

Notice of Meeting:

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

Date: Tuesday 17 September 2024
Time: 10.30 am (or at the conclusion of the previous committee whichever is later)
Venue: Council Chamber, Dunedin Public Art Gallery, The Octagon, Dunedin

Sandy Graham
Chief Executive Officer

Customer & Regulatory Committee
PUBLIC AGENDA

MEMBERSHIP

Chairperson	Cr Carmen Houlahan	
Deputy Chairperson	Cr Andrew Whiley	
Members	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

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.*

ITEM	TABLE OF CONTENTS	PAGE
1	Public Forum	4
2	Apologies	4
3	Confirmation of Agenda	4
4	Declaration of Interest	5
5	Confirmation of Minutes	15
	5.1 Customer & Regulatory Committee meeting - 6 August 2024	15
PART A REPORTS (Committee has power to decide these matters)		
6	Customer and Regulatory Committee Forward Work Programme	21
7	Animal Services Annual Report to the Department of Internal Affairs	25
8	Beauticians Tattooists and Skin-Piercers Bylaw Review	32
9	Proposed Road Stopping: 142 Coast Road, Warrington	47
10	Items for Consideration by the Chair	54

1 PUBLIC FORUM

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

2 APOLOGIES

At the close of the agenda no apologies had been received.

3 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.

DECLARATION OF INTEREST

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

	Title	Page
A	Register of Interest	6

Customer and Regulatory Committee Interest Register				
As at 11 September 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.	

Name	Responsibility (i.e. Chairperson etc)	Declaration of Interests	Nature of Potential Interest	Member's Proposed Management Plan
	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	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	Ayrmed 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.
	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.
	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.
	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.

Name	Responsibility (i.e. Chairperson etc)	Declaration of Interests	Nature of Potential Interest	Member's Proposed Management Plan
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.
	Member	Otago Museum Trust Board (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
Cr Christine Garey	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	Otago Museum Trust Board (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.
	Chairperson	Study Dunedin	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Trustee	Ashburn Hall Charitable Trust Board	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	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	Owner	Gipfel Limited - Bakery	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Trustee	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.
	Member	BNI	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	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.

Name	Responsibility (i.e. Chairperson etc)	Declaration of Interests	Nature of Potential Interest	Member's Proposed Management Plan
	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.
	Trustee	KBCLR Family Trust	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.

CONFIRMATION OF MINUTES

CUSTOMER & REGULATORY COMMITTEE MEETING - 6 AUGUST 2024

RECOMMENDATIONS

That the Committee:

- a) **Confirms** the minutes of the Customer & Regulatory Committee meeting held on 06 August 2024 as a correct record.

Attachments

	Title	Page
A↓	Minutes of Customer & Regulatory Committee meeting held on 6 August 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 06 August 2024, commencing at 1.00 pm

PRESENT

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

IN ATTENDANCE

Paul Henderson (Acting General Manager Customer and Regulatory), Jeanette Wikaira (General Manager Arts, Culture and Recreation), David Ward (General Manager 3 Waters and Transition), Ros MacGill (Manager Compliance Solutions), Hayley Browne (Customer Services Manager), Alan Worthington (Resource Consents Manager), Simon Spiers (Team Leader Regulation Management), Paula Dickel (Property Officer Advisory), Paul Freeland (Principal Policy Advisor), Grant Sutton (Senior Education and Relationships Officer), Emily McKewan (Senior Planner) and Clare Sullivan (Manager Governance).

Governance Support Officer Jennifer Lapham

1 OPENING

The meeting was opened with a karakia timatanga.

2 PUBLIC FORUM

There was no public forum.

3 APOLOGIES

Apologies were received from Cr Marie Laufiso and Cr Steve Walker

Moved (Cr Carmen Houlahan/Cr Andrew Whiley):

That the Committee:

Accepts the apologies from Cr Marie Laufiso and Cr Steve Walker.

Motion carried (CRC/2024/012)

4 CONFIRMATION OF AGENDA

Moved (Cr Carmen Houlahan/Cr Andrew Whiley):

That the Committee:

Confirms the agenda without addition or alteration

Motion carried (CRC/2024/013)

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 Andrew Whiley):

That the Committee:

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

Motion carried (CRC/2024/014)

6 CONFIRMATION OF MINUTES

6.1 CUSTOMER & REGULATORY COMMITTEE MEETING - 21 MAY 2024

Moved (Cr Carmen Houlahan/Cr Cherry Lucas):

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.

