

**Notice of Meeting:**

I hereby give notice that an ordinary meeting of the Customer & Regulatory Services Committee will be held on:

**Date:** Tuesday 6 August 2024  
**Time:** 1.00 pm (or at the conclusion of the previous meeting, whichever is later)  
**Venue:** Council Chamber, Dunedin Public Art Gallery, The Octagon, Dunedin

Sandy Graham  
Chief Executive Officer

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**Customer & Regulatory Committee**  
**PUBLIC AGENDA**

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**MEMBERSHIP**

<b>Chairperson</b>	Cr Carmen Houlahan	
<b>Deputy Chairperson</b>	Cr Andrew Whiley	
<b>Members</b>	Cr Bill Acklin	Cr Sophie Barker
	Cr David Benson-Pope	Cr Christine Garey
	Cr Kevin Gilbert	Cr Marie Laufiso
	Cr Cherry Lucas	Cr Mandy Mayhem
	Cr Jim O'Malley	Mayor Jules Radich
	Cr Lee Vandervis	Cr Steve Walker
	Cr Brent Weatherall	

**Senior Officer** Jeanette Wikaira, General Manager Arts, Culture and Recreation

**Governance Support Officer** Jennifer Lapham

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Jennifer Lapham  
Governance Support Officer

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**Note:** Reports and recommendations contained in this agenda are not to be considered as Council policy until adopted.

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**1 OPENING**

The meeting will be opened with a karakia timatanga

**2 PUBLIC FORUM**

At the close of the agenda no requests for public forum had been received.

**3 APOLOGIES**

An apology has been received from Cr Steve Walker.

That the Committee:

**Accepts** the apology from Cr Steve Walker.

**4 CONFIRMATION OF AGENDA**

Note: Any additions must be approved by resolution with an explanation as to why they cannot be delayed until a future meeting.

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## DECLARATION OF INTEREST

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### EXECUTIVE SUMMARY

1. Members are reminded of the need to stand aside from decision-making when a conflict arises between their role as an elected representative and any private or other external interest they might have.
2. Elected members are reminded to update their register of interests as soon as practicable, including amending the register at this meeting if necessary.

### RECOMMENDATIONS

That the Committee:

- a) **Notes/Amends** if necessary the Elected Members' Interest Register attached as Attachment A; and
- b) **Confirms/Amends** the proposed management plan for Elected Members' Interests.

### Attachments

	<b>Title</b>	<b>Page</b>
<a href="#">↓A</a>	Customer and Regulatory Committee Register of Interest	6

Customer and Regulatory Committee Register of Interest as at 31 July 2024				
Councillors are members of all committees				
Name	Responsibility (i.e. Chairperson etc)	Declaration of Interests	Nature of Potential Interest	Member's Proposed Management Plan
Mayor Jules Radich	Shareholder	Izon Science Limited	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Shareholder	Taurikura Drive Investments Ltd	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Shareholder	Golden Block Developments Ltd	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Director	Cambridge Terrace Properties Ltd	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Director/Shareholder	Southern Properties (2007) Ltd	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Director	Arrenway Drive Investments Limited	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Director	Golden Centre Holdings Ltd	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Director/Shareholder	IBMS Ltd	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Director/Shareholder	Raft Holdings Ltd	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Director/Shareholder	Otago Business Coaching Ltd	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Director	Effectivise Ltd	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Director	Athol Street Investments Ltd	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Director/Shareholder	Allandale Trustee Ltd	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Shareholder	Aberdeen St No2 Ltd	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Road Safety Action Plan	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	100% Shareholder/Director	Panorama Developments Limited	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Dunedin Hospital Local Advisory Group (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Dunedin Council of Social Services (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Tertiary Precinct Planning Group (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Tertiary Sector Steering Group (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
Member	Dunedin Club	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.	
Member	Local Government New Zealand (Zone 6 Committee) (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.	

Name	Responsibility (i.e. Chairperson etc)	Declaration of Interests	Nature of Potential Interest	Member's Proposed Management Plan
Mayor Jules Radich (cont)	Member	Connecting Dunedin (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
Cr Bill Acklin	Shareholder/Director	Dunedin Brokers Limited	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	APRA - AMCOS	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Entertainer	Various functions	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Strath Taieri Community Board (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Casual Employee	Insulmax	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Craigieburn Reserve Committee (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Toitū Otago Settlers Museum Board (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
Cr Sophie Barker	Director	Ayrméd Limited	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Shareholder	Various publicly listed companies	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Property Owner	Residential Property Owner - Dunedin	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Beneficiary	Sans Peur Trust (Larnach Castle)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Mentor	Business Mentors NZ	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Southern Heritage Trust	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Friends Otago Museum	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Otago Peninsula Trust	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Orokonui Ecosanctuary	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Volunteer	Blue Penguins Pukekura	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Dunedin Vegetable Growers Club	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Committee Member	Otago Anniversary Day Dinner	No conflict Identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Chairperson	Dunedin Heritage Fund (Council Appointment)	No conflict Identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Dunedin Gasworks Museum Trust (Council Appointment)	No conflict Identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Dunedin Otaru Sister City Society (Council Appointment)	No conflict Identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
Member	Hereweka Harbour Cone Trust (Council Appointment)	No conflict Identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.	

