



REGULATORY COMMITTEE

Open Minutes

Meeting Date: Wednesday 22 November 2017

Time: 4.21pm – 4.40pm

Venue East Coast Lab
National Aquarium of New Zealand
Marine Parade
Napier

Present: The Mayor, Councillor Jeffery (In the Chair), Councillors Boag, Brosnan, Dallimore, Hague, McGrath, Price, Tapine, Taylor, White, Wise and Wright

In Attendance: Chief Executive, Director Corporate Services, Director Infrastructure Services, Director City Services, Director City Strategy, Director Community Services, Manager Communications and Marketing, Manager Regulatory Solutions, Economic Development Manager, Strategic Planning Lead, Urban Design Lead, Team Leader Policy Planning, Manager Design and Projects

Administration: Governance Team

Apologies

Nil

Conflicts of interest

Nil

Public forum

Nil

Announcements by the Mayor

The Mayor acknowledged the passing of Nick Story, Chief Executive of Hawke's Bay Airport, with the funeral to be held on Thursday in Hastings. The Mayor and Chief Executive will attend on behalf of Napier City Council.

Announcements by the Chairperson

Nil

Announcements by the management

Nil

Confirmation of minutes

Councillors McGrath / Taylor

That the Minutes of the meeting held on 11 October 2017 were taken as a true and accurate record of the meeting.

Carried

AGENDA ITEMS

1. ADOPTION AND NOTIFICATION OF PLAN CHANGE 11 - PARK ISLAND RECONFIGURATION

Type of Report:	<i>Operational and Procedural</i>
Legal Reference:	<i>Resource Management Act 1991</i>
Document ID:	399787
Reporting Officer/s & Unit:	Dean Moriarity, Team Leader Policy Planning

1.1 Purpose of Report

The purpose of this report is for Council to adopt Plan Change 11 - Park Island Reconfiguration, its accompanying Section 32 report and authorise officers to publicly notify the change for public submissions. This plan change is to give effect to the newly adopted Park Island Master Plan (May 2017).

At the Meeting

The Team Leader Policy Planning spoke to the report giving a brief overview for Councillors. In response to questions from Councillors, officers clarified:

- That the changes were driven by the various iterations of the Park Island Masterplan and significant consultation has been undertaken on the Masterplan.
- That the District Plan change was highlighted to Council earlier in the year through the adoption of the Park Island Masterplan.
- Hawke's Bay Rugby Union are committed to going to Park Island as part of their development of a high performance centre.
- One of the big drivers for the review of the Park Island Masterplan was the utilisation rate of sports fields. There are demands on the current facilities for which grass fields are not suitable. Altering the configuration assists with accommodating other sports and mid-week trainings.
- Consultation is scheduled to be undertaken in December 2017, which allows 30 days and is over the statutory requirement of 20 days. Consultation has already been undertaken with the community also.
- Notification will be made on 6 December 2017 with the submission period through until 9 February 2018. There is a closedown period during Christmas/New Year until 10 January 2018.
- Council must be the administering body for the notification process. The independent officer from Stradegy Consulting have drafted the application.
- Pre-consultation was targeted at local residents. Direct notification will be made to landowners on the western side of Orotu Drive, Parklands Estate residents and along Westminster Avenue, the statutory authority, and other stakeholders.
- Community meetings have been well attended. Residents consider themselves affected therefore officers are taking a wider approach to notification.

Committee's recommendation

Councillors Taylor / Wise

a. That the Council resolve:

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- b. That Council adopt Plan Change 11, its accompanying Section 32 report and authorise officers to publicly notify the change for public submissions.
 - c. That the closing date for submissions be an extended period no less than 1.5x the statutory minimum of 20 working days after the date of public notification (to recognise and provide for the holiday period).
 - d. To enable the plan change to be notified prior to the impending holiday period a **DECISION OF COUNCIL** is requested. This will require the following resolution to be passed before the Decision of Council is taken before being heard by an independent commissioner:
 - e. That a **DECISION OF COUNCIL** is required urgently in order to enable timely processing of the proposed plan change. This will require the following resolution to be passed before the decision of Council is taken:

That, in terms of Section 82 (3) of the Local Government Act 2002, that the principles set out in that section have been observed in such manner that the Napier City Council considers, in its discretion, is appropriate to make decisions on the recommendation.

