspace, and endemic biodiversity.

Paula Warren

Paula is an ecologist who works as a policy advisor for the Department of Conservation. Her work over the last 26 years has covered a wide range of legislative and systems reforms, including development of the Resource Management Act, foreshore and seabed legislation, development of an outcomes approach for conservation management, and prioritising and reform of protected areas legislation.

Paula was New Zealand's lead technical delegate for the Convention on Biological Diversity for 6 years, including being a member of the technical bureau for the Convention, and being the NZ Clearing House Mechanism and Global Taxonomy Initiative focal point. She has done voluntary and paid work in Latin America focused on biodiversity and biosecurity systems reforms, and is Secretary of the Friends of Galapagos NZ.

Paula is involved with a number of restoration projects in the region, including chairing the Growing Places Trust that has been set up to implement place-making initiatives in transport corridors. She is also a walking and public transport users' advocate. She is a former member of the Wellington Regional Transport Committee.

Wellington City Youth Council Annual Report

*For the year ended
31 December 2016*

Wellington City Youth Council
Te Rūnanga Taiohi o te Kaunihera o Pōneke

**He ika kai ake i raro,
he rāpaki ake i raro.**

As a fish begins by
nibbling from below,
so the ascent of a
hill begins from the
bottom.

Whakatauki

Introduction

Mihimihi

Under the Youth Council Terms of Reference, Youth Council must report back to Council on the previous year's operations. Having undergone a period of transition within the operations of Youth Council, we are presenting the 2016 and 2017 Youth Council Annual Reports together.

I would like to pay tribute to Siobhan Davies, the Chair of Youth Council in 2016, for her dedication to Youth Council and advancing the work done by young people around Wellington.

Youth Council had a successful year in 2016, working to better engage young people in the 2016 Local Authority elections, with some outstanding social media content produced by Youth Council to promote young people's ability to vote.

On the policy front, Youth Council provided feedback to both Wellington City Council and Parliament in 2016, on a variety of topics including the 2016/17 Annual Plan, Play Spaces Policy, and the Healthy Homes Bill.

Of equal importance, Youth Council was successful in applying for funding from the Ministry of Youth Development to develop a framework for youth engagement in Wellington. This enabled our work in 2017, which is more fully described in the Annual Report for that year.

As is always the case, 2016 was a year of significant growth for Youth Council, with the constant evolution of the work we do requiring our group to adapt our ways of working to best serve the community. Having become a member of Youth Council in 2016, I was as excited then as I am now to continue providing a voice for Wellington's young people on the issues that matter to them.



Brad Olsen
Queen's Young Leader - 2016
Youth Council Chair
July 2018

Purpose

Ngā take

The Wellington City Youth Council's purpose is to:

Assist and advise

Assist and advise the [Wellington] City Council on how to help grow a great City where young people thrive and contribute to the City Council's priorities

Bring insight

Bring extra insight to Council (a youth perspective) to solve problems facing a changing world

Develop members

Develop the capabilities of its members (including leadership and engaging wider youth).

Membership

Mematanga

The following people were members of the Wellington City Youth Council during 2016:

Siobhan Davies	Chair
Ollie Michie	Deputy Chair (until March 2016)
Melissa Gibson	Deputy Chair (from March 2016)
Anya Bukholt-Payne	Cameron Wright
Jack Comer-Hudson	Jack Marshall
Niamh Hyde	Petelo Leaupepe
Sean Johnson	Sebastian Klinkum
Sophie Reedy-Young	Teri O'Neill
Tim Rutherford	
Damon Rusden	Term ended August 2016
Justina Koh	Term ended August 2016
Brad Olsen	Term started August 2016
Dexter Smith	Term started August 2016
Jackson Lacy	Term started August 2016
Laura Somerset	Term started August 2016
Shine Wu	Term started August 2016
Siobhan McCarthy	Term started August 2016

Policies and plans

Kaupapa here

In accordance with the Joint Letter of Agreement, Youth Council submitted on various proposed policies and plans. However, due to the Local Authority elections which took place in October 2016, there were fewer opportunities than in previous years to submit.

The full list of submissions and consultations Youth Council participated in throughout 2016 is set out below:

- Submission on the 2016/17 Annual Plan (to WCC)
- Submission on the Wellington Play Spaces Policy (to WCC)
- Submission on the Healthy Homes Bill (to Parliament)
- Provided feedback on the Animal Bylaw/Cat Policy
- Applied for funding from the Local Government Youth Projects Fund (to the Ministry of Youth Development), and were successful

Youth Council highlights the following submissions and our feedback:

Submission on the 2016/17 Annual Plan

Youth Council broadly supported Council's Annual Plan.

In particular, Youth Council provided feedback on young people's views on the Low Carbon Capital Plan, and the target that Council set itself to achieve. Youth Council was also supportive of the switch to electric buses that was signalled in 2016.

Youth Council also submitted on the need to explore options to reduce sewage sludge going into Wellington's landfills. We also noted our support for Council's change to water laterals cost burden. We reiterated our support for a proposed Urban Development Authority, which we viewed as important to ensure optimum land use.

Finally, Youth Council noted our support for both the changes in Zealandia's governance, and our support for the increase in provision for the living wage.

Submission on the Wellington Play Spaces Policy

Following consultation with young people in Wellington, including prospective Youth Council members, the Youth Council submitted in support of the Play Spaces Policy.

In particular, Youth Council supported the focus on maintaining formal playgrounds rather than building larger numbers of new playgrounds, with an emphasis on the regular updating of playgrounds and their surrounding areas. We were pleased to see that children and carers with disabilities had been thoughtfully considered in the policy, but urged a greater emphasis on making play spaces as inclusive as

possible.