Name	Responsibility (i.e. Chairperson etc)	Declaration of Interests	Nature of Potential Interest	Member's Proposed Management Plan
Cr Sophie Barker (cont)	Deputy Chair	Dunedin Food and Drink Tourism Story Group	No conflict Identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Te Ao Tūroa Partnership (Council Appointment)	No conflict Identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Connecting Dunedin (Council Appointment)	No conflict Identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
Cr David Benson-Pope	Owner	Residential Property Ownership in Dunedin	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Trustee and Beneficiary	Blind Investment Trusts	Duty to Trust may conflict with duties of Council Office	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Yellow-eyed Penguin Trust	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	New Zealand Labour Party	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Dunedin Heritage Fund (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Dunedin Public Art Gallery Acquisitions Committee (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
Cr Christine Garey	Member	Otago Museum Trust Board (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Trustee	Garey Family Trust - Property Ownership - Dunedin	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Women of Ōtepoti	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member (alternate)	Grow Dunedin Partnership (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Sophia Charter (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Study Dunedin	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Chairperson	Ashburn Hall Charitable Trust Board	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Trustee	St Paul's Cathedral Foundation (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
Member	Theomin Gallery Management Committee (Olveston) (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.	
Cr Kevin Gilbert	Member	Gipfel Limited - Bakery	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Owner	Schlubert Trust - Residential Property	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Trustee	Schlup Family Trust	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Trustee	BNI	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.



Name	Responsibility (i.e. Chairperson etc)	Declaration of Interests	Nature of Potential Interest	Member's Proposed Management Plan
Cr Kevin Gilbert (cont)	Member	Business South	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Shareholder	Air New Zealand	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Trustee	Kevin Gilbert and Esther Gilbert Partnership - Residential Rental Property	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Trustee	Biddies Trust	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Advisors	Ronald McDonald House Supper Club Committee	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Dunedin Fair Trading Committee (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Local Government New Zealand (Zone 6 Committee) (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member (alternate)	Otago Regional Transport Committee (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Toitū Otago Settlers Museum Board (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Keep Dunedin Beautiful (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Otago Settlers Association (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Saddle Hill Community Board (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Chair	Food Equity and Education Dunedin (FEED) Charitable Trust	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	National Industry Advisors Group Food and Beverage (Workforce Development Council)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
Member	Connecting Dunedin (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.	
Cr Carmen Houlahan	Owner	Residential Property - Dunedin	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Owner	Rental Property - North Dunedin	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Part Owner	Adobe Group Ltd, Wanaka	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Dunedin Rotary Club	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Institute of Directors	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Otago Property Investors Association	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Dunedin Public Art Gallery Society (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Dunedin Public Art Gallery Acquisitions Committee (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Creative Dunedin Partnership (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.











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## CONFIRMATION OF MINUTES

### CUSTOMER & REGULATORY COMMITTEE MEETING - 21 MAY 2024

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#### RECOMMENDATIONS

That the Committee:

- a) **Confirms** the public part of the minutes of the Customer & Regulatory Committee meeting held on 21 May 2024 as a correct record.

#### Attachments

	<b>Title</b>	<b>Page</b>
<a href="#">A↓</a>	Minutes of Customer & Regulatory Committee meeting held on 21 May 2024	16

## **Customer & Regulatory Committee**

### **MINUTES**

Minutes of an ordinary meeting of the Customer & Regulatory Services Committee held in the Council Chamber, Dunedin Public Art Gallery, The Octagon, Dunedin on Tuesday 21 May 2024, commencing at 11.00 am.