Motion carried (CRC/2024/015)

PART A REPORTS

7 CUSTOMER AND REGULATORY COMMITTEE FORWARD WORK PROGRAMME

Paul Henderson, Acting General Manager Customer and Regulatory, spoke to the report and responded to questions,

Moved (Cr Carmen Houlahan/Cr Andrew Whiley):

That the Committee:

- a) **Notes** the Customer and Regulatory Committee forward work programme.

Motion carried (CRC/2024/016)

8 CUSTOMER AND REGULATORY ISSUES AND TRENDS REPORT

Paul Henderson, Acting General Manager Customer and Regulatory, Ros MacGill (Manager Compliance Solutions), Hayley Browne (Customer Services Manager), Alan Worthington (Resource Consents Manager) spoke to the report and responded to questions,

Moved (Cr Carmen Houlahan/Cr Christine Garey):

That the Committee:

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

Motion carried (CRC/2024/017)

9 SUBMISSION ON MAKING IT EASIER TO BUILD GRANNY FLATS

Mr Paul Freeland (Principal Policy Advisor), Mr Grant Sutton (Senior Education and Relationships Officer) and Ms Emily McKewan (Senior Planner) spoke to the report and responded to questions.

Moved (Cr Jim O'Malley/Mayor Jules Radich):

That the Committee:

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

The Council voted by division

For: Crs Bill Acklin, Sophie Barker, David Benson-Pope, Christine Garey, Kevin Gilbert, Carmen Houlahan, Cherry Lucas, Mandy Mayhem, Jim O'Malley, Mayor Jules Radich, Brent Weatherall and Andrew Whiley (12).

Against: Cr Lee Vandervis (1).

Abstained: Nil

The division was declared CARRIED by 12 votes to 1

Motion carried (CRC/2024/018)

10 PROPOSED ROAD STOPPING: 42 GLENGYLE STREET, VAUXHALL

Simon Spiers (Team Leader Regulation Management – Transport) and Paula Dickel (Strategic Property Advisor) spoke to the report and responded to questions.

Moved (Cr Andrew Whiley/Cr Christine Garey):

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).

Motion carried (CRC/2024/019)

11 ITEMS FOR CONSIDERATION BY THE CHAIR

There were no items for consideration.

The meeting concluded at 2.00 pm .

.....
CHAIRPERSON

PART A REPORTS

CUSTOMER AND REGULATORY COMMITTEE FORWARD WORK PROGRAMME

Department: Civic

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

	Title	Page
↓A	Forward Work Programme	23

ANIMAL SERVICES ANNUAL REPORT TO THE DEPARTMENT OF INTERNAL AFFAIRS

Department: Customer and Regulatory

EXECUTIVE SUMMARY

- 1 Section 10A of the Dog Control Act 1996 (the Act) requires territorial authorities to publicly report each year on:
 - The administration of their dog control policy and their dog control practices (section 10A (1)); and
 - A variety of dog control related statistics (section 10A (2)).
- 2 The attached report (Attachment A) outlines the operations of the Dunedin City Council’s (DCC) Animal Services Unit for the year ending 30 June 2024 and will be sent to the Department of Internal Affairs in accordance with the Act.
- 3 As this is an administration only report, there are no options or Summary of Considerations.
- 4 The primary purpose of this report is to enable the community to see how the DCC is managing its dog control responsibilities.
- 5 This report is for the period 1 July 2023 to 30 June 2024.

RECOMMENDATIONS

That the Committee:

- a) **Notes** the Animal Services annual report to the Department of Internal Affairs dated as at 30 June 2024.

