



HURUNUI
District Council

Regulatory Committee

Meeting Agenda

9.30am Thursday 20 November 2014

In the Council Chambers, 66 Carters Rd, Amberley.

Community partnership in growth and wellbeing.

Regulatory Committee

Committee Membership:

Cr Marie Black (Chairperson)
Mayor Winton Dalley
Cr Julie Coster
Cr Gary Cooper
Cr Vince Daly
Cr Dick Davison
Cr Jason Fletcher
Cr Fiona Harris
Cr Jim Harré
Cr Judith McKendry

Quorum: no less than 5 members

The purpose of local government:

(1) The purpose of local government is—

- (a) to enable democratic local decision-making and action by, and on behalf of, communities; and
- (b) to meet the current and future needs of communities for good-quality local infrastructure, local public services, and performance of regulatory functions in a way that is most cost-effective for households and businesses.

(2) In this Act, **good-quality**, in relation to local infrastructure, local public services, and performance of regulatory functions, means infrastructure, services, and performance that are—

- (a) efficient; and
- (b) effective; and
- (c) appropriate to present and anticipated future circumstances.

(Local Government Act 2002 – Amendment Act 2012)

REGULATORY COMMITTEE

THURSDAY 20 NOVEMBER 2014 AT 9.30 AM

9.30	Meeting begins
10.30	Morning Tea
11.15	Meeting to conclude for the Finance, Audit and Risk Committee meeting to begin

ITEM	ORDER OF BUSINESS	Pages									
	<ul style="list-style-type: none"> • Apologies • Announced Urgent Business • Conflict of Interest Declarations • Recording Device 										
1.	Minutes for confirmation	4 - 6									
2.	Decision Items: Nil										
3	Discussion Items: Nil										
4.	Information Items: Nil										
5.	<p>Public Excluded Session THE GENERAL SUBJECT OF THE MATTERS TO BE CONSIDERED WHILE THE PUBLIC IS EXCLUDED, THE REASON FOR PASSING THIS RESOLUTION IN RELATION TO THE MATTERS AND THE SPECIFIC GROUNDS UNDER SECTION 48 (1) OF THE LOCAL GOVERNMENT OFFICIAL INFORMATION AND MEETINGS ACT</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: center;">General subject of each matter to be considered</th> <th style="text-align: center;">Reason for passing this resolution in relation to each matter</th> <th style="text-align: center;">Grounds under section 48 (1) for the passing of this resolution</th> </tr> </thead> <tbody> <tr> <td> Item 5.1 Minutes of the Public Excluded Session of the October Committee meeting </td> <td>The Minutes contain information which if released would affect the privacy of natural persons.</td> <td>Section 48(1)(a)(i) and 7(2)(a).</td> </tr> <tr> <td> Item 5.2 Objection to a dog being classified as Menacing under Section 33A of the Dog Control Act 1996 </td> <td>The Report contains information which if released would affect the privacy of natural persons.</td> <td>Section 48(1)(a)(i) and 7(2)(a).</td> </tr> </tbody> </table>	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Grounds under section 48 (1) for the passing of this resolution	Item 5.1 Minutes of the Public Excluded Session of the October Committee meeting	The Minutes contain information which if released would affect the privacy of natural persons.	Section 48(1)(a)(i) and 7(2)(a).	Item 5.2 Objection to a dog being classified as Menacing under Section 33A of the Dog Control Act 1996	The Report contains information which if released would affect the privacy of natural persons.	Section 48(1)(a)(i) and 7(2)(a).	<p style="text-align: center;">9 – 10</p> <p style="text-align: center;">11 - 24</p>
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Guidelines from Council Significance Policy –

The Council in considering each matter, must be:

- a. Satisfied that it has sufficient information about the practicable options and their benefits, costs and impacts, bearing in mind the significance of the decisions
- b. Satisfied that it knows enough about and will give adequate consideration to the views and preferences of affected and interested parties bearing in mind the significance of the decisions to be made

Questions

- a. Does the Council have sufficient information about the issue, proposal, decisions or other matter?
- b. Does the issue, proposal, decisions or other matter:
 - affect all or a large portion of the community in a far-reaching way?
 - have a potential impact or consequence on the affected persons (being a number of persons) that is substantial?
 - have financial implications on the Council's resources that would be substantial?
 - generate (or would be expected to generate) a high degree of controversy?
 - fail to flow logically or consequentially from a decision in the Hurunui Community Plan?

Evaluation

Council officers preparing these reports will have regard to Council's policy on significance. Councilors will make the final assessment on whether the subject under consideration is to be regarded as being significant or not. Unless Council explicitly determines that the subject under consideration is to be deemed significant then the subject will be deemed as not being significant.

HURUNUI DISTRICT COUNCIL MINUTES



Meeting Hurunui Council Regulatory Committee
Time and Date 16 October 2014 at 9.30am
Venue Council Chambers, Carters Road, Amberley

Members Present Cr Marie Black (Chairperson), Mayor Winton Dalley, Councillors Julie Coster, Dick Davison, Jim Harré and Fiona Harris.

In Attendance Hamish Dobbie (Chief Executive Officer) Judith Batchelor (Manager Environmental Services) Sue Courtney (Team Leader Regulatory), Eric Donald (Environmental Health Officer) and Graham Sutherland (Council Secretary).

