WAIMAKARIRI DISTRICT COUNCIL

MINUTES OF A MEETING OF THE RESOURCE MANAGEMENT AND REGULATION COMMITTEE HELD IN THE COUNCIL CHAMBERS, 215 HIGH STREET, RANGIORA, ON TUESDAY 19 JULY 2016 AT 1.00PM

PRESENT

Councillor C Faass (Chairperson), Councillors P Allen, N Atkinson, J Gerard and K Barnett

IN ATTENDANCE

Councillor Deputy Mayor Felstead
Messrs J Palmer (Chief Executive), N Harrison (Manager Regulation), T Ellis (Development Planning Manager), G Meadows (Policy Manager), M Johnston (Environment Services Manager), Ms V Caseley (Plan Implementation Manager)) and Mrs A Smith (Committee Advisor)

1. APOLOGIES

An apology was received and sustained from Mayor Ayers.

2. CONFLICTS OF INTEREST

No conflicts of interest were noted.

3. CONFIRMATION OF MINUTES

3.1 Minutes of a meeting of the Resource Management and Regulation Committee held on 17 May 2016

Moved Councillor Barnett seconded Councillor Gerard

THAT the Resource Management and Regulation Committee:

(a) Confirms as a true and correct record the minutes of a meeting of the Resource Management and Regulation Committee held on 17 May 2016.

CARRIED

4. MATTERS ARISING FROM THE MINUTES

There were no matters arising.

5. PRESENTATION

There were no presentations.
6. REPORTS

6.1 Council submissions on private plan RCP028 PG Harris, 116,136 and 148 McHughs Road, Mandeville North – Matthew Bacon (Resource Management Planner)

Mrs Victoria Caseley presented this report to approve a submission retrospectively, made on this proposed plan change RCP028. Due to the timing of the submission process, staff were unable to confirm the submission with the committee, before the close of the submission period on the 8th of July. The submission, on behalf of the council, seeks to provide further controls on boundary fencing within the plan change area.

Moved Councillor Allen seconded Councillor Atkinson

THAT the Resource Management and Regulation Committee

(a) Receives report No. 160520047174
(b) Approves the submission to Private Plan Change RCP028, PG Harris (160620058241)
(c) Circulates this report to the Oxford-Eyre Ward Advisory Board for its information.

CARRIED

6.2 Annual Report Dog Control 2015/2016 – Malcolm Johnston (Environmental Services Manager)

Mr Malcolm Johnston presented this report, which is a requirement of the Dog Control Act s10A, for 2015/16.

There was discussion on the reporting of roaming dogs in the district, with the reduction in the numbers of reported roaming dogs noted in the annual report. Councillor Barnett suggested this may be as a result of the current system not encouraging people to report roaming dogs. Mr Johnston noted that staff resources have remain unchanged to respond to these calls. There was further discussion on whether a roaming dog has to be tethered before an Animal Control Officer will attend the call, as previously this is the message that is being received by the public, during both business hours and if the call goes to the after-hours staff. Councillors Atkinson and Allen both confirmed they had experienced this response. Mr Johnston agreed to report back to the committee with clarification on this situation, noting that it appears there is mixed messages being received by people lodging service requests for roaming dogs.

Following a question from Councillor Gerard, Mr Johnston confirmed that neither the after-hours staff (Armourguard), nor Council Animal Control Officers have the equipment nor mandate to tranquilize any animals. The Police are called in any cases where it is deemed necessary.

Regarding recovery of fines from infringement notices, Mr Johnston advised that the Council is not recovering 47% of infringement notices, but noted that there is no differentiation between parking infringement notices and animal control notices. Predominantly the reason for this high non recovery would be from parking infringements, where the infringements are waived, or are dealt with through the courts and money is not recovered.
Councillor Atkinson pointed out the figure for “other or unknown” complaints regarding dogs (708, relating to nearly two per day over the 12 month period). This was considered to be quite high and questioned whether there was any information on how these were responded to. There was no definite information available to define this category.

Moved Councillor Gerard seconded Councillor Allen

THAT the Resource Management and Regulation Committee:

(a) Receives report No: 160706064607

(b) Adopts Table 1 Annual Report for 2015/16 (Dog Control Act 1996 s10A) as the Waimakariri District Council Annual Report in terms of the Dog Control Act 1996.