We supported Council's direction to provide play spaces that cater to a younger demographic, alongside calling for the addition of new spaces for activities such as skating and biking to increase inclusivity and would encourage recreational sport, which was noted as a priority by Youth Council. We were also supportive of the integration of the natural environment with play spaces.

Finally, we endorsed the consideration that Wellington City as a whole is a play space, with the playful design in spaces like laneways and the waterfront.

2016 Local Government Elections

Ngā Pōtitanga ā-Rohe 2016

The Joint Letter of Agreement set out that Youth Council should "develop a project to encourage young people in the Wellington City district to vote in the 2016 local body elections." Therefore, Youth Council developed a social media strategy to reach out to young people, inform them of the elections, and encourage them to participate.

Youth Council recorded this social media campaign as a success and heard good informal feedback from young people with regard to the communication that the local elections were occurring. Although no age breakdowns for voters is available for local authority elections, we are confident our efforts increased young people's understanding and awareness of the elections process.

Member development

Whakahiato mema

To develop the capabilities of its members, Youth Council created a professional development programme that all Youth Councillors would participate in, as was noted in Youth Council's 2015 Annual Report. The programme was based on Youth Council feedback about skills it felt would be useful to develop, both for Youth Council-related work, and personal development. These workshops included meeting etiquette, event management, recruitment, writing submissions, and presentation delivery.

These were delivered throughout 2016.

Acknowledgements

Ngā aumihi

Youth Council thanks our various supporters and those that enable us to do the work we do, including parents, friends, colleagues, and in particular Council officers and elected members.

We additionally extend our gratitude to Youth Councillor Jackson Lacy for his incredible design skills across the year, including his work formatting this Annual Report.

Youth Council looks forward to presenting this report to the City Strategy Committee in August 2018.



Brad Olsen
Chair
Wellington City Youth Council



Ollie Michie
Deputy Chair
Wellington City Youth Council

Cover photo credit: Rae Tian/Unsplash

Absolutely Positively
Wellington City Council
Me Heke Ki Pōneke

20 October 2015

Siobhan Davies
Chair – Wellington City Youth Council
Wellington City Council
101 Wakefield Street, PO Box 2199
WELLINGTON 6140

Dear Siobhan,

Re: Letter proposing the 2016 Work Programme for the Wellington City Youth Council**Purpose of this letter**

I am writing to you as the Chair of the Wellington City Youth Council (WCYC) to clarify the Council's priorities and outline Council's expectations for the WCYC for the period January-December 2016. The WCYC is part of Council and I know that your group wants to contribute in the best possible way to our City. This letter will help focus the work of the group so that Council officers can engage with WCYC at an early stage and in an effective way.

WCYC's work over the next 12 months

Council recently finalised its 2015-25 Long Term Plan (LTP). It is important that the work of your advisory group aligns with the priorities of the LTP1.

We want you to bring your experience as a group to help solve problems and find solutions for the work streams below. This is consistent with your group having deeper and more-ongoing involvement with the work-streams of greatest priority to the City.

The following table reflects how we think the WCYC can add greatest value to the Council's forward work programme² and takes account of feedback made during the WCYC meeting held on 10 June 2015, where the Council forward work programme was tabled and discussed. The specific programme and meeting agendas will be set separately.

Work Programme priorities	WCYC input
<p>Member development: A key purpose of the Youth Council is to develop the capabilities of its members; including leadership and engaging wider youth. Council will facilitate the participation of members in relevant development opportunities that benefit all WCYC members, as they arise.</p>	<p>Representation at regional youth council workshops and work collaboratively with officers to develop a professional development programme for the Youth Council and other relevant development opportunities throughout the year.</p>

¹ <http://wellington.govt.nz/your-council/plans-policies-and-bylaws/plans-and-reports/long-term-plan/long-term-plan-2015-25>

² Page 17 of the following GFP Committee agenda: <http://wellington.govt.nz/your-council/meetings/committees/governance-finance-and-planning/2015/06/11>

Wellington City Council

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<p>2016/17 Annual Plan: As part of the Council's work to develop the next Annual Plan it is wanting to engage with young people in Wellington on its future direction and key projects that the Council is wanting to progress.</p>	<p>Work with officers to identify and develop opportunities to engage young people in the 2016/17 Annual Plan</p>
<p>Resilience and Climate Change Matters: The Urban Growth Plan will inform Council's focus and investment in urban development and transport as part of the LTP. It brings together and links the strategic approach to, and key projects in, these areas. Various resilience and climate change related work streams will be developed during the course of the year. As part of the development of these projects, Council officers want to engage with Wellington youth on its future direction and key projects that the Council is wanting to progress.</p>	<p>Work with officers to increase public and stakeholder understanding of the Plan. Provide input into key resilience and climate change related policies and plans including (but not limited to) the climate change action plan, the resilience strategy, emission reduction, south coast resilience, housing rental warrant of fitness.</p>
<p>Policies and Plans: The Council will be developing and reviewing key policies and plans over the course of the year. It will work with WCYC members to develop, communicate and elicit feedback from the community on those pieces of work most relevant to young people.</p>	<p>Work with officers to develop, communicate and elicit feedback on key policies and plans including (but not limited to) the playgrounds policy, social strategy, local alcohol policy, sports strategy, city housing strategy and Makara Peak Master Plan.</p>
<p>Submissions on notable matters: Central and local government will be seeking submissions on various matters throughout the year. WCYC may choose to write submissions on these matters.</p>	<p>WCYC to develop and write their own submissions on agreed matters, for example the Resource Management Act and Natural Hazards Strategy.</p>
<p>Elections 2016: Local Government Elections will take place in October 2016.</p>	<p>WCYC to develop a project to encourage young people in the Wellington City district to vote in the 2016 local body elections.</p>

As part of Council's wider engagement, the Council will also consult with other groups on the issues that we bring to WCYC. Furthermore, the above list does not preclude the WCYC from having input into other Council projects and policies as these become apparent during the year. Such items can be considered by WCYC with the agreement of the Chair, Deputy Chair and the Governance Advisor – advisory groups (referenced as Council Liaison Officer in the WCYC Terms of Reference 2014). Additional information on how we see WCYC operating is set out in the Terms of Reference.

