

MINUTES REGULATORY MANAGEMENT COMMITTEE	MEETING HELD ON THURSDAY 23 February 2012	TIME 9.00AM
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MINUTES of a meeting of the Regulatory Management Committee, held in the Council Chambers, 175 Rimu Road, Paraparaumu, on Thursday 23 February 2012 commencing at 9:00am.

PRESENT:

Cr	D	Ammundsen	(Chair)
Mayor	J	Rowan	
Cr	R	Booth	
Cr	T	Lester	
Cr	R	Church	
Cr	K	Gurunathan	
Cr	H	Wooding	
Cr	P	Gaylor	
Cr	M	Cardiff	

IN ATTENDANCE:

Mrs	L	Jensen	(Chair, Paraparaumu/Raumati Community Board)
Mr	A	Webster	(Chair, Paekākāriki Community Board)
Mr	P	Dougherty	(Chief Executive)
Ms	T	Evans	(Group Manager, Community Services)
Mr	K	Smith	(Regulatory Manager, Community Services)
Mr	W	Gair	(Principal Planner - Subdivisions, Community Services)
Mr	P	Ropata	(Compliance Officer, Community Services)
Ms	E	Thomson	(Senior Policy Planner, Strategy & Partnerships)
Ms	J	Pearson	(Road Safety Coordinator, Infrastructure Services)
Ms	J	Toseland	(Acting Team Leader, Animal Control, Community Services)
Mr	S	Mallon	(Group Manager, Infrastructure Services)
Ms	A	Kenna	(Senior Communications Writer, Corporate Services)
Mrs	B	Pashby	(Executive Secretary, Community Services)
Ms	D	Geerling	(Democratic Services Advisor, Corporate Services)

The Chair welcomed everyone to the meeting and read the blessing.

**RMC 12/02/063
APOLOGIES**

**MOVED (Rowan/Lester)
That apologies be accepted from Cr Lloyd and Don Moselen.
CARRIED**

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**RMC 12/02/064
MEMBER'S BUSINESS**

(a) Public Speaking Time Responses

There were none.

(b) Leave of Absence

There were no requests for a leave of absence.

(c) Matters of an Urgent Nature

There were no matters of an urgent nature.

(d) Declarations of Interest

There were no declarations of interest.

**RMC 12/02/065
CONFIRMATION OF MINUTES**

MOVED (Gaylor/Wooding)

That the minutes of the 27 October 2011 meeting of the Regulatory Management Committee are accepted as a true and accurate record of that meeting.

CARRIED

**RMC 12/02/066
MATTERS UNDER ACTION**

Road Safety

Jane Pearson, Road Safety Coordinator provided an update:

- Prior to Christmas, the Police and KCDC ran campaigns on fatigue, speed and drink driving. Child restraint checks and a Plunket day were also held with 80 residents participating.
- A successful motorcycle day was held on Paekakariki Hill. Over 50 motorcyclists were tested for alcohol and spoke about the importance of high visibility gear and safety. All the motorcyclists were safe to drive and many appreciated the safety information.
- There will be a cycle day on 29 February, takeaway breakfast packs will be given out at the Paraparaumu Railway Station and also at Waikanae and Otaki service centres
- Police and KCDC carried out breath testing and license checks on 24 January around the secondary schools. All drivers tested were safe to drive.
- The new Give Way rule comes into effect on 25 March. NZTA will do extensive advertising, after which KCDC will speak to groups such as the elderly if requested. KCDC will do some advertising on 24-26 March focusing on the changes. Confusion is expected in the first month.

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School Travel Planning

Jane Pearson offered apologies on behalf of Brent Cherry, School Travel Planner and responded to the Committee's questions.

- Ms Pearson will follow up with Mr Cherry regarding Kena Kena School's participation in the travel planning.
- Cr Cardiff asked what the 7% reduction in children being driven to school represented as a number. Ms Pearson will follow this up with Mr Cherry. Mr Mallon advised that the NZTA subsidy in this area is through Community Programs where NZTA's looking to reduce the funding from 75% to 53%. The programme is designed for schools to have a travel management plan which gets children to school safely and identifies how they get there eg. vehicles, travelling by foot, bike etc and seeks to increase numbers using active transport modes.
- The Mayor commented that great work has been done on this area. Ms Pearson added that compared with other Councils, KCDC has achieved a lot in a small amount of time.
- Cr Lester added it would be worthwhile having the statistics. The Committee asked for a report on what has been achieved in the last few years in the School Travel Planning activity.

