

## **DRAFT BYLAWS REVIEW 2014 HEARINGS PANEL AGENDA**

**THURSDAY 18 SEPTEMBER 2014**

**AND**

**FRIDAY 19 SETPEMBER 2014**

**AT 9.00AM**

**IN COMMITTEE ROOM 1, CIVIC OFFICES 53 HEREFORD STREET**

**Panel:** Councillor David East  
Community Board Member David Cartwright  
Final Panel member to be confirmed

**Principal Adviser**  
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## DRAFT BYLAWS REVIEW HEARINGS PANEL 2014 - 18-19. 8. 2014

### 1. APOLOGIES

### 2. ELECTION OF CHAIRPERSON

The Hearings Panel will elect a chairperson.

### 3. LATE SUBMISSIONS

#### STAFF RECOMMENDATION

It is recommended that the Hearings Panel receive the late written submissions from Red Rock Group Limited (for the Water Supply, Wastewater and Stormwater Bylaw) and Akaroa/Wairewa Community Board (for the Water Supply, Wastewater and Stormwater Bylaw; Traffic and Parking Amendment Bylaw and Parks and Reserves Bylaw) and allow them to be heard.

### 4. STAFF REPORT AND SUBMISSION ANALYSIS

The five bylaws covered in this review include:

- Cruising and Prohibited Times on Road Bylaw 2014
- Parks and Reserves Bylaw 2014
- Traffic and Parking Amendment Bylaw 2014
- Urban Fire Safety Bylaw 2014
- Water Supply, Wastewater and Stormwater Bylaw 2014

Staff reports with a summary and analysis of the five bylaw submissions received is attached as **Attachments 1-5:**

- Cruising and Prohibited Times on Road Bylaw 2014 (**Attachment 1**)
- Parks and Reserves Bylaw 2014 (**Attachment 2** - to be separately circulated)
- Traffic and Parking Amendment Bylaw 2014 (**Attachment 3** - to be separately circulated)
- Urban Fire Safety Bylaw 2014 (**Attachment 4**)
- Water Supply, Wastewater and Stormwater Bylaw 2014 (**Attachment 5**)

### 5. WRITTEN SUBMISSIONS

Written submissions for those who wish to be heard on the Draft Bylaws are attached as **Attachment 6**. Written submissions for those submitters who no longer wish to be heard and those who do not wish to be heard are attached as **Attachment 7**.

#### STAFF RECOMMENDATION

It is recommended that the Hearings Panel receive all written submissions.

### 6. HEARING OF SUBMISSIONS

A timetable for the hearing of submissions is attached as **Attachment 8**.

### 7. CONSIDERATION OF SUBMISSIONS

The Hearings Panel will consider the written and oral submissions received.

### 8. DELIBERATIONS

The Hearings Panel will deliberate on the submissions received and make recommendations to Council.

## **CHRISTCHURCH CITY COUNCIL PROPOSED CRUISING AND PROHIBITED TIMES ON ROADS BYLAW 2014**

### **Summary of Submissions Received During the Special Consultative Procedure, Held from 14 July 2014 to 15 August 2014**

#### **1. INTRODUCTION**

- 1.1 On 26 June 2014 the Council resolved to consult the community on the Proposed Cruising and Prohibited Times On Roads Bylaw. This report is a summary and analysis of the submissions received by the Council on the draft bylaw.

#### **2. BACKGROUND**

- 2.1 The Local Government Act 2002 requires Councils to review existing bylaws periodically; within five years initially and then at least every ten for existing bylaws.
- 2.2 Part 1 of the new Cruising and Prohibited Times on Roads Bylaw 2014 will control and restrict the cruising of motor vehicles by prohibiting cruising on certain roads at specified days and times. It revokes Clause 4(1) in the Cruising Bylaw 2010 which prohibited cruising on all multi-lane roads under Council control and a number of other roads, and replaces it with a new clause which prohibits cruising on all roads for which Council makes a resolution.
- 2.3 Part 2 of the new Cruising and Prohibited Times on Roads Bylaw 2014 will restrict the racing of motor vehicles, and activities associated with the racing of motor vehicles that may cause a nuisance to the public, by prohibiting motor vehicles weighing less than 3,500 kilograms from being on certain roads at specified days and times.

#### **3. COMMUNITY CONSULTATION**

- 3.1 Public consultation for the draft bylaw ran from Monday 14 July 2014 to Friday 15 August 2014. The Statement of Proposal, Summary of Information and text of the draft Bylaw were available at Council libraries, service centres, online, and an email or hardcopy letter was sent to stakeholders about where to find the information. Staff also attended Community Board meetings to inform Community Board members about the draft bylaw and consultation process.
- 3.2 Ten submissions were received in total. Five were made by Community Boards, three were made on behalf of a group or organisation and two were from individuals. Appendix 1 lists the submissions from groups and organisations and the number of people the group or organisation represents, where known.
- 3.3 Three submissions were made via the Have Your Say web portal, two used the submission form in the consultation booklet, while the remaining five submissions were emailed to the Council. Three submitters indicated they wanted to be heard.

#### **4. SUMMARY OF SUBMISSIONS**

- 4.1 This section summarises the submissions made on the draft bylaw during the consultation period. This section also notes comments about the review period for a bylaw and a range of other comments or views including those made outside the legislated scope of a bylaw and staff comments.

A: *Support for the bylaw*

- 4.2 Nine submitters supported the bylaw as they believe it will reduce anti-social behaviour on the roads. One individual submitter disagreed that the Council should have a new bylaw, because he considered that the bylaw targets young people and is thus discriminatory.

4.3 The Lyttelton/Mt Herbert Community Board, in their submission, added:

*That the Council request New Zealand Transport Authority for delegation to include a bylaw to control anti-social behaviour on New Zealand Transport Authority controlled roads*

*B: Amendments sought*

4.4 The Riccarton/Wigram Community Board would like Branston Street (from Boston Avenue to Halswell Junction Road) to be added to the schedule of prohibited roads as boy racer activity is occurring on this section of the street.

4.5 The Akaroa/Wairewa Community Board submitted that Community Boards should be included in the list of affected persons/agencies in clause 7(3) and requests that the following be added to the clause:

*(f) the local Community Board*

4.6 One submitter would like cruising prohibited on the four avenues from 10pm on Fridays until 7am Sundays as the noise from the cruising negatively affects the sleep of their guests on Friday and Saturday nights.

## **5. CONCLUSION**

5.1 All except one submitter supported the proposed bylaw. Three submitters suggested amendments to the proposed bylaw.

5.1 Appendix 1

Name of Organisation	Number of people represented where known
Riccarton/Wigram Community Board	
Lyttelton/Mt Herbert Community Board	
Akaroa/Wairewa Community Board	
Hagley/Ferrymead Community Board	
Spreydon/Heathcote Community Board	
Community Watch Riccarton Inc	35
NZ Automobile Association Canterbury/West Coast District Council	140,000 regional members
NZ Police	

# CHRISTCHURCH CITY COUNCIL PROPOSED PARKS AND RESERVES BYLAW

## SUMMARY OF SUBMISSIONS RECEIVED DURING THE SPECIAL CONSULTATIVE PROCEDURE, FROM 14 JULY TO 15 AUGUST 2014

### 1. INTRODUCTION

- 1.1 On 26 June 2014 the Council resolved to consult the community on the Parks and Reserves Bylaw. This report is a summary and analysis of the submissions received by the Council on the draft bylaw.

### 2. BACKGROUND

- 2.1 The Local Government Act 2002 requires Councils to review existing bylaws periodically; within five years initially and then at least every ten for existing bylaws. As a result of the review of the 2008 Bylaw the Council decided to make significant changes to the bylaw and notified for public submission a new (replacement) bylaw.