Meeting to discuss and agree the work programme


Please discuss the priorities and suggested work-streams outlined in this letter with the WCYC on or before your 28 October 2015 meeting. We would like to finalise and begin working on the programme with you. Please contact me with the WCYC response to this letter by 4 November 2015 so that I can table the finalised work programme letter at the 25 November 2015 WCYC meeting.

Work Programme Reporting

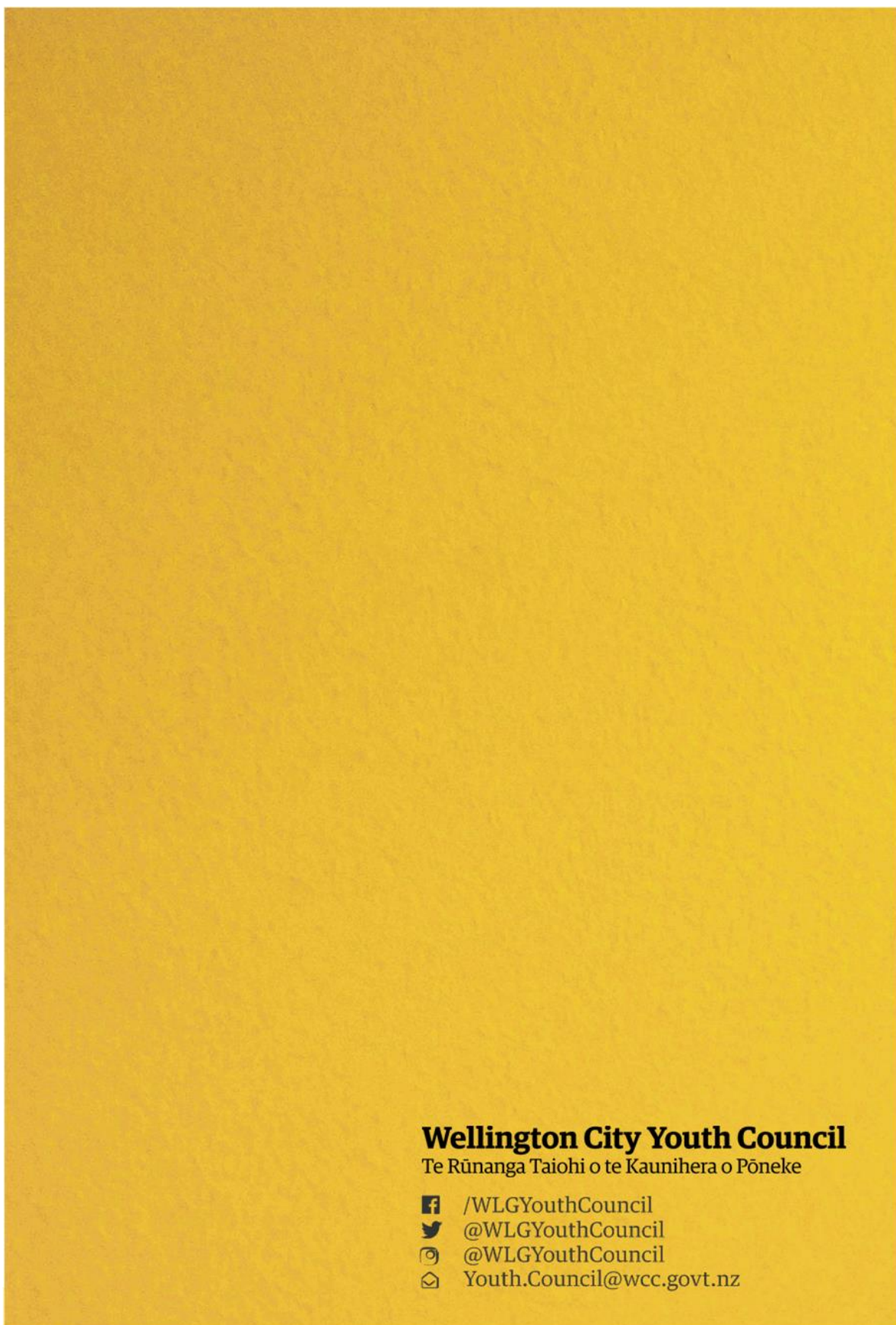
The WCYC reported to the Governance, Finance, and Planning Committee (GFP) on 26 March 2015. The report covered the period February 2014 to February 2015. So that we can move to a position where the annual reports for all advisory groups cover a calendar year, I propose that this year's report covers the period March 2015 to December 2015. That report should be presented to GFP by 30 June 2016. In subsequent years the WCYC annual report will cover the period January to December.

I note that as per the Youth Council Manual, Version Two, July 2015, Pt 3 (Calendar), WCYC will need to update the calendar content and associated copy to reflect the move to calendar vs financial year reporting periods. I look forward to hearing from you.

