



NAPIER
CITY COUNCIL
Te Kaunihera o Ahuriri

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REGULATORY COMMITTEE

Open Agenda

Meeting Date:	Tuesday 13 November 2018
Time:	Following the Strategy and Infrastructure Committee
Venue:	Council Chambers, Hawke's Bay Regional Council, 159 Dalton Street, Napier

Committee Members	Councillor Jeffery (In the Chair), Mayor Dalton, Councillors Boag, Brosnan, Dallimore, Hague, McGrath, Price, Tapine, Taylor, White, Wise and Wright
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Officer Responsible	Director City Strategy
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Administration	Governance Team
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Next Regulatory Committee Meeting
Tuesday 19 March 2019

ORDER OF BUSINESS

Apologies

Nil

Conflicts of interest

Public forum

Nil

Announcements by the Mayor

Announcements by the Chairperson

Announcements by the management

Confirmation of minutes

That the Minutes of the Regulatory Committee meeting held on Tuesday, 21 August 2018 be taken as a true and accurate record of the meeting.8

Agenda items

- 1 Appointment of District Licensing Committee3
- 2 Napier Christmas Fiesta - Provision of Food Trucks6

Public Excluded

Nil

AGENDA ITEMS

1. APPOINTMENT OF DISTRICT LICENSING COMMITTEE

<i>Type of Report:</i>	Operational
<i>Legal Reference:</i>	Sale and Supply of Alcohol Act 2012
<i>Document ID:</i>	661285
<i>Reporting Officer/s & Unit:</i>	Rachael Horton, Manager Business Excellence & Transformation

1.1 Purpose of Report

To seek Council's approval to reappoint the current District Licensing Committee for a further term of 12 months to 29 November 2019, and to align the District Licensing Committee appointment process with the triennial election cycle.

Officer's Recommendation

That the Regulatory Committee:

- a. Receive the report.
- b. Approve the reappointment of the following members of the District Licensing Committee pursuant to the provisions of the Sale and Supply of Alcohol Act 2012 for a further term of 12 months to 29 November 2019:
 - Dave Fellows as Commissioner and Chair
 - Deputy Mayor Faye White as Deputy Chair
 - Councillor Keith Price
 - John Cocking
 - Ross Pinkham
- c. Approve future appointments of District Licensing Committees for terms of three years in line with the triennial election cycle.
- d. That a **DECISION OF COUNCIL** is required urgently due to the appointment terms ending in November 2018.

Chairperson's Recommendation

That the Council resolve that the officer's recommendation be adopted.

1.2 Background Summary

The Napier District Licensing Committee (DLC) was established in November 2013 and is the first DLC established under Sale and Supply of Alcohol Act 2012 (the Act). The DLC function is to consider and determine all matters set out in the provisions of the Act.

The Council approved the original appointment of five nominated persons to the DLC on 28 November 2013 for a period of five years.

On 24 February 2016 Council approved that Deputy Mayor Faye White be Deputy Chair and that Councillor Keith Price be appointed as a member of the DLC to be drawn on for the purposes of hearings; however, the term of appointment for Councillor Price was not specified.

The current members of the DLC are:

- Dave Fellows as Commissioner and Chair
- Deputy Mayor Faye White as Deputy Chair
- Councillor Keith Price
- John Cocking
- Ross Pinkham

Under the Act, all appointments to the DLC are for a term of up to five years and such persons may also be approved for one or more further periods of up to five years.

All current DLC members have indicated they wish to seek reappointment for a further term.

1.3 Composition and Term of Appointment

The composition of the DLC is determined by Council and depending on the decision made, may or may not consist of elected members.

Under the Act, a licensing committee must consist of three members appointed by the territorial authority. One member must be appointed as the chairperson and that member must be a member of that territorial authority or a commissioner appointed to the licensing committee. A member of the territorial authority may also be appointed as a deputy chairperson.

The other two members of the licensing committee must be appointed from the territorial authority's list of persons approved to be members of the licensing committee.

While the first DLC appointments were made for a term of five years, a more manageable commitment of three years is proposed.

In addition, alignment with the election process where the DLC appointments follow the political appointment is also proposed to allow for those elected to decide on the composition of the DLC.

Aligning the DLC appointment process to follow the election cycle provides for the following benefits:

- a. A shorter and more manageable commitment of three years rather than five years for DLC members;
- b. Alignment with other committee appointments following an election;
- c. Consideration of elected members for appointment to the DLC, if elected members are to be appointed, and
- d. Only one appointment process per triennium, if elected members are to be appointed.

1.4 Reappointment of District Licensing Committee

The next triennial election will be undertaken in October 2019. To allow the DLC appointment process to follow the election, it is proposed that the current DLC are reappointed for a term of 12 months to 29 November 2019. This would also include the

reappointment of Deputy Mayor White as Deputy Chair, and Councillor Price to align his appointment with the other DLC positions.

At the end of the term and following the 2019 elections, it is proposed that a recruitment process is undertaken to fill all DLC positions. And that appointments are for a term of three years to remain in sync with the election cycle.

1.5 Significance and Engagement

Staff considered that the recommendations in this report have low significance under the Significance and Engagement Policy.