### 3. COMMUNITY CONSULTATION

- 3.1 Public consultation for the draft bylaw ran from Monday 14 July to Friday 15 August 2014. The Statement of Proposal, Summary of Information and text of the draft Christchurch City Council Bylaw were available at Council libraries, service centres, online, and an email or hardcopy letter was sent to stakeholders about where to find the information. Staff also attended Community Board meetings to inform Community Board members of the draft bylaw and consultation process.
- 3.2 Twenty-two submissions were received in total. **Appendix One** lists the submissions and where a submission is made by a group the number of people the group or organisation represents.
- 3.3 Three submissions were made used the submission form in the consultation booklet, six of the submissions came via Have Your Say, and the remainder were emailed or as email attachments. 14 submitters indicated they wanted to be heard.

### 4. SUMMARY OF SUBMISSIONS

- 4.1 This section summarises briefly the submissions made on the draft bylaw with more extensive analysis provided in Appendix 1.
- 4.2 There is general support for the bylaw for nine submitters, two submitters oppose the bylaw because of their concerns about the bylaw in relation to Hagley Park while the remainder neither indicate support or opposition to the bylaw but comment on specific provisions in the bylaw.
- 4.3 The most frequently referred to topic is Hagley Park. Nine submissions oppose the bylaw provisions as they relate to Hagley Park; in general these submitters consider that the draft bylaw does not adequately recognise and protect the special open space values of Hagley Park and in particular allows for car parking within the park contrary to the intent of the management plan for the reserve.
- 4.4 The following new clauses were referred to in several submissions: 6.1(e) relating to the burial and scattering of the ashes of deceased persons, clause 7 relating to behaviour in reserves and clause 14 "Sporting and other organised events". Several submissions were also received on clauses carried over from the 2008 bylaw including on clause 8 "Animals" and clause 15 "Botanic Gardens". The main points of each submission, suggested amendments to the bylaw and staff comments are provided in Appendix 1.
- 4.5 A number of comments made by submitters especially in relation to Hagley Park are outside the scope of the bylaw. The staff analysis of the main points of the submissions in Appendix 1 focuses primarily on those submission points which relate to the bylaw, rather than on the 'other' matters outside the scope of this particular consultation.

Appendix One - Table of submitters

Submission number	Individual, group or organisation name	Number represented	Main points of the submission	Staff comments
8290	Inner City East Neighbourhood Group	3000 (newsletter)	Agrees with bylaw. Would welcome bylaw which addresses problem behaviours such as intoxication in parks and public places e.g. Doris Lusk Park.	Staff consider that it would be appropriate to consider this matter at the time of the next scheduled review of the Public Places Bylaw (2016).
8291	Janet Begg	Individual	Agrees with bylaw provided that the following changes are made: New rules to prohibit smoking, fracking, and overflying by drones Requests that bylaw refer to the Christchurch Botanic Gardens rather than Botanic Gardens Include new map (aerial photo) of the Christchurch Botanic Gardens Make new requirement to remove all silver beech trees.	Staff note that Council has a non statutory "Smokefree" policy for parks and playgrounds and inclusion of a 'no smoking' rule would be a very significant change requiring extensive community consultation. The Council declared Christchurch a "No fracking" area in 2012. No change is required to the bylaw to prohibit fracking as the digging of holes already requires permission. The staff support the following minor amendments: inclusion of 'drone', within the definition of aircraft, a new map and for the bylaw to refer to the Christchurch Botanic Gardens. The removal of birch trees is outside the scope of the bylaw.
8292	Hagley Ferrymead Community Board		Generally agrees with bylaw. Specific comments: Clause 7; Strongly supports new 'Behaviour in reserves' clause. Clause 8 Animals;(existing) clause requires advertising /signage; new conditions for Avon/Heathcote estuary required- that dog-walkers follow pathways and have dogs leashed at all times.  Clause 14 'Sporting and other organised events': Exemption for 'small' groups- 'small' is poorly defined and would create unnecessary work/ enforcement.  Clause 12 'Tents, stalls, amusement devises'; requirement for written permission for bouncy castles etc is unduly onerous.	Staff note that this submission primarily relates to the provision of signage and education in respect to the current restrictions on dogs. No amendment to the bylaw is required. Staff support the deletion of the qualifier 'small' from the explanatory notes to clause 14.  Staff consider that the requirement for written permission (which may be by email) is appropriate given the potential for damage to grassed areas and effects e.g. noise, on the amenity of neighbours.
			Clause 15 'Botanic Gardens; Prohibition(existing) on	Staff consider that the current rule (in the

Submission number	Individual, group or organisation name	Number represented	Main points of the submission	Staff comments
			climbing trees too onerous and not currently enforced. Wording should focus on serious breaches/ damage to 'special' trees.	2008 bylaw) is appropriate and workable in enforcement terms and recommend no change.
8313	Eric Banks	Individual	Generally agrees with bylaw. Specific comments: Supports the restriction on the burial and scattering of ashes; Requests that Clause 10 incorporate a restriction on fireworks after sunset. The submitter is primarily concerned about the night time noise nuisance effects for residents adjacent to parks.	Staff do not support a fireworks provision within this bylaw because such a control is unlikely to be effective and would create significant enforcement issues.
8314	Burwood Pegasus Community Board		Appreciates opportunity to provide response. Specific comments: Clause 6 (6.1(e)); suggests rewording to clearly identify where scattering of ashes may, or may not, occur; suggests further that there ought to be two parts to this rule: 1. where ashes can be scattered, subject to application; and 2. where ash scattering is not permitted Clause 7; submitter considers this section needs clarification relating to the driving or riding of motorised cycles and vehicles.	Staff do not support the identification of places where the scattering of ashes is permitted.  Staff consider that the current (2008) rule is sufficiently clear and workable.
8315	Neiel Drain	Individual	Extensive submission which refers to the legislative framework for Hagley Park including the management plan. Concerned with current management practices. Seeks a new clause in Part 3 of the bylaw relating to Hagley Park.	Staff support the inclusion of a new clause in part 3 of the bylaw (provisions dealing with specific parks and reserves or facilities) for Hagley Park.
8316	Simon and Linley Young	2 persons	Concerned about the lack of reference to Hagley Park in the bylaw. Concerned about the current management practises.	See comments above.
8317	Mary-Rose, Kathleen and Ruth Leversedge	3 persons	Concerned about the lack of reference to Hagley Park in the bylaw. Concerned about the development of Hagley Park.	See comments above.
8318	Transpower NZ Ltd		Considers that the bylaw inappropriately interferes with Transpower activities. Requests an exemption under clause 18.	Staff disagree that the bylaw provides a significant impediment to Transpower's routine maintenance activities but recommends that clause 18 is reworded to recognise easements.