Signatories

Author:	Ros MacGill - Manager Compliance Solutions
Authoriser:	Paul Henderson - General Manager Customer and Regulatory (Acting)

Attachments

	Title	Page
↓A	Dunedin City Council's Animal Services Annual Report to the Department of Internal Affairs for Period Ending 30 June 2024	27

BEAUTICIANS TATTOOISTS AND SKIN-PIERCERS BYLAW REVIEW

Department: Customer and Regulatory

EXECUTIVE SUMMARY

- 1 This report seeks the Customer and Regulatory Committee's (the Committee's) approval to commence the review of the Beauty Therapists, Tattooists and Skin-Piercers Bylaw (the Bylaw). It recommends that the Committee determines a bylaw is the most appropriate way to address issues relating to beautician, tattooist and skin-piercer practices in Dunedin.
- 2 The Local Government Act 2002 (the Act) requires that bylaws are reviewed within specific timeframes and this Bylaw is now due for review.

RECOMMENDATIONS

That the Committee:

- a) **Approves** commencement of the Beauty Therapists, Tattooists and Skin-Piercers Bylaw
- b) **Determines** that a bylaw is the most appropriate way to address issues relating to beauty therapist, tattooist and skin-piercer practices in Dunedin.

BACKGROUND

Purposes of bylaws

- 3 Bylaws can be made, under the Local Government Act 2002 (the Act), for one or more of the following general purposes: protecting the public from nuisance; protecting, promoting, and maintaining public health and safety; and minimising the potential for offensive behaviour in public places (section 145).
- 4 The Act requires bylaws to be reviewed five years after adoption and then at ten year intervals.

Beauticians, Tattooists and Skin-Piercers Bylaw history and purpose

- 5 There is no national legislation for appearance industries in New Zealand. The appearance industry covers beauty therapy, tattooing or skin piercing industries. In the absence of national legislation, some local authorities have adopted bylaws. In Dunedin, the Bylaw was adopted in July 2005. Its purpose is to prevent the transfer of communicable diseases such as Hepatitis B and C, HIV/AIDS and bacterial skin infections via beauty therapy, tattooing and skin piercing practices. The Bylaw requires that any person undertaking beauty therapy, tattooing and skin piercing processes is registered, and conducts activities that comply with the bylaw requirements.
- 6 The Bylaw was last reviewed in 2016 with minor updates and amendments.

- Review provides the opportunity to investigate and, if need be, address issues related to this industry, for example emerging trends.

Disadvantages

- Some administration and monitoring (for example inspections) are required to review and administer the Bylaw.

Option Two – Do not commence review of the Bylaw

16 This option is not to commence review of the Bylaw, and not determine that a bylaw is still the most appropriate way to address issues in this area. If the Bylaw is not reviewed within the timeframe set by the Act, then it would become revoked after two years.

Advantages

- Some administration and monitoring resource would no longer be needed.

Disadvantages

- Education alone is insufficient to protect, promote and maintain public health and safety within this industry.
- There may be increased risk of the transfer of communicable diseases and bacterial skin infections within this industry in Dunedin.
- Lost opportunity to investigate and address issues relating to this industry, for example emerging trends.

NEXT STEPS

17 Next steps are to review the Bylaw and report back to the Committee with a draft statement of proposal and draft proposed bylaw for consultation using the special consultative procedure, as required by the Act.

Signatories

Author:	Anne Gray - Policy Analyst Carlo Bell - Team Leader - Compliance and Environmental Health
Authoriser:	Paul Henderson - General Manager Customer and Regulatory (Acting)

Attachments

	Title	Page
	Beauty Therapists, Tattooists & Skin-Piercers Bylaw 2016	37

SUMMARY OF CONSIDERATIONS

Fit with purpose of Local Government

This decision enables democratic local decision making and action by, and on behalf of communities, and promotes the 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"/>	✓

This Bylaw contributes to the ‘healthy and safe people’ strategic direction of the Social Wellbeing Strategy.

Māori Impact Statement

Ōtākou and Puketeraki rūnaka are identified as key stakeholders for this review.

Sustainability

There are no known implications for sustainability.

LTP/Annual Plan / Financial Strategy /Infrastructure Strategy

There are no implications for these documents.

Financial considerations

This review will be carried out within existing budgets.

Significance

The bylaw review is considered low in terms of the Council’s Significance and Engagement Policy.

Engagement – external

The special consultative procedure is required for review of this bylaw. Key stakeholders will be engaged with for this review and include beauty therapists, tattooists, skin-piercers, training providers and rūnaka.

Engagement - internal

Internal engagement is planned with In-House Legal Counsel, Communications and Marketing, Governance and the web team.