Yours sincerely







Gunther Wild
Manager, Policy & Reporting
Ph: (04) 8038594
Email: gunther.wild@wcc.govt.nz



Wellington City Youth Council

Te Rūnanga Taiohi o te Kaunihera o Pōneke

-  /WLGYouthCouncil
-  @WLGYouthCouncil
-  @WLGYouthCouncil
-  Youth.Council@wcc.govt.nz

Wellington City Youth Council Annual Report

For the year ended 31 December 2017



Wellington City Youth Council
Te Rūnanga Taiohi o te Kaunihera o Pōneke

**Mā tō rourou,
Mā tōku rourou,
ka ora ai te iwi.**

With your foodbasket,
and my foodbasket,
the people will thrive.

Whakatauki

Introduction

Mihimihi

Youth Council underwent a transformational year in 2017, with significant changes in personnel, a large quantity of advice provided to a raft of organisations, and the development of the Youth Engagement Framework.

This annual report provides an overview of the work undertaken by Youth Council in 2017, and is the second of our joint Annual Reports submitted for 2016 and 2017.

Over the year Youth Council saw eight members depart - nearly half of our group - and underwent a shift in Council staff that we operate with. We also took the time to reshape how Youth Council operates and strengthen our connections back into the Wellington community, and our ties with various organisations that we work with or provide advice to.

Youth Council tackled a larger workload than in previous years, with numerous submissions to Wellington City Council, Greater Wellington Regional Council, the Ministry of Health, Studylink, Let's Get Wellington Moving, and Parliament.

We also embarked on one of our most detailed projects to date in our development of the Youth Engagement Framework. This was a project that we believe will provide Council with a strong foundation through which it can best engage with young people - building on the stellar work it already does in this area. Our Learning Tour to Auckland provided a host of ideas that jump-started our thinking, with our EngageWGTN hui allowing us to connect to a range of young people in Wellington and establish not only the topics that they are interested in, but also how to engage with them directly to elicit their views. I pay tribute to the incredibly hard work of the EngageWGTN team, and in particular to Jack Marshall, who spearheaded this work.

Finally, Youth Council established better integration with Council - learning our way round the various procedures, and forging a closer connection with staff and elected members. I am proud to lead such an incredible team of Wellington's most passionate young people, and we remain committed to injecting a youth perspective into the debate whenever we can. Youth Council is excited for the opportunities that await Wellington, and is keen to work with others to keep this the world's most liveable city.



Brad Olsen
Queen's Young Leader - 2016
Youth Council Chair
July 2018



Purpose

Ngā take

The Wellington City Youth Council's purpose is to:

Assist and advise

Assist and advise the [Wellington] City Council on how to help grow a great City where young people thrive and contribute to the City Council's priorities

Bring insight

Bring extra insight to Council (a youth perspective) to solve problems facing a changing world

Develop members

Develop the capabilities of its members (including leadership and engaging wider youth).

Membership

Mematanga

The following people were members of the Wellington City Youth Council during 2017:

Brad Olsen	Deputy Chair (March 2017-October 2017) Chair (from October 2017)
Ollie Michie	Deputy Chair (from October 2017)
Anya Bukholt-Payne	Dexter Smith
Jack Marshall	Jackson Lacy
Laura Somerset	Niamh Hyde
Sean Johnson	Shine Wu
Teri O'Neill	Tim Rutherford
Siobhan Davies	Chair (until March 2017) Term ended August 2017
Melissa Gibson	Deputy Chair (until March 2017) Chair (March 2017-October 2017) Term ended October 2017
Jack Comer-Hudson	Term ended August 2017
Petelo Leaupepe	Term ended August 2017
Cameron Wright	Term ended December 2017
Sophie Reedy-Young	Term ended December 2017
Bethany Kaye-Blake	Term started August 2017
Freja Cook	Term started August 2017
Meredith Ross-James	Term started August 2017
Raihaan Dalwai	Term started August 2017
Watene Campbell	Term started August 2017
Ivana Emer	Term started August 2017



Youth Councillors and Councillors at Youth Council's annual Christmas function in Civic Square.

Policies and plans

Kaupapa here

Youth Council welcomed the opportunity to provide feedback to a number of organisations in 2017, including Wellington City Council, Greater Wellington Regional Council, the Ministry of Health, Studylink, Let's Get Wellington Moving, and Parliament.

The full list of submissions and consultations Youth Council participated in throughout 2017 is set out below:

- Submission on the 2016 Local Authority Elections (to Parliament)
- Public Places Bylaw Review (to WCC)
- Submission on Kiwi Point Quarry (to WCC)
- Submission on Let's Get Wellington Moving (to Joint Committee)
- Submission on GWRC Better Metlink Fares 2017 (to GWRC)
- Feedback provided on the Digital Health Strategy (to the Ministry of Health)
- Submission on the Oriental Bay Shared Pathway (to WCC)
- Submission on North Kumutoto Site 9 (to WCC)
- Submission on the GWRC Annual Plan 2017/18
- Submission on the WCC Annual Plan 2017/18
- Submission on the Wellington Waste Management and Minimisation Plan
- Consultation on the implementation of the Triennial Plan
- Feedback on Wellington library operations

Youth Council highlights the following submissions and our feedback:

Submission on the 2016 Local Authority Elections

Following on from our work to improve younger voter turnout in Wellington's local body elections in 2016, Youth Council welcomed the opportunity to submit on the inquiry into 2016 local authority elections, which was being conducted by Parliament's Justice and Electoral Select Committee. Our work in 2016 to ensure information around the election was passed on to young people in Wellington, and our general interest in advancing good local government, meant we took a keen interest in developments and evaluation of the 2016 local government elections.

Submission on the WCC Annual Plan 2017/18

Youth Council was supportive of Council's Annual Plan.