Submission number	Individual, group or organisation name	Number represented	Main points of the submission	Staff comments
8319	Waimakariri District Council		Supports the bylaw and in particular clause 7(a) 'Behaviour in reserves'. Seeks an explanatory note under 8.3 regarding the restrictions on animals in the Avon Heathcote Estuary.	Staff support this submission. Staff recommend the inclusion of a note to the bylaw explaining that restrictions on animals in the estuary are for the protection of wildlife and other environmental values
8320	Victoria Andrews	Individual	Submission is concerned about the impacts of freedom camping on parks and reserves in the Akaroa area.	No change to the bylaw is required as camping already requires permission under the bylaw.
8321	Lyttelton Mt Herbert Community Board		Generally supports the bylaw. Seeks clarification of the size of a "small gathering".  Suggests that Council set aside areas in a small number of low use reserves for the scattering or burial of ashes. Refers to a Wellington City Council policy in relation to the interment of ashes.	Staff support the deletion of the qualifier 'small' from the explanatory notes to clause 14. Staff note that no change to the bylaw is required in terms of this submission
8322	Mahaanui Kurataiao Ltd		Opposes any provision for the burial or scattering of human or animal remains in parks and reserves. Requests that these activities are prohibited.	
8323	Spreydon Heathcote Community Board		Generally supportive of the bylaw and strongly supports Clause 7 "Behaviour in reserves". Considers that the guides under clause 14 "Sporting and other organised events" are too stringent; considers a 'small' gathering is poorly defined and would be difficult to enforce. Considers that the prohibition on climbing trees in the Botanic Gardens are excessive and should focus on damage to trees.	Staff support the deletion of the qualifier 'small' from the explanatory notes to clause 14.  Staff consider that the current rule (in the 2008 bylaw) is appropriate and workable in enforcement terms and recommend no change to this clause.
8324	Anne Dingwall	Individual	The submitter considers that the Council's bylaw making process is procedurally unfair, that Hagley Park should be excluded from the bylaw and a new bylaw should be made specifically for Hagley Park.	Staff support the inclusion of a new clause in part 3 of the bylaw (provisions dealing with specific parks and reserves or facilities) for Hagley Park.
8325	Hands off Hagley Inc	Did not state	The submitter's submission is that the bylaw fails to provide appropriate protection for Hagley Park. In essence, the submitter opposes the following clauses as they relate to Hagley Park: 5.1(c), 9.1(a), 9.3, 14.3, 14.4(a), 14.4(b), 18.1(c). The submitter proposes the following clause be inserted under Part 3 – Special Areas as	Staff support the inclusion of a new clause in part 3 of the bylaw (provisions dealing with specific parks and reserves or facilities) for Hagley Park.

Submission number	Individual, group or organisation name	Number represented	Main points of the submission	Staff comments
			<p>Section 17:</p> <p><i>"No activity is permitted within Hagley Park that is not in accordance with the statutory operative Hagley Park Management Plan 2007."</i></p>	
8326	Central Riccarton Residents Association	81	<p>Broadly supports the bylaw. Comments specifically on Clause 9.3 Submitter suggests inclusion of an additional statement to exclude Hagley Park from any parking and ability to park not be subject to officer discretion</p>	<p>Staff consider that as Clause 9.3 is open to misinterpretation and recommend an additional explanatory note.</p>
8327	Akaroa/Wairewa Community Board		<p>Generally supports the bylaw. More specifically: Submitter would like to see an amendment to the bylaw or a Council policy to differentiate between events on reserves which are 'small' and 'very large'. There is a lack of an appropriate formal policy which should be developed in conjunction with event organisers.</p> <p>The submitter also requests a clarification of the definition given to 'foreshore' (pg 6) in relation to the Marine and Coastal (Takutai Moana) Area Act 2011 and apparent confusion over the definition of Mean High Water Spring</p>	<p>Staff support the deletion of the qualifier 'small' from the explanatory notes to clause 14. The Panel may wish to make a recommendation to the Council with regard to the development of an 'Events' policy. Staff support the addition of an explanatory note under the definition of foreshore.</p>
8330	Yvonne Curtis	Individual	<p>Submitter has concerns about the current management of Hagley Park and wishes to see Hagley Park excluded from the bylaw.</p>	<p>Staff support the inclusion of a new clause in part 3 of the bylaw (provisions dealing with specific parks and reserves or facilities) for Hagley Park.</p>
8331	Sandra Shaw	Individual	<p>Submitter does not agree that the Council should have this bylaw. They oppose the bylaw particularly around traffic and parking in Hagley Park. Management of Hagley Park should be by way of a Trust, subject to the Hagley Park/Botanic Gardens Master Plan rather than this bylaw or the Transport/ Parking Amendment Bylaw.</p>	<p>Staff support the inclusion of a new clause in part 3 of the bylaw (provisions dealing with specific parks and reserves or facilities) for Hagley Park.</p>

Submission number	Individual, group or organisation name	Number represented	Main points of the submission	Staff comments
8332	Christchurch Civic Trust	100+	<p>Generally supports the bylaw. More specifically:            Submitter argues that statutory (and operative) management plans for parks and reserves take precedence over this bylaw and recommends a clause be added to this effect. The submitter refers in particular to parking on grassed areas in Hagley Park. Clause 9.3; submitter adds that this clause should not be applicable if an operative management plan, the Hagley Park Management Plan in this case, is in place.            Clause 14.1; while this clause is supported, the submitter contends the wording of 'events' and 'approval' are not well defined</p>	<p>Staff support the inclusion of a new clause in part 3 of the bylaw (provisions dealing with specific parks and reserves or facilities) for Hagley Park.</p> <p>Staff consider that as Clause 9.3 is open to misinterpretation and recommend an additional explanatory note.</p> <p>Staff support the deletion of the qualifier 'small' from the explanatory notes to clause 14.</p>
8369	Halswell Residents' Association	Did not state	<p>Supports aspects of the bylaw. Submitter requests their submission be read in conjunction with a submission made in 2010 on the (then) draft Open Space Strategy. There are some comments about the nature of the open spaces. More specifically:            Clause 9.1; submitter implies support but considers access to a reserve should not be restricted (unless for facility damage or safety reasons) and argues for signage rather than regulation)            Clause 9.2b; submitter supports the proposal for reserve parking to limited to reserve users</p>	<p>Staff do not support any amendment to clause 9.1 which relates to the stopping and parking of vehicles in a manner which obstructs access.</p>

# Christchurch City Council Proposed Traffic and Parking Amendment Bylaw 2014

## Summary of Submissions Received during the Special Consultative Procedure, held from 14 July 2014 to 15 August 2014

### 1. INTRODUCTION

- 1.1 On 26 June 2014 the Council resolved to consult the community on the Proposed Traffic and Parking Amendment Bylaw. This report is a summary and analysis of the submissions received by the Council on the draft bylaw.

### 2. BACKGROUND

- 2.1 The Local Government Act 2002 requires Councils to review (and/or amend) existing bylaws periodically; within five years initially and then at least every ten for existing bylaws.
- 2.2 This first element of this bylaw amendment relates to provision of a broader clause to allow Council to specify, by way of resolution, the shared zones and shared paths that apply in the City.
- 2.3 The second element of this bylaw amendment relates to payment methods for parking fees.

### 3. COMMUNITY CONSULTATION

- 3.1 Public consultation for the draft bylaw ran from Monday 14 July 2014 to Friday 15 August 2014. The Statement of Proposal, Summary of Information and text of the draft Bylaw were available at Council libraries, service centres, online, and an email or hardcopy letter was sent to stakeholders about where to find the information. Staff also attended Community Board meetings to inform Community Board members about the draft bylaw and consultation process.
- 3.2 Twelve submissions were received in total. Four were made by Community Boards, three were made on behalf of a group or organisation and five were from individuals.
- 3.3 Two submissions were made via the web (Have Your Say); one used the submission form in the consultation booklet, while the remaining nine submissions were emailed to the Council. Nine submitters indicated they wanted to be heard.

### 4. SUMMARY OF SUBMISSIONS

- 4.1 This section briefly summarises the submissions made on the draft bylaw amendments during the consultation period while Appendix 1 to this report outlines the main points of each submission relevant to the Amendment Bylaw, and provides staff comments on the matters raised including amendments sought by submitters. Submitters in general supported the proposed bylaw amendments except with reference to Hagley Park. The submissions relating to Hagley Park fall largely outside the scope of the Traffic and Parking Bylaw or the proposed bylaw changes. With reference to the submissions which sought "within scope" amendments to the bylaw Legal Services staff will provide advice to the Hearings Panel separately to this summary of submissions document.

