
Regulatory and Hearings Committee

OPEN MINUTES

Minutes of a meeting of the Regulatory and Hearings Committee held in Committee Room 1, Municipal Building, Garden Place, Hamilton on Thursday 23 March 2017 at 1.00pm.

PRESENT

Chairperson: Cr Angela O’Leary

Deputy Chairperson: Cr Leo Tooman

Members
in Attendance: Cr M Bunting
Cr S Henry
Cr P Yeung

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

Governance Advisors: Becca Brooke – Governance Team Leader
Claire Guthrie – Committee Advisor

1. Apologies

Resolved: (Crs O’Leary/Yeung)
That the apology from Cr Pascoe is received and accepted.

2. Confirmation of Agenda

Resolved: (Cr O’Leary/Cr Bunting)
That the agenda is confirmed noting that the order of items will be moved to accommodate availability of Objectors for the Dog Control Bylaw Items.

3. Declarations of Interest

No members of the Committee declared a Conflict of Interest.

5. Objection by Brad Ager to the Classification of Sam as Menacing

Mr and Mrs Ager spoke to their objection to the classification of their dog Sam as menacing, making the following points: there had been only one incident when their daughter had accidentally let Sam out; routines were now in place to ensure Sam could not get out again; and in the two years they had owned Sam they had never had any negative issues in any environment including at home with their young children.

In response to questions from Elected Members it was noted that Sam had not been taken to obedience class but would attend once this matter was resolved; that although Sam had been micro-chipped at three months old this had not been registered; that he had not been registered with the Council at the time he was picked up; and the Animal Control officers had not been able to approach him and had to use a pole to handle him.

Resolved: (Crs O'Leary/Bunting)

That:

- a) the report be received; and
- b) the classification of "Sam" as menacing is rejected.

Cr Tooman Dissenting

Item 7 (Objection by Kaatahi Heke to Disqualification from Dog Ownership) was taken after Item 5 (Objection by Brad Ager to the Classification of Sam as Menacing) to accommodate Objector availability.

7. Objection by Kaatahi Heke to Disqualification from Dog Ownership

The Committee was advised that the Objector and her appointed representative were unable to attend the hearing.

Resolved: (Crs O'Leary/Yeung)

That:

- a) the report be received; and
- b) the disqualification from dog ownership of Kaatahi Heke for the full five years is upheld.

Item 8 (Traffic Bylaw and Parking Restriction Changes) was taken next to accommodate staff availability.

8. Traffic Bylaw and Parking Restriction Changes

The Network Operations Team Leader spoke to the staff report and responded to questions concerning various parking restrictions. She confirmed consultation had been undertaken for all proposed changes.

Item 8 was taken and voted on in two parts. The second part was taken after Item 6 as per the minutes.

Resolved: (Crs O'Leary/Tooman)

That:

- a) the report be received; and
- b) the changes to parking restrictions and controls are approved as set out below:

Parking Restrictions to be installed	
Location	Description of proposed change
Kingsford Mews	Installation of 42m of No Stopping at the cul de sac head of Kingsford Mews
Thomas Road	Installation of 15m (west side) and 14.5m (east side) of No Stopping outside #1 Buckingham Place and #232 Thomas Road.
Buckingham Place	Installation of 9.5m (west side) and 8.5m (east side) of No Stopping outside #1 Buckingham Place and #232 Thomas Road.
66 Norris Avenue	Installation of 36.5m of No Stopping between #66A and #64 Norris Ave.
394 Hukanui Road	Installation of 14m (south side) and 20m (north side) of No Stopping outside #392 and #394 Hukanui Road.
Sovereign Isle Lane	Installation of 22m (north side) and 9m (south side) of No Stopping on Sovereign Isle Lane outside #392 and #394 Hukanui Road.
Edgecumbe Street	Installation of 17m of No Stopping between #3 & #5 Edgecumbe Street.
Knighton Road	Installation of 9.5m of No Stopping between #67 & #69 Knighton Road.
Pembroke Lane	Installation of 16.5m of No Stopping between #2 & #6 Pembroke Lane and 17.0m outside #8.
De Vere Cres	Installation of 66.5m of No Stopping from #12 to #22 De Vere Cres.
Norman Hayward Place	Gazette current No Stopping outside #21, 25 and 29 Norman Hayward Place 15.5m, 19m and 16m. Install No Stopping outside #20 Norman Hayward Place a further 100m around the corner to The Boulevard intersection.
Masters Ave	Installation of 20m of No Stopping between the new Hillcrest Medical Centre exit and #9 Masters Ave.
Edinburgh Road	Installation of 20m of No Stopping on the south side of Edinburgh Road at Hillcrest Road.
Tasman Road	Installation of 20m (west side) and 12.5m (east side) of No Stopping outside # 14 and #26 Tasman Road.
Foreman Road	Installation of 22m (west side) and 12.5m (east side) of No Stopping on Foreman Road outside # 14 and #26 Tasman Road.
Grantham Street	Installation of a GSV (Goods and Service Vehicle) P10 At All Times loading zone outside the Ferrybank.
Roose Commerce Park (Grantham Street)	Installation of 23.5m and 34m of parking restriction of P120 Mon-Fri in the Roose Commerce Park carpark.
Fow Street	Installation of 19m (west side) and 18m (east side) of No Stopping on Fow

