



Minutes

of the

Judicial Committee

Ordinary Meeting

Date	1 October 2015
Venue	Council Chamber 515 Mackay Street Thames

Present

MK McLean JP (Chairperson)	PA Brljevich LA Fox
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In Attendance

Paul Davies, David Hammond, Erin Berry, Jakki Handcock, Allan Turner, Steve Hart, Len Whitaker, Nicki Williams, Corinne Hamlin, Michael Jones, Ian Smith, Michael Eastwood, David Lamason, Gordon Finlay

Meeting commenced	09:00
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Adjournment	Start	Finish	Reason
Chairperson	10:26	10:45	Morning Tea

Table of Contents

Item Business	Page No.
1 Meeting Conduct	3
1.1 Apologies	3
1.2 Public forum	3
1.3 Items not on the agenda	3
1.4 Conflict of interest	3
1.5 13 August 2015 - Judicial Committee minutes for confirmation	3
2 Development Contributions	4
2.1 879 Hikuai Settlement Road Pauanui - Special assessment for development contributions - Pauanui Campground	4
3 Planning Group reports	5
3.1 Planning Group monthly report - July August 2015	5
3.2 October 2015 - Judicial Committee Action Schedule	5
4 Regulatory Group reports	6
4.1 July and August 2015 - Community Environment Group monthly report	6
4.2 Judicial Committee meeting 1 Oct 2015 Building Controls report July/Aug 2015	6
5 Public Excluded	7

1 Meeting Conduct

1.1 Apologies

An apology was received from Councillor Connors.

Resolved

That the Judicial Committee:

1. Receives the apology for Councillor Connors.

Moved/seconded by: Fox/Brljevich

1.2 Public forum

No members of the public attended the public forum.

1.3 Items not on the agenda

No items were added to the agenda.

1.4 Conflict of interest

No conflicts of interest were declared.

1.5 13 August 2015 - Judicial Committee minutes for confirmation

Key discussion points

- A change was requested to item 4.2 of the minutes - Building Controls Report - 13 August 2015 Meeting. Bullet point three under key discussion points was changed to "An update on the progress of the Cluster Group was provided. Staff noted that a Cluster Board meeting was held on 31 July 2015. Prior to this meeting, the Thames-Coromandel District Council's Chief Executive was requested to confirm if the Thames-Coromandel District Council still wished to join the Cluster group; this was confirmed by the Chief Executive".

Resolved

That the Judicial Committee:

1. Confirms the minutes from the 13 August 2015 Judicial Committee meeting as a correct record of proceedings with the following alteration to bullet point three of item 4.1: "An update on the progress of the Cluster Group was provided. Staff noted that a Cluster Board meeting was held on 31 July 2015. Prior to this meeting, the Thames-Coromandel District Council's Chief Executive was requested to confirm if the Thames-Coromandel District Council still wished to join the Cluster group; this was confirmed by the Chief Executive".

Moved/seconded by: McLean/Brljevich

2 Development Contributions

2.1 879 Hikuai Settlement Road Pauanui - Special assessment for development contributions - Pauanui Campground

A report was presented to the Judicial Committee in order to determine the development contributions required in relation to a development at 879 Hikuai Settlement Road, Pauanui using a special assessment.

Key discussion points

- Mr Lamason, the applicant's agent presented aerial images displaying the property involved in the application (Tabled Item A).
- Mr Lamason thanked staff for getting the special assessment to the Judicial Committee.
- It was noted, in association with peak demand that the number of people per campground site could not be greater than 3.5 persons.
- Mr Lamason queried the need for campground guests to use the information centre when the campground itself would be able to provide information regarding tourist attractions in the area.
- It was noted that the applicant planned to pump wastewater to the wastewater station outside peak times. This would be achieved by making use of the on-site one day holding tank.
- It was noted that the applicant had made a request to Council in writing to set up a payment plan for the applicable Development Contributions. The Committee advised that they did not hold the authority to grant time payments, however would make a recommendation to Council in this regard.
- The applicant noted that Council policies were making it difficult for campground owners to stay in business.