#### *A: Support for the bylaw amendments*

- 4.2 All submitters are generally supportive of the bylaw amendments. Six of the submitters have made comments on parking aspects of and access to/through Hagley Park.
- 4.3 The Lyttelton/Mt Herbert Community Board wishes to add to their submission:

*That the council request New Zealand Transport Authority for delegation to include a bylaw to control anti-social behaviour on New Zealand Transport Authority controlled roads.*

Staff comment in respect to the above submission that this request may be more appropriately considered under the proposed Cruising and Prohibited Times on Road Bylaw.

*B: Amendments sought*

- 4.4 While generally supportive of the proposed changes, the Spreydon/Heathcote and Hagley/Ferrymead Community Boards, would like changes to the bylaw. They would like Clause 4 amended so that the meaning of *Shared Zone* is widened beyond 'pedestrians and vehicles' to include 'cyclists, riders of mobility devices and wheeled recreational devices'.
- 4.5 The Burwood/Pegasus Community Board would like Section (1) (b) (iv) in Clause 14B be given greater clarity (to exclude motorised nuisance vehicles from recreational parks) and that the section be re-written as:  
  
*(1)(b)(iv) riders of wheeled recreational non-motorised devices*
- 4.6 The Akaroa/Wairewa Community Board would like a definition to be provided for 'wheeled recreational device'
- 4.7 The Akaroa/Wairewa Community Board would like the Council to investigate the 'shared road' model for rural roads when the bylaw undergoes full review.
- 4.8 The Akaroa/Wairewa Community Board requests the Council consider adding stopping and standing provisions in the bylaw to complement the Freedom Camping Policy
- 4.9 One submitter requested changes to Clause 9 in the 2012 bylaw, a clause not subject to an amendment. This request is noted and would be re-examined when the full bylaw review takes place.
- 4.10 Two submitters, while welcoming the proposed amendments, urged that the Council consider alternatives. One asked for the provision of fully separated infrastructure rather than shared zones, arguing that this will further increase active forms of mobility. The other submitter asked for increased signage and wider paths be considered as well as traffic 'calming' measures on existing roads which support cycleways.
- 4.11 Six submitters referred to Hagley Park, mostly in objection to the cricket oval under development being granted special status and their perception of the Council as facilitating cricket related parking within the park.
- 4.12 Only one submitter commented on payment methods. They were strongly opposed to Council being able to charge for parking within Hagley Park.

**Appendix One - Table of submitters**

<b>Submission number</b>	<b>Individual, group or organisation name</b>	<b>Number represented</b>	<b>Main points of the submission</b>	<b>Staff comments</b>
8295	Robert Fleming	Individual	Generally agrees with bylaw. Has concerns about the introduction of shared paths and zones. Submitter shared paths and zones are not the most appropriate mechanism to improve cycle safety and considers that shared paths and zones should be the "last resort".	No amendment to the bylaw required.
8296	Hagley Ferrymead Community Board		Agrees with bylaw Seeks the following amendments to the definition of shared zone: Include reference to cyclists, riders of mobility devices etc.  Supports the Council having the ability to resolve to determine priority for users on a shared path.	Staff support the requested amendment. Legal Services staff will provide advice to the Hearings Panel separately to this summary of submissions document. No amendment to the bylaw required
8297	Spokes (Canterbury Cyclists Association.)	1300	Generally agrees with bylaw. Specific comments: Re shared paths and zones: The submitter considers that fully separated infrastructure for each mode of transport is preferable to avoid conflict between different transport modes. Before Council makes/designates any shared path or zone the Council should consult Spokes and other affected groups and residents.	No amendment to the bylaw required.  No amendment to the bylaw required.
8328	Martin Meehan	Individual	Concerned about carparking within Hagley Park.	No amendment to the bylaw required.
8329	Burwood Pegasus Community Board		Comments on Clause 14.b –Shared paths The Board seeks clarity as to the meaning of "wheeled recreational non-motorised devices". The Board considers good signage is necessary for shared paths.	Staff support an amendment to the bylaw to clarify the meaning of this phrase. No amendment to the bylaw required.

Submission number	Individual, group or organisation name	Number represented	Main points of the submission	Staff comments
8333	Catherine Webber	Individual	<p>Agrees with paths and cycleways could be built or improved upon in Hagley Park.</p> <p>Opposes the amendment to provide for a wide range of payment methods for parking fees.</p> <p>Objects to the Council being able to charge for parking in Hagley Park.</p>	No amendment to the bylaw required.
8334	Civic Trust		<p>Generally agrees with bylaw. Specific comments: Supports the provision for a wide range of payment methods for parking fees. Concerned with the possible designation of shared paths and zones within Hagley Park and seeks amendments to clauses 14 A and B</p> <p><i>“Notwithstanding the intent of the sections 1-6 above, they are applicable to Hagley Park only if they are in accord with the objectives of the Hagley Park Management Plan”</i></p> <p>Also seeks an additional explanatory note: <i>Hagley Park is regarded as a very special and unique central city reserve. It has been accorded special legislative protection and is administered with reference to its own statutory Management Plan. Where there is any apparent conflict between this Bylaw (as amended) and the Hagley Park Management Plan’s objectives and policies, it is the Hagley Park Management Plan that must prevail.</i></p>	Staff do not support the requested amendments to the Traffic and Parking Amendment Bylaw which fall outside the ‘scope’ of the bylaw. Staff comment that they are not in necessary or appropriate especially as a bylaw cannot ‘override’ a reserve management plan or permit activities which are not provided for in the plan.
8335	Spreydon/Heathcote Community Board		<p>Generally supports the bylaw. Supports the bylaw providing a definition of shared path and shared zone. Suggests that the definition for shared zone include a wider range of transport modes. Supports the Council having the ability to determine priority for users on a shared path.</p>	Staff support the amendment of this definition as requested.
8336	Hands off Hagley		This submission seeks the same amendments to the bylaw as sought by the Civic Trust (submission 8334).	See staff comments above for submission 8334.

Submission number	Individual, group or organisation name	Number represented	Main points of the submission	Staff comments
8337	Silvia Lukey	Individual	Considers that the bylaw facilitates parking on Hagley Park and opposes the allocation of parts of the park for parking.	
8338	Anne Dingwall	Individual	The submitter disagrees with the proposal to allow shared paths and zones within Hagley Park and recommends an exemption to the bylaw for Hagley Park.	Staff do not recommend an exemption for Hagley Park. See comments above for 8334.
8339	Akaroa/Wairewa Community Board		<p>The Board wishes to investigate the shared model for rural roads at the next full review of the Traffic and Parking Bylaw.</p> <p>Seeks clarity about the term “wheeled recreational device”.</p> <p>Requests that Council consider stopping and standing provisions in relation to freedom camping.</p>	<p>No amendment to the bylaw required. Staff note this matter for consideration at the time of the next full review of the Bylaw.</p> <p>Staff support an amendment or explanatory note to clarify the term</p> <p>Staff note this matter which does not fall within the scope of the bylaw.</p>



**CHRISTCHURCH CITY COUNCIL  
URBAN FIRE SAFETY BYLAW BYLAW 2014**

**Summary of Submissions Received during the Special Consultative Procedure,  
held from 14 July 2014 to 15 August 2014**

**1. INTRODUCTION**

- 1.1 On 26 June 2014 the Council resolved to consult the community on the Proposed Urban Fire Safety Bylaw. This report is a summary and analysis of the submissions received by the Council on the draft bylaw.

**2. BACKGROUND**

- 2.1 The Local Government Act 2002 requires Councils to review existing bylaws periodically; within five years initially and then at least every ten for existing bylaws.