District Plan

Emily Thomson, Senior Policy Planner, provided an update on District Plan Change appeals:

- Two appeals outstanding and no mediation yet on plan change 72A.
- Plan Changes 78 and 81 have had all mediation, the consent order is with the court, waiting for a response from the judge.
- Plan Change 77 became operative the previous week. These changes will go into the District Plans shortly.
- District Plan Review workshops have begun, and the aim is to have a draft out in July for public consultation with public notification in October.
- The Transmission Gully hearing has two weeks to go.

Resource Consents

Wayne Gair, Principal Planner - Subdivisions provided an update:

- The Council is negotiating with the owner of a development at Tongariro Street who is pursuing a retrospective resource consent. There are a number of outstanding issues and further information will be reported to the Committee.
- Hearings begin in the last week of February regarding the notified applications for 51 The Parade, Paekākāriki and Bunnings.
- The Transpower application for Valley Road is still in the High Court.
- Transpower has made an application for implosive repairs to the conductors on the high voltage line. The repairs proposed require further information to be supplied. If the effects of the works are deemed minor then the application will not be notified.
- The Transpower Waikanae upgrade application is yet to be received.
- Mr Dougherty added the law controls whether it's publicly notified or not, however the Council will seek technical and legal advice when the application is received and assessed.
- Cr Gurunathan asked that the Council could appeal to Transpower to exercise their right as an applicant and opt for the application to be public notified.

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- The environmental effects for the Rymans Health Care application appear unlikely to trigger the need for public notification. Further information is still required which may have an effect. Ms Evans stressed that the planner's report will be internally peer reviewed before a final decision is made.

The Mayor requested that a list be established to keep Councillors up to date on central government legislative changes, showing what the Council would be submitting on or not. Ms Evans suggested adding a running list in the EMB which could be reported on at Council meetings.

RMC 12/02/067

30 MINUTES PUBLIC SPEAKING TIME

Ralph Wallace from the Triangle Centre spoke to the Committee proposing the Council plant a peace pole in the Council Chambers or nearby as a symbol of peace. The words on the peace pole would be in English and Māori. A peace pole was installed in Paekākāriki several years ago and the proposed pole at Paraparaumu would be the same.

Cr Ammundsen advised the Committee would consider the proposal and respond closer to the completion of the Council offices.

RMC 12/02/068

APPLICATION FOR EXEMPTION UNDER SECTION 6 OF THE FENCING OF SWIMMING POOLS ACT 1987 – 83 PEKA PEKA ROAD, PEKA PEKA, WAIKANAE (CS-12-470)

Peter Ropata, Compliance Officer spoke to his report, where Ned Peko of 83 Peka Peka Road, Peka Peka made an application for a spa to be exempt under Section 6 of the Fencing of Swimming Pools Act 1987. He advised that a portable inspection has been completed.

MOVED (Wooding/Church)

That the Council approve the application for exemption under Section 6 of the Fencing of Swimming Pools Act 1987 and not require a fence to be placed around a portable spa pool at 83 Peka Peka Road, Peka Peka, Waikanae, subject to the following conditions being complied with:

- **The pool has a height of 760mm or greater above ground or deck level and no objects are positioned so as to allow a young child to climb onto the cover; and**
- **The property has suitable barriers in place to prevent a child up to the age of six years gaining access from outside the property, and the lockable spa cover meets the set criteria as stated below:**
 - **the cover is lockable and able to be kept locked when the pool is not being used or supervised;**
 - **the locks cannot be opened or released by a child up to the age of six years;**
 - **the cover cannot be lifted more than 100mm above the top of the spa, when locked in place;**

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- the cover must be made of material that can withstand the weight of at least 60 kgs to ensure that it would withstand the weight of a child up to six years;
- the cover must be constructed of a suitable material and not allow water to pond on top of it;
- the cover and locks must be maintained in a good state of repair; and
- suitable warning stickers/signs be placed on the cover to advise that it must be locked in place when the pool is not being used or supervised.

