

Western Bay of Plenty District Council

**Minutes of Meeting No. PP19 of the Policy Committee
held on 12 March 2019 in the Council Chamber, Barks Corner, Tauranga,
commencing at 9.30am**

Present

Councillor M Williams (Chairperson), Councillors G Dally, M Dean, M Lally, P Mackay, D Marshall, M Murray-Benge, J Palmer, J Scrimgeour, D Thwaites and His Worship the Mayor G J Webber

In Attendance

R Davie (Group Manager Policy, Planning and Regulatory Services), J Pedersen (Group Manager People and Customer Services), K Perumal (Group Manager Finance and Technology Services), E Watton (Policy and Planning Manager), A Curtis (Compliance and Monitoring Manager), B Williams (Strategic Property Manager), P Watson (Reserves and Facilities Manager), D Jensen (Senior Financial Planner), M Leighton (Senior Policy Analyst), C Lim (Engagement Specialist), R Woodward (Communications Advisor) and M Parnell (Governance Advisor)

Community Boards Chairpersons

A Sole (Chairperson, Waihi Beach Community Board)

Others

J Dugmore (Member, Te Puke Community Board)

Apologies

It was noted that Councillor Marsh was on a leave of absence.

PP19.1 Adoption of the Statement of Proposal for Consultation on the Draft Early Payment of Rates for Subsequent Years Policy

The Policy Committee considered a report from the Group Manager Finance and Technology Services dated 21 February 2019 as circulated with the agenda.

9.32am Councillor Dally entered the meeting.

Resolved: Murray-Benge / Dean

1. *THAT the Group Manager, Finance and Technology Services report dated 21 February 2019 and titled 'Adoption of the Statement of Proposal for Consultation on the Draft Early Payment of Rates for Subsequent Years Policy' be received.*
2. *THAT the report relates to an issue that is considered to be of Low significance in terms of Council's Significance and Engagement Policy.*
3. *THAT the Statement of Proposal for the Draft Early Payment of Rates for Subsequent Years Policy, as appended to this report, is adopted as for consultation from 18 March 2019 to 18 April 2019.*

PP19.2

Adoption of the Draft Traffic and Parking Enforcement Bylaw 2019 for Consultation

The Policy Committee considered a report from the Policy and Planning Manager dated 20 February 2019 as circulated with the agenda.

The proposed changes were explained and Elected Members were advised of an emerging issue regarding marking of carparks in Katikati. In the Sale and Purchase agreement with BNZ, Katikati, seven dedicated carparks were included. The parks were located on the road so it was difficult to enforce but the agreement needed to be honoured. The three allocated parks at P30 would be moved over to make room for this.

In response to questions, staff advised as follows:

- The agreement with BNZ Katikati was open ended.
- The maps provided did not form part of the Bylaw and could be updated without needing to review the Bylaw.
- Council did not currently have confirmation from the Bay of Plenty Regional Council regarding new bus stops in Omokoroa but, once they were confirmed, the Land Transport (Road User) Rule 2004 would come into action.
- The Bylaw had been and would continue to be reviewed annually through the Operations and Monitoring Committee.

Resolved: Mackay / Marshall

1. *THAT the Policy and Planning Manager's report dated 20 February 2019 and titled Adoption of the Draft Traffic and Parking Enforcement Bylaw 2019 for consultation be received.*
2. *THAT the report relates to an issue that is considered to be of medium significance in terms of Council's Significance and Engagement Policy.*
3. *THAT the Committee resolves that Schedules 1-6 of the draft bylaw specify the parking places for the Western Bay of Plenty District, to*

include the proposed amendments [(a) to (q)] as set out in part 2 of this report.

4. *THAT the draft Traffic and Parking Enforcement Bylaw 2019, statement of proposal, summary and feedback form as appended to this report are released for consultation pursuant s22AD of the Land Transport Act 1998, using a special consultative procedure from 18 March 2019 to 18 April 2019.*

PP19.3

Adoption of the Draft Freedom Camping Bylaw 2019 for Public Consultation

The Policy Committee considered a report from the Policy Analyst dated 20 February 2019 as circulated with the agenda. Minor changes were discussed and it was agreed that they could be picked up in adoption.

Elected Members commented on the social issues in Te Puke regarding homelessness and people staying at Jubilee Park and Commerce Lane.

In response to questions, staff advised that the draft Freedom Camping Bylaw maps were a part of the Bylaw.

