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# Regulatory and Hearings Committee

## OPEN MINUTES

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**Minutes of a meeting of the Regulatory and Hearings Committee held in Committee Room 1, Municipal Building, Garden Place, Hamilton on Thursday 2 May 2019 at 1.00pm.**

### PRESENT

Chairperson	Cr A O’Leary
Deputy Chairperson	Cr L Tooman
Members	Cr S Henry Cr D Macpherson Cr R Pascoe Cr R Hamilton Maangai James Whetu

In Attendance: Robyn Denton – Operations Team Leader  
Kelvin Powell – City Safe Unit Manager  
Susan Stanford – Animal Control Manager  
Peter Crocker – Animal Control Team Leader

Governance Staff: Amy Viggers – Committee Advisor

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### 1. Apologies

**Resolved:** (Cr O’Leary/Cr Tooman)  
That the apologies for absence from Deputy Mayor Gallagher and Cr Bunting are accepted.

### 2. Confirmation of Agenda

**Resolved:** (Cr O’Leary/Cr Henry)  
That the Regulatory and Hearings Committee confirm the agenda.

### 3. Declarations of Interest

No members of the Committee declared a Conflict of Interest.

### 4. Confirmation of the Regulatory and Hearings Committee Meeting Open Minutes - 12 March 2019

**Resolved:** (Cr O’Leary/Cr Pascoe)  
That the Committee confirm the Open Minutes of the Regulatory and Hearings Committee Meeting held on 12 March 2019 as a true and correct record.

**5. Parking Restriction, Traffic and Speed Bylaw Changes**

John Smulders and Melinda Deller (representing NDA) spoke to their concerns regarding the main entrance/exit easement of their business on Te Rapa Road. They requested that the proposed ‘yellow lines’ be extended a further 2m to increase public safety around the main entrance/exit easement of their business. They responded to questions from Committee Members concerning the current access to the business.

The Transportation Operations Team Leader spoke to the report, noting that the area to the south of NDA is being redeveloped which will require further parking restrictions and controls to be reviewed. She responded to questions from Committee Members concerning the following:

- the proposed parking restriction changes to Anglesea Street due to the redevelopment of 192-212 Anglesea Street; and
- the movement of the ‘Mobility Card holders’ carparks at the intersection of Victoria and Grantham street which was to further improve the safety at the intersection and make the carpark more accessible to users.

**Resolved:** (Cr O’Leary/ Cr Macpherson)

That the Regulatory and Hearings Committee:

- a) approves the changes to parking restrictions and controls as set out below:

<b>Location</b>	<b>Description of proposed change</b>
Te Rapa Road	Installation of 31.1m ‘No Stopping’ line across the driveway of 707 and 709 Te Rapa Rd along with the section in between, subject to agreement with the property owner of 709. Noting that if there is no agreement from 709 Te Rapa Rd for the section between the driveways, then the installation will be limited to 12.5m ‘No Stopping’ lines across the driveway of 707 Te Rapa Road and 13.5m ‘No Stopping’ lines across the driveway of 709 Te Rapa Road.
Kent Street	Opposite 52 Kent Street, change the current ‘P5 8am-6pm Mon-Sun’ parking to ‘P60 8am-6pm Mon-Sun’
Opoia Road	Installation of 6.5m ‘No Stopping’ lines outside 27/29 Opoia Road.
Killarney Road	Extend the ‘No Stopping’ lines outside #232 Killarney by 11m linking two existing stretches of ‘No Stopping’ lines.
Killarney Road	Installation of 17.5m ‘No Stopping’ lines outside #51 Killarney Rd at Ellis Street intersection
Ellis Street	Installation of 17.5m ‘No Stopping’ lines outside #51 Killarney Rd. Installation of 18.5m ‘No Stopping’ lines outside #45 Killarney Rd. Installation of 17.5m ‘No Stopping’ lines outside #54 Killarney Rd. Installation of 20.5m ‘No Stopping’ lines outside #46 Killarney Rd.
Silverdale Road	Installation of 14m ‘No Stopping’ lines outside the Church.
Masters Ave	Installation of 7m ‘No Stopping’ lines around a tree planter at #13 Masters Ave
Victoria Street	Installation of 17m ‘Mobility Card Holders P120’ restriction opposite 109 Victoria Street. Installation of 5.5m ‘No Stopping’ lines on the south east corner of Victoria and Grantham intersection. Installation of 12m ‘No Stopping’ lines on the north east corner of Victoria and Grantham intersection.