CARRIED

RMC 12/02/069

APPLICATION FOR EXEMPTION UNDER SECTION 6 OF THE FENCING OF SWIMMING POOLS ACT 1987 - 7 MONTEROSSO PLACE, PARAPARAUMU (CS-12-471)

Peter Ropata, Compliance Officer spoke to his report, where Neil and Angela Olsen of 7 Monterosso Place, Paraparaumu made an application for a portable spa to be exempt under Section 6 of the Fencing of Swimming Pools Act 1987.

MOVED (Gaylor/Booth)

That the Council approve the application for exemption under Section 6 of the Fencing of Swimming Pools Act 1987 and not require a fence to be placed around a portable spa pool at 7 Monterosso Place, Paraparaumu, subject to the following conditions being complied with:

- The pool has a height of 760mm or greater above ground or deck level and no objects are positioned so as to allow a young child to climb onto the cover; and
- The property has suitable barriers in place to prevent a child up to the age of six years gaining access from outside the property, and the lockable spa cover meets the set criteria as stated below:
 - the cover is lockable and able to be kept locked when the pool is not being used or supervised;
 - the locks cannot be opened or released by a child up to the age of six years;
 - the cover cannot be lifted more than 100mm above the top of the spa, when locked in place;
 - the cover must be made of material that can withstand the weight of at least 60 kgs to ensure that it would withstand the weight of a child up to six years;
 - the cover must be constructed of a suitable material and not allow water to pond on top of it;
 - the cover and locks must be maintained in a good state of repair; and
 - suitable warning stickers/signs be placed on the cover to advise that it must be locked in place when the pool is not being used or supervised.

CARRIED

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**RMC 12/02/070
ANNUAL REPORT ON DOG CONTROL POLICY AND PRACTICES 2010-2011
(CS-11-444)**

Ken Smith, Regulatory Manager spoke to his report. The report is required under the Dog Control Act.

For 2010/11 99% of all known dogs were registered. Staff have been active in pursuing infringements and prosecutions over the last two to three years.

Mr Smith updated the Committee on the Council's actions since the Appeals Committee upheld an Abatement Notice late in 2011.

Activity costs which can be recovered are for pick up and impounding of a dog plus the daily sustenance charge. The cost of prosecutions cannot be recovered. Ms Evans added that the Council now has an in house legal counsel, and expect this will reduce our legal costs in this area.

Cr Cardiff asked for the costs of the legal advice and what revenue was received from the 373 impounded dogs for the year. Mr Smith will provide these figures.

Mr Dougherty added that legal expenses for dog prosecutions range from \$50,000 to \$70,000 per year and the goal is to reduce that figure through the in house legal counsel. Staff will be looking to issue press releases after successful prosecutions in future.

The Mayor asked if there was a positive way to mitigate the costs of responding to complaints by offering a dog trainer sooner. Ms Toseland responded that when the Council receives barking complaints, staff often visit the property and make recommendations such as moving the kennel etc. If then we believe no further advice can be offered and the complaint can be substantiated then a trainer is recommended. Mr Smith added that the animal control team is proactive in that aspect.

**MOVED (Rowan/Gaylor)
That the Committee adopts the 2010/11 Annual Report on Dog Control Policy
and Practices contained in this report CS-11-444.
CARRIED**

**RMC 12/02/071
PRESENTATION**

John Yeoman, Chief Executive of Electra, presented an overview of the operations and structure which includes Oxford Finance, Line Work, Stones Electrical, Datacol New Zealand and Sky Communications.

Mr Yeoman confirmed that Electra liaises with Councils to manage demand and communication with Councils has improved over the last few years.

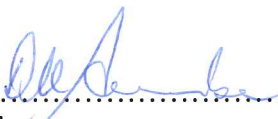
Mr Webster advised there are pohutukawa trees growing through the lines on the east side Campbell Park, Paekākāriki. This issue has been reported and has been an ongoing issue over the last 12 months. It appears to have been continually reprioritised. Mr Yeoman offered to follow up on the issue.

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Cr Gaylor asked if Electra had the infrastructure in place if rail electrification was extended to Ōtaki. Mr Yeoman confirmed they did and that Ōtaki is in a favourable position as Electra could supply a feed from the north or south. Depending on where the sub stations were to be built, Electra may need to build a new line.

Mr Yeoman confirmed that Electra's charges make up approximately 35% of a customer's power bill.

The meeting closed at 11:01am.


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Chairperson

12 April 2012
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Date