In particular, we noted Council's goal to increase resilience, with a focus on safer housing, infrastructure, and youth input into transport planning links. We also put forward our support for economic assistance for young people who are entering businesses or entrepreneurial pursuits. Youth Council noted the lack of youth connectivity in neighbourhoods across Wellington and urged action to be taken on this, and noted our endorsement of Council's intention to take action on climate change.

With regard to economic and job growth, Youth Council strongly supported the development of a 'One Stop Shop' for establishing a business in Wellington, to remove barriers for young people seeking to navigate the regulatory processes.

Noting the importance of housing to young people, Youth Council was supportive of the \$5000 rates remission for new home builds, alongside the Rental Warrant of Fitness Scheme. We noted our ongoing concern around housing and rental affordability, and supported Council's actions to tackle these issues.

On the cultural front, we noted our support and excitement for a Matariki Festival, and the proposal for a Youth Summit, as ways to further enhance Wellington's cultural offerings and include young people in the decision-making process.

Finally, Youth Council endorsed Council's work on environmental issues, including with Predator Free Wellington and moves to reduce Council's carbon footprint.

Submission on the GWRC Better Metlink Fares

Youth Council welcomed the opportunity to submit on the Better Metlink Fares consultation, with specific provisions for a fare discount for full-time tertiary students. We strongly supported the implementation of a 25% discount for full time tertiary students, the common-sense approach to transfers between buses, the 25% discount to be applied to off-peak fares, and the discount for blind or disabled customers. At the same time, we acknowledged the proposal to increase fares by 3.0% generally, with an implication that half of patrons would see an increased fare under this proposal.

EngageWGTN and Youth Engagement Strategy**Te Tūāpapa Whakawhanake Rangatahi**

The Youth Engagement Framework, and related Auckland Learning Tour and EngageWGTN hui, were a large part of Youth Council's work throughout 2017. Although the Youth Engagement Framework itself provides details about the development of the Framework, we have included an overview of the process that Youth Council undertook in 2017 to engage with young people in Wellington, hear what they viewed as important topics and how they wanted to be engaged with, and finally how we crafted the document itself.

Application

In late 2016, Youth Council applied for funding from the Local Government Youth Projects Fund, administered by the Ministry of Youth Development. Our application was supported by Wellington City Council officers, and Councillor Jill Day (having the Children and Young People portfolio).

Our application detailed that funding would be used by Youth Council to develop a Youth Engagement Framework, in partnership with Council. This Framework would provide a foundational guide for Council to refer to when engaging with the public on issues that impact them. Upon hearing the application for funding was successful, Youth Council formed a steering group to undertake planning of all aspects of the project, with Jack Marshall as the leader of this steering group.

Auckland Learning Tour

In order to better understand how other large urban areas interact with



Youth Councillors met with independent Auckland mayoral candidate Chlöe Swarbrick in researching the Youth Engagement Framework.

young people and provide engagement opportunities, a small group of Youth Councillors travelled to Auckland for the Auckland Learning Tour. Here, Youth Councillors spoke to various organisations and individuals involved with youth engagement in Auckland. This included: Councillor Richard Hills, Auckland Council officers, Kaipātiki Local Board Youth Representatives, and Chlöe Swarbrick - then a young candidate for Mayor in the 2016 Local Authority Elections. Youth Council gained good insights from this trip into what had, and hadn't, worked for the new amalgamated Council structure in engaging a diverse and broad range of youth in Auckland.

EngageWGTN hui

Having established some key engagement themes, the next stage of the process was to undertake consultations with young people in Wellington City to test our understanding of how young people want to be interacted with and what proposed methods of engagement were best, alongside collecting the views of young people in Wellington.

Although Youth Council originally proposed to undertake one central hui, the Ministry of Youth Development provided funding for five hui to be undertaken (one in each Council Ward). In addition to this, Youth Council ran a hui for youth workers, who we viewed as having valuable insights into youth development and engagement in the local Wellington context. These hui provided a great opportunity for Youth Council to talk to young people in Wellington at length about issues in their area, and how Council could engage with them on these and other matters. It showed the willingness of young people in the city to be involved with Council and consultations.

Development of the Framework

After the Auckland Learning Tour and our various hui, the Steering Group began to consider how to develop the Framework based upon all that was learnt from the two stages of consultation. The Steering Group broke into pairs and wrote drafts of each section of the document, which were then comprehensively reviewed by the Steering Group as a whole. This was then formally ratified by Youth Council, and then worked on with Council officers to ensure what resulted included current best practice and allowed for guidance rather than strict policy.

What resulted is a comprehensive document, that outlines the issues that young people in Wellington City have described as important to them, coupled with proposed methods that Council could use to consult with young people on these issues. Youth Council is extremely proud of this document, and excited to see its future uses, once presented to Council.

In the process of developing the document, Youth Council held detailed consultations with over 100 young people from around Wellington City, with a wider number of informal views also included. Youth Council was also careful to deliver this project under-budget, due to careful planning between Council officers and the Steering Group.

Overall, Youth Council learned a great deal from the process of developing the Framework, and is keen to undertake more large-scale projects similar to this one in the future. The capacity of Youth Council to undertake such projects has been proved by the successful development of the Framework. Youth Council is grateful to Council for their support in undertaking this large project. The willingness of Council officers to lend their time and expertise in the process has been greatly appreciated.

Member development Whakahiato mema

One of the purposes of Youth Council is to develop the capabilities of its members (including leadership and engaging wider youth).