#### **PRESENT**

<b>Chairperson</b>	Cr Carmen Houlahan	
<b>Deputy Chairperson</b>	Cr Andrew Whiley	
<b>Members</b>	Cr Bill Acklin	Cr Sophie Barker
	Cr David Benson-Pope	Cr Christine Garey
	Cr Kevin Gilbert	Cr Marie Laufiso
	Cr Cherry Lucas	Cr Mandy Mayhem
	Cr Jim O'Malley	Mayor Jules Radich
	Cr Lee Vandervis	Cr Steve Walker
	Cr Brent Weatherall	

#### **IN ATTENDANCE**

Sandy Graham (Chief Executive Officer), Jeanette Wikaira (General Manager Arts, Culture and Recreation), Paul Henderson (Building Services Manager), Ros MacGill (Manager Compliance Solutions), Anne Gray (Policy Analyst) and Clare Sullivan (Manager Governance)

**Governance Support Officer** Jennifer Lapham

#### **1 OPENING**

Cr Carmen Houlahan opened the meeting with a karakia timatanga.

#### **2 PUBLIC FORUM**

There was no Public Forum.

#### **3 APOLOGIES**

Apologies were received from Mayor Radich and Cr Laufiso

Moved (Cr Carmen Houlahan/Cr Cherry Lucas):



That the Committee:

**Accepts** the apologies from Mayor Radich and Cr Laufiso

**Motion carried (CRC/2024/003)**

#### **4 CONFIRMATION OF AGENDA**

Moved (Cr Carmen Houlahan/Cr Bill Acklin):

That the Committee:

**Confirms** the agenda without addition or alteration.

**Motion carried (CRC/2024/004)**

#### **5 DECLARATIONS OF INTEREST**

Members were reminded of the need to stand aside from decision-making when a conflict arose between their role as an elected representative and any private or other external interest they might have.

Moved (Cr Carmen Houlahan/Cr Cherry Lucas):

That the Committee:

- a) **Notes** the Elected Members' Interest Register; and
- b) **Confirms** the proposed management plan for Elected Members' Interests.

**Motion carried (CRC/2024/005)**

#### **6 CONFIRMATION OF MINUTES**

##### **6.1 CUSTOMER & REGULATORY COMMITTEE MEETING - 12 SEPTEMBER 2023**

Moved (Cr Carmen Houlahan/Cr Andrew Whiley):

That the Committee:

- a) **Confirms** the minutes of the Customer & Regulatory Committee meeting held on 12 September 2023 as a correct record.

**Motion carried (CRC/2024/006)**

**PART A REPORTS**

**7 CUSTOMER AND REGULATORY COMMITTEE FORWARD WORK PROGRAMME**

A report from Civic provided an update of the Customer and Regulatory Committee forward work programme showing areas of activity, progress and expected timeframes for decision making across a range of work.

The Building Services Manager, Mr Paul Henderson spoke to the report responded to questions.

Moved (Cr Carmen Houlahan/Cr Jim O'Malley):

That the Committee:

- a) **Notes** the Customer and Regulatory Committee forward work programme.  
**Motion carried (CRC/2024/007)**

**8 UPDATE ON ANIMAL SERVICES EDUCATION SESSIONS**

In a report from Customer and Regulatory an update was provided on the Animal services' free dog education sessions being provided to Dunedin primary schools.

The Building Services Manager, Mr Paul Henderson, the Manager Compliance Solutions, Ms Ros MacGill and Policy Analyst, Ms Anne Gray spoke to the report and responded to questions.

Moved (Cr Carmen Houlahan/Cr Bill Acklin):

That the Committee:

- Notes** the update on Animal Services education sessions.

**Motion carried (CRC/2024/008)**

**9 REVIEW OF DOG CONTROL BYLAW AND DOG CONTROL POLICY**

A report from Customer and Regulatory advised that August 2023, the Council resolved to commence review of the Dog Control Bylaw (the Bylaw) and Dog Control Policy (the Policy). This review must be carried out under requirements of the Dog Control Act 1996 (the Act) and the Local Government Act 2002 (LGA).

In order to meet requirements of the Act and the LGA, and for consultation purposes, the report asked the Committee to:

- a) Approve a draft Dog Control Bylaw
- b) Approve a draft Dog Control Policy
- c) Adopt a statement of proposal (SOP)

The Building Services Manager, Mr Paul Henderson, the Manager Compliance Solutions, Ms Ros MacGill and Policy Analyst, Ms Anne Gray spoke to the report and responded to questions.

Moved (Cr Carmen Houlahan/Cr Jim O'Malley):

That the Committee:

- a) **Notes** the review's early engagement results.
- b) **Approves** the draft Dog Control Bylaw and draft Dog Control Policy for consultation purposes, subject to any amendment.
- c) **Adopts** the Statement of Proposal, for consultation purposes, subject to any amendment.
- d) **Resolves** that the proposed draft Dog Control Bylaw meets the requirements of section 155 of the Local Government Act, in that:
  - i) the proposed Bylaw is the most appropriate form of Bylaw
  - ii) the proposed Bylaw does not give rise to any implications under the New Zealand Bill of Rights Act 1990.

