

## **Regulatory Performance Committee OPEN MINUTES**

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**Date:** Wednesday 11 July 2018  
**Time:** 9.03am  
**Venue:** Committee Room 1, Level 2, Civic Offices,  
53 Hereford Street, Christchurch

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**Present**

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

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**10 July 2018**

**Principal Advisor**

Leonie Rae  
General Manager Consenting &  
Compliance

Liz Ryley  
Committee Advisor  
941 8153  
liz.ryley@ccc.govt.nz  
[www.ccc.govt.nz](http://www.ccc.govt.nz)

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- Part A**      **Matters Requiring a Council Decision**  
**Part B**      **Reports for Information**  
**Part C**      **Decisions Under Delegation**
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The agenda was dealt with in the following order.

## **1. Apologies**

**Part C**

**Committee Resolved RPCM/2018/00031**

### **Committee Decision**

That the apologies from Councillor Scandrett for lateness, and Councillor Templeton for early departure, be accepted.

Councillor Gough/Councillor Galloway

**Carried**

## **2. Declarations of Interest**

**Part B**

There were no declarations of interest recorded.

## **3. Confirmation of Previous Minutes**

**Part C**

**Committee Resolved RPCM/2018/00032**

### **Committee Decision**

That the minutes of the Regulatory Performance Committee meeting held on Wednesday, 13 June 2018 be confirmed, subject to an addition to Item 8 Car Park Consent at New World, Stanmore Road, that the Council will inform Foodstuffs that future site plans show the true size of a tree's canopy, and that plans are in future peer reviewed in relation to protected trees.

Councillor Galloway/Councillor Chen

**Carried**

## **4. Public Forum**

**Part B**

There were no public forum presentations.

## **5. Deputations by Appointment**

**Part B**

There were no deputations by appointment.

## 6. Presentation of Petitions

### Part B

There was no presentation of petitions.

## 7. Proposed Replacement Alcohol Restrictions in Public Places Bylaw 2018

### Committee Decided RPCM/2018/00033

### Part A

That the Regulatory Performance Committee recommend to the Council that it:

1. Receive the attached section 155 report (refer to **Attachment A**) on the making of the proposed draft Christchurch City Council Alcohol Restrictions in Public Places Bylaw 2018 (proposed draft bylaw) – refer to **Attachment B**.
2. Resolve, in accordance with section 155 of the Local Government Act 2002, that the proposed draft bylaw:
  - a. is the most appropriate way of addressing the perceived problem; and
  - b. is the most appropriate form of bylaw (subject to changes made as a result of the special consultative procedure); and
  - c. gives rise to some implications under the New Zealand Bill of Rights Act 1990 but that the proposed draft bylaw is not inconsistent with that Act (subject to changes made as a result of the special consultative procedure);
3. Resolve, under section 147A(3) of the Local Government Act 2002 that the proposed draft bylaw (subject to any changes made as a result of the special consultative procedure) is of substantially the same effect to the Christchurch City Council Alcohol Restrictions in Public Places Bylaw 2009, and that it is satisfied that:
  - a. the proposed draft bylaw can be justified as a reasonable limitation on people's rights and freedoms; and
  - b. 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 Christchurch City if the proposed draft bylaw is not made; and
  - c. the proposed draft bylaw is appropriate and proportionate in the light of that likely crime or disorder.
4. Commence, in accordance with sections 83, 86, and 156 of the Local Government Act 2002, the Special Consultative Procedure in relation to the proposed draft bylaw;
5. Resolve that the attached Statement of Proposal (which includes the proposed draft bylaw) (**Attachment B**) be adopted for consultation;
6. Agree that a hearings panel be convened to receive and hear submissions on the proposed bylaw amendments, deliberate on those submissions, and report back recommendations to the Council on the final form of the bylaw.