State Opening of Parliament

In 2017, members of Youth Council were invited by the Prime Minister, Rt Hon Jacinda Ardern, to attend the State Opening of the 52nd Parliament. Members attended as part of a select cohort of young people representing New Zealand's youth. Members who attended engaged with other young people and politicians, including the Minister for Youth, Hon Peeni Henare, as well as other dignitaries such as the Governor-General, Her Excellency The Rt Hon Dame Patsy Reddy, the Chief Justice, Rt Hon Dame Sian Elias, and members of the diplomatic corps including United States Ambassador to New Zealand, His Excellency Scott Brown.



Youth Councillors with the Prime Minister, Rt. Hon. Jacinda Ardern, at the State Opening of the 52nd Parliament.

Tawa Community Board deputation

Youth Council also provided a deputation to the Tawa Community Board, detailing the work that Youth Council does, and also answering the Community Board's questions about life in Tawa. This also presented the members present with an opportunity to further their presentation skills.

Youth Week 2017 Councillor Breakfast

As part of Youth Week 2017, Youth Council organised a breakfast with Wellington City Councillors to better understand the work both groups do, and where our mutual interests and projects may lie. This was a highly successful event with an acknowledgement of the importance of Youth Council continuing to work closely with Council to express the ideas and viewpoints of young people to decision-makers.

Acknowledgements

Ngā aumihi

Youth Council thanks our various supporters and those at enable us to do the work we do, including parents, friends, colleagues, and in particular Council officers and elected members.

Our sincere thanks are given to Dominic Tay for his incredible work in his role as a Democracy Advisor and Youth Council's direct Council liaison. We additionally extend our gratitude to Youth Councillor Jackson Lacy for his incredible design skills across the year, including his work formatting this Annual Report.

Youth Council looks forward to presenting this report to the City Strategy Committee in August 2018.

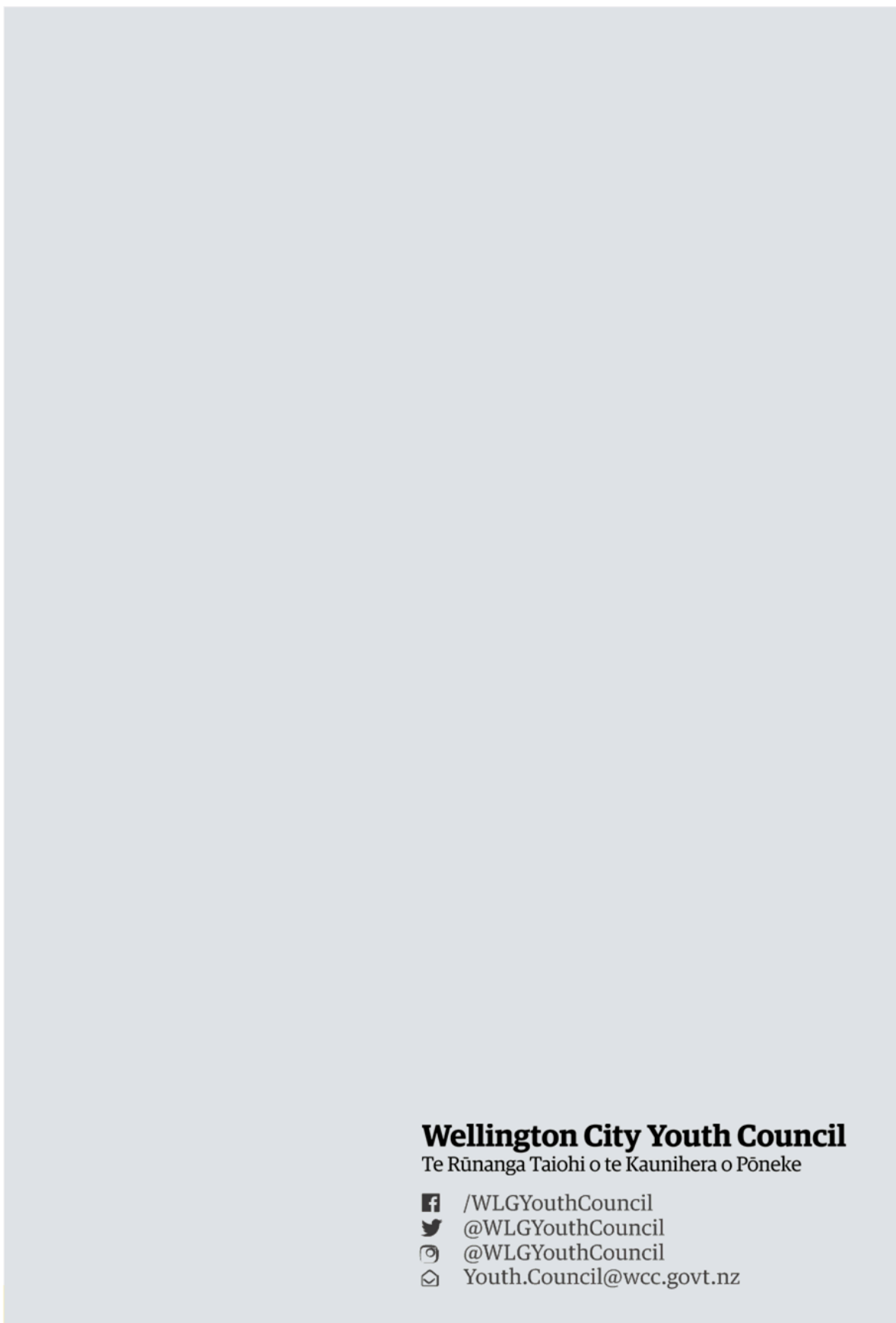


Brad Olsen
Chair
Wellington City Youth Council







Ollie Michie
Deputy Chair
Wellington City Youth Council

Cover photo credit: Lauren Mancke/Unsplash



Wellington City Youth Council

Te Rūnanga Taiohi o te Kaunihera o Pōneke

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4. Operational

RENEWAL OF LICENCE OVER PART OF GLOVER PARK FOR 'ROGUE AND VAGABOND' - PURSUANT TO THE RESERVES ACT 1977

Purpose

1. To recommend the City Strategy Committee approves renewal of a licence over part of the land at Glover Park, 18 Garrett Street, Te Aro (**refer Attachment 1**) to the proprietor of the Rogue & Vagabond for outdoor bar and café seating.