**Motion carried (CRC/2024/009)**

Moved (Cr Carmen Houlahan/Cr Jim O'Malley):

That the Committee:

**Adjourn** the meeting.

**Motion carried**

The meeting adjourned at 12.03 pm and reconvened at 12.06 pm

## **10 TRADING IN PUBLIC PLACES BYLAW REVIEW**

A report from Customer and Regulatory the Committee advised The Trading in Public Places Bylaw (The Bylaw) was made on 27 October 2020 and came into effect on 1 January 2021. The Local Government Act 2002 (The Act) requires that a bylaw must be reviewed within five years after being made.

The report recommended that the Customer and Regulatory Committee (the Committee) determines that a bylaw continues to be the most appropriate way to address public trading issues in Dunedin.

The Building Services Manager, Mr Paul Henderson, the Manager Compliance Solutions, Ms Ros MacGill and Policy Analyst, Ms Anne Gray spoke to the report and responded to questions.

Cr Whiley entered the meeting at 12.07 pm

Moved (Cr Carmen Houlahan/Cr Jim O'Malley):

That the Committee:

- a) **Determines** that a bylaw is the most appropriate way to address public trading issues in Dunedin.
- b) **Approves** commencement of the review of the Trading in Public Places Bylaw.

**Motion carried (CRC/2024/010)**

## **11 CUSTOMER AND REGULATORY ISSUES AND TRENDS REPORT**

In a report from Customer and Regulatory an update was provided on the Issues and Trends report for the six months to 31 March 2024.

The Building Services Manager, Mr Paul Henderson, the Manager Compliance Solutions, Ms Ros MacGill, the Customer Services Manager, Hayley Brown and the Resource Consents Manager, Alan Worthington spoke to the report and responded to questions.

Moved (Cr Carmen Houlahan/Cr Cherry Lucas):

That the Committee:

- a) **Notes** the Customer and Regulatory Issues and Trends report.

**Motion carried (CRC/2024/011)**

## **12 ITEMS FOR CONSIDERATION BY THE CHAIR**

There were no items for consideration.

## **13 KARAKIA WHAKAMUTUNGA**

Cr Carmen Houlahan closed the meeting with a Karakia Whakamutunga.

The meeting concluded at 12.22pm.

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CHAIRPERSON

## PART A REPORTS

### CUSTOMER AND REGULATORY COMMITTEE FORWARD WORK PROGRAMME

Department: Civic

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#### EXECUTIVE SUMMARY

- 1 The purpose of this report is to provide a regular update of the Customer and Regulatory Committee forward work programme. This shows areas of activity, progress and expected timeframes for decision making across a range of areas of work (Attachment A).
- 2 As this is an administrative report only, there are no options or Summary of Considerations.

#### RECOMMENDATIONS

That the Committee:

- a) **Notes** the Customer and Regulatory Committee forward work programme as shown in Attachment A.

#### DISCUSSION

- 3 The forward work programme is a regular agenda item which shows areas of activity, progress and expected timeframes for decision making across a range of areas of work.
- 4 As an update report, purple highlights show changes to timeframes. New items added to the schedule will be highlighted in yellow. Items that have been completed or updated are shown as bold.

#### Signatories

Author:	Jennifer Lapham - Governance Support Officer
Authoriser:	Jeanette Wikaira - General Manager Arts, Culture and Recreation

#### Attachments

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<a href="#">↓A</a>	Forward Work Programme	22





## CUSTOMER AND REGULATORY ISSUES AND TRENDS REPORT

Department: Customer and Regulatory and Customer Services Agency

### EXECUTIVE SUMMARY

- 1 Please see the attached Customer and Regulatory Issues and Trends report for the three months to 30 June 2024.
- 2 As this report is an administrative report only, there are no options or Summary of Considerations.

### RECOMMENDATIONS


That the Committee:

- a) **Notes** the Customer and Regulatory Issues and Trends report.

### Signatories

Author:	Paul Henderson - Building Services Manager Ros MacGill - Manager Compliance Solutions Hayley Browne - Manager Customer Services
Authoriser:	Alan Worthington - Resource Consents Manager

### Attachments

	<b>Title</b>	<b>Page</b>
<a href="#">A</a>	Customer and Regulatory Trends and Issues Report to 30 June 2024	26













## **SUBMISSION ON MAKING IT EASIER TO BUILD GRANNY FLATS**

Department: City Development and Corporate Policy

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### **EXECUTIVE SUMMARY**

- 1 This report seeks approval of a draft Dunedin City Council (DCC) submission to the Ministry of Business Innovation and Employment (MBIE) and Ministry for the Environment (MfE)'s consultation on making it easier to build granny flats (the consultation). The draft DCC submission is attached as Attachment A.