**3. COMMUNITY CONSULTATION**

- 3.1 Public consultation for the draft bylaw ran from Monday 14 July 2014 to Friday 15 August 2014. The Statement of Proposal, Summary of Information and text of the draft Bylaw were available at Council libraries, service centres, online, and an email or hardcopy letter was sent to stakeholders about where to find the information. Staff also attended Community Board meetings to inform Community Board members about the draft bylaw and consultation process.
- 3.2 Seven submissions were received in total. Three were made by Community Boards, two were made on behalf of a group or organisation and two were from individuals. Appendix 1 lists the submissions from groups and organisations and the number of people the group or organisation represents, where known.
- 3.3 Three submissions were made via the Have Your Say web portal, one used the submission form in the consultation booklet, while the remaining three submissions were emailed to the Council. Four submitters indicated they wanted to be heard.

**4. SUMMARY OF SUBMISSIONS**

- 4.1 This section summarises the submissions made on the draft bylaw during the consultation period and suggested amendments.

*A: Support for the bylaw*

- 4.2 All seven submitters supported the bylaw in general, especially the new clause relating to the lighting of fireworks. Five of the submitters had specific comments and/or suggested amendments to the proposed bylaw.

*B: Amendments sought*

- 4.3 The Hagley/Ferrymead and Spreydon/Heathcote Community Boards consider that the bylaw needs to more clearly define what an open fire is and the types of appliances included in the term 'fire in the open air'.

*Staff comment:*

- *An open fire as defined in the Forest and Rural Fires Act 1977 for the purposes of a rural fire jurisdiction. 'An open fire is an outdoor fire in any place other than an approved fireplace, incinerator, barbeque (fixed or portable) or any other receptacle or place as may from time to time be authorised.' This definition aligns with that contained in the proposed Urban Fire Safety Bylaw and thus staff are unsure about what further could be added to make the definition in the proposed Bylaw any clearer.*

- 4.4 The Waimakariri District Council considers the definition of pizza oven should be 'pizza oven includes any similar enclosed device, *fitted with a spark arrester*, designed or intended for cooking food in the open air' (emphasis added). The Council also considers that fireworks should be subject to the same conditions as fires in the open air, with the exception of clause 6(1)(c) which says 'the fire may not be lit before sunrise and must be completely extinguished by sunset'. They further submit that the setback distance for fireworks should be three metres instead of two as proposed and so clause 6(1)(b) should be the same as clause 8(1)(b).

*Staff comment:*

- *Staff agree with the revised definition of 'pizza oven'.*
- *Staff do not agree with the recommendation that fireworks be subject to the same conditions as fires in the open air, particularly in regard to the imposition of prohibition. It would be very difficult, if not impossible, to police or enforce any prohibition of the lighting of fireworks under section 13 of the proposed Bylaw.*
- *Staff agree with the proposed three metre setback.*

- 4.5 The Akaroa/Wairewa Community Board has concerns about the apparent difference in controls between the rural and urban areas, particularly the use of pizza ovens, make a hangi or light fireworks when a prohibition is in place. In rural areas these activities are not permitted but under the proposed bylaw they would be in urban areas even if adjacent to a rural area. The Board suggests that maps that are relevant to the proposed bylaw should be included in the bylaw. Finally, the Board suggests that there is considerable confusion in the community around fire restrictions and prohibitions and that a 'Fact Sheet' outlining the different fire districts and relevant restrictions would be an invaluable resource for their communities.

*Staff comment:*

- *There is an important distinction between rural and urban jurisdictions. They are not the same as rural and urban zoning within a District Plan, with both Rural and Urban Fire Districts potentially containing both rural and urban zoned properties. This notion is a significant contributing factor to confusion over fire-related rules.*
- *The Urban Fire Safety Bylaw only applies to those areas designated as an Urban Fire District. They come under the direct jurisdiction of the New Zealand Fire Service who have a mandate to respond to all fires within their jurisdiction within 7-10 minutes depending on the nature of the station (career versus volunteer). (Urban Fire Districts include both residential and rural zoned properties.) All designated Urban Fire Districts have NZFS Stations located within them to support immediate response. Conversely, the Rural Fire jurisdiction does not have the same response requirements or capabilities, and significant distances between fire depots and potential incidents could be such that significant time delays occur in responding. As such the Rural Fire Authority exercises its right to restrict or prohibit certain activities under rural fire legislation in the interests of public safety.*
- *The Urban and Rural areas apply different measures in their pursuit of public safety, largely due to reasons of practicality and capacity. While the Urban Fire Season under the Urban Fire Safety Bylaw is either open or prohibited, the Rural Fire Season status can also be restricted, whereby permits are required. Restricted Fire Seasons are linked directly to rural fires legislation (the Forest and Rural Fires Act 1977 and Forest and Rural Fires Regulations 2005) and are supported by a legislative position of Warranted Rural Fire Officer. The nature of the potential need for permitting fire activities in the Urban Districts could place a high demand on permitting officers, whom at this stage do not exist for the urban context. High work demands on existing Rural Fire Officers would mean that they are unlikely to be in a position to undertake this task for urban areas as well, if there was any significant change to the rules. Capacity to police and enforce is therefore a primary issue. The rules contained within the Urban Fire Safety Bylaw are akin to conditions imposed on fires in the rural jurisdiction during Restricted Fire Seasons. Furthermore, for the reasons explained above, there is a reduced risk of spreading wildfires in urban areas due to the response requirements of the service provider, the New Zealand Fire Service.*

*(During Prohibited Fire Seasons within the Rural Fire Jurisdiction, only those devices using solid fuels are banned; gas fuelled devices are exempt.)*

- *Staff support the inclusion of maps showing the rural and urban fire districts in the bylaw.*
- *Staff support the development of a Fact Sheet which outlines the different fire districts and relevant restrictions. Staff would undertake this in conjunction with Environment Canterbury.*

4.6 One of the individual submitters would like the following sub clause added to the clause 6(1)(b):  
'When rural land borders a small settlement or residential land the fire should be more than 10 metres from the boundary of the residential property.'

*Staff comment:*

- *While this clause may be relevant in some areas, where the adjoining rural property is outside the Urban Fire District, the Bylaw would not apply.*
- *As the Bylaw stands, where an individual lights a fire in accordance with the rules as set out in the Urban Fire Safety Bylaw there is minimal risk to adjoining properties.*

## **5. CONCLUSION**

5.1 All submitters supported the proposed bylaw but most had suggestions to make amendments to the proposed bylaw, mainly around improving the clarity of meaning for the bylaw implementation.

**Appendix 1**

<b>Name of Organisation</b>	<b>Number of people represented where known</b>
Akaroa/Wairewa Community Board	
Hagley/Ferrymead Community Board	
Spreydon/Heathcote Community Board	
Community Watch Riccarton Inc	35
Waimakariri District Council	

# **CHRISTCHURCH CITY COUNCIL PROPOSED WATER SUPPLY, WASTEWATER AND STORMWATER BYLAW 2014**

## **Summary of Submissions Received during the Special Consultative Procedure, held from 14 July 2014 to 15 August 2014**

### **1. INTRODUCTION**

- 1.1 On 26 June 2014 the Council resolved to consult the community on the Proposed Water Supply, Wastewater and Stormwater Bylaw (the draft bylaw). This report including Appendix 1 provides a summary and analysis of the submissions received by the Council on the draft bylaw.

### **2. BACKGROUND**

- 2.1 The Local Government Act 2002 requires Councils to review existing bylaws periodically; within five years initially and then at least every ten for existing bylaws.
- 2.2 The draft bylaw provisions include significant changes to the previous bylaw including a new requirement for supplementary rainwater storage for Council's community water supplies for the Akaroa basin and Little River areas and significantly increased levels of control over stormwater inflows into the public stormwater system.