Table 1 Annual Report for 2015/16 (Dog Control Act 1996 s10A)

<table>
<thead>
<tr>
<th>Reporting Requirement</th>
<th>15/16</th>
<th>14/15</th>
</tr>
</thead>
<tbody>
<tr>
<td>The number of registered dogs</td>
<td>11855</td>
<td>11568</td>
</tr>
<tr>
<td>The number of registered owners</td>
<td>7607</td>
<td>7368</td>
</tr>
<tr>
<td>The number of probationary owners and disqualified owners</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>The number of dogs classified as dangerous (section 31). Note these dogs were all classified under s31(1)(b)</td>
<td>15</td>
<td>14</td>
</tr>
<tr>
<td>“Any dog which the territorial authority has, on the basis of sworn evidence attesting to aggressive behaviour by the dog on one or more occasions, reasonable grounds to believe constitutes a threat to the safety of any person, stock, poultry, domestic animal, or protected wildlife;”</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Table 1 Annual Report for 2015/16 (Dog Control Act 1996 s10A) (continued)

<table>
<thead>
<tr>
<th>Reporting Requirement</th>
<th>15/16</th>
<th>14/15</th>
</tr>
</thead>
<tbody>
<tr>
<td>The number of dogs classified as menacing (section 33). Note some of these dogs were required to be classified under s33E in which the Act deems this type of dog (American Pit Bull Terrier) to be menacing.</td>
<td>60</td>
<td>59</td>
</tr>
<tr>
<td>The total number of complaints received and their nature. Note this figure is likely to be under-reported as complaints are received through many media. Categories of complaint are:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Aggressive behaviour</td>
<td>209</td>
<td>215</td>
</tr>
<tr>
<td>Barking</td>
<td>484</td>
<td>358</td>
</tr>
<tr>
<td>Roaming</td>
<td>324</td>
<td>420</td>
</tr>
<tr>
<td>Welfare</td>
<td>21</td>
<td>30</td>
</tr>
<tr>
<td>Other or unknown</td>
<td>708</td>
<td>599</td>
</tr>
<tr>
<td>Lost/Found</td>
<td>1020</td>
<td>1208</td>
</tr>
<tr>
<td>Total</td>
<td>2766</td>
<td>2830</td>
</tr>
</tbody>
</table>
Councillor Barnett is concerned with the communication issues with public reporting roaming dogs, noting the increased numbers of these occurring over the weekends. Councillor Barnett supports having a higher level of staff resourcing over the weekends to cover this increase in reporting.


Mr Meadows presented this report seeking direction from the committee on the review of the three policies, Earthquake-prone Buildings, Dangerous and Insanitary Buildings Policies. These three policies were last reviewed in 2011. Mr Meadows highlighted the options available to the committee with the review of these policies.

Councillor Allen asked what the “Z factor” was, as noted in Item 3.5 of the report. Mr Meadows explained that this is a level of seismic risk, with the whole of New Zealand having been defined as low, medium or high risk areas. Waimakariri District is classed as high seismic risk with a Z factor that is greater than or equal to 0.3. Mr Palmer added that this factor is included in the formula for deciding what strength a building structure is able to withstand.

With regard to the Building (Earthquake-Prone Buildings) Amendment Act 2016, this legislation will commence in two years’ time on 13 May 2018 and will then replace any territorial authority’s Earthquake-Prone Buildings Policy. Mr Harrison confirmed that the Council will be required to enforce this legislation when it commences.

Moved Councillor Allen seconded Councillor Atkinson

THAT the Resource Management and Regulation Committee

(a) Receives report No.160526042947

(b) Retains the Earthquake-prone Buildings Policy without further review until it lapses on 13 May 2018, noting that it continues to have effect until the Amendment Act commences

(c) Approves rolling the previously separate and distinct Dangerous Buildings Policy and Insanitary Buildings Policy into a single Dangerous and Insanitary Buildings Policy.

(d) Adopts the Dangerous and Insanitary Buildings Policy (TRIM No 160526049240), noting the next review of this policy will be in 2021 under section 132(4) of the Building Act 2004.

CARRIED
6.4 **Draft Submission to the Review of the Class 4 Gambling Discussion Document – Geoff Meadows (Policy Manager)**

Mr Meadows presented this report seeking endorsement of the Committee of a submission to the Department of Internal Affairs to the Review of Class 4 Gambling Discussion Document. The deadline for responses is 12 August 2016.

One of the points Mr Meadows noted in the submission was that local government has a big responsibility and obligations in relation to the social impact of gambling in their districts. This can include conducting Social Impact Assessments, the cost of which is born by ratepayers. Currently Central Government collects 3% of gaming machine proceeds. The submission suggests that there should be a cost-sharing arrangement in place, so that the proceeds from gaming machines are spread proportionately between Central Government and Territorial Authorities. Another point noted in the submission is the suggestion to change the review period for Councils Class 4 Venue Policies to every five years, not have these at every three years. This would put it in line with review periods for other Policies.

The Gambling Act is still seen as being fit for purpose, acknowledging the expenditure on gambling has plummeted since 2003.

Following question from Councillor Allen, Mr Meadows acknowledged that there is a contradiction with accounting for the social impact of gambling in the district, and that community groups within the district also rely on funding from these sources.

Moved Councillor Allen seconded Councillor Gerard

**THAT** the Resource Management and Regulation Committee:

(a) **Receives** report No.160701063210

(b) **Approves** the submission for immediate dispatch to the Department of Internal Affairs, or

**CARRIED**

Councillor Allen noted the Discussion Paper has a considerable number of issues noted in it. The key issues for this district have been captured. It is important to say that the funds from gambling machines be returned to the community that they are generated in. Changing the review period with having a time bound period is a good move, bringing this into line with the Licensing approach. Although there is a decline in the number of machines throughout the country, it is still a problem for a section of the population and the families of people affected by gambling. Councillor Allen believes that operators of gambling machines in this district are operating responsibility. Rather than some of the funds from these machines go to sports bodies, Councillor Allen suggested that they be directed more to community organisations which are dedicated to social recovery.