### **RECOMMENDATIONS**

That the Committee:

- a) **Approves** the DCC submission, with any amendments, on “Making it Easier to Build Granny Flats”.
- b) **Authorises** the Chief Executive to make any minor editorial amendments to the submission.

### **BACKGROUND**

- 2 The Making it Easier to Build Granny Flats consultation (the consultation) proposes options to make it easier to build small, self-contained and detached houses, commonly known as ‘granny flats’, on property with an existing home on it.
- 3 The consultation looks at two key pieces of legislation that set out the rules for residential building, the Building Act (2004) and the Resource Management Act 1991 (RMA).

#### **Building System Proposals**

- 4 The Building Act sets out the rules for the construction, alteration and demolition of buildings. Regardless of whether building work is exempt from a building consent or not, all building work must comply with the New Zealand Building Code.
- 5 The building system proposal in the consultation establishes a new schedule in the Building Act providing a building consent exemption for simple standalone houses up to 60 square metres in size.
- 6 The consultation proposes that all work is conducted or supervised by competent professionals under current occupational licensing requirements to ensure all building work will meet the Building Code.

### Resource Consents and District Plans

- 7 The consultation notes that many district plans already allow granny flats without resource consent, but there's a lack of consistency and different standards across the country.
- 8 The consultation notes that while the proposed changes would make it easier to build granny flats, changes must be balanced against existing issues, including managing flood risks, and that certain district plan rules will still need to apply.

### National Environmental Standard (NES)

- 9 A national environmental standard (NES) is a regulation under the RMA that can be used to set rules and standards for national consistency. It requires a local authority to amend its district plan where a rule duplicates or is in conflict with a provision in a NES. The plan change will have immediate effect and will not require public consultation or a hearing and cannot be appealed. Once a NES comes into force, resource consent may be required under the NES if a proposal does not meet the rules or standards of the NES.
- 10 A national environmental standard (NES) would need to be created to permit a single granny flat per site with an existing principal residential unit in the rural and residential zones without resource consent.
- 11 A set of permitted activity standards are proposed to cover aspects such as the size, how much of a property can be covered by buildings and how close a granny flat can be to a neighbouring property boundary.
- 12 The consultation seeks feedback on whether the NES should apply to other areas too, such as mixed-use zones where there is a mixture of residential, commercial and light industrial buildings.

## DISCUSSION

### The Ōtepoti Dunedin Context

- 13 A report from CoreLogic on housing affordability for the fourth quarter of 2023 notes that housing in Ōtepoti Dunedin is relatively affordable compared to the other main centres in Aotearoa New Zealand.
- 14 The CoreLogic report shows that the house value to income ratio is 6.0 in Ōtepoti Dunedin and that Ōtepoti Dunedin is the most affordable of all the main centres in Aotearoa New Zealand, where the average house value to income ratio is 7.0.
- 15 The results of a 2019 survey on housing preferences, *Dunedin City Council Housing Framework Predictions: The Housing We'd Choose* (conducted by Research First), show that there is an unmet demand for smaller homes in the city.
- 16 The DCC is an approved Building Consent Authority (BCA) under the New Zealand Building Act 2004, with the role including the functions of issuing building consents, inspecting building work for which it has granted a building consent, and issuing: notices to fix; compliance certificates; and compliance schedules.

17 The DCC's District Plan (2GP) already permits the equivalent of minor residential units (MRUs) up to 60 square metres gross floor area in residential, rural, and rural residential zones, subject to performance standards.

18 DCC records indicate 47 MRUs have been developed in Ōtepoti Dunedin in the last two years.

### **The DCC Submission**

The DCC's submission to the consultation makes the following points regarding the proposals:

19 Overall, the DCC agrees with policies and actions that increase the supply of small houses and create more affordable options and choice.

20 However, the DCC's view is that the policy response to making it easier to build MRUs should be based on a more accurate problem definition than what is included in the consultation document.

21 The DCC disagrees with the view that there are building and RMA regulatory barriers that increase the time and cost to build new MRUs in the Ōtepoti Dunedin context.

22 The DCC recommends that the costs of the proposals need more consideration, including costs that may fall to property owners if MRUs are not built with oversight from BCAs.

23 The DCC suggests that additional risks be considered in the proposals: building quality; infrastructure planning/funding; and infrastructure quality.

### **Building System Proposal**

24 In regard to Building System proposals, the DCC disagrees with establishing a new schedule for exempt work in the Building Act, as this will require several amendments to the Act itself.

