



Minutes

of the

Judicial Committee

Ordinary Meeting

Date	23 April 2015
Venue	Council Chamber 515 Mackay Street Thames

Present

MK McLean JP (Chairperson)	PA Brljevich LA Fox D Connors
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In attendance

Erin Berry, Steve Hart, Allan Turner, Jakki Handcock, Rebekah Duffin, Marion Smith, Corinne Hamlin, Nicki Williams, Michael Jones, Angela Jane.

Meeting commenced	09:00
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Adjournment	Start	Finish	Reason
Chairperson	11:05	11:23	Morning Tea

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1 Meeting conduct

1.1 Apologies

All members were present.

1.2 Public forum

No speakers attended the public forum.

1.3 Items not on the agenda

There were no items added to the agenda.

1.4 Conflict of interest

No conflicts of interest were declared.

1.5 26 February 2015 - Judicial Committee minutes for confirmation

Resolved

That the Judicial Committee:

1. Confirms the minutes from the 26 February 2015 Judicial Committee meeting as a correct record of proceedings.

Moved/seconded by: Brljevich/Connors

2 Development contributions

2.1 ABA20130746 and RMA20130236 - Request for waiver of Development Contributions - 430 Hikuai Settlement Road, Hikuai

Key discussion points

- The Committee discussed the building use history at 430 Hikuai Settlement Road, Hikuai with particular regard to the transition from a garage to a dwelling.
- Staff clarified that consent was obtained to use the building as a dwelling.

Resolved

That the Judicial Committee:

1. Receives the 'Request for Waiver of Development Contributions (ABA2013/746 and RMA2013/236)' report, dated 1 April 2015.
2. Confirms that Development Contributions of \$3,633.00 plus GST are payable.

Moved/seconded by: Connors/Brljevich

3 Regulatory Group

3.1 February 2015 - Community Environment monthly report

The Judicial Committee was provided with an update on the key activities within the Community Environment Group for the month of February 2015.

Key discussion points

- Staff provided an update on the number of live monitoring investigations and noted that this would be reported on at the end of each month.
- The Committee queried the status of the situation at Manaia where a large number of tyres had been dumped. Staff noted that they would make an inquiry to Pacific Rubble who had previously acknowledged that they would collect the tyres.
- Staff noted that overall there had been a positive response toward the Freedom Camping Bylaw. It was noted that there were a few issues, mainly with freedom camping occurring directly outside residents' homes.
- The Committee queried whether all areas experienced peak periods of freedom camping. Staff noted that Waikawau Bay was the busiest site. Staff also noted that members of the New Zealand Motor Caravan Association were good at self-policing in relation to the space required between each self-contained unit.
- Discussion was had around a recent situation regarding some thieves at the boat ramp in Mercury Bay. The Committee requested that staff look into a temporary camera for the area.
- The Committee queried the number of special licence applications. Staff noted that many organisations, such as schools, had stopped applying for special licences due to the high cost involved.

Resolved

That the Judicial Committee:

1. Receives the February 2015 - Community Environment monthly report, dated 18 March 2015.

Moved/seconded by: Fox/Brljevich

3.2 February 2015 - Building Unit report

The Judicial Committee was presented with a report on the key activities and results for the Building Unit for the month of February 2015 with regards to its role as a Building Consent Authority and a Territorial Authority.

Key discussion points

- Staff noted that the number of inspections carried out was dependent on staffing resources.
- The Committee queried whether there was an issue with recruiting for inspectors. Staff noted that it had been difficult to find individuals with the right qualifications due to the specialist requirements of the role.
- A Committee member noted that they had received a comment stating that the Thames-Coromandel Building department was one of the best they had dealt with.

Resolved

That the Judicial Committee:

1. Receives the February 2015 - Building Unit report, dated 7 April 2015.

Moved/seconded by: McLean/Brljevich

3.3 Report on utility buildings in the district

The Judicial Committee was presented with a report on utility buildings and their associated structures constructed on properties at Matarangi.

Key discussion points

- The Committee queried the possibility of implementing a size limit for utility buildings as a bylaw or a potential District Plan change. Staff noted that placing a size restriction on utility buildings would be difficult under the Building Act.
- Staff made reference to provisions of the District Plan regarding utility buildings. It was noted that there was no legal requirement to construct a dwelling by a specific deadline, and an exempting provision allowed utility buildings to be constructed more frequently throughout the district.
- The Committee noted that the main concerns relating to the matter were health and safety, and compliance under the Building Code.

Resolved

That the Judicial Committee:

1. Receives the report on utility buildings in the district, dated 23 April 2015.
2. Requests Council Officers to bring a concise report to the next Judicial Committee meeting, identifying options for addressing the issue of utility buildings.

Moved/seconded by: Fox/Brljevich

4 Planning Group reports

4.1 Monthly Planning report February to March 2015

The Judicial Committee was presented with a report on key activities within the Planning Group for the months of February and March 2015.

Key discussion points

- The Committee discussed the proposal of a Crematorium in relation to the District Plan and zoning. Staff noted that they were unaware of when or if an application for a crematorium would be provided to Council.
- Staff noted that they are currently in the process of employing a development engineer, with the aim of reducing delays on consent processing.
- Wastewater and connection to Council services was discussed in relation to 33 Tiki Road and other various subdivisions.

Resolved

That the Judicial Committee:

1. Receives the February to March monthly Planning report, dated 23 April 2015.

Moved/seconded by: Connors/Fox

4.2 Update on Dog Control Policy and Bylaw and Advertising Bylaw

The Judicial Committee was presented with a progress report on the Dog Control Policy and Bylaw review and the Advertising Bylaw review.

Key discussion points

- Staff noted that the Dog Control Policy and Bylaw would go through the consultation process once again, and all submissions received during the previous consultation would be considered in developing a revised bylaw for consultation.
- Staff noted that work for the Dog Control Policy and Bylaw and the Advertising Bylaw would commence in June/July.
- It was noted that a clear definition between the District Plan and the Advertising Bylaw needed to be developed.

Resolved

That the Judicial Committee:

1. Receives the 'Update on Dog Control Policy and Bylaw and Advertising Bylaw reviews' report, dated 7 April 2015.
2. Approves the development of a revised Dog Control Policy and Bylaw and Advertising Bylaw for a further public consultation process.

Moved/seconded by: Fox/Brljevich

5 Public excluded

Resolved

That the public be excluded from the following parts of the proceedings of this meeting namely:

General Subject of each matter to be considered	Reason for passing this Resolution in relation to each matter	Ground(s) under Section 48(1) for the passing of the Resolution
Public excluded - 26 February 2015 - Judicial Committee minutes for confirmation	(7)(2)(g) – Maintain legal professional privilege. (7)(2)(i) – Enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).	(48)(1) – Subject to subsection (3) of this section, a local authority may by resolution exclude the public from the whole or any part of the proceedings of any meeting only on one or more of the following grounds: (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.

Moved/seconded by: Brljevich/Connors

Resolved

That the public be re-admitted to the meeting and resolutions taken with the public excluded be confirmed in the public session except for the following items which are to remain in the Public Excluded Minute Book.

Item	Description
5.1	Public excluded - 26 February 2015 - Judicial Committee minutes for confirmation

Moved/seconded by: Brljevich/Fox

Meeting closed at 11:35

The foregoing minutes were certified as being a true and correct record of the meeting of the Judicial Committee held on 23 April 2015.

Chairperson _____ Date _____