

## **Council Briefing Meeting Minutes**

**Date:** Tuesday, 26 February, 2019  
**Time:** 10:30 a.m.  
**Location:** Council Chamber  
Forum North, Rust Avenue  
Whangarei

<b>In Attendance</b>	Her Worship the Mayor Sheryl Mai (Chairperson) Cr Stu Bell Cr Gavin Benney Cr Vince Cocurullo Cr Tricia Cutforth Cr Shelley Deeming Cr Sue Glen Cr Phil Halse Cr Cherry Hermon Cr Greg Innes Cr Greg Martin Cr Sharon Morgan Cr Anna Murphy
<b>Not in Attendance</b>	Cr Crichton Christie
<b>Scribe</b>	Jennie Thomas (Democracy Adviser)

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### **1. Apologies**

Cr Murphy for late arrival.

### **2. Reports**

Her Worship the Mayor convened the meeting. Dominic Kula (General Manager - Strategy and Democracy) introduced the two reports topics for discussion for the meeting and handed over to Shireen Munday (Strategic Planner) to take the meeting through the presentation.

#### **2.1 Trading and Events in Public Places Bylaw**

Shireen introduced Laura Atiga-Denham, Council's new Strategic Planner who will be working alongside Shireen on the bylaws.

Shireen reminded elected members that Council's Hawkers, Mobil shops, Stands and Stalls Bylaw had been revoked as it had not been reviewed in accordance with the required statutory timeframes. Staff have previously reported that the key provisions of the bylaw were sufficiently covered by the Council's Public Places Bylaw and therefore there was no risk to Council due to the bylaws revocation.

The work programme has now started on the Trading and Events in Public Places Bylaw (TEPP) which will cover matters from the Hawker's Bylaw and matters that relate to trading and events in the Public Places bylaw. Council's current Control of Advertising Signs Bylaw will be included in the review also.

The TEPP should be in place prior to summer 2019/20 and should become 'one source of truth' supported by a policy and Council's updated website. There will be increased ease of accessibility with 'customer journey's' being implemented on the website. These will direct customers to the correct place instead of having to search across areas on the website. This approach will require collaboration across Council departments.

This bylaw will only apply to trading and event activities in our public places under Council control.

Key points that need to be considered in relation to the bylaw include:

- Accessibility – promoting events and mobility
- Laneway and how we wish to see this being used
- If there is a need for more leisure and recreational activities and what effect we give to the bylaw to provide for these.

The three components of the bylaw includes the high level policy - requirement for permits/ exemptions. When an applicant comes to Council criteria and conditions will be made clear.

The second component is the Operational Policy/permits/procedures manual to allow for a consistent and integrated approach. The operational policy will be the largest amount of work. Strategy will be working with departments such as Roading, Parks etc to ensure their terms/needs are included.

The third is fees and charges (early 2020 ready for 2020/2021 fees and charges review process).

## **Discussion**

There was a point made that after events there was a need for debriefing. There will be an integrated approach used including monitoring. Planning, monitoring and reviewing will be a circular process that then can be fine-tuned.

There was a query on how those selling activities that require a permit would be monitored to ensure they were complying. The bylaw will help clarify this process.

It was questioned and confirmed that after the statement of proposal was defined stakeholders would be alerted to the consultation process. Pre-consultation will identify permit holders and others involved.

There was some discussion on dogs in cafes in the CBD. This will be fed back to the enforcement team but is not covered under this bylaw. Similarly in relation to horses on beaches the Trading and Public Places bylaw is being extracted from the Public Places bylaw which will come back for review by 2024 if not earlier.

It was noted that events held in public places should include standard criteria and conditions that the site will be left in the same state as before the event and that the organisers are responsible for the site during this time. This would ensure that the issue of rubbish being left behind after events did not arise.

It was queried if it was wise to have the bylaw adopted prior to the 2019 Local Elections and why consultation was not taking place at the same time as the Annual Plan consultation. It was noted as this was only the first briefing being held with elected members, it would not be possible to prepare a statement of proposal for consultation in time to combine with the Annual Plan. As the bylaw would be part of Council's business as usual, there are no issues in Council progressing the bylaw prior to the election.

There was discussion on how the procurement process could be used to align with the events being undertaken in public places. There could be opportunities to have conversations with event holders regarding waste management plans and to educate about the waste being generated by these events.

## **2.2 Class 4 Gambling and Board Venue Policies review**

After discussion on the Trading and Events in Public Places Bylaw Shireen took the meeting through the presentation on Class 4 Gambling and Board Venue Policies review.

Shireen provided a recap of the scoping meeting for Planning and Development held in November 2018.

Both policies must have regard to the social impact of gambling. The can consider a range of other matters e.g. proximity to churches, early childhood centres and the cumulative effects of additional gambling opportunities.

The Council must adopt and review these policies every three years. This review is slightly late but there is no legislative risk.

If Council wishes to amend policies statutory consultation will be required.

A technical review has been undertaken and it has identified:

- The Class 4 Venue Policy is now inconsistent with amended legislation (2014) – amendment is now required
- The current single Board Venue in the Whangarei District is now closed
- The wording and approach of both policies are unclear and inconsistent, particularly the intent of the relocation policies
- It is difficult to obtain District/type of gambling specific data to support analysis

The Board Venue Policy only relates to stand alone TAB outlets (not Pub TAB or Club TAB outlets). The options that could apply to the policy are very limited:

- Retain the existing cap of 2 venues
- Reduced the existing cap
- Apply a sinking lid policy

Adopting a sinking lid policy would in essence remove the ability for a stand-alone TAB to be established as there is no standalone venue operating in the district at present.

- If the cap was to be retained would the relocation policy also be retained?
- Would there be refinement to where venues could be located?

There were a variety of opinions expressed by elected members but there was no clear direction given to staff on the preferred options. Staff will do further work on the possible options and come back to elected members.

The Class 4 Gambling Policy **requires** Council to consider:

- Whether to allow new venues
- Whether to allow relocation

Council **can** consider:

- Whether to allow additional machines at club venues
- Whether to restrict machines through a merger process
- Whether to restrict where venues may be established

Council's current approach is to allow no new venues and to use a sinking lid policy. This was a strongly contested issue in the last review. Council is able to be more permissive or restrictive. Council at present also has a relocation policy. The policy may need clarification if retained.

The last relocation application went through the Exemptions and Objections Committee which was quite an onerous process for Council and applicant.

Elected members were asked to consider the following options for the Class 4 Gambling Policy:

- Retain the sinking lid?
- Retain the relocation policy?
- Refine where relocated venues could be situated?
- And
- Whether to allow additional machines at club venues?
- Whether to restrict machines through a merger process?

### **Discussion**

The sinking lid applies to the number of venues but this in turn impacts on the number of machines reducing as venues close.

The number of non-club venues that are operating at present was queried and will be provided to elected members.

Various opinions were expressed on the options provided.

No strong inclination for any particular option was evident from the members. Further information around the number of venues and any information that can be provided, regarding social harm, will be supplied in a future briefing.

### **3. Closure of Meeting**

The meeting concluded at 12.00pm