Councillor Gough/Councillor Chen

Carried

## 8. Proposed Amendment to the Freedom Camping Bylaw 2015 (Akaroa)

Committee Decided RPCM/2018/00034

### Part A

That the Regulatory Performance Committee recommend to the Council that it:

1. Resolve that it is satisfied that the proposed amendment to the Christchurch City Council Freedom Camping Bylaw 2015 is the most appropriate and proportionate way of addressing the perceived problems, and therefore meets the requirements of section 11 of the Freedom Camping Act 2011;
2. Note that the Freedom Camping Act requires the use of the Special Consultative Procedure to amend a freedom camping bylaw;
3. Approve and adopt the attached Statement of Proposal (Attachment A), which includes the proposed amendments, for public consultation;
4. Agree that a hearings panel be convened to receive and hear submissions on the proposed bylaw amendments, deliberate on those submissions, and report back recommendations to the Council on the final form of the bylaw; and
5. Note that the hearings panel will report back to the Council so that any amendments can be in place in time for the start of the summer freedom camping season for 2018-19.

Councillor Templeton/Councillor Galloway

**Carried**

## 9. Proposed Changes to the Brothels (Location and Commercial Sexual Services Signage) Bylaw 2013

Committee Decided RPCM/2018/00035

### Part A

That the Regulatory Performance Committee recommend to the Council that it:

1. Note that the Brothels (Location and Commercial Sexual Services Signage) Bylaw 2013 has been reviewed to meet statutory review requirements (in compliance with sections 158 and 160 of the Local Government Act 2002);
2. Resolve that the proposed amendments to the bylaw meet the requirements of section 155 of the Local Government Act 2002, as set out in Attachment A, in that:
  - a. a bylaw is the most appropriate way of addressing the perceived problems; and
  - b. the proposed bylaw (subject to the outcome of the consultation process) is the most appropriate form of bylaw; and
  - c. the proposed bylaw gives rise to some implications under the New Zealand Bill of Rights Act 1990, but is not inconsistent with that Act.
3. Adopt the attached proposed amendments to the Brothels (Location and Commercial Sexual Services Signage) Bylaw 2013 (Attachment B) for public consultation.
4. Note that public consultation will be undertaken in accordance with the Local Government Act 2002 (sections 156 and 82).

5. Agree that a hearings panel be convened to receive and hear submissions on the proposed bylaw amendments, deliberate on those submissions, and report back recommendations to the Council on the final form of the bylaw.

Councillor Galloway/Councillor Templeton

**Carried**

## 10. Proposed Changes to the Public Places Bylaw 2008

### Committee Decided RPCM/2018/00036

#### Part A

That the Regulatory Performance Committee recommend to Council that it:

1. Note that:
  - a. this report relates to the review of the Public Places Bylaw 2008;
  - b. the review of the current bylaw has resulted in the development of a proposed bylaw: the Christchurch City Council Public Places Bylaw 2018;
  - c. in order to complete the review, the Council needs to approve and consult the public on the proposed bylaw.
2. Receive the attached section 155 analysis report (Attachment A).
3. Note that on 22 March 2018 Council resolved that a bylaw is the most appropriate way of addressing the perceived problems relating to public places, in accordance with section 155(1) of the Local Government Act 2002, and that a bylaw is required to provide for reasonable controls to:
  - a. protect health and safety;
  - b. protect the public from nuisance; and
  - c. provide for the regulation of trading in public places.
4. Commence the Special Consultative Procedure in relation to the proposed bylaw (Attachment B) and notes that subject to any changes as a result of the consultation process the proposed bylaw meets the requirements of section 155 of the Act, in that:
  - a. a bylaw is the most appropriate way of addressing the perceived problems; and
  - b. the proposed bylaw (subject to the outcome of the consultation process) is the most appropriate form of bylaw; and
  - c. the proposed bylaw gives rise to some implications under the New Zealand Bill of Rights Act 1990, but is not inconsistent with that Act.
5. Adopt a Statement of Proposal (Attachment C) for consultation in accordance with section 83 of the Act; and
6. Agree that a hearings panel be convened to receive and hear submissions on the proposed bylaw amendments, deliberate on those submissions, and report back recommendations to the Council on the final form of the bylaw.

Councillor Chen/Councillor Templeton

**Carried**

## 11. Review of the Trading and Events in Public Places Policy 2010

### Committee Decided RPCM/2018/00037

#### Part A

That the Regulatory Performance Committee recommend to Council that it:

1. Note that:
  - a. this report relates to the review of the Christchurch City Council Trading and Events in Public Places Policy 2010 (the current policy);
  - b. the review of the current policy has resulted in the development of a draft replacement policy: the Christchurch City Council Trading and Events in Public Places Policy 2018;
2. Approve the draft replacement policy and consult the public on the draft policy.
3. Agree that a hearings panel be convened to receive and hear submissions on the proposed replacement policy, deliberate on those submissions, and report back recommendations to the Council on the final form of the policy.

