

**NOTICE IS HEREBY GIVEN THAT THE MONTHLY MEETING OF THE REGULATORY AND PLANNING COMMITTEE, WILL BE HELD IN THE COUNCIL CHAMBERS, 29 CIVIC AVENUE, GORE, ON TUESDAY 11 MARCH 2008, FOLLOWING THE OPERATIONS COMMITTEE MEETING**

**Steve Parry  
CHIEF EXECUTIVE**

**5 March 2008**

## ***A G E N D A***

1. Review of Council Bylaws (Pages 1-3)
2. Regulatory Bulletin (Pages 4-6)

# REGULATORY AND PLANNING COMMITTEE AGENDA

MARCH 2008

## 1. REVIEW OF COUNCIL BYLAWS

(Memo from Chief Executive – 03.03.08)

Last month the Planning and Regulatory Committee endorsed an analysis undertaken by staff in regard to the need or otherwise of retaining Council bylaws.

Now that the Council has determined which bylaws it wishes to preserve, the next step is to critique the bylaws.

Enclosed please find revised bylaws pertaining to those activities and nuisances that the Committee recommended be controlled by a bylaw, commenting briefly on each document:

### Cemeteries

This has been updated to be in line with the current New Zealand Standard 9201, Model General Bylaw for Cemeteries. Amendments to the NZ Standard have been introduced to reflect the local or Council policies with District cemeteries.

### Dog Control

A new Clause (12) has been added to give the Council the power to require all dogs declared menacing to be neutered. Section 33 of the Dog Control Act 1996, permits mandatory neutering of dogs declared to be menacing, provided this provision is contained in a Council Dog Control Bylaw.

### Skateboard Ban

A minor amendment has been made in Clause 7 to ensure that the notice and impounding periods are in line with Section 168(1) of the Local Government Act 2002. The existing bylaw provides for a 10 day notice period for an intention to dispose of a skateboard and a minimum impounding period of 28 days. However, Section 168(1) of the Local Government Act 2002 provides for minimum periods of 14 working days and 6 months respectively.

### Long Grass/Overhanging Foliage

This bylaw has only received minor amendment to recognise the new penalties for offence that are available under the Local Government Act 2002.

### Refuse

This bylaw has been reviewed by the General Manager, District Assets and it is proposed to give it the title of Solid Waste Bylaw.

The revised bylaw is considerably more comprehensive than the existing document which was prepared prior to the Local Government Act 2002 being enacted.

### Fire Prevention (Vegetation)

No changes have been made to this bylaw.

### Liquor

No changes have been made to this bylaw.

### Roading

The Roothing Bylaw has been subjected for a comprehensive review by the Council's Roothing Manager and Regulatory staff. This bylaw now incorporates parking, speed limits and heavy traffic restrictions as well.

### Are these Bylaws Appropriate?

Section 155(2) of the Local Government Act 2002 compels the Council to consider whether a proposed bylaw is the most appropriate form of bylaw. The attached draft bylaws have been shaped to focus on readily identifiable problems and customised to suit the particular circumstances of the Gore District. Additionally, where appropriate, best practise from other Councils or NZ Standards, have been imported to improve the bylaws.

It is therefore concluded that the attached bylaws are the most appropriate form of bylaws.

## New Zealand Bill of Rights Act 1990

Section 155(2)(b) of the Local Government Act 2002 required the Council to determine whether the proposed new bylaw is consistent with the New Zealand Bill of Rights Act 1990.

The Bill of Rights Act, inter alia affirms democratic and civil rights in the areas of freedom of peaceful assembly, association and movement, which can potentially be impacted on by a bylaw.

It is considered that there are no obvious infringements or implications with the New Zealand Bill of Rights Act 1990 in regard to these proposed bylaws.

### **RECOMMENDATION**

**THAT the draft bylaws be approved for incorporation in a Statement of Proposal to be released to the public for comment as part of a special consultative procedure to be undertaken in accordance with Section 156 of the Local Government Act 2002.**

## 2. REGULATORY BULLETIN

(Memo from Chief Executive – 03.03.08)

Attached is a schedule of building consents issued for January and February 2008, together with comparisons with the previous two years.

### **RECOMMENDATION**

**THAT the information be received.**