

MINUTES REGULATORY MANAGEMENT COMMITTEE	MEETING HELD ON THURSDAY 30 JANUARY 2014	TIME 9.05AM
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MINUTES of a meeting of the Regulatory Management Committee, held in the Council Chambers, 175 Rimu Road, Paraparaumu, on Thursday 30 January 2014 commencing at 9:05am.

PRESENT:

Cr	D	Ammundsen	(Chair)
Mayor	R	Church	
Cr	M	Bell	
Cr	M	Cardiff	
Cr	J	Elliott	<i>(arrived at 11.13am)</i>
Cr	P	Gaylor	
Cr	K	Gurunathan	
Cr	J	Holborow	
Cr	T	Lloyd	
Cr	D	Scott	
Cr	G	Welsh	
Mr	C	Royal	(Māori Representative)

IN ATTENDANCE:

Mr	P	Dougherty	(Chief Executive)
Ms	T	Evans	(Group Manager, Community Services)
Mr	S	Mallon	(Group Manager, Infrastructure Services)
Mr	C	Pearce	(Ōtaki Community Board)
Ms	F	Vining	(Chair, Paraparaumu/Raumati Community Board)
Mr	T	Power	(Senior Legal Counsel)
Ms	A	Kenna	(Media Relationships Manager)
Ms	J	Lloyd	(Team Leader Environmental Health)
Mr	N	Fowler	(Environmental Standards Manager)
Mrs	J	Nock	(Executive Secretary, Corporate Services)
Ms	A	McLaughlin	(Democratic Services)

The Chair welcomed everyone to the meeting, outlined meeting guidelines and read the blessing.

**RMC 14/1/007
APOLOGIES**

MOVED (Ammundsen/Mayor)

That an apology be accepted from Cr Elliott for lateness.

CARRIED

**RMC 14/1/008
30 MINUTES PUBLIC SPEAKING TIME**

Dale Evans

Mr Evans spoke about Council debt, asked questions regarding Collmog Bridge and questioned why items were being discussed during 'public excluded' meetings (paper was tabled).

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**RMC 14/1/009
MATTERS UNDER ACTION**

Tamsin Evans, Group Manager Community Services spoke to the Matters Under Action report:

School Travel Planning/Road Safety

Road Safety Officers would be attending the next meeting to update Members.

Ms Evans advised on the Legislative Updates as per the report.

With regard to the numerous changes and updates to legislations, Members asked what the potential impacts, costs and responsibilities were to the Ratepayer.

Ms Evans advised that the processes would be quite substantial and details would be reported back to this Committee when details were known. It was felt there would not be significant costs as it was part of business to make sure Council maintained current legislation.

With regard to the 'Building (Earthquake-prone buildings) Amendment Bill 2013', Ms Evans advised that the change in the legislation would not change the amount of responsibility to inspect a building immediately in the aftermath of an earthquake. There was a requirement that Council assess the capacity of all the buildings in the District as part of this new regime. There was no obligation to Council after every earthquake to check every building in the District.

It was commented that even though the Links Apartment Building was not the responsibility of the Council, due to it being so different to any other building, it was felt that the Council should make an exception and inspect it more regularly.

Members asked whether Council would be making a submission on the Building (Earthquake-prone buildings) Amendment Bill. It was confirmed Council did submit on the original proposal and an update would be made at the next meeting including cost implications and responsibilities as a Council.

**RMC 14/1/010
CONFIRMATION OF MINUTES: 5 DECEMBER 2013**

MOVED (Welsh/Scott)

That the Regulatory Management Committee minutes of 5 December 2013 are accepted as a true and correct record.

CARRIED

**RMC 14/1/011
MEMBER'S BUSINESS**

(a) Public Speaking Time Responses

Dale Evans - 'Kapiti Coast Airport Noise Management Plan Report (SP-13-105)

Ms Evans confirmed it was Council's practice when appointing members to a group and debating on private individuals, that it be carried out in a public excluded session and the decisions of that report would be released after the meeting.

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Collmog Bridge

Ms Evans confirmed that a response by letter would be sent to Mr Evans in answer to his comments.

- (b) Leave of Absence

MOVED (Lloyd/Mayor)

Leave of absence was accepted from Cr David Scott for the period 15 May - 22 May 2014.

CARRIED

- (c) Matters of an Urgent Nature

There were no matters of an urgent nature.

- (d) Declarations of Interest

Cr Gurunathan declared an interest in the Collmog Bridge Report (CS-14-1099) and would take no part in its debate.

RMC 14/1/012

SALE AND SUPPLY OF ALCOHOL (FEES) REGULATIONS 2013 – FEE CATEGORIES FOR CERTAIN LICENSED PREMISES AND SPECIAL LICENCES (CS-13-1094)

Julie Lloyd, Team Leader Environmental Health spoke to the report and added that it was important for this Committee to realise that the issue of lowering the fees for certain types of premises or classes of special licences could be re-visited in the future.

Ms Lloyd clarified that with regard to the new fees regime based on the number of events per special licence application and the size of those events (based on expected patronage per event), the fees would change if more than 100 people were attending that event and this would be corrected within the report.