Councillor Gough/Councillor Galloway

Carried

## 12. Proposed Changes to the Cemeteries Bylaw 2013

### Committee Decided RPCM/2018/00038

#### Part A

That the Regulatory Performance Committee recommend to Council that it:

1. Note that:
  - a. this report relates to the review of the Cemeteries Bylaw 2013;
  - b. the review of the current bylaw has resulted in the development of proposed amendments to the 2013 bylaw;
  - c. in order to complete the review, the Council needs to approve and consult the public on the proposed bylaw amendments.
2. Receive the attached section 155 analysis report (Attachment A).
3. Note that on 22 March 2018 Council resolved that a bylaw is the most appropriate way of addressing the perceived problems relating to cemeteries, in accordance with section 155(1) of the Local Government Act 2002, and that a bylaw is required to provide for reasonable controls to:
  - a. protect health and safety;
  - b. protect the cemeteries; and
  - c. provide for the regulation of activities in cemeteries.
4. Commence the consultation process in relation to the proposed bylaw amendments (Attachment B) and note that subject to any changes as a result of the consultation process the proposed bylaw meets the requirements of section 155 of the Act, in that:

- a. a bylaw is the most appropriate way of addressing the perceived problems; and
  - b. the proposed amended bylaw (subject to the outcome of the consultation process) is the most appropriate form of bylaw; and
  - c. the proposed amended bylaw gives rise to some implications under the New Zealand Bill of Rights Act 1990, but is not inconsistent with that Act.
5. Agree that a hearings panel be convened to receive and hear submissions on the proposed bylaw amendments, deliberate on those submissions, and report back recommendations to the Council on the final form of the bylaw.

Councillor Templeton/Councillor Chen

**Carried**

### 13. Review of the Cemeteries Handbook 2013

#### Committee Decided RPCM/2018/00039

##### Part A

That the Regulatory Performance Committee recommend to the Council that it:

1. Note that:
  - a. This report relates to the review of the Christchurch City Council Cemeteries Handbook 2013 (the current handbook);
  - b. The review of the current handbook has resulted in the development of a draft replacement handbook: the Christchurch City Council Cemeteries Handbook 2018;
2. Approve the draft replacement handbook (Attachment A) and consult the public on the draft handbook.
3. Agree that a hearings panel be convened to receive and hear submissions on the proposed replacement Cemeteries Handbook, deliberate on those submissions, and report back recommendations to the Council on the final form of the Handbook.

Councillor Chen/Councillor Templeton

**Carried**

Councillor Scandrett arrived at 9.42am.

### 14. Monitoring of Known Earthquake Waste Demolition Storage Sites and Clean fill Sites

#### Committee Comment

The Committee asked to receive, for information, historical Council reports that had been completed on monitoring of known earthquake waste demolition storage sites and clean fill sites.

#### Committee Resolved RPCM/2018/00040

##### Part C

That Regulatory Performance Committee:

1. Receive the information in the Monitoring of Known Earthquake Waste Demolition Storage Sites and Clean fill Sites report.

Councillor Chen/Councillor Galloway

**Carried**

An adjournment was taken from 9.46am to 9.54am.

Councillor Templeton departed at 10am during discussion on Item 15.

## **15. Resource Consents Monthly Report - May 2018**

### **Committee Comment**

1. Staff were asked to investigate a proposal on levels of service acceptable to the community.

### **Committee Resolved RPCM/2018/00041**

#### **Part C**

That Regulatory Performance Committee:

1. Receive the information in the Resource Consents Monthly Report – May 2018 report.

Councillor East/Councillor Chen

**Carried**

## **16. Building Consenting Unit Update July 2018**

### **Committee Resolved RPCM/2018/00042**

#### **Part C**

That the Regulatory Performance Committee:

1. Receive the information in the Building Consenting Update June 2018 report.

Councillor East/Councillor Gough

**Carried**

**Meeting concluded at 10.29am.**

**CONFIRMED THIS 8TH DAY OF AUGUST 2018**

**COUNCILLOR DAVID EAST  
CHAIRMAN**