Summary

2. The Rogue and Vagabond is a well-established inner city bar and eatery adjacent to Glover Park.
3. Glover Park is vested in Council as a recreation reserve and administered under the Reserves Act 1977. Section 54(d) of the Act empowers the Council to grant licences for any trade or business, provided the trade or business is necessary to enable the public to obtain the benefit and enjoyment of the reserve.
4. Glover Park has a reserve management plan (prepared in 2005). The plan provides for commercial activities such as food and drink outlets, including activities from adjoining properties opening out onto the park. One of the objectives of the plan is to create activity within the park to enhance the experience of the user and to improve security and personal safety.
5. The renewal of the licence will continue to make use of the park and will provide increased surveillance through and across the surrounding area.
6. Council officers recommend the City Strategy Committee approve the licence renewal to the Rogue & Vagabond over part of the Glover Park.

Recommendation/s

That the City Strategy Committee:

1. Receive the information.
2. Agree, subject to the terms and conditions noted below and the terms and conditions of the final licence agreement, to grant a licence over 208m² of Lot 2 DP 35152 (**refer Attachment 1**) to the proprietor of The Rogue & Vagabond.
3. Notes that the terms of the easement agreement are as follows:

Licence Purpose: Bar & café seating.

Number of Seats: Up to 20.

Type of Seating: Bean-bag styled chairs (or other style as approved by the Manager, Parks Sport & Recreation).

Hours: 10.00am to 10.00pm 7 days per week from 1 October to 30 April (7 months).

Licence period:	Renewal July each year (in line with other waterfront licence agreements) and terminable on one month's notice.
Public Access:	Public access through the licensed area will be maintained at all times.
Maintain & Repair:	The licensee will be responsible for rubbish removal and for repairing any damage resulting from the licensed activities.
Licence Fee:	\$505.44 per month (\$3,538.08 per annum, plus GST). Rates will be reviewed to allow for CPI increases.

Background

- The Rogue and Vagabond is a well-established bar and eatery fronting Glover Park on the park's north western boundary. The proprietor wishes to renew their existing licence approved by Strategy & Policy Committee in August 2013.
- The proprietor currently uses the park for outdoor seating between 10.00am and 10.00pm during the spring/summer months of the year (from October to April inclusive). The current lease expires in October 2018.
- The current licence provides for up to 20 'bean-bag' styled seats on the grassed area immediately in front of their establishment for use by their patrons.
- The current licence does not grant exclusive use rights over the reserve, and requires the area to be kept open for public use and access. This ensures the activity fits with the provisions of the Reserves Act that requires licenced areas to be available to the public.
- If the application is renewed, conditions will continue to manage any potential impacts on the reserve.

Discussion

- Glover Park is a small public park located between Garrett Street and Ghuznee Street just west of Cuba Mall in the Wellington City Centre. It is one of the few public parks in the Te Aro area and serves as a space for passive recreation as well as acting as a pedestrian route between the adjoining streets.
- The proprietor is seeking to renew the licence to continue use of the grassed area immediately adjacent to their front doors (refer **Attachment 2**). This is approximately 208m² of Lot 2 DP 35152. The park is gazetted as recreation reserve pursuant to the Reserves Act 1977.
- There is a Council-owned lane situated between the park and the applicant's property that services a rear property. The front doors of the Rogue and Vagabond open onto this lane and patrons will need to cross it to access the proposed seating area.
- The Public Health Team has been consulted and they confirm the Rogue and Vagabond are licenced to sell alcohol or supply on the following days and hours:

The inside area and the semi-enclosed outdoor area: Monday to Sunday all year round: 10am to 3am the following day

The uncovered outdoor area in Glover Park: Monday to Sunday from 1 October to 30 April only: 10am to 10pm

16. No noise complaints have been recorded by Council since the licence was first granted for the operation in 2013.
17. There have been no complaints received from the public relating to the specific operation of the Rogue and Vagabond. However one member of the public has questioned the occupation of the site for commercial activities.

Statutory and Policy Framework

Reserves Act 1977

18. The park is vested in Council as a recreation reserve and is administered pursuant to the Reserves Act 1977. Section 54(d) of the Act empowers the Council to grant licences for any trade or business provided that the trade or business is necessary to enable the public to obtain the benefit and enjoyment of the reserve.
19. Unlike a lease, a licence does not provide for exclusive use of the reserve and creates no interest in the land.
20. The Council has delegated authority from the Minister of Conservation to approve licences.

Glover Park Reserves Management Plan

21. The Glover Park Reserve Management Plan (GPRMP) was prepared by Council in 2005. A key objective of the GPRMP is to encourage more activity within the park in order to enhance its appeal as a destination. The GPRMP provides for commercial activity on the reserve as a way of improving security and personal safety, and includes activities on adjoining properties opening out into the park.
22. Objective 3.3 of the GPRMP relates to commercial operations: *Enable appropriate commercial activities to operate within the park while ensuring the passive open space character of the park predominates.*
23. The following explanation is provided: *Allowing appropriate commercial activity, such as food and drink retail/cafes, to apply for a concession licence or lease to use part of the park would create activity within the park and improve security and personal safety. Commercial operations may include appropriate activities on adjoining properties opening out onto the park.*

District Plan

24. Glover Park is zoned Open Space A in the Wellington City Council District Plan.
25. Café seating is a permitted activity in the Open Space A zone (with conditions for lighting, dust & noise).