1.6 Attachments

Nil

2. NAPIER CHRISTMAS FIESTA - PROVISION OF FOOD TRUCKS

<i>Type of Report:</i>	Procedural
<i>Legal Reference:</i>	Local Government Act 2002
<i>Document ID:</i>	652821
<i>Reporting Officer/s & Unit:</i>	Fleur Lincoln, Strategic Planning Lead

2.1 Purpose of Report

The purpose of this report is to obtain a resolution of Council to allow the sale of food and drink (no alcohol) to the public within Clive Square East and Emerson Street between Clive and Memorial Squares as part of the Napier Christmas Fiesta that will be held following the Christmas parade. The Fiesta will run from 1.30pm to 4.00pm on Sunday 2 December 2018.

Officer's Recommendation

That the Regulatory Committee:

- a. Resolve to allow the sale of food and drink to the public within Clive Square East and Emerson Street between Clive and Memorial Squares at the Napier Christmas Fiesta event from 1.30pm to 4.00pm on Sunday 2 December 2018.

Chairperson's Recommendation

That the Council resolve that the officer's recommendation be adopted.

2.2 Background Summary

Napier City Business Inc. will once again host the Napier Christmas Fiesta at the Clive Square end of the city following the Napier Christmas Parade. This is always a popular event that attracts up to 5000 people, many of whom are young families from across the Hawke's Bay. The Fiesta provides a variety of entertainment for kids and adults, and will be free to attend. The addition of five food trucks will add to the buzz of the Fiesta and will provide quick, cheap street food for families. Clive Square East and Emerson Street between Clive and Memorial Squares will be closed to traffic for the event.

The Trading in Public Places Bylaw prohibits the sale of goods to the public within the city centre unless a resource consent or a specific resolution of Council has been obtained. This report to Council seeks a specific resolution of Council to allow the sale of food and drink to the public on this day and within this time period.

2.3 Issues

Napier City Business Inc. will host this event. They have communicated with food providers located nearby, and have received their full support.

2.4 Significance and Engagement

Napier City Business Inc. will host this event. They have communicated with food providers located nearby, and have received their full support.

2.5 Implications

Financial

N/A

Social & Policy

The Trading in Public Places Bylaw prohibits the sale of goods to the public within the city centre unless a resource consent or a specific resolution of Council has been obtained.

The addition of 5 food trucks will add to the buzz of the Fiesta and will provide quick, cheap street food for families.

Risk

N/A

2.6 Options

The options available to Council are as follows:

- a. Resolve to allow the sale of food and drink to the public at the Napier Christmas Fiesta event
- b. Do not allow the sale of food and drink to the public at the Napier Christmas Fiesta event

2.7 Development of Preferred Option

As previously stated, the addition of five food trucks will add to the 'buzz' of the Fiesta and will provide quick, cheap street food for families. Napier City Business Inc has spoken with the food providers located nearby, and have received their full support.

2.8 Attachments

Nil

REGULATORY COMMITTEE

Open Minutes

Meeting Date: Tuesday 21 August 2018

Time: 3.24pm – 3.32pm

Venue Council Chambers
Hawke's Bay Regional Council
159 Dalton Street
Napier

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

In Attendance Chief Executive, Director Corporate Services, Director Community Services, Director Infrastructure Services, Director City Services, Director City Strategy, Manager Communications and Marketing, Manager Business Transformation and Excellence, Strategic Planning Lead, Senior Policy Planner

Administration Governance Team

Apologies

Councillors White / Brosnan

That the apology from Councillor Dallimore be accepted.

Carried

Conflicts of interest

Nil

Public forum

Nil

Announcements by the Mayor

Nil

Announcements by the Chairperson

Nil

Announcements by the management

Nil

Confirmation of minutes

Councillors Wise / White

That the Minutes of the meeting held on 29 May 2018 were taken as a true and accurate record of the meeting.

Carried

Questions from Councillors for Further Action

Item	Requestor	Action	Responsible
1	Cr Tapine	Is there any correlation between the 219 standing infringements and the 214 classified menacing dogs?	Richard M/ Lance T
1	Cr White	Is Napier similar to other regions in its euthanasia levels?	Richard M/ Lance T

AGENDA ITEMS

1. ANNUAL DOG CONTROL REPORT 2017/18

<i>Type of Report:</i>	Legal
<i>Legal Reference:</i>	Dog Control Act 1996
<i>Document ID:</i>	559263
<i>Reporting Officer/s & Unit:</i>	Hayleigh Brereton, Manager Regulatory Solutions

1.1 Purpose of Report

To present the territorial authority report on dog control policies and practices for the dog control registration year 1 July 2017 – 30 June 2018, for adoption by Council as required under Section 10A of the Dog Control Act 1996, prior to being submitted to the Secretary for Local Government and being made publically available.

At the Meeting

Some context was provided to the number of infringements recorded – in an effort to enforce compliance with dog registrations a large number of infringements were issued; of these, 485 were cancelled following payment within the 14 day grace period or as the dog was not sighted.

The number of dogs recorded as being euthanised shows an increase this year as a number of animals have been surrendered to Council specifically for the purpose of euthanasiation, mostly by other organisations. When the animals in this category are removed, the numbers are approximately the same as last year.

It was noted that the Council's service request system could identify whether particular areas experienced higher levels of challenges regarding animal control call outs.

Committee's recommendation

Councillors White / Tapine

The Regulatory Committee:

- a. Adopt the Napier City Council Annual Dog Control Report 2017/18.
- i. That the report be submitted to the Secretary for Local government and published in accordance with the Dog Control Act 1996.

Carried

The meeting closed at 3.32pm

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

Chairperson

Date of approval