25 The DCC suggests several additional criteria for an exemption be added to the proposals, including:

- Owners must obtain a Project Information Memorandum (PIM) before starting work.
- Designers, builders, and other contractors must hold a minimum level of insurance.
- Councils must hold the property records, including as-built drainage plans.
- Councils must hold the Certificates of Design Work and Work from the Licensed Building Practitioners (LBPs).

26 Based on experience, the DCC disagrees with the view that current licensing regimes for LBPs and Authorised Plumbers will be sufficient to ensure work meets the building code, as they may not fully understand the legislation in order to be compliant.

### **Resource Management System Proposal**

27 Regarding the policy focus under the RMA, the DCC identifies the following points which require clarification:



- the definition should be made specific to the purposes of the proposed NES, to avoid MRU provisions in district plans applying at the same time.
  - the wording of the NES should not preclude MRUs from being attached to the primary residential unit.
  - whether the proposal applies to buildings on wheels (i.e. tiny homes).
- 28 Regarding enabling MRUs in residential, rural residential and rural zones, the 2GP already enables the equivalent to MRUs in these zones. Therefore, the DCC does not see the benefit of making additional provisions in an NES. However, if an NES is progressed, DCC supports enabling MRUs in residential, rural, and rural residential zones, subject to appropriate performance standards.
- 29 The DCC suggests that the proposal not be applied where MRUs are already enabled, such as in Ōtepoti Dunedin, for simplicity and to avoid unintended consequences.
- 30 Regarding how any new NES works alongside district plans, the DCC is of the view that the NES should override the relevant district plan provisions addressed by the NES, if all permitted standards are met.
- 31 If any NES permitted standards are not met, the DCC's view is that the district plan should override the NES.
- 32 The DCC disagrees with the recommended permitted activity standards in the proposal, noting that:
- clarification is needed on whether garages and carports are to be counted in the internal floor area.
  - additional requirements are needed to determine the relationship between the MRU and the primary residential unit on properties where granny flats will be built.
  - that the single storey for MRUs needs to be specified in the standard.
- 33 The DCC recommends that the permitted activity standards should give consideration to the following rules, which are in the 2GP: earthworks provisions; acoustic insulation; outdoor living space; setbacks (e.g. from scheduled trees); and firefighting.
- 34 The DCC is of the view that, prior to work commencing on MRU construction, a PIM/Permitted Activity Notice application should be required, checked by the relevant council for compliance with the NES planning rules, and payment of an administration fee and development contributions invoice made.

## OPTIONS

### **Option One – Recommended Option Approve the draft Dunedin City Council submission to the Ministry for Business Innovation and Employment and Ministry for the Environment on the Making it Easier to Build Granny Flats consultation**

- 35 Approve the draft Dunedin City Council submission.

*Advantages*

- Opportunity to contribute to changes in building and resource management legislation which may impact on Ōtepoti Dunedin.
- Opportunity to address residential housing issues in Ōtepoti Dunedin.

*Disadvantages*

- There are no identified disadvantages.

**Option Two – Do not approve the draft Dunedin City Council submission to the Ministry for Business Innovation and Employment and Ministry for the Environment on the Making it Easier to Build Granny Flats consultation**

36 Do not approve the draft Dunedin City Council submission:

*Advantages*

- There are no identified advantages.

*Disadvantages*

- Missed opportunity to contribute to changes in building and resource management legislation which may impact on Ōtepoti Dunedin.
- Missed opportunity to address residential housing issues in Ōtepoti Dunedin.

**NEXT STEPS**

37 If the submission is approved staff will submit it, with any amendments, to the Ministry for Business Innovation and Employment by 12 August 2024.

**Signatories**

Author:	Paul Freeland - Principal Policy Advisor Emily McEwan - Senior Planner City Development Danielle Tolson - Policy Analyst
Authoriser:	Dr Anna Johnson - City Development Manager David Ward - General Manager, 3 Waters and Transition

**Attachments**

	<b>Title</b>	<b>Page</b>
<a href="#">↓A</a>	Cover Letter: Making it Easier to Build Granny Flats	37
<a href="#">↓B</a>	Draft Submission: Making it Easier to Build Granny Flats	39

**SUMMARY OF CONSIDERATIONS**

***Fit with purpose of Local Government***

This decision promotes the environmental, economic, and social well-being of communities in the present and for the future.