Carried

DECISION OF COUNCIL

Councillors White / Brosnan

That, in terms of Section 82 (3) of the Local Government Act 2002, that the principles set out in that section have been observed in such manner that the Napier City Council considers, in its discretion, is appropriate to make decisions on the recommendation.

Carried

Council Resolution Councillors Wright / Taylor

- a. That the Council resolve:
- b. That Council adopt Plan Change 11, its accompanying Section 32 report and authorise officers to publicly notify the change for public submissions.
- c. That the closing date for submissions be an extended period no less than 1.5x the statutory minimum of 20 working days after the date of public notification (to recognise and provide for the holiday period).

Carried

2. TEMPORARY LIQUOR BAN - CHRISTMAS IN THE PARK

Type of Report:	Legal and Operational
Legal Reference:	Local Government Act 2002
Document ID:	400881
Reporting Officer/s & Unit:	Hayleigh Brereton, Manager Regulatory Solutions

2.1 Purpose of Report

To consider the request from the New Zealand Police for a temporary liquor ban at Anderson Park and the surrounding roads during 2017 Christmas in the Park event.

At the Meeting

There was no discussion at the meeting.

Committee's recommendation

Councillors White / Wright

- a. That pursuant to section 147 of the Local Government Act 2002 and the Napier City Council Public Places Liquor Control Bylaw 2014. Council approve the following areas as a "Specified Public Place" where consumption, possession and bringing of alcohol into is prohibited from 1200 hours on the 9th December 2017 to 2359 hours on the 9th December 2017.
- b. That the following areas be designated as "Specified Public Place" are all those public, places, reserves, roads and footpaths on both sides of the road within the area described as;
 - Auckland Road *from Lannie Place to York Avenue*
 - Freyberg Avenue *from York Avenue to Islington Place*
 - Islington Place *full length*
 - Kennedy Road *from Auckland Road to Taradale Road and 424 Kennedy Road*
 - Taradale Road *from Kennedy Road to adjacent to the boundary of 362 & 360 Taradale Road*
 - York Avenue *from Auckland Road to Freyberg Avenue*
- c. That a **DECISION OF COUNCIL** is required urgently to ensure a decision is made before the event takes place on 9 December 2017. This will require the following resolution to be passed before the decision of Council is taken:

That, in terms of Section 82 (3) of the Local Government Act 2002, that the principles set out in that section have been observed in such manner that the Napier City Council considers, in its discretion, is appropriate to make decisions on the recommendation.

Carried

DECISION OF COUNCIL

Mayor Dalton / Councillor Price

That, in terms of Section 82 (3) of the Local Government Act 2002, that the principles set out in that section have been observed in such manner that the Napier City Council considers, in its discretion, is appropriate to make decisions on the recommendation.

Carried

Council Resolution Councillors Hague / Wise

- a. That pursuant to section 147 of the Local Government Act 2002 and the Napier City Council Public Places Liquor Control Bylaw 2014. Council approve the following areas as a “Specified Public Place” where consumption, possession and bringing of alcohol into is prohibited from 1200 hours on the 9th December 2017 to 2359 hours on the 9th December 2017.
- b. That the following areas be designated as “Specified Public Place” are all those public, places, reserves, roads and footpaths on both sides of the road within the area described as;
 - Auckland Road *from Lannie Place to York Avenue*
 - Freyberg Avenue *from York Avenue to Islington Place*
 - Islington Place *full length*
 - Kennedy Road *from Auckland Road to Taradale Road and 424 Kennedy Road*
 - Taradale Road *from Kennedy Road to adjacent to the boundary of 362 & 360 Taradale Road*
 - York Avenue *from Auckland Road to Freyberg Avenue*

Carried

PUBLIC EXCLUDED ITEMS

Councillors Wright / Taylor

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

1. Property Acquisition - 286 Hastings Street, Napier

Carried

The general subject of each matter to be considered while the public was 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 were 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) to the passing of this resolution.
1. Property Acquisition - 286 Hastings Street, Napier	7(2)(i) Enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)	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: (i) Where the local authority is named or specified in Schedule 1 of this Act, under Section 6 or 7 (except 7(2)(f)(i)) of the Local Government Official Information and Meetings Act 1987.

The meeting closed at 4.40pm.

Approved and adopted as a true and accurate record of the meeting.

Chairperson

Date of approval