Risks: Legal / Health and Safety etc.

The draft bylaw will undergo an external legal review. There are health and safety risks of not having a Bylaw.

SUMMARY OF CONSIDERATIONS

Conflict of Interest

There is no known conflict of interest.

Community Boards

There are no known implications for Community Boards.

PROPOSED ROAD STOPPING: 142 COAST ROAD, WARRINGTON

Department: Property

EXECUTIVE SUMMARY

- 1 The owners of 142 Coast Road, Warrington, have applied to have two sections 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 two sections of legal road at 142 Coast Road, Warrington, subject to the Minister for Land Information's consent and 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 902788.
 - 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 142 Coast Road, Warrington, have identified two sections of unformed legal road which they wish to own to better consolidate their property boundary.

DISCUSSION

- 4 The two sections of unformed legal road proposed to be stopped are shown as Sections 1 and 2 in the aerial photograph below.



- 5 Section 1 (Coast Road) has an area of approximately 170m² and is encroached upon by the existing dwelling at 142 Coast Road. Section 2 (Park Road) has an area of approximately 30m² and is currently occupied by a boundary fence.
- 6 Coast Road is classified as a Collector Road in the Road Classification Hierarchy in the Second Generation District Plan, while Park Road is classified as a Local Road. Both roads are sealed and maintained by the Council with estimated average of 1,233 vehicles per day being carried outside of 142 Coast Road.
- 7 The sections of road proposed to be stopped are approximately 2.5 - 6 metres from the existing edge of seal along Coast Road/Park Road. Past the Coast Road/Park Road intersection, Coast Road and Park Road carry average daily traffic of 465 and 874 vehicles per day respectively.
- 8 The proposed route of the Coastal Communities Cycle Connection includes Coast Road and Park Road at this location. Staff have discussed the road stopping proposal with organisers of the cycle project and are comfortable that the route planned can be accommodated within the existing road shoulder.
- 9 There are potentially Water and Electricity utility assets located within the sections of road proposed to be stopped. The location of these assets will be confirmed when the survey work is undertaken and easements will be created as required. The road stopping proposal does not appear to impact any adjoining owners or occupiers, however these parties will be notified of the proposal as part of the public process.

- 10 Staff are satisfied the two sections of road proposed to be stopped are not required for current or future transportation needs and support the proposal being publicly notified.
- 11 As the land is zoned rural, the proposed road stopping will require Minister for Land Information’s consent prior to publicly notifying the proposal.
- 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. One of the conditions will relate to the Minister for Land Information’s consent.
 - In accordance with section 324 of the Local Government Act 1974, staff will seek the Minister for Land Information’s consent.
 - 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 (Record of Title 902788). Applicable adjustments to the applicant’s rates accounts will be made from the start of the financial year following the issue of the new amalgamated title.
 - The applicant will pay the Council the actual costs incurred for the stopping, regardless of whether or not the stopping reaches a conclusion. If the road stopping proceeds, the applicant will pay the Council the market value of the stopped road, assessed by the Council’s valuer.

OPTIONS

Option One – Proceed with road stopping process

- 13 Under this option, the Committee would approve public notification of the Council’s intention to stop two sections of legal road at 142 Coast Road, Warrington, subject to the Minister for Land Information’s consent and the applicant agreeing to:
- Pay the Council the non-refundable fee for processing the road stopping.
 - 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.
 - 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 902788.

- Accept the application of the standards contained within the Dunedin City Council Code for Subdivision and Development to the stopped road.
- Register any easements over the stopped portion of road in favour of utility companies (if required by the utility company).

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.

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 seek the Minister for Land Information’s consent, manage valuation and survey work and 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. However as per paragraph 3, the application seeks to efficiently use land which will contribute to economic development.

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

Initial consultation has been undertaken with utility services. Survey work will determine whether any easements are required. No objections have been received at this time.

Engagement - internal

Transport, Parks, Property, and 3 Waters have been involved in considering this application.

Risks: Legal / Health and Safety etc.

No known significant risks have been identified.

Conflict of Interest

No conflicts of interest have been identified.

ITEMS FOR CONSIDERATION BY THE CHAIR

Any items for consideration by the Chair