***Fit with strategic framework***

	Contributes	Detracts	Not applicable
Social Wellbeing Strategy	✓	<input type="checkbox"/>	<input type="checkbox"/>
Economic Development Strategy	✓	<input type="checkbox"/>	<input type="checkbox"/>
Environment Strategy	✓	<input type="checkbox"/>	<input type="checkbox"/>
Arts and Culture Strategy	<input type="checkbox"/>	<input type="checkbox"/>	✓
3 Waters Strategy	✓	<input type="checkbox"/>	<input type="checkbox"/>
Future Development Strategy	✓	<input type="checkbox"/>	<input type="checkbox"/>
Integrated Transport Strategy	<input type="checkbox"/>	<input type="checkbox"/>	✓
Parks and Recreation Strategy	<input type="checkbox"/>	<input type="checkbox"/>	✓
Other strategic projects/policies/plans	✓	<input type="checkbox"/>	<input type="checkbox"/>

There is also a strategic fit with the Dunedin City Council’s District Plan (2GP), Zero Carbon Policy, and Te Taki Haruru – Māori Strategic Framework.

***Māori Impact Statement***

Te Taki Haruru, the DCC’s Māori Strategic Framework, includes the principle of Autaketake and the values of tapu and noa, which provide an element of safety over an activity or resource. provisions to the underlying zone, including residential and rural zones.

***Sustainability***

Proposals in the consultation have potential implications for sustainability, and the DCC’s commitment to its Zero Carbon Policy.

***LTP/Annual Plan / Financial Strategy /Infrastructure Strategy***

There are no implications for current levels of service and/or performance measures.

***Financial considerations***

There are no financial implications.

***Significance***

This decision is considered low in terms of the Council’s Significance and Engagement Policy.

***Engagement – external***

There has been no external engagement in the preparation of this submission.

***Engagement - internal***

The submission has been prepared by staff from the City Development, Corporate Policy, Building Services, Māori Partnerships, and 3 Waters teams.

**SUMMARY OF CONSIDERATIONS**

***Risks: Legal / Health and Safety etc.***

The potential liability to Council for issues regarding substandard or inappropriately sited MRUs that have not been through a building consent or resource consent process have been considered. The cover letter and draft submission seek assurances that Council will not be liable if the current proposal for MRUs proceeds without appropriate safeguards being put in place.

***Conflict of Interest***

There is no conflict of interest.

***Community Boards***









































## **PROPOSED ROAD STOPPING: 42 GLENGYLE STREET, VAUXHALL**

Department: Property

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### **EXECUTIVE SUMMARY**

- 1 The owners of 42 Glengyle Street, Vauxhall have applied to have a small area of unformed legal road adjoining their property stopped.
- 2 This report seeks a resolution of the Committee to publicly notify the Council's intention to stop the road, under section 342 and Schedule 10 of the Local Government Act 1974.

### **RECOMMENDATIONS**

That the Committee:

- a) **Approves** public notification of the Council's intention to stop a portion of legal road at 42 Glengyle Street, Vauxhall, subject to the applicant agreeing to:
  - i) Pay the Council the non refundable fee for processing the road stopping.
  - ii) Pay the Council the actual costs incurred for the stopping, regardless of whether or not the stopping reaches a conclusion, and the market value of the stopped road, assessed by the Council's valuer.
  - iii) Amalgamate the stopped portion of road with the title of the adjacent land that is owned by the applicant, being the land contained within Record of Title OT376/109
  - iv) Accept the application of the standards contained within the Dunedin City Council Code for Subdivision and Development to the stopped road.
  - v) Register any easements over the stopped portion of road in favour of utility companies (if required by the utility company).

### **BACKGROUND**

- 3 The owners of 42 Glengyle Street, Vauxhall, have identified 158m<sup>2</sup> of unformed legal road which they wish to purchase in order to better utilise their adjoining land.

### **DISCUSSION**

- 4 The area of unformed legal road proposed to be stopped is shown on the aerial photograph below:



- 5 Glengyle Street is a winding local road featuring a nominal legal width of 20 metres. However, the portion between Cornwall Street and Challis Street to the east of the site features a legal width varying between 10 and 12 metres. To the west of the subject site, the nominal legal width reduces to just under 8 metres.
- 6 The formed carriageway adjacent to 42 Glengyle Street has a width of 6 metres, with a single crossfall to the kerb and channel along its southern side.
- 7 Glengyle Street is identified as a Local Road within the Council’s Roding Hierarchy. Such roads tend to be lower speed and lower volume, and as such are not anticipated to act as main through routes for traffic, primarily providing access to local residential properties. Glengyle Street is not identified as a bus route.
- 8 It is expected that vehicle manoeuvring to the subject and neighbouring properties will not be impacted by the proposed road stopping.
- 9 The portion of legal road proposed to be stopped is unformed, is approximately 158m<sup>2</sup> and is already largely fenced into the adjoining property by a retaining wall.
- 10 The proposal:
  - The legal road maintains a minimum 14 metre corridor as required by the Council’s Transport Network Team.
  - Does not adversely impact upon the adjoining property owner’s ability to access their driveways and garages.