Councillor Gerard noted the funds received by central government from gambling machines and believes this is grossly unfair on local government.

Councillor Atkinson noted his concern with the fees that establishments are required to pay for having the gambling machines. He believes the costs will become too high for businesses to absorb, noting the costs of licensing fees as well. There will come a time when these establishments will no longer be operating. Councillor Atkinson believes there is a need to have
these establishments in our community as social meeting places and to help make the district a pleasant place to live.

6.5 Review of Gambling Venue and Board Venue Policies – Geoff Meadows (Policy Manager)

Mr Meadows presented this report seeking direction from the committee in regard to the review of the Gambling Venue Policy and the Board Venue Policy which is required every three years. The staff recommendation is that both Policies be retained unchanged. Mr Meadows noted that a review of the Gambling Venue Policy would require significant staff resources, as this would require a Social Impact Assessment being undertaken.

Following some initial discussion, the committee went into workshop at 1.35pm to allow for discussion on the Gambling Venue Policy and a possible review of this. The committee resumed meeting at 1.50pm.

Moved Councillor Gerard seconded Councillor Atkinson

THAT the Resource Management and Regulation Committee:

(a) Receives report No.160516044812
(b) Retains the Board Venue Policy unchanged TRIM No 160516044790
(c) Retains the Gambling Venue Policy unchanged TRIM No 160516044791

CARRIED

Councillor Allen and Councillor Faass opposed this motion

Councillor Allen in opposing the motion, believes that the Gambling Venue Policy does not reflect the purposes of the Gambling Act 2003. Councillor Allen would like to have been able to look at the distribution of grants (how much is returned to organisations in the local community) and the harmful social impact of these machines. These matters would have been considered as part of the review, had there been one undertaken.

Councillor Gerard believes there is a matter of principal with the distribution of the grant funds, and does not believe the Council should be involved with this process and would have strong reservations about this. Councillor Gerard does acknowledge the devastating effects that gambling can have on families but noted that reviewing this Policy will not take this away.

6.6 Waimakariri District Plan Review – Programme Implementation Plan – Trevor Ellis (Development Planning Manager)

Mr Ellis presented this report seeking endorsement of the committee for the District Plan Review Programme Implementation Plan. It was noted that this is an operational document and will be subject to review and changes as required. The programme will be managed by a senior staff Project Control Group and governance will be provided initially by the Resource Management and Regulation committee and in the 2016-19 period under the new Council arrangements.
Moved Councillor Barnett seconded Councillor Allen

THAT the Resource Management and Regulation Committee:

(a) Receives report No. 160706064817.

(b) Endorses the Waimakariri District Plan Review – Draft Programme Implementation Plan and notes that it will be further considered and updated where necessary at the first meeting of the proposed District Plan Review and District Development Strategy Project Control Group.

(c) Notes that governance arrangements for the District Plan Review and District Development Strategy programmes of work are a matter for recommendation to the incoming 2016-19 Council.

(d) Notes that an update report on progress with the District Plan Review and District Development Strategy projects will be made to the September meeting of the Committee.

CARRIED

Councillor Barnett thanked staff for putting together this programme implementation plan, acknowledging that things can change.

7. PORTFOLIO UPDATES

7.1 District Plan - Councillor Kirstyn Barnett

Councillor Barnett acknowledged the return of staff member Heike Downie working three days a week in the role of Principal Planning Analyst. Regarding the District Plan Change 27 – Natural Hazards Management discussion and feedback, there has been approximately 20 comments received during this process and half of these people wish to speak to the committee. A date is yet to be confirmed for this meeting. Councillor Barnett asked that all Councillors be invited to this meeting, even if to just listen in to the discussions.

7.2 Environmental Health and Civil Defence – Councillor Caroline Faass

Nothing to report, matters to be updated in the briefing to follow the meeting

7.3 Kaiapoi and Rangiora Town Centres – Councillor Neville Atkinson

At this time, Mr Palmer provided an update on the planned work to be undertaken to improve the amenities surrounding Farmers, which is under a tight timeframe to be completed prior to the opening of Specsavers on 24 August, and Farmers on 1 September. This includes improvements on Alfred Street, to allow for trucks delivering stock prior to the opening day of Farmers and tiling the footpath on the corner of High and Percival Streets.
8. **QUESTIONS**

There were no questions.

9. **URGENT GENERAL BUSINESS**

There was no urgent general business.

There being no further business, the meeting closed at 2.12pm.

**CONFIRMED**

__________________________________________

Chairperson

__________________________________________

Date

**BRIEFING**

Update on North Canterbury Clay Shooting Association

Update on proposed North Mandeville Business Park