### **3. COMMUNITY CONSULTATION**

- 3.1 Public consultation for the draft bylaw ran from Monday 14 July 2014 to Friday 15 August 2014. The Statement of Proposal, Summary of Information and text of the draft Bylaw were available at Council libraries, service centres, online, and an email or hardcopy letter was sent to stakeholders about where to find the information. Staff also attended Community Board meetings to inform Community Board members about the draft bylaw and consultation process.
- 3.2 Twenty-five submissions were received in total. Five were made by Community Boards, seven were made on behalf of a group or organisation and 13 were from individuals. Appendix 1 lists the submissions, outlines the main points of each submission and includes staff comments on certain points of the submissions.
- 3.3 All submissions were made either via the Have Your Say web portal, or were emailed to the Council. Ten submitters indicated they wanted to be heard.

### **4. SUMMARY OF SUBMISSIONS**

- 4.1 Most submissions focussed on the water supply part of the bylaw with twenty submitters in agreement with the requirement for supplementary water storage for Akaroa and Little River areas; ten of the twenty submissions supporting the bylaw in its entirety. One submission supported the requirement but sought an exemption for 'alternative' supplementary supplies. Reasons given for support include the need to conserve water, reduce reliance on an already stretched water supply and providing emergency water supply. The requirement for supplementary supply had significant support including from six submitters who requested that Council extend the requirement to new premises in other areas of the City.
- 4.2 There are three submissions which oppose the Clause 15 requirement for supplementary water storage entirely or in relation to specific areas i.e. Birdlings Flat and Akaroa town centre. Submitters oppose the requirement for reasons including, that it is not an effective water conservation measure, will increase the cost of new development, is unduly onerous and that the tanks will be difficult to install on small sites and create visually intrusive elements within Akaroa Historic Town Centre. These submissions requested either the removal of the requirement entirely or exclusion of certain areas from the requirement.

- 4.3 Nine submissions included submission points in relation to Part 3 of the Bylaw dealing with stormwater with two submitters (8362-Davie Lovell-Smith and 8360- Oil Companies) commenting only on the new stormwater provisions. All submissions supported the intent of the stormwater provisions but several sought changes and amendments as outlined in Appendix 1.

*Staff comments:*

- 4.4 Staff have provided comments in the matters raised in submission in Appendix I. In addition staff suggest that minor improvements are made to the wording of the bylaw and the inclusion of additional explanatory notes. Staff will prepare this material for the consideration of the Hearings Panel.

Appendix One - Table of submitters

Submission number	Individual, group or organisation name	Number represented	Main points of submission	Staff comments
8340	Julie Newton (Akaroa)	Individual	Supports provision for supplementary storage (rainwater tanks).	
8342	John Dodgshun (Akaroa)	Individual	Agrees with the bylaw. Supports provision for rainwater tanks	
8345	William Inwood	Individual	Does not support requirement for rainwater tanks – the Council should encourage but not force use of rainwater tanks including through the use of incentives. Submitter considers user pays (volumetric charging) for water over any ‘free’ allocation is the only way of controlling usage.	<i>Staff note that volumetric charging is allowed for in the bylaw and no change to the bylaw is needed to allow for user pays.</i>
8346	D A T Mee	Individual	Supports water conservation education. Supports provision for rainwater tanks with an exception for properties with other sources of water (wells or springs already authorised under "registered easements").	<i>Staff note that while the proposed requirement for supplementary storage is for all new builds there is provision for a dispensation from any bylaw requirement if “full compliance would needlessly and injuriously affect that person or business without a corresponding benefit to the public or any section of it” under clause 13 of the Council’s General Bylaw. Staff recommend that either an explanatory note about ‘exemptions’ is included in the bylaw or inclusion of an exemption clause similar to Clause 13 of the General Bylaw: “13(1) The Council may grant a dispensation to any person or business from full compliance with any provision of a Bylaw in any case where the Council is of the opinion that full compliance would needlessly and injuriously affect that person or business, without a corresponding benefit to the public or any section of it. (2) Written application for a dispensation shall be made to the Council, giving full details of the relief sought and the reasons for the application. The Council</i>

Submission number	Individual, group or organisation name	Number represented	Main points of submission	Staff comments
				<p><i>shall consider the application and may either refuse it or grant it subject to such conditions as it considers appropriate.</i></p> <p><i>(3) The applicant for a dispensation may elect to appear in person or by a representative when the application is being considered.</i></p> <p><i>(4) If the Council grants a dispensation then a breach by the applicant of any condition imposed by the Council shall be a breach of the provision of that Bylaw.</i></p> <p><i>(5) If the Council refuses an application for a dispensation it will provide written reasons for the refusal to the applicant.”</i></p> <p><i>Staff recommend that the explanatory note under clause 15 refer to the provision for dispensation under 13 of the General Bylaw.</i></p>
8347	James Coubrough (Akaroa)	Individual	Agrees with the bylaw. Supports provision for rainwater tanks	
8348	Marion Wilson (Akaroa)	Individual	Agrees with the bylaw. Supports provision for rainwater tanks	
8349	Gina Coatsworth (Birdlings Flat)	Individual	Does not support rainwater tanks, particularly as section sizes in Birdlings Flat are too small. Rainwater tanks will not mitigate flooding.	<p><i>Staff acknowledge that rainwater tanks will not mitigate flooding in Birdlings Flat. The rationale for the supplementary water storage requirement is primarily to provide valuable additional non-potable water for areas with restricted supplies and where the sources of supply are vulnerable to drought and disruption. Sections in Birdlings Flat are assessed as generally of a sufficient size to site a rainwater tank in addition to the tank which receives Council’s restricted supply.</i></p>
8350	John Simpson (Wainui)	Individual	Agrees with the bylaw. Supports provision for rainwater tanks	
8351	Evan Parry (Pigeon Bay)	Individual	Agrees with the bylaw. Supports provision for rainwater tanks	



Submission number	Individual, group or organisation name	Number represented	Main points of submission	Staff comments
8352	Christchurch-West Melton Zone Committee (Ian Fox)		<p>The Committee supports proposed requirement for rainwater tanks. Recommends that Council extend the requirement for rainwater tanks to cover Christchurch West Melton and 'over time' all new premises in Christchurch City.</p> <p>Committee recommends that Council set minimum water efficiency standards (developed through a collaborative community led process) which would sit outside the Bylaw as is proposed for stormwater quality standards. Part 2-Wastewater Committee supports Part 2 but wishes to see domestic waste disposal systems prohibited in new dwellings.</p> <p>Part 3-Stormwater Committee agrees with the stormwater provisions of the proposed Bylaw. Strongly supports approach for minimum stormwater standards to sit outside the bylaw in Attachment ZZ and to be developed through a collaborative, community-led approach.</p>	<p><i>Staff comment that the main rationale for the supplementary water storage requirement is to provide supplementary water in locations which are subject in dry summers to higher levels of restriction and where the supply is restricted or sourced from surface streams and shallow bores. This situation does not apply to the urban areas of Christchurch where the deep aquifer fed supply is not vulnerable to the same extent. Any extension to the coverage of clause 15 would have to be justified as a reasonable and appropriate regulatory response to a defined problem.</i></p> <p><i>Staff note that water efficiency standards for new residential development are proposed (Rule 14.8.3.17) for the Replacement District Plan; the inclusion of efficiency standards in the Bylaw would be considered unnecessary additional regulation. Staff have assessed the impacts of domestic waste disposal units on the use of water and upon the Council's sewage treatment systems. Staff conclude that these units add very little to household water use and do not create a significant additional load upon sewage treatment systems.</i></p>
8353	Hagley Ferrymead Community Board (Sara Templeton)		<p>Supports provision for rainwater tanks. Proposes that requirements include all of Christchurch not just parts of Banks Peninsula</p>	<p><i>See comments above for submission 8352.</i></p>