Apologies Councillors Gary Cooper, Vince Daly and Judith McKendry. Councillor Jason Fletcher - leave of absence

THAT THE APOLOGIES BE ACCEPTED.

Coster/Davison

CARRIED

Absent Nil.

Conflict of Interest Declarations Nil.

Urgent Business Nil.

1. Minutes THAT THE MINUTES OF THE ORDINARY MEETING HELD ON 17 JULY 2014 ARE NOW CONFIRMED, SUBJECT TO THE FOLLOWING AMENDMENTS.

- Item 1.2, bullet point 5 – site visit attendees to be added (Councillors Black, Coster, Harris and McKendry).
- Item 1.3, bullet point 6 – site visit attendees to be added (Councillors Black, Daly and Harré).

Coster/Davison

CARRIED

2. DECISION ITEMS Nil.

3. DISCUSSION ITEMS Nil.

4. INFORMATION ITEMS

4.1 Update on the Food Act 2014

The Environmental Health Officer provided a report explaining that the Government has recently enacted the Food Act 2014. This Act replaces the Food Act 1981 and will change the way in which food premises are regulated in the Hurunui District. The report was to update the Committee on the significant changes that will occur. The new Act extends rules for food control through risk-based measures to control public health risk and introduces food control plans (FCP). Officers commented that it was an effective regulatory tool.

The Team Leader Regulatory introduced Eric Donald, Environmental Health Officer and said he brings to the Regulatory Team great experience and knowledge around food legislation.

Officers noted that there would be some new work for the Council as for example horticultural packing operations will be regulated and hospitals and rest homes will be an area where the Council would have to extend its work. Working through the food control plan process will take more time than normal, as there was transference of responsibility to the operator. The Environmental Health Officer said there would be annual auditing but also spot checks and there would be more time involved in set-ups, but that time might reduce once the system was established. There might be a need for fee recovery.

The Environmental Health Officer advised that charities operating food stalls at an event would be exempt, as long as they were not doing it more than 20 times a year. However, if someone was making money as a business in that environment, they would not be exempt. In response to a question the Environmental Health Officer said each food stall at an event would have to have a FCP, but as long as people are registered, they do not need one for each event. The Chief Executive Officer said the focus is now on product rather than the event.

In response to a question about cost of compliance, the Environmental Health Officer said a small operation like for example someone making lunches for their local school might not be profitable under the new regime, but having a FCP would allow that person to go elsewhere to sell their product. The Manager Environmental Services said costs were calculated under the current fees and charges and officers would need to do more work on this and bring a new fee structure into the next financial year. She said the Regulatory Team was working on fees across the environmental health, food and alcohol areas and it would be a Long Term Plan matter in terms of covering costs longer term.

THAT THE INFORMATION BE RECEIVED.

Harré /Harris

CARRIED

5. URGENT BUSINESS

There was no Urgent Business for this meeting.

6. PUBLIC EXCLUDED

PUBLIC EXCLUDED SESSION

THE GENERAL SUBJECT OF THE MATTERS TO BE CONSIDERED WHILE THE PUBLIC IS EXCLUDED, THE REASON FOR PASSING THIS RESOLUTION IN RELATION TO THE MATTERS 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	Grounds under section 48 (1) for the passing of this resolution
<p>Item 6.1 Outstanding Dog Registrations</p>	<p>The report contains information which if released would affect the privacy of natural persons.</p>	<p>Section 48(1)(a)(i) and 7(2)(a).</p>

Harris/Davison

CARRIED

THAT THE MEETING MOVES OUT OF PUBLIC EXCLUDED SESSION.

Harris/Coster

MEETING ENDED

The meeting closed at 10.36am.

The Regulatory Committee has delegated authority to act in the following areas:

- Resource Management:
 - Resource Management Act 1991
 - Relevant sections of part xxi Local Government Act 1974 relating to private roads and private ways (*roading parts of the 1974 Act are still in force*)
- Dog and Stock Control:
 - Dog Control 1996
 - Impounding Act 1955
- Health:
 - The Health Act 1956
 - Food Act 1981
 - Auctioneers Act 1928
- Sale of liquor:
 - Sale of Liquor Act 1989
 - Winemakers Act 1981
- Swimming pools:
 - Fencing of Swimming Pools Act 1987
- Building:
 - Building Act 1991/ Building Act 2004
- Litter:
 - Litter Act 1979, including waivers of fees and charges in accordance with council policy

To determine the Council's policy, planning and strategic direction with regard to the District Plan including Council initiated and private plan changes.

To make decisions on District Plan changes exclusive of making them operative.

To approve commissioners and/or panels of elected members for resource management hearings.

To conduct statutory hearings on regulatory matters including

- Dog and Stock Control
- Health
- Sale of Liquor
- Swimming Pools
- Building
- Litter

Policy, planning and strategic direction with regard to:

- Dog and Stock Control
- Health
- Sale of Liquor
- Swimming Pools
- Building
- Litter
- Resource Management advocacy (external to the organisation)

Approval of submissions to relevant bills, discussion and policy documents relating to the responsibilities of the committee.

Matters that must be processed by way of recommendations to the Council include:

- Special Consultative Procedures, part 6, Section 83, Local Government Act 2002
- Bylaws, part 12, Section 293 Local Government Act 2002
- Making operative District Plan changes
- Decision to notify Reviewed District Plan and make operative
- Amendment to fees and charges relating to all activities