Management and Control



26. Urban Design have reviewed the use of the space by Rogue and Vagabond and suggested the following:
 - Push back cordoned off area to allow use of park edge and tree in this section of raised lawn
 - Opportunity to improve stakes to cordon off e.g. replace kegs with rope strung timber post with round base that can be pegged into the lawn
 - Refresh furniture – get beanbag covers and optional outdoor ground cushions suitable for outdoor use

27. Officers have discussed these matters with the proprietor and they have agreed to improve the seating and edge definition furniture to reflect the standard of what is used on the waterfront. Officers will also have the changes approved by the Technical Advisory Group (which includes a representative from the Urban Design team) before the licence is signed.
28. The proprietor explained they were concerned about reducing the licenced area due to the potential of intoxicated members of the public passing through the park and loitering on the edge of the licenced area. Officers agreed the existing licenced area could remain. However, there will need to be care as development of the buildings at the edge of the park progress that the right balance is struck between public open space for passive enjoyment and occupation by adjacent business interests.
29. The Rogue and Vagabond is a well-established craft beer bar and pizzeria. The front doors of the establishment open directly onto an access way on the edge of the park. Both the bar service area and the indoor and outdoor seating areas are positioned with clear views across the proposed licence area.
30. The following table identifies the matters considered by officers as part of this application:

Furniture	<i>Bean bag styled seating. No other style of seating or furniture is permitted without the prior approval of the Manager, Parks Sport & Recreation.</i>
Fencing & Barriers	<i>Under the liquor licensing rules, the physical layout provides a satisfactory indication of boundaries. No permanent barriers will be permitted, however the area is required to be marked with temporary barriers. These are to be spaced in a way that does not prevent public access. Setting up the outdoor area prior to 10am is not permitted - this is necessary to allow Council staff to undertake operations at the site.</i>
Clutter	<i>No signage, sandwich boards, or other advertising is permitted on the grassed area.</i>
Glass	<i>No glasses will be permitted on the reserve. Thick plastic 'glasses' are to be used.</i>
Cleaning	<i>The licensee will be responsible for keeping the licence area, as well as the curtilage area (ie 4m from each boundary of the licence area) free from litter, including cigarette butts. This means ensuring there is a thorough clean-up of the lawn at closing time to remove any potential hazards to the public and operations staff.</i>
Wear & tear	<i>Re-grassing of the licenced area may need to occur periodically during the term agreement when areas become worn or damaged from the licensed activities. When major renovations of the lawn are necessary (as determined at the sole discretion of the Parks, Sport and Recreation Operations Team) the licence holder will need to vacate the licence area. Major renovations of the lawn will be carried out by Council at the licence holders' expense. Annual routine renovations will be covered by Council.</i>
Lightspill	<i>The proposal does not introduce any additional lighting. The applicant has already installed an illuminated sign on the front of their building which has created a lit zone within the reserve.</i>
Noise	<i>The location is in the city centre where there are relatively high levels of noise. The proposal is not considered to add significantly to these levels.</i>

31. The applicant will be required to renew its liquor licence to cover the consumption of alcohol on the reserve. The permitted hours of use proposed for this licence agreement are the maximum permitted and not necessarily the hours granted under any future liquor licence.

Attachments

- Attachment 1. Glover Park Proposed Licence Area [↓](#)  Page 103
Attachment 2. Photos of Proposed Licence Area - Rogue & Vagabond [↓](#)  Page 104

Author	Joel de Boer, Recreation and Parks Planner
Authoriser	Myfanwy Emeny, Open Space and Parks Manager Bec Ramsay, Manager Open Space and Recreation Planning Barbara McKerrow, Chief Operating Officer

SUPPORTING INFORMATION

Engagement and Consultation

Under Section 48(2) of the Reserves Act 1977 an administering authority is required to publicly notify applications for licences and to consider all objections and submissions. Section 48(2A) however states that notification is not required where the proposal is in conformity with and contemplated by an approved management plan for the reserve. The Glover Park Management Plan was adopted by Wellington City Council in February 2005. It specifically provides for commercial use by adjacent property owners for 'food and drink retail/cafes'. The Plan was notified for public comment in September 2004 and the relevant consultation process was undertaken at this time. For this reason, public notification of the proposed licence is not recommended in this report.

Treaty of Waitangi considerations

None

Financial implications

The 2017 market rate for this site is evaluated at \$128/m² annually. In recognition of Council's support for alfresco dining in the city, Rogue and Vagabond will be given a licence fee of \$17.01/m² per month for 7 months - a 50% discount on current rates. Accordingly this report recommends a monthly licence fee of \$505.44 (\$3,538.08 per annum). The licence fee reflects that for areas licenced on the Waterfront for similar outdoor seasonal dining.

Policy and legislative implications

None

Risks / legal

None

Climate Change impact and considerations

None

Communications Plan

Use of the reserve and the renewal of the licence included input from Urban Design, Liquor Licencing and Parks, Sport and Operation Team.

Health and Safety Impact considered

None

Glover Park - Proposed Licence Area shaded purple (208.22 m²)



Photos of Proposed Licence Area - Rogue & Vagabond



Proposed Licence Area looking toward the Rogue & Vagabond



Proposed Licence Area from the front doors of the Rogue & Vagabond