

<b>MINUTES</b> <b>REGULATORY MANAGEMENT</b> <b>COMMITTEE</b>	<b>MEETING HELD ON</b> <b>THURSDAY 28 April 2016</b>	<b>TIME</b> <b>10:00AM</b>
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**MINUTES** of a meeting of the **Regulatory Management Committee**, held in the Council Chambers, 175 Rimu Road, Paraparaumu, on Thursday 28 April 2016 commencing at 10.00am.

**PRESENT:**

Cr	D	Ammundsen	(Chair)
Cr	K	Gurunathan	
Cr	J	Elliott	
Cr	P	Gaylor	
Cr	M	Cardiff	
Mr	R	Church	(Mayor)
Cr	G	Welsh	
Cr	D	Scott	
Cr	M	Scott	<i>(Arrived at 10.37am)</i>

**IN ATTENDANCE:**

Mr	J	Best	(Deputy Chair, Paraparaumu/Raumati Community Board)
Mr	P	Dougherty	(Chief Executive)
Mr	K	Currie	(Group Manager, Regulatory Services)
Mr	C	Mylne	(Acting Group Manager, Community Services)
Ms	C	Stevens	(Building Control Manager)
Ms	N	Tod	(Resource Consents and Compliance Manager)
Ms	J	Lloyd	(Acting Environmental Standards Manager)
Ms	R	O'Brien	(Development Control Team Leader)
Mr	B	Johnston	(Transport Safety Coordinator)
Mr	P	Ropata	(Compliance Officer)
Mr	S	Amos	(Compliance Officer)
Ms	P	Richardson	(Project Manager, Fire Bylaw)
Ms	S	Fraser	(Executive Secretary)

**APOLOGIES**

Cr	M	Scott	(late)
Cr	M	Bell	
Mr	J	Westbury	(Chair, Waikanae Community Board)
Mr	C	Royal	(Māori Representative)

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

**RMC 28/04/168**

**APOLOGIES**

**MOVED (Gaylor/Welsh)**

**That apologies be accepted from Cr M Scott (late), Cr Murray Bell and Mr Caleb Royal.**

**CARRIED**

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**RMC 28/04/169**

**DECLARATIONS OF INTEREST RELATING TO ITEMS ON THE AGENDA**

There were none.

**RMC 28/04/170**

**HEARING OF SUBMISSIONS ON THE FIRE PREVENTION BYLAW (WHERE THE SUBMITTER INDICATED THEY WISH TO SPEAK)**

Mr James Henry spoke to his submission on the fire prevention bylaw.

Ms Philippa Richardson (Project Manager, Fire Bylaw) responded to Mr Henry advising that other councils address incinerators and open fires in their fire prevention bylaws which either prevent their use or specify the items that are prohibited from being burned. Ms Richardson will provide this information to Councillors.

There will be a report back on the review of the bylaw at the next meeting.

*Cr Elliott left the meeting at 10.10am and returned at 10.12am.*

**RMC 28/04/171**

**PUBLIC SPEAKING TIME (for items relating to the agenda)**

There were none.

**RMC 28/04/172**

**PRESENTATION: CROSS-COUNCIL INITIATIVE TO ALIGN BUILDING CONTROL SYSTEMS AND PROCESSES (GOSHIFT)**

Mr Kevin Currie (Group Manager Regulatory Services) and Claire Stevens (Building Control Manager) spoke to this presentation.

Mr Pat Dougherty (Chief Executive) acknowledged that this initiative is one of many where councils across the Wellington region were working well in a collaborative way and that there are many other initiatives working well across the country.

Mr Dougherty advised that when we consider engaging with other councils, it is often as a result of multiple councils identifying that they have a common problem and that there is an opportunity to work together on a solution. Elected Members would be involved in these types of discussions if it was identified that there would be a change in the way we deliver service.

*Clr Michael Scott arrived at 10.37am.*

*Clr Gavin Welsh left the meeting at 10.37 and returned at 10.39.*

**RMC 28/04/173**

**MEMBERS' BUSINESS**

There were none.

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**RMC 28/04/174**  
**REGULATORY SERVICES QUARTERLY REPORT (RS-16-1871)**

Ms Claire Stevens (Building Control Manager) spoke to this report.

The Chair welcomed Natasha Tod who is the new Resource Consents and Compliance Manager.

**MOVED (Mayor/Elliott)**

**That the Regulatory Management Committee notes the performance results for the second quarter of the 2015/16 year contained in the Quarterly Report attached as Appendix A to this Report RS-16-1871.**

**CARRIED**

**RMC 28/04/175**  
**APPLICATION FOR SPECIAL EXEMPTION UNDER SECTION 6 OF THE FENCING OF SWIMMING POOLS ACT 1987 – 118 REGENT DRIVE, PARAPARAUMU (RS-16-1841)**

Mr Peter Ropata (Compliance Officer) spoke to this report.