- b) notes that the following changes to parking restrictions and controls as set out below for implementation once the proposed redevelopment of 192-212 Anglesea Street are deferred until the next meeting of the Regulatory and Hearings Committee:

Location	Description of proposed change
Anglesea Street	Rescind 23m of 'No Stopping' outside 212 Anglesea St and install 23m 'CBD Zone' parking restriction. Rescind 9.3m of 'No Stopping' outside 204-208 Anglesea St and install 9.3m 'Good Service Vehicle P10 Loading Zone' restriction. Rescind 7.5m of 'No Stopping' outside 192 Anglesea St and install 7.5m 'CBD Zone' parking restriction. Rescind 10.1m 'No Stopping' outside 192 Anglesea St and install 5m 'CBD Zone' parking restriction Install 4m 'Motor Cycle Only' restriction outside 192 Anglesea St
Alexandra Street	Rescind 10m 'CBD Zone' parking restriction outside 55 Alexandra and install 10m 'No Stopping' restriction. Rescind 8m 'No Stopping' restriction outside 55 Alexandra and install 8m 'CBD Zone' parking restriction.

*Cr Macpherson joined the meeting at 1.04pm during the discussion of the above item. He was present when the matter was voted on.*

#### 6. **Objection to menacing classification - Leighton Ngawaka**

Leighton Ngawaka spoke to his objection to the Classification of the dog "Bronx" as menacing. He acknowledged that Bronx had escaped from his property and stated that he now had installed fencing to prevent this from happening again. He responded to questions from Committee Members concerning the roaming history of Bronx and the new fencing at his property.

The Animal Control Manager and the Animal Control Team Leader spoke to the staff report, noting that they had not been made aware that there had been fencing installed at the property prior to the meeting. They responded to questions from Committee Members concerning the locations where Bronx had been seen roaming, the outcomes of previous complaints, and the ways in which a dog could be classified as menacing.

**Resolved:** (Cr O'Leary/ Cr Pascoe)

That the Regulatory and Hearings Committee:

- a) receives the report;
- b) adjourns the determination of the menacing classification for "Bronx" to a subsequent Regulatory and Hearings Committee meeting.

*Cr Macpherson retired from the meeting at 1.53pm at the conclusion of the above item. He was present when the matter was voted on.*

#### 7. **Objection to menacing classification - Michael Hargreaves**

Ashley Hargreaves spoke to her objection to the clarification of the dog Luna as menacing. She responded to questions from Committee Members concerning the option of obedience classes, the possibility of rehoming Luna, and the incident that has resulted in Luna being classified as menacing.

The Animal Control Manager and the Animal Control Team Leader then spoke to the report and points raised by Ms Hargreaves during her submission. They responded to questions from Committee Members concerning the details of the incident and the likely outcome of dog obedience training.

**Motion:** (Cr Hamilton/Maangai Whetu)

That the Regulatory and Hearings Committee:

- a) receives the report; and
- b) makes a determination to not uphold the classification as menacing for the dog "Luna".

**Amendment:** (Cr Tooman/Cr Pascoe)

That the Regulatory and Hearings Committee:

- a) receives the report; and
- b) makes a determination that the classification as menacing for the dog "Luna" is upheld.

**The Amendment was put.**

**Those for the Amendment:** Councillors O'Leary, Tooman and Pascoe.

**Those against the Amendment:** Councillors Hamilton, Henry and Maangai Whetu.

**The Amendment was declared EQUAL.**

**Cr O'Leary exercised her casting vote as Chair and the Amendment was declared CARRIED.**

**The Amendment as the Substantive Motion was then put.**

**Those for the Substantive Motion:** Councillors O'Leary, Tooman and Pascoe.

**Those against the Substantive Motion:** Councillors Hamilton, Henry and Maangai Whetu.

**The Substantive Motion was declared EQUAL.**

**Cr O'Leary exercised her casting vote as Chair and the Substantive Motion was declared CARRIED.**

**Resolved:** (Cr Tooman/ Cr Pascoe)

That the Regulatory and Hearings Committee:

- a) receives the report; and
- b) makes a determination that the classification as menacing for the dog "Luna" is upheld

**The meeting was declared closed at 2.38pm.**