	Street outside #31 and 33 Palmerston Street. Installation of 11.5m outside #5 and 21.5m of No Stopping outside #9 Fow Street.
Palmerston Street	Installation of 22.5m outside #31 Palmerston Street and 18m outside #33 Palmerston Street of No Stopping.
O'Neill Street	Installation of 121m of No Stopping from the corner of Heaphy Terrace to outside #24 O'Neill Street.
152 Ward Street	Installation of 10.5m of No Stopping outside #152 Ward Street across 2 driveways.
1 Wellington Street	Installation of a 15m bus stop cage
Sonning car park – River Road	Installation of 7m, 14.5m and 10.5m of No Stopping in the car park
Radnor Street	Installation of 8m & 7m of No Stopping on the corner of Radnor Street and Tisdall Street.
Galloway Street	Installation of No Stopping of 68m & 69m at Cook Street, 30m, 32m, 38m and 44m at Wellington Street, 15m & 15m at Brown Street, 16m & 11m at Albert Street, 15m & 80m at Finlay Street, 80m from Naylor Street.
16 Beaumont Street	Installation of a 15m bus stop cage on the stop.
58 Comries Road	Installation of a 15m bus stop cage
7 & 10 Queens Ave	Installation of a 15m bus stop cage
32, 51 & 109 Cambridge Road	Installation of 15m bus stop cages
775, 921, 930 River Road	Installation of 15m bus stop cages
Rawhiti Street	Relocate bus stop outside #13 to closer toward Kent Street
Rawhiti Street	Extend the P60 on Rawhiti Street to 106.5m.
111 Huntington Drive	Installation of a new bus stop
Te Kowhai Road East	Installation of a new bus stop between Te Rapa Rd and Maahanaga Dr (opposite Placemakers).

Parking Restrictions to Rescind	
Location	Description of proposed change
Rawhiti Street	Rescind 17.5m of P60 parking restriction outside #13 Rawhiti Street.
Rawhiti Street	Rescind the bus stop outside 13 Rawhiti Street
Grantham Street	Rescind 5m of P120 parking outside the Ferrybank Lounge
O'Neill Street	Rescind 16m of No Stopping on the south side of O'Neill Street at the intersection with Heaphy Tce.
O'Neill Street	Rescind 105m of P5 At all times parking restriction between #26 and #32 O'Neill Street
43 Bader Street	Rescind the bus stop outside 43 Bader Street
60 Hillcrest Road	Rescind the bus stop outside 60 Hillcrest Road.
444 Tristram Street	Rescind the bus stop outside the FMG stadium opposite #444 Tristram Street.
Galloway Street	Rescind 17.8m & 17.8m at Cook Street, 45.6m at Finlay Street towards Naylor Street and 40.5m from Naylor Street.

Item 6 (Objection by David Tuck to Disqualification from Dog Ownership) was taken after Item 8 (Traffic Bylaw and Parking Restriction Changes) to accommodate the Objector’s availability.

6. Objection by David Tuck to Disqualification from Dog Ownership

Mr Tuck spoke to his objection to disqualification from dog ownership and made the following submissions: he did not believe his dog Happy was involved in all the incidents outlined in the staff report; he accepted that one biting incident could have been his dog; and that Happy was never aggressive with his four children.

In response to questions from the Committee, staff advised that there were four infringement notices between 2015 and 2016 which led to Mr Tuck’s disqualification of dog ownership.

Resolved: (Cr Bunting/Cr O’Leary)

That:

- a) the report be received; and
- b) the disqualification from dog ownership of David Tuck for the full five years is upheld.

The second part of Item 8 (Traffic Bylaw and Parking Restriction Changes) was taken and voted on after Item 6 (Objection by David Tuck to Disqualification from Dog Ownership) to accommodate staff availability.