Mr Ropata advised that the cost for an application for an exemption is \$259. This amount will be reviewed as part of Council's annual review of fees in July 2016.

**MOVED (Welsh/Gaylor)**

**That the Regulatory Management Committee 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 pool at 118 Regent Drive, 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 60kgs to ensure that it would withstand the weight of a child up to six years;**

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- 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 28/04/176**

**APPLICATION FOR SPECIAL EXEMPTION UNDER SECTION 6 OF THE FENCING OF SWIMMING POOLS ACT 1987 – 109 ARCUS ROAD, TE HORO (RS-16-1876)**

Mr Simon Amos (Compliance Officer) spoke to this report.

**MOVED (Ammundsen/Mayor)**

**That the Committee approve the application for exemption under Section 6 of the Fencing of Swimming Pools Act 1987 (the Act) for a Swimming Pool at 109 Arcus Road Te Horo, in respect to clause 11 of the Schedule to the Act, subject to remaining compliant with the following conditions, to the satisfaction of Council staff:**

- (a) That the Exemption approved by the Environment and Regulatory Committee on 20 July 2006, for the Te Horo Lodge, Te Horo, in respect to the French Doors be revoked;**
- (b) That self-closing, self-latching devices be installed to the French doors;**
- (c) No hold open devices to be fitted to the doors;**
- (d) The self-latching device in (b) be installed at a minimum height of 1.5m above floor level;**
- (e) Restrictors to be fitted to windows opening into the pool area limiting the opening to 100mm;**
- (f) The four gates must comply with the Act, or locked all times with the use of padlocks. The keys to be stored away from the pool area and out of reach of young children;**
- (g) The kitchen bi-fold window opening in to the pool is exempted, allowing the window latch at a height of 1.17m above the window sill.**
- (h) The two single hinged garage doors that open in to the pool area, with the release latch (Measured at 880mm above the ground) and the access way between the garage and the house be exempted.**

**That the Committee notes that a re-inspection will be completed by a Council Officer to ensure the other non-compliant issues listed in the letter dated 5 October 2015 have been complied with.**

**CARRIED**

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**RMC 25/02/177**  
**CONFIRMATION OF MINUTES: 25 FEBRUARY 2016**

**MOVED (Cardiff/Gurunathan)**

**That the minutes of the Regulatory Management Committee meeting dated 25 February 2016 are accepted as a true and accurate record of that meeting.**

**CARRIED**

**RMC 25/02/178**  
**MATTERS UNDER ACTION**

The Matters Under Action update was noted.

Bruce Johnston (Transport Safety Coordinator) gave an update on school travel planning and road safety.

Natasha Tod (Resource Consents and Compliance Manager) provided an update on Resource Consents. Ms Tod gave the following updates:

- The Court upheld the Council's decision to grant Resource Consent with some minor changes made to the Early Childhood Centre.
- The Winstone Aggregates Quarry extension appeal period has closed and no appeals were received.
- The Kāpiti Island Nature Tours Resource Consent pre-hearing meeting was held and it is expected that matters will be resolved without the need for a hearing.

Mr Kevin Currie (Group Manager Regulatory Services) advised that the Council is participating to assist the Court on the declaration hearing for Stand Children's Service interpreting a phrase in the covenant which refers to the Council's definition of commercial activity from the District Plan.

Mr Currie also advised that signs are permitted to an extent within the District Plan and current bylaws. The signs require consent and we do respond from a compliance perspective where necessary.

Julie Lloyd (Acting Environmental Standards Manager) spoke to updates on the Food Act and advised that businesses in the Kapiti District have been very co-operative and grateful of the help they have received from our Staff.

**RMC 25/02/179**  
**MATTERS UNDER ACTION – REGULATORY LEGISLATION UPDATE**

The legislative update was noted.

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**RMC 25/02/180**

**PUBLIC SPEAKING TIME (covering other items if required)**

Mr Dale Evans spoke about Kāpiti Island Nature Tours, the Aquatic Centre and advertising of Council meetings.

**RMC 28/04/181**

**RESOLUTION TO GO INTO PUBLIC EXCLUDED SESSION**

**MOVED (M Scott/Mayor)**

**That this meeting is held in public excluded session**

**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:**

<b>General subject of each matter to be considered</b>	<b>Reason for passing this resolution in relation to each matter</b>	<b>Grounds under Section 48(1) for the passing of this resolution</b>
<b>Community Liaison Group Member Nominations – Kapiti Coast Airport Noise Management Plan (RS-16-1834)</b>	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**

*The meeting closed at 12.36pm.*

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Chairperson

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Date