Members advised that when decisions were made on a case by case basis the Council had clear guidelines and be consistent in their decisions. Also it was suggested a review take place after a period of time to update Members on this process.

MOVED (Gurunathan/Holborow)

That the Committee resolves to delegate to the Chief Executive (with authority to sub-delegate to appropriate staff) the authority on application; and on a case by case basis; to lower the premises licence fee category (from medium to low or from low to very low) for any club that:

- is just outside the membership numbers or bar operational hours; and
- has not failed a controlled purchase operation; and
- has not had an enforcement action taken against them.

That the Committee resolves to delegate to the Chief Executive (with authority to sub-delegate to appropriate staff) the authority on application; and on a case by

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case basis; to lower the premises licence fee category (from low to very low) for any café/restaurant that:

is not open in the evening (latest alcohol sales prior to 5 pm) and applies for a variation to their current licensed hours to limit alcohol sales between 8am and 5pm any day; and

- has not failed a controlled purchase operation; and
- has not had an enforcement action taken against them.

The Council resolves that annual fees will be payable by all licensed premises whose issue of licence or anniversary of licence issue occurs between 18 December 2013 and 30 June 2014.

CARRIED

Further motion

MOVED (Bell/Gaylor)

That the Regulatory Management Committee receive a report on the review of the new fee structure in 12 months.

CARRIED

Members commented that Agendas needed to be made easier to find on Council's website.

RMC 14/1/013

PUBLIC EXCLUDED RESOLUTION

MOVED (Ammundsen/Welsh)

That the Regulatory Management Committee move into a Public Excluded meeting.

PUBLIC EXCLUDED RESOLUTION

That, pursuant to Section 48 of the Local Government Official Information and Meetings Act 1987, the public now be excluded from the meeting for the reasons given below, while the following matters are considered:

The general subject of each matter to be considered, while the public are excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under Section 48(1) of the Local Government Official Information and Meetings Act 1987, for the passing of this resolution are as follows:

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General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Grounds under Section 48(1) for the passing of this resolution
Community Liaison Group Member Nominations – Kapiti Coast Airport Noise Management Plan (SP-13-1052)	Section 7(2)(a) – to protect the privacy of natural persons.	48(1)(a): That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist.
Collmog Bridge (CS-14-1099)	Section 7(2)(a) – to protect the privacy of natural persons.	48(1)(a): That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist.

CARRIED

Additional reasons for including the Collmog Bridge report in Public Excluded were added:

MOVED (Ammundsen/Gaylor)

Collmog Bridge (CS-14-1099)	Section 7(2)(g) maintain legal professional privilege and Section 6(a) avoid prejudicing the maintenance of the law, including the investigation and detection of offences	48(1)(a): That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist
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CARRIED

The meeting moved into public excluded session at 9.55am and came out of public excluded session at 12.42pm.

The Resolutions to Report SP-13-1052 were released into the public arena.

COMMUNITY LIAISON GROUP MEMBER NOMINATIONS – KAPITI COAST AIRPORT NOISE MANAGEMENT PLAN (SP-13-1052)

MOVED (Cardiff/Welsh)

That the Committee approve the appointment of Gordon Strachan as the Independent Chair of the Kapiti Coast Airport Noise Community Liaison Group, for a three-year term commencing on 01 January 2014;

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That the Committee approve the re-appointment of Jonny Best (with Kathy Spiers as his alternate) as the Paraparaumu/Raumati Community Board representative to the Kapiti Coast Airport Noise Community Liaison Group for a term ending on the date of the next local body election;

That the Committee approve the re-appointment of David Blair and Don Day as the community representatives to the Kapiti Coast Airport Noise Community Liaison Group for a three-year term ending on 01 January 2017; and

That the Council approve the appointment of the following airport operators to the Kapiti Coast Airport Noise Community Liaison Group for a two-year term ending on 01 January 2016; Graeme Barrell (Kāpiti Aero Club) and Brian Sharpe (Gliding Club member at the Kapiti Coast Airport).

That the resolutions only be released from Public Excluded business.

CARRIED

The Resolutions to Report CS-14-1099 were released into the public arena.

COLLMOG BRIDGE (CS-14-1099)

MOVED (Mayor/Bell)

That the Committee notes the enforcement action under the Building Act 2004 taken to date by officers in relation to the Collmog Bridge in Kaitawa Road, Ōtaki, including the placement of bollards to restrict vehicle access across the bridge to address the immediate risk but that the action has proven unsuccessful in permanently resolving the dangerous state of the bridge.

That the Committee notes under the Building Act 2004 and Resource Management Act 1991 there are five enforcement options available to the Council to progress with resolving the dangerous state of the Collmog Bride and approves option 1 (as set out in this report CS-14-1099) as the preferred course of action for officers to pursue.

That the Committee requested that Council review progress after 4 months (31 May) to ensure a satisfactory building consent had been submitted and if satisfactory progress was not made by 30 September 2014 then Council would consider approaching the Environment Court.

That the resolutions only be released from Public Excluded business.

CARRIED

The public session of the Regulatory Management Committee meeting closed at 12.42pm

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Chairperson

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Date