Submission number	Individual, group or organisation name	Number represented	Main points of submission	Staff comments
8354	Kevin Blogg (Little River)	Individual	Supports bylaw in entirety	
8355	Riccarton Wigram Community Board (Mike Mora)		Supports provision for rainwater tanks. Proposes that requirements include all of Christchurch not just parts of Banks Peninsula.	<i>See comments above for submission 8352.</i>
8356	Steven and Heather Boock	2 persons	Does not support rainwater tanks - unfair, unreasonable, discriminates against new dwelling owners; at a minimum the provision should not apply to replacement dwellings.	
8357	Environment Canterbury (CWMS) (Nicki Ablitt)		Supports provision for rainwater tanks; Proposes that requirements include all of Christchurch not just parts of Banks Peninsula; Submission recommends: Minimum requirements for water use efficiency; Providing residents with results of meter readings benchmarked against average household use, provide incentives for water use efficiency and resource education;  Add provisions to measures to protect Banks Peninsula catchments from sources of contamination; Seeks clarification of waste disposal units requirement and proactive pollution prevention.	<i>See comments above for submission 8352.</i>  <i>See comments above for submission 8352. Provision of information, incentives and educational material are not considered appropriate matters for inclusion in a bylaw.</i>  <i>This matter is more appropriately addressed through Regional and District Plan provisions.</i>  <i>See comments above for submission 8352.</i>
8358	Community and Public Health (CDHB) (Dr Daniel Williams)		Supports provision for supplementary storage. Recommends this is extended to all of Christchurch City and for 20,000 litres . Benefits include alternative to potable water for non-potable uses, conservation of potable water, possible stormwater control, emergency preparedness and insulation (e.g. water stored in bladder under flooring).	<i>See comments above for submission 8352.</i>

Submission number	Individual, group or organisation name	Number represented	Main points of submission	Staff comments
8358 (Cont'd)	Community and Public Health (CDHB) (Dr Daniel Williams) (Cont'd)		Section 18 Backflow Prevention (BP) Recommends that the following are included: a list of approved devices for BP, reference to the prevention requirements for different levels of risk, requirements for testing BP devices and supplying results to the Council.	<i>Staff advice is that such material is not required within the bylaw itself.</i>
8359	Lyttelton Mt Herbert Community Board		Supports provision for rainwater tanks for the listed areas in Banks Peninsula.  Stormwater: Supports clause 34(k) restricting the discharge of stormwater onto neighbouring properties. Supports having greater regulation of stormwater so that Council can meet its obligations under its 'global consent'.  Notes that standards will be developed after the bylaw is adopted.	
8360	"The Oil Companies" (Z Energy, BP Oil, Mobil Oil)		Recommends clarification regarding existing discharges to stormwater system;  Recommends clarification of "unless authorised by the council" and "without prior consent of the council"; Recommends clarification of the reference to objectives, policies and standards referred to in Objective clause 28(b); Recommends definition of "contaminant" or is it meant to be containment;	<i>Staff note that the objective of this part of the bylaw is to enable Council to have (a significantly increased) level of control over discharges into the Council's stormwater system. This level of control is considered necessary for existing discharges in certain (unusual) circumstances, e.g. where the Council's stormwater system has suffered significant earthquake damage, and no longer has sufficient capacity.</i>  <i>Staff recommend accepting this submission point and will provide wording for the Hearings Panel's consideration.</i> <i>Staff will provide alternative wording for the Panel's consideration.</i>  <i>"Containment" in clause 3 interpretation is a misprint – should read contaminant</i>

Submission number	Individual, group or organisation name	Number represented	Main points of submission	Staff comments
8360 (Cont'd)	"The Oil Companies" (Z Energy, BP Oil, Mobil Oil) (Cont'd)		<p>Recommends definition of redevelopment;</p> <p>Recommends clarification of whether stormwater definition includes pool water &amp; fire hydrant testing water;</p> <p>Opposes clause 31(2) which allows the council to impose stormwater pre-treatment before discharge into council network;</p> <p>Concerned that minimum standards (zz is not yet developed - recommends that these be further developed and included in the draft bylaw.</p>	<p><i>Staff recommend accepting this submission point and will provide wording for the Panel's consideration.</i></p> <p><i>Definition of stormwater is very broad and may include pool water and fire hydrant testing water</i></p> <p><i>The ability to impose stormwater pre-treatment before discharge into the Council network is considered by staff to be a necessary provision. Inclusion of the definitions identified above may satisfy the submitter's concern to some extent.</i></p> <p><i>Staff agree with the submitter that more certainty should be provided on the development of any standards under the bylaw. Staff recommend amending subclause 34(l) and making a new clause 34(j). The amended and new clauses to read:</i></p> <p><i>34(l) Discharge stormwater which does not comply with any standards established under clause 34(j) of this bylaw, unless specifically authorised by a resource consent from Environment Canterbury.</i></p> <p><i>34 (j)</i></p> <p><i>(i) The Council may by resolution specify minimum standards for stormwater discharges into the Council's stormwater system.</i></p> <p><i>(ii) The Council may by resolution subsequently amend or revoke any resolution made under clause 34(j)(i).</i></p> <p><i>(iii) Before making a resolution under clause 34(j)(i) or the amendment or revocation of a resolution under clause 34(j)(ii) the Council will consider the views and preferences of persons affected by the decision.</i></p> <p><b><i>The following note is explanatory and is not part of the Bylaw:</i></b></p>

Submission number	Individual, group or organisation name	Number represented	Main points of submission	Staff comments
8360 (Cont'd)	"The Oil Companies" (Z Energy, BP Oil, Mobil Oil) (Cont'd)		Recommends the inclusion of MfE's Environmental Guideline for Water Discharge from Petroleum Industry Sites in New Zealand 1998 into bylaw.	<i>The Council may obtain views and preferences by carrying out a targeted consultation applying the principles in section 82 of the Local Government Act 2002. All resolutions made under this clause will be recorded in a register which will be made available on the Council's website.</i> <i>Staff recommend that the MfE guidelines be assessed for possible incorporation into any standards developed under this bylaw.</i>
8361	Spreydon/Heathcote Community Board (Paul McMahan)		Board generally supportive of the bylaw.  Supports provision for rainwater tanks for listed areas. Submits that the provision should also apply to new residential and commercial buildings in Christchurch City. Current use of best quality drinking water is 'unsustainable'. Considers that installation of rainwater tanks would serve flood mitigation purposes within the area covered by the Southwest Area Plan.	<i>See comments above for submission 8352</i>  <i>Staff note that rain tanks are one tool in the "toolbox" for flood mitigation purposes but are not always feasible, effective or necessary depending on the specific situation. It is also noted that rain tanks intended for stormwater mitigation purposes are not necessarily effective for water re-use purposes as the tanks must be emptied between storm events to be effective.</i>
8362	Davie Lovell-Smith Ltd		Conditional support for the proposed bylaw as an appropriate way for the Council to implement stormwater management plans.  Supports objectives (clause 28) for stormwater.  Supports the requirements set out in clause 31(1) in relation to design, construction and operation of stormwater systems.	