- It is not known to encompass any private or public infrastructure, pending full survey work.
  - Aligns well with the existing top of bank at the roadside at this location.
  - Provides the owners of 42 Glengyle Street with ownership and maintenance responsibility of their driveway and the associated retaining wall.
- 11 For these reasons staff are satisfied the road is not required for current or future transportation needs.
- 12 If the recommendation in this report is approved:
- The applicant will be invoiced the non-refundable road stopping fee and will be required to sign a conditional sale and purchase agreement.
  - In accordance with Schedule 10 of the Local Government Act 1974 staff will:
    - i) procure a survey and valuation of the land; and
    - ii) publicly notify the proposed road stopping for a period of 40 days.
  - A further report will be prepared for the Committee advising on the outcome of the public notification process and recommending whether the road stopping should proceed.
  - If the road stopping is concluded successfully, the land will be transferred to, and amalgamated with, the applicant's adjoining land. Applicable adjustments to the applicant's rates account will be made from the start of the financial year following the issue of the new amalgamated title.
  - The applicant will be required to pay the Council the actual costs incurred for the stopping, regardless of whether or not the stopping reaches a conclusion, and if a road stopping is concluded then the applicant will also be required to pay the market value of the stopped road, assessed by the Council's valuer.

## **OPTIONS**

### **Option One – Proceed with road stopping process**

- 13 As there appears to be no impediments to the proposal, Council may proceed to publicly notify the proposed road stopping.

#### *Advantages*

- The proposal enables the applicant to own the adjoining area of unformed legal road which improves land utilisation and increases the area of rateable land.
- The extent of public interest in the land will be considered during the public notification process.

#### *Disadvantages*

- The land would be unavailable for any potential future public use or as a utility corridor, other than for those utilities whose existing assets will be protected by easements or by landowner permission.

**Option Two – Status Quo**

14 Council resolves not to proceed to publicly notify the intention to stop the road.

*Advantages*

- The land would retain its legal road status and remain available for potential future public or utility use if required.

*Disadvantages*

- The land would retain its legal road status but would remain unformed unless required for a road purpose. Land utilisation would be restricted, and the land would remain non-rateable.

**NEXT STEPS**

15 If the recommendation is approved, the applicant will be required to pay the road stopping processing fee and enter into a conditional sale and purchase agreement. Staff will manage valuation and survey work and will publicly notify the proposal before reporting back to the Committee.

**Signatories**

Author:	Paula Dickel - Property Officer Advisory
Authoriser:	Anna Nilsen - Group Manager, Property Services Karilyn Canton - Chief In-House Legal Counsel Robert West - General Manager Corporate Services

**Attachments**

There are no attachments for this report.

**SUMMARY OF CONSIDERATIONS**

***Fit with purpose of Local Government***

This proposal relates to providing a regulatory function and it is considered good-quality and cost-effective.

***Fit with strategic framework***

	Contributes	Detracts	Not applicable
Social Wellbeing Strategy	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Economic Development Strategy	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Environment Strategy	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Arts and Culture Strategy	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3 Waters Strategy	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Spatial Plan	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Integrated Transport Strategy	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Parks and Recreation Strategy	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Other strategic projects/policies/plans	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

There is no contribution specifically relating to the strategic framework.

***Māori Impact Statement***

There are no known impacts for tangata whenua.

***Sustainability***

Proactive management of the transportation network supports social and economic sustainability.

***LTP/Annual Plan / Financial Strategy /Infrastructure Strategy***

There are no implications.

***Financial considerations***

There are no financial impacts as the process is cost neutral and proceeds of sale are expected to be reasonably modest in this case.

***Significance***

This decision is considered of low significance under Council’s Significance and Engagement Policy.

***Engagement – external***

Preliminary consultation has been undertaken with utility providers and neighbouring landowners. Formal notification and consultation will take place when the survey plan has been prepared.

***Engagement - internal***

Transport, Parks, Regulatory Services, City Development, 3 Waters and Legal Services have reviewed the proposal.

***Risks: Legal / Health and Safety etc.***

No known significant risks.

***Conflict of Interest***

There are no identified conflicts of interest.

**SUMMARY OF CONSIDERATIONS**

***Community Boards***

There are no Community Board implications.

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**ITEMS FOR CONSIDERATION BY THE CHAIR**

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Any items for consideration by the Chair