Key discussion points - deliberations

- Water requirements were noted at 90L per person, per day, with the average number of people per campsite being 3.5 people.
- Staff noted that they had been working with the applicant throughout the .
- Staff noted that they had advised the applicant that there was no real benefit in building a retention tank.

Resolved

That the Judicial Committee:

1. Receives the '879 Hikuai Settlement Road Pauanui - Special assessment for development contributions - Pauanui Campground' report, dated 14 September 2015.
2. Determines that on applying for Resource Consent after 1 July 2015 but prior to 1 July 2016 on materially the same conditions as RMA/2012/38 that the development contributions levied on the consent will be \$529,368.42 plus GST. The amount payable does not include a deduction for Community Halls or Strategic Buildings as submitted by the applicant.

3. Supports a payment plan for the development contribution levies if satisfactory security is provided by the applicant which may be in the form of a bank guarantee.
4. Recommends to Council to approve a payment plan, as the Committee does not have delegated authority for approving payment plans.

Moved/seconded by: Fox/McLean

3 Planning Group reports

3.1 Planning Group monthly report - July and August 2015

A report was presented to the Judicial Committee outlining the key activities within the Planning Group for July and August.

Resolved

That the Judicial Committee:

1. Receives the 'July to August 2015 - Planning Group Monthly' report, dated 1 October 2015.

Moved/seconded by: Fox/Brljevich

3.2 October 2015 - Judicial Committee action schedule

Resolved

That the Judicial Committee:

1. Receives the October 2015 Judicial Committee action schedule.

Moved/seconded by: Fox/Brljevich

4 Regulatory Group reports

4.1 July and August 2015 - Community Environment Group monthly report

The Judicial Committee was presented with a report on the key activities within Community Environment Group for the months of July and August 2015.

Key discussion points

- The Committee queried the process in which Requests for Service (RFS) were recorded. Staff noted that RFS were recorded in Pathway as per the Ministry for the Environment's national monitoring requirements.
- Staff advised that new security measures had been put in place at the Thames Pound following a recent break in.
- Staff noted that a new Environmental Health Officer had been employed who would be based at the Whitianga Office.

Resolved

That the Judicial Committee:

1. Receives the 'Community Environment Group Monthly report for July and August 2015' dated 14 September 2015.

Moved/seconded by: McLean/Brljevich

4.2 Judicial Committee meeting 1 Oct 2015 Building Controls report July and August 2015

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

Resolved

That the Judicial Committee:

1. Receives the 'July and August 2015 Building Controls report', dated 1 October 2015.

Moved/seconded by: Brljevich/Fox

5 Public excluded

Resolved

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

Item	Business
5.1	13 August 2015 - Public excluded Judicial Committee minutes for confirmation
5.2	October 2015 - Public excluded Judicial Committee action schedule

The general subject of each matter to be considered while the public is 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:

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
5.1. 13 August 2015 - Public excluded Judicial Committee minutes for confirmation	<p>(7)(2)(g) – Maintain legal professional privilege.</p> <p>(7)(2)(i) – Enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).</p>	<p>(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:</p> <p>(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.</p>
5.2. October 2015 - Public excluded - Judicial Committee action schedule	<p>(7)(2)(g) – Maintain legal professional privilege.</p> <p>(7)(2)(i) – Enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).</p>	<p>(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:</p> <p>(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.</p>

Moved/seconded By: Brljevich/Fox

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	13 August 2015 - Public excluded Judicial Committee minutes for Confirmation
5.2	October 2015 - Public excluded Judicial Committee action schedule

Moved/seconded by: Brijevich/McLean

Meeting closed at 12:03

The foregoing Minutes were certified as being a true and correct record of the meeting of the Judicial Committee held on 1 October 2015.

Chairperson _____ **Date** _____