

Report of the ordinary meeting of the Regulatory and Planning Committee held in the Council Chambers, 29 Civic Avenue, Gore on Tuesday 2 September 2014, at 4.40pm.

Present His Worship the Mayor (Tracy Hicks, JP), Cr Highsted (Chairperson), Crs Beale, Bolger, Byars, Davis, Dixon, Gover, P Grant, Page and Sharp.

In Attendance The General Manager District Assets (Mr Paul Withers), Roading Manager (Mr Murray Hasler), 3 Waters Asset Manager (Mrs Sarah Crooks), Chief Financial Officer (Mr Luke Blackbeard), Building Control Manager (Mr Russell Paterson), Communications Coordinator (Sonia Gerken), Senior Planner (Mr Howard Alchin), Senior Regulatory Officer (Mrs Frances Shepherd), Corporate Support Officers (Mrs Tracey Millan and Mrs Kylie Weir).

Apologies The Chief Executive and Cr D Grant apologised for absence.

1. SCHEDULE OF BUILDING CONSENTS ISSUED

A memo had been received from the Chief Executive along with a schedule of building consents issued for July 2014, together with comparisons of the previous two years.

In response to Cr Dixon saying it was time the Council looked at squashing the policy around subsidising the construction of underpasses on rural farming properties, Cr Bolger said funding came from rural rates. Farming was the main business in the District.

The Roading Manager said the New Zealand Transport Authority (NZTA) partially funded the construction of underpasses through its minor safety improvements budget. Rural and urban motorists as well as farmers were advantaged in terms of convenience and safety. An underpass allowed for the transporting of four wheeler bikes and other farm vehicles. It had been nationally recognised that they were worth investing in.

In response to Cr Bolger, the Manager said areas with a higher traffic volume attracted a higher percentage subsidy. Farmers in the Gore District usually received a subsidy of between 5%-20% from NZTA and the Council subsidised 25% of that amount.

In response to Cr Sharp, the Manager said \$100,000 was the average cost for the construction of an underpass, however, prices varied.

Cr Sharp said he agreed with Cr Dixon.

Cr Highsted suggested the Council could ask for a report be received from Council staff.

Cr Davis said a report had been provided some months ago. She did not see the point of regurgitating the issue.

Cr Byars said road safety was the most important thing. More farms were being converted to dairy so more underpasses would be built.

The Manager added underpasses were also constructed on sheep farms.

RECOMMENDED on the motion of Cr Davis, seconded by Cr Gover, THAT the information be received.

2. ANIMAL CONTROL ACTIVITIES REPORT FOR JUNE AND JULY 2014

The Committee perused the June and July report from the Animal Control contractor.

In response to Cr Dixon, Cr Davis said the nearest desexing facility was in Invercargill. Investigation into providing a facility in Gore had been carried out previously, however, numbers were not high enough and there was not a vet willing to come to Gore to provide the service. Impounded dogs were usually desexed before being released.

In response to Cr Beale querying why there had been six dogs impounded during July and no infringement notices issued, the Senior Regulatory Officer said fees were charged on the second and third impoundment.

RECOMMENDED on the motion of Cr P Grant, seconded by Cr Beale, THAT the reports be received.

3. PROCESSING OF REQUESTS TO REMOVE STREET TREES (SC0381)

A memo had been received from the Parks and Recreation Manager regarding two requests received by the Council for trees to be removed from land for which it was responsible. A copy of the District Tree Policy 2005 had also been circulated.

Cr Davis said she now thought the second request, to remove trees on the corner of Hyde and River Streets was straightforward and a panel was not necessary. The Council could make a decision about the trees.

She said more information was required about the trees in the Main Street such as the condition of the trees, whether they could be uprooted and replanted and what replacement options would be available. The Council could then decide how to proceed.

Cr Bolger said the issue of the trees in the Main Street could become controversial and a panel could be required in the future. A report was required from the Parks and Recreation Manager in the first instance. He agreed that the Hyde Street trees were a straight forward issue that Council staff could deal with.

The General Manager District Assets said when the Hyde Street issue was raised he had visited people most affected by the trees and they had raised more safety concerns. The road was probably the busiest in the District. He and the Roading Manager had arranged for a safety and investment report to be completed about the intersection and had since received a draft report that identified the trees were definitely a safety issue. More treatment would probably be considered in time.

Cr Beale said he observed the corner in question on a daily basis and it was a matter of when, not if, a serious incident occurred. A lot of people frequented the dance hall on Hyde Street each day and often did a U turn in their vehicles. It was like playing Russian roulette. The three trees needed to be removed.