8. Traffic Bylaw and Parking Restriction Changes

The Network Operations Team Leader spoke to the staff report and explained the Traffic Bylaw changes.

Resolved: (Crs O’Leary/Bunting)

That:

- c) the changes to the Hamilton Traffic Bylaw 2015 be approved as set out below:
 - i) Cycle Path Register – addition of the following sites:

Location	Description	Priority
Te Kowhai Road east	(i) Cycle path from the intersection of Te Kowhai Road East and Te Rapa Road, progressing 160 metres to the intersection of Te Kowhai Road East and Maahanga Drive. (ii) Cycle Path from the Intersection of Te Kowhai Road East and Maahanga Drive to progressing west 40 metres along Te Kowhai Road East.	Nil
Te Rapa Road	(i) Cycle path from the intersection of Te Rapa Road and Te Kowhai Road East, progressing 368 metres south to the existing cycle lane on Te Rapa Road. (ii) Cycle path from the intersection of The Base Parade and Te Rapa Road, progressing 443 metres south to the	Nil

	<p>existing cycle lane on Te Rapa Road.</p> <p>(iii) Cycle path from the intersection of Te Rapa Road and Church Road, progressing 462 metres to the intersection of Te Rapa Road and Eagle Way.</p> <p>(iv) Cycle path from the intersection of Te Rapa Road and Eagle Way, progressing 474 metres to the intersection of Te Rapa Road and Wairere Drive.</p>	
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ii) the addition to the Special Vehicle Lanes Register: Part 1 Cycle Lanes of the sites below be approved: and

Location	Description
Borman Road	<p>(iii) Westbound cycle lane from a point 50 metres west of the intersection with Resolution Drive, progressing 1881 metres to the intersection with Cumberland Drive.</p> <p>(iv) Eastbound cycle lane from the intersection with Cumberland Drive, progressing 1881 metres to a point 50 metres east of the intersection with Resolution Drive.</p>
Galloway Street	<p>(i) Southbound cycle lane from the intersection of Cook Street and Galloway Street, progressing 665 metres to the intersection with Naylor Street and Galloway Street.</p> <p>(ii) Northbound cycle lane from the intersection with Naylor Street to Galloway Street progressing 665 metres to the intersection of Cook Street and Galloway Street.</p> <p>(ii) Northbound cycle lane from the intersection with Naylor Street to Galloway Street progressing 665 metres to the intersection of Cook Street and Galloway Street.</p>

iii) the following - Heavy Vehicle Prohibitions Register – addition of new maps for Part 5 Hamilton City Heavy Vehicle Through Traffic Routes, Part 6B Higher Productivity Motor Vehicles – approved routes, and Part 6C 50 MAX Heavy Motor Vehicles as per Attachment 3 to this report, and addition of the following sites to Part 6A Over Bridges or Culverts be approved:

Name of Road	Name of bridge or culvert	Weight limits	
		Maximum weight on any one axle	Gross weight (maximum of axle weights)
Fairfield Bridge	Fairfield Bridge	-	44,000 kg
Anzac Parade	Victoria Bridge	-	44,000 kg
Palmerston Street	Palmerston Street overbridge	-	44,000 kg
River Road	Kirikiroa Bridge	-	44,000 kg
Wairere Drive	Pukete Bridge	-	44,000 kg

The meeting adjourned from 2.30pm – 3.00pm

Item 4 (Objection by Andrew Rabbitt to the Classification of Rex as Menacing) was taken after Item 8 (Traffic Bylaw and Parking Restrictions Changes) to accommodate the availability of the Objector.

4. Objection by Andrew Rabbitt to the Classification of Rex as Menacing

Mr Rabbitt spoke to his objection to the classification of his dog Rex as menacing and made the following submissions: that Rex was not aggressive and he tabled a number of photos which showed Rex playing with other animals; that Rex had got out because his children had left the gate open at the house on a number of occasions; and that since moving to a lifestyle block the dog was very settled and showed no inclination to leave the property. He also submitted that he was involved in a dog training group and Rex was used to train other dogs and owners because of his non-aggressive nature.

In response to questions from Elected members the following points were made; Mr Rabbitt was willing to have the dog de-sexed; he did not have a letter of support from his dog training group as he thought the hearing was next week; and the muzzling would prevent Rex from playing fetch at dog parks.

Resolved: (Crs Tooman/Yeung)

That:

- a) the report be received; and
- b) the classification of "Rex" as menacing is upheld.

The meeting was declared closed at 3.35pm.