Resolved: Scrimgeour / Murray-Benge

1. *THAT the Policy Analyst's report dated 20 February 2019 and titled "Adoption of the draft Freedom Camping Bylaw 2019 for Public Consultation" be received.*
2. *THAT the report relates to an issue that is considered to be of medium significance in terms of Council's Significance and Engagement Policy.*
3. *THAT pursuant to s155 of the Local Government Act 2002, Council confirms that this draft bylaw is the most appropriate way of addressing the perceived problem, the draft bylaw is most the appropriate form of bylaw, and that the draft bylaw does not give rise to any implications under the New Zealand Bill of Rights 1990.*
4. *THAT the draft Freedom Camping Bylaw 2019, the accompanying statement of proposal, summary of proposal and feedback form as appended to this report are released for consultation pursuant to s156 of the Local Government Act 2002, from 18 March 2019 to 18 April 2019.*

PP19.4

Adoption of the Draft Animals (excluding dogs) Bylaw, Cemeteries Bylaw, and Public Places Bylaw, and revocation of Nuisances Bylaw, for Consultation

The Policy Committee considered a report from the Policy Analyst dated 22 February 2019 as circulated with the agenda. The inclusion of the clause regarding bees in urban areas was discussed.

Resolved: Mayor Webber / Mackay

1. *THAT the Policy Analyst's report dated 22 February 2019 and titled "Adoption of the Draft Animals (excluding dogs) Bylaw 2019, Draft Cemeteries Bylaw 2019, and Draft Public Places Bylaw 2019 for Public Consultation" be received.*
2. *THAT the report relates to an issue that is considered to be of medium significance in terms of Council's Significance and Engagement Policy.*
3. *THAT pursuant to s155 of the Local Government Act 2002, Council confirms that for the respective issues, bylaws are the most appropriate way of addressing the perceived problems, the draft bylaws are most the appropriate form of bylaw, and that the draft bylaws do not give rise to any implications under the New Zealand Bill of Rights 1990.*
4. *THAT the Draft Animals (excluding dogs) Bylaw 2019, Draft Cemeteries Bylaw 2019, and Draft Public Places Bylaw 2019, the accompanying statement of proposal, summaries of proposals, and feedback form as appended to this report are released for consultation pursuant to s156 of the Local Government Act 2002, from 18 March 2019 to 18 April 2019.*
5. *THAT the General Bylaw Chapter 4 Nuisances 2008 be proposed for revocation on 15 August 2019, subject to consultation pursuant to s156 of the Local Government Act 2002, from 18 March 2019 to 18 April 2019, and that this proposal be included in the statement of proposal referred to in recommendation 4 of this report.*

PP19.5

Adoption of the Draft Trading in Public Places Bylaw 2019 for Consultation

The Policy Committee considered a report from the Senior Policy Analyst dated 21 February 2019 as circulated with the agenda.

Resolved: Marshall / Thwaites

1. *THAT the Senior Policy Analyst's report dated 21 February 2019 and titled "Adoption of the Draft Trading in Public Places Bylaw 2019 for Consultation" be received.*
2. *THAT the report relates to an issue that is considered to be of medium significance in terms of Council's Significance and Engagement Policy.*
3. *THAT pursuant to s155 of the Local Government Act 2002, Council confirms that a bylaw is the most appropriate way of addressing the perceived problems, the draft bylaw is the most appropriate form of bylaw, and that the draft bylaw does not give rise to any implications under the New Zealand Bill of Rights 1990.*

4. *THAT the draft Trading in Public Places Bylaw 2019, the accompanying statement of proposal, summary and feedback form as appended to this report are adopted for consultation pursuant to s156 of the Local Government Act 2002, from 18 March 2019 to 18 April 2019.*

PP19.6

Adoption of the Draft Class 4 Gambling Venues Policy and Draft TAB Venues Policy for Public Consultation

1. *THAT the Senior Policy Analyst's report dated 25 February 2019 and titled "Adoption of the Draft Class 4 Gambling Venues Policy and Draft TAB Venues Policy for Public Consultation" be received.*
2. *THAT the report relates to an issue that is considered to be of medium significance in terms of Council's Significance and Engagement Policy.*
3. *THAT in relation to the following issues, the preferred option is identified as,*
 - *Issue 1: Approach to limiting numbers of gaming machines, Option A being that a 'sinking lid' be introduced, whereby no new machines or venues are allowed.*
 - *Issue 2: Approach to Class 4 gambling venues relocations, Option A being that Council will not give consent for a venue to move locations within the District.*
 - *Issue 3: Approach to Class 4 gambling venue locations, Option A being that this section be removed as unnecessary, due to the overall Policy direction.*
 - *Issue 4: Approach to Club mergers, Option A being that any two or more clubs that currently hold Class 4 Gambling licences will not be allowed to continue hosting gaming machines if they choose to merge.*
 - *Issue 5: TAB Venues Policy, Option A being that no Board Venues be allowed in the District.*
4. *THAT the Draft Class 4 Gambling Venues Policy and Draft TAB Venues Policy are adopted for consultation, pursuant to s102 of the Gambling Act 2003 and s65E of the Racing Act 2003, from 18 March 2019 to 18 April 2019 and that the accompanying statement of proposal, summary and feedback form, as appended to this report, are adopted.*

The meeting concluded at 9.48am.

PP19