In response to Cr Highsted, the General Manager said the issue had been that the trees were on reserve land which meant there was a process around removing them that staff had to follow. It was up to the Council to decide whether to follow that process or alternatively to take a more expedient approach.

Cr Davis quoted text from the Tree Policy that allowed for the removal of trees if safety was an issue.

Cr Dixon said he could not understand why a common sense approach had not been used already and the trees removed.

In response to Cr Davis, the Roading Manager said the sooner the trees were removed the better.

Cr Davis recommended THAT based on road safety issues, the three trees on the Hyde Street reserve be removed as soon as practicable.

The recommendation was seconded by Cr Sharp.

Cr Bolger said he also wanted the trees removed, however, he did not want to see the Council get itself in trouble for removing them. He would like to be satisfied first that it would not be a contravention of the Council's District Tree Policy.

The General Manager said road safety was paramount. The trees had always been a good shelter belt against southerly winds for sports players and spectators on the field. Some balance in consideration was needed.

Cr Beale said the majority of spectators stood on the Oldham Street side of the park.

Cr Davis said common sense was required. If the policy said no, it was wrong and should be revisited. She was happy with the recommendation.

Cr Bolger moved an amendment THAT subject to staff being satisfied to the status of the trees, based on road safety issues the three trees on the Hyde Street reserve be removed as soon as practicable.

The amendment was seconded by Cr P Grant.

His Worship reminded the meeting that all committee recommendations went to the full Council for ratification. There was a timespan to alert the Council to any possible contraventions before that.

The amendment was put and it was lost.

The recommendation was put and it was carried.

RECOMMENDED on the motion of Cr Davis, seconded by Cr Gover, THAT the Council request further reports from Council staff be provided about the trees in Main Street, the condition of the trees, whether they can be removed and replanted and what could replace them. -

4. PUBLICISING OFFENDING DOG OWNERS (SC0393)

A memo had been received from the Chief Executive following a request from Councillors for a report on the privacy issues associated with the publication of names and addresses of the dog owners.

In response to Cr Highsted, Cr Sharp said there were 20 wandering dogs recorded in July. The theory about let sleeping dogs lie was not working.

RECOMMENDED on the motion of Cr P Grant, seconded by Cr Dixon, THAT the report be received.

5. ALCOHOL LICENSING FEES (SC0951)

A memo had been received from the Chief Executive together with a comparison of fees between the Sale of Liquor Act 1989 and default fees under the Sale and Supply of Alcohol Act 2012.

Cr Highsted said there was a significant amount of work involved in the signing off of default fees charged.

The Senior Regulatory Officer advised most sports clubs were rated as low risk. The RSA and Town and Country Club were rated medium and high for their on and off licences. The MLT had a mixture of high and medium risk ratings. Some would have been very high with the failed Controlled Purchase Operations (CPO's) in the last couple of years, however there was a clean slate from 18 December 2013. The risk rating was based on what a licence allowed an establishment to open. The MLT's 24 hour licence had been put back to 4am in line with the default hours in the new Act.

In response to Cr Beale asking what the reasoning was behind a clean slate, the Officer said it was decided to be fair to everyone when the new Act came into force.

His Worship said the premise around the decision was that it was a new piece of legislation that would be a fresh start for everyone.

In response to Cr Highsted asking what effect the changes had made to the Council's workload, the Officer said in the licensing area, it had more than doubled her own work.

His Worship said it was important to have some consistency across the province. There was a bit of a mixed bag. He did not agree with the approach the Southland District Council was taking in putting ratepayer subsidisation into alcohol licensing. He was interested in what Invercargill City Council was doing in terms of developing its LAP.

In response to His Worship asking where the process was at, the Officer said another meeting would be held the following week to hear a submitter that had been omitted from the original hearings. A review would be held after 12 months.

The Officer said the adoption of an LAP would not change the administration processes.

RECOMMENDED on the motion of his Worship, seconded by Cr Page, THAT the report be received,

THAT the Council opt to continue with the default fees for alcohol licenses as set out in the Sale and Supply of Liquor (Fees) Regulations 2013,

THAT the Council note that unless the track record of a licensee dictates otherwise current licensees will be offered a risk rating one step lower than what would normally be assigned, as a measure to soften the impact of the new fee regime for licensees,

AND THAT following the adoption of the LAP, the Council review the process.

The meeting closed at 5.20pm.