

## Waitaki District Council

### Heritage, Environment and Regulatory Committee

**CONFIRMED MINUTES of a meeting of the  
Heritage, Environment and Regulatory Committee of Waitaki District Council  
held in the Council Chamber, Waitaki District Council Headquarters,  
20 Thames Street, Oamaru  
on Tuesday 5 June 2018 at 10.30am.**

<b>Present</b>	Cr Jim Hopkins (Chair), Cr Craig Dawson, Cr Peter Garvan, Cr Bill Kingan; and Mayor Gary Kircher (ex officio)
<b>Apology</b>	Cr Hugh Perkins
<b>In Attendance</b>	Deputy Mayor Melanie Tavendale Cr Jeremy Holding Cr Guy Percival Cr Jan Wheeler Cr Colin Wollstein Fergus Power (Chief Executive) Neil Jorgensen (Assets Group Manager / Deputy Chief Executive) Lichelle Guyan (Heritage, Environment and Regulatory Group Manager) Lisa Baillie (People and Culture Group Manager) Hamish Barrell (Planning Manager) (part of meeting) Jason Evered (Environmental Services Manager) Roger Cook (Building Services Manager) Helen Algar (Community Development Coordinator) (part of meeting) Ainslee Hooper (Governance and Policy Advisor)

The Chair declared the meeting open at 10.32am, and welcomed everyone present.

#### 1. Apologies

RESOLVED  
HERC 2018/010      Cr Peter Garvan / Mayor Gary Kircher  
That the Heritage, Environment and Regulatory Committee accepts an  
apology for absence from Cr Hugh Perkins.

CARRIED

#### 2. Declarations of Interest

There were no declarations of interest.

#### 3. Confirmation of Meeting Minutes

RESOLVED  
HERC 2018/011      Cr Peter Garvan / Cr Craig Dawson  
That the Heritage, Environment and Regulatory Committee confirms  
minutes of the public meeting of the Committee held on 1 May 2018,  
as circulated, as a true and correct record.

CARRIED

#### 4. **Heritage, Environment and Regulatory Group (excluding building) fees and charges**

The memorandum, as circulated, proposed that the Committee recommend to Council new charges for Food and Health (both Food Act 2014 and Street Furniture) and an infringement change for Parking Activity. No changes were recommended for Animal Control or Alcohol Licensing.

Group Manager Lichelle Guyan advised that she wished to withdraw recommendation 3 relating to the Food Act fees due to the receipt of information last Friday that requires further investigation before being reported to Council. The Chair acknowledged the request.

RESOLVED

HERC 2018/012

Cr Craig Dawson/ Cr Peter Garvan

That recommendation 3 be withdrawn from consideration at this meeting.

CARRIED

As a consequence, the final resolution for this agenda item would involve renumbering recommendations 1 – 4, and would exclude the original recommendation 3.

The following discussion points were also NOTED for clarification purposes:

- With regard to the **Street Furniture fee**: Council was still being permissive about this issue, but there was a small cost involved in ensuring it was managed properly. In this way, it was a processing fee, not a hire fee. The aim was to enable businesses to make more use of the space available without inconveniencing the public.
- Parking had become a problem in the south of Oamaru, so the introduction of an **infringement for “failing to display” a Pay and Display receipt** was appropriate.

RESOLVED

HERC 2018/013

Mayor Gary Kircher / Cr Craig Dawson

The Heritage, Environment and Regulatory Committee recommends:  
That Council:

1. Approves no change for Animal Control fees.
2. Approves no change for Alcohol fees.
3. Approves an annual fee of \$50 for Street Furniture permit.
4. Approves introduction of \$40 infringement for ‘failing to display’ Pay and Display receipt.

CARRIED

#### 5. **Heritage, Environment and Regulatory Group Activity Report for the period 17 April to 28 May 2018**

The memorandum, as circulated, sought to inform the Committee about the activities of the Heritage, Environment and Regulatory Group during the reporting period.

Group Manager Lichelle Guyan spoke to the report, and contributed to discussions as recorded below.

Deputy Mayor Melanie Tavendale offered her thanks to Leanne Kingan, Helen Algar, and the Mayor for their assistance with the Youth Council movie night and over the weekend during the Fire and Steam Festival.

The Chair also extended the thanks and appreciation of this Committee to the Youth Council and the Deputy Mayor as their appointed councillor, for organising and supporting these events, which had both been well received by the community.

Cr Jan Wheeler congratulated Community Development Coordinator Helen Algar for her efforts on Safer Community initiatives. Some very difficult issues were being tackled. Mrs Algar acknowledged Cr Wheeler’s remarks, and noted that the Waitaki district was leading the way in some respects, eg 49 Police staff from across the district had already registered for

the 12 July “Family Harm: The Ripple Effect mini-violence prevention” conference. The event had yet to be advertised, but places were filling up fast. Schools would be invited to attend.