Submission number	Individual, group or organisation name	Number represented	Main points of submission	Staff comments
8362 (Cont'd)	Davie Lovell-Smith Ltd (Cont'd)		<p>Supports the discretions (clauses 31(2) &amp; (3)) Council retains with regard to retrofitting stormwater mitigation measures as it is not always possible to retrofit such systems.</p> <p>Supports requirement that all works should be undertaken in accordance with erosion and sediment control measures (clause 32). Submitter's main concern relates to the uncertainty about stormwater standards (clause 34(l)). Advises that Davie Lovell Smith wishes to participate in the process to develop standards. Recommends that the Council include within the bylaw reference to the consultative process to develop these standards and that the standards (once developed) need to be publicly available as for other bylaws' 'terms and conditions'.</p>	<p><i>The staff recommendation is to accept this submission. See comments and recommended bylaw amendments above within comments on submission 8360 (The Oil Companies).</i></p>
8363	Daphne Temple	Individual	<p>Opposes the requirement for rainwater tanks because of the small size of sections within the Akaroa Historic Town Centre and the visual impact of the tanks. Refers to her own property as one where it would be difficult to comply and considers generally that the Bylaw should not apply to 'rebuilt' within the town centre because of difficulties in complying with additional requirements.</p>	<p><i>Staff note that the intent of the requirement for rainwater tanks is that it should apply to all new premises including 'rebuilt'. However small residential dwellings on small sections will possibly preclude the siting of a water tank. In such situations the Council's bylaw regime provides for dispensation from bylaw requirements where they are 'unreasonable' i.e. where "full compliance would needlessly and injuriously affect that person or business, without a corresponding benefit to the public or any section of it"</i></p> <p><i>See comments and recommendations above for submission 8436.</i></p>
8365	David Beattie	Individual	<p>Opposes the requirement for rainwater tanks for Akaroa.</p> <p>The submitter is the owner of a fire damaged commercial building and is uncertain as to</p>	<p><i>See comments above and for submission 8436.</i></p>

Submission number	Individual, group or organisation name	Number represented	Main points of submission	Staff comments
			<p>whether the building will be repaired or re-built. He is therefore uncertain as to whether the bylaw will apply to his building. The proposed additional requirement for building/ rebuilding within Akaroa is likely to deter investment in the town.</p>	
8366	Akaroa Wairewa Community Board		<p>The Board strongly advocates that the Council 'raise the profile' of the bylaw using brochures, FAQ sheets etc.</p> <p>The Board supports the requirement /advocates for new homes and commercial buildings to have stored water (supplementary supply) for gardening, washing vehicles etc, given the constrained public supply. The Board notes that storage systems need to be affordable.</p> <p>The Board requests a definition of 'Rural Residential' and asks whether residential properties in a rural area will be charged a commercial rate? Notes that commercial charging could have serious implications for low income households.</p> <p>Water Supply: The Board requests a new objective under clause 4(e): "Work with communities with substandard drinking water, to develop potable water supplies with legalised access.</p> <p>In addition to the requirement for rainwater tanks for new premises the Board would like to see the Council encourage the installation of supplementary storage in existing premises including shared storage for groups of properties and encouragement for storage greater than 5000 litres.</p>	<p><i>Staff recommend that the definition of Commercial Water Supply is amended to delete the reference to Rural Residential.</i></p> <p><i>Staff recommend that the suggested objective is not included within the bylaw as it is not an appropriate regulatory objective. However as a separate recommendation of the Panel outside the bylaw, it may be appropriate for a Council policy or the water supply strategy</i></p> <p><i>This submission is noted as relevant to the review of Council's water supply strategy. No amendment to the bylaw is sought.</i></p>

Submission number	Individual, group or organisation name	Number represented	Main points of submission	Staff comments
8366 (Cont'd)	Akaroa Wairewa Community Board (Cont'd)		<p>The Board seeks clarification as to whether a bylaw requirement for provision of a storage tank for restricted supplies is necessary.</p> <p>Stormwater: Request for better information to landowners on their obligations and inclusion of a clause in 28 (e) ...including the education of property owners on the legal discharge of their stormwater. Board strongly endorses Clause 36 Maintenance Responsibilities and seeks that Council makes people aware of their obligations. Board considers that the obligations on Council to maintain its infrastructure should be made plain. Request for a map showing current land drainage district.</p>	<p><i>Staff advise that the provision of a storage tank for a restricted supply is for the benefit of the customer rather than the Council and as such a bylaw requirement is not necessary. Staff note that it was not in the 2008 Bylaw. Provision for education is not an appropriate regulatory objective, however it would be appropriate within a Council policy or strategy.</i></p> <p><i>Staff support this recommendation.</i></p>
8367	Heather Holder-Lunn	Individual	Supports the bylaw as a positive step towards water conservation.	
8368	Banks Peninsula Zone Committee (Richard Simpson)		<p>Supports the requirement for new commercial and residential buildings to provide supplementary rainwater tanks in the listed areas. Set minimum water efficiency measures for new homes and commercial buildings. Require water efficient appliances</p> <p>Encourage the use of grey water for gardening Raise awareness of the need for water conservation.</p>	<p><i>See comments above for submission 8352 As water efficiency standards for new residential development are included (Rule 14.8.3.17) in the Replacement District Plan; the introduction of such standards in the Bylaw may be unnecessary and inappropriate. See comments above with regard to provision for educational initiatives.</i></p>



**DRAFT BYLAWS REVIEW 2014**  
**SUBMITTERS WHO WISH TO BE HEARD**

**THURSDAY 18 SEPTEMBER 2014**

Time	Submission No	Submitter	Bylaw Name	Page No
9.30am	8300	Lyttelton/Mt Herbert Community Board - Paula Smith	- Cruising and Prohibited Times on Roads	
	8321		- Parks and Reserves	
	8359		- Water Supply, Wastewater and Stormwater	
9.45am	8284	Hagley/Ferrymead Community Board - Sara Templeton	- Fire Safety	
	8292		- Parks and Reserves	
	8296		- Traffic and Parking Amendment	
	8353		- Water Supply, Wastewater and Stormwater	
10.00am	8304	Spreydon/Heathcote Community Board - Paul McMahon	- Cruising and Prohibited Times on Roads	
	8311		- Fire Safety	
	8323		- Parks and Reserves	
	8335		- Traffic and Parking Amendment	
	8361		- Water Supply, Wastewater and Stormwater	
10.15am	8310	Akaroa/Wairewa Community Board - Pam Richardson (LATE Submissions)	- Fire Safety	
	8327		- Parks and Reserves (Late)	
	8339		- Traffic and Parking Amendment (Late)	
	8366		- Water Supply, Wastewater and Stormwater (Late)	
10.30am	8298	Riccarton/Wigram Community Board - Mike Mora	- Cruising and Prohibited Times on Roads	
	8355		- Water Supply, Wastewater and Stormwater	
10:45am	8297	SPOKES - Don Babe/Dirk de Lu	- Traffic and Parking Amendment	
10.55am	8312	Brent Schulz	- Fire Safety	
11.10am	8357	Environment Canterbury - Nicki Ablitt	- Water Supply, Wastewater and Stormwater	
11.20am	8362	Davie Lovell-Smith - Julie Comfort	- Water Supply, Wastewater and Stormwater	
11.30am	8365	Red Rock Group Limited - David Beattie (LATE Submission)	- Water Supply, Wastewater and Stormwater (Late)	
11.40am	8356	Stephen and Heather Bock	- Water Supply, Wastewater and Stormwater	
11.50am	8360	The Oil Companies - Dave Le Marquand (Burtons Consultants) - Martin Robertson (Z Oil Company) - Simon Hunt (Mobil)	- Water Supply, Wastewater and Stormwater	
12.50pm	8332	Christchurch Civic Trust - Tim Hogan	- Parks and Reserves	
	8334		- Traffic and Parking Amendment	
1.00pm	8315	Neiel Drain	- Parks and Reserves	
1.05pm	8290	Inner City East Neighbourhood Group - Raylee Kane	- Parks and Reserves	
1.15pm	8291	Janet Begg	- Parks and Reserves	
1.25pm	8324	Anne Dingwall	- Parks and Reserves	
	8338		- Traffic and Parking Amendment	
1.35pm	8369	Halswell Residents Assn - Ron Fensom	- Parks and Reserves	
1.45pm	8325	Hands Off Hagley - Anne Martin	- Parks and Reserves	
	8336		- Traffic and Parking Amendment	
1.55pm	8328	Martin Meehan	- Traffic and Parking Amendment	
2.00pm	8322	Mahaanui Kurataiao Ltd (MKT) - Claire Gibb	- Parks and Reserves	