The “Make-Aways” meal programme had started today. More information on that, and the ‘kids in the supermarket’ project would be provided in the Group Activity Report to the next Committee Meeting.

With regard to the increased complexity of consent applications (3.1.1), it was suggested that this was a positive development, because it would mean that the district would be getting buildings with more character, which was in keeping with its image.

Cr Bill Kingan congratulated Group Manager Lichelle Guyan and her teams for the graphs in her report. He believed they were very easy to read and told a story that was very compelling. Other Councillors supported his remarks.

On the matter of failed inspections (page 16) still representing a higher than desirable percentage of commercial consent applications, it was noted that there was no easily identifiable root cause for repeat offences, and that once failed, an application would require re-inspection which incurred fees.

With regard to the Outstanding Code Compliance Certificate (CCC) project (3.3.1), an officer recently returned from leave had been assigned to the technical aspects of consents, which was expected to help with the ongoing reduction in the numbers being declined. Examples of reasons why consents were being declined included the lack of an Energy Certificate; or insufficient fire separation detail. The officer would provide guidance to applicants about how and where to get their missing information, and would also complete the final inspection if required.

With regard to Mycoplasma Bovis implications (4.1.3), Environmental Services Manager Jason Evered advised that information had been distributed to staff and sprays for tyres and shoes had been provided to them. After further discussion, it was AGREED that the Committee would invite a representative of the Ministry of Primary Industries to attend its next meeting (if possible) to discuss how the Council and officers could assist with efforts in managing the spread of the disease.

**ACTION POINT: Group Manager Lichelle Guyan to invite MPI representative**

Planning Manager Hamish Barrell advised that the Ohau Protection Society had made the appeal to the Environment Court on the Simmons Notified Consent at Lake Ohau case. A pre-hearing mediation had been unsuccessful in resolving the matter.

RESOLVED

HERC 2018/014

Cr Craig Dawson / Cr Bill Kingan

That the Heritage, Environment and Regulatory Committee receives and notes the information.

CARRIED

The Chair advised his intention to move the meeting into public excluded. The media representative and members of the public left the meeting.

## 6. Resolution to Exclude the Public

RESOLVED

HERC 2018/015

Cr Craig Dawson / Cr Bill Kingan

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

- Heritage, Environment and Regulatory Group Activity Report PE

The general subject of each matter to be considered while the public is excluded; the reasons 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 – Section 48(1)
Public Excluded: 7. Heritage, Environment and Regulatory Group Activity Report PE	To protect the privacy of natural persons. Section 48(1)(a) (The disclosure of the information would cause unnecessary personal embarrassment to the persons concerned.) To enable the Council to carry out commercial negotiations without prejudice or disadvantage. Section 48(1)(a) (Premature disclosure of the information would detrimentally affect the Council’s position in the negotiations.)

These resolutions are made in reliance on Section 48(1) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by Section 6 or Section 7 of the Act or Section 6 or Section 7 or Section 9 of the Official Information Act 1982, as the case may require, which would be prejudiced by holding of the whole or the relevant part of the proceedings of the meeting in public are as shown above (in brackets) with respect to each item.

CARRIED

**Refer to Public Excluded Minutes**

**Resolution to Return to Public Meeting**

RESOLVED  
 HERC 2018/018

Cr Craig Dawson / Cr Bill Kingan  
 That the Heritage, Environment and Regulatory Committee resumes in open meeting and decisions made in the public excluded session are confirmed and made public as and when required and considered.

CARRIED

**8. Release of Public Excluded Information**

In accordance with Waitaki District Council Standing Orders 2016 to 2019, Clause 17.5, and pursuant to Resolution HERC 2018/017 of this meeting, the Committee APPROVED the release of previously public excluded information as set out below because there was no need for its ongoing protection under section 48(1) of the Local Government Official Information and Meetings Act 1987.

**Agenda Item 7 – Receipt of Public Excluded Heritage, Environment and Regulatory Group Activity Report PE**

RESOLVED  
 HERC 2018/016

Mayor Gary Kircher / Cr Craig Dawson  
 That the Heritage, Environment and Regulatory Committee receives and notes the information in the Public Excluded Heritage, Environment and Regulatory Group Activity Report to this meeting.

CARRIED

There being no further business, the Chairman declared the meeting closed at 11.12am.

CONFIRMED at the Heritage, Environment and Regulatory Committee Meeting held on the 18<sup>th</sup> day of July 2018 in the Council Chamber, Waitaki District Headquarters, 20 Thames Street, Oamaru.

*(signed)*

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Chairman

