



# Minutes

of the

## Judicial Committee

## Ordinary Meeting

Date 17 March 2016  
Venue Council Chamber  
515 Mackay Street  
Thames

### Present

MK McLean JP (Chairperson) PA Brljevich  
LA Fox  
D Connors

### In attendance

Barry Smedts, David Hammond, Ben Day, Jakki Handcock, Corinne Hamlin, Michael Jones, Christine Tye, Emma Wright, Yvonne Franklin, Scott Summerfield, Daniel Gardiner, Karl Newton, Tania Brook, Michelle Baker

**Meeting commenced** 9:00am

<b>Adjournment</b>	<b>Start</b>	<b>Finish</b>	<b>Reason</b>
Chairperson McLean	10:30	10:40	Morning Tea

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# 1 Meeting conduct

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## 1.1 Apologies

No apologies were received.

## 1.2 Public forum

There were no speakers in the public forum.

## 1.3 Items not on the agenda

No additional items were added to the agenda.

## 1.4 Conflict of interest

Councillor Brljevich declared an interest in:

- 2.1 SUB20060050 57 Te Punga Road Whangapoua Request for waiver of development contributions

## 1.5 11 February 2016 - Judicial Committee minutes for confirmation

15/16 **Resolved**

JC That the Judicial Committee confirms the minutes of the meeting held on 11 February 2016 as a correct record of proceedings.

**Moved/seconded by:** Fox/Brljevich

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## 2 Development contributions

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### 2.1 SUB20060050 57 Te Punga Road Whangapoua Request for waiver of development contributions

The Committee resumed the item from the last meeting following seeking further legal counsel, to determine whether or not SUB/2006/50 (and subsequent amendments), an 18 lot subdivision granted at 57 Te Punga Road, Whangapoua, qualified for a waiver or reduction of development contributions.

#### 16/16 Resolved

JC That the Judicial Committee:

1. Receives the 'SUB20060050 57 Te Punga Road Whangapoua Request for waiver of development contributions ' report dated 1 March 2016.
2. Determines that SUB/2006/50 (and subsequent amendments), at 57 Te Punga Road, Whangapoua, does not qualify for a waiver or reduction of development contributions.

**Moved/seconded by:** McLean/Fox

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## 3 Hearings

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### 3.1 Hearing report - Dog ownership disqualification objection Jennifer Layton

The Committee was presented with a new appeal received from Jennifer Layton of Whitianga in relation to the disqualification of ownership for five years of a dog dated from 8 April 2014.

Mr and Mrs Layton spoke to Mrs Layton's appeal, asking that the Committee consider reducing the five year disqualification to allow them to own a dog. Following the verbal submission by the Laytons the Committee adjourned the item to discuss later in the meeting.

The Committee considered that although Mrs Layton had not owned a dog since her dog Boris was euthanized, she had only been disqualified since April 2014 and therefore did not consider less than two years was long enough for them to consider lifting the disqualification.

The Committee expressed that although they could see some movement in Mrs Layton's attitude they were not confident she had fully accepted responsibility for the events that occurred.

The Committee confirmed with staff that although Mrs Layton had advised she would be guided as to which breeds she was allowed to own the Council had no way of imposing those restrictions.

**17/16 Resolved**

JC That the Judicial Committee:

1. Receives the 'Hearing report - Dog ownership disqualification objection Jennifer Layton' report dated 17 March 2016.
2. Upholds the five year disqualification,
3. Shall give written notice of its decision, the reasons for it and the right of appeal under section 27 to the objector.

**Moved/seconded by: McLean/Fox**

### **3.2 Deliberations decisions on proposed Dog Control Policy and Bylaw**

Staff presented a summary and analysis of submissions received to the Dog Control Policy and Bylaw Statement of Proposal; and sought the Committee's recommendations to Council in order to adopt a revised policy and bylaw.

**18/16 Resolved**

JC That the Judicial Committee:

1. Receives the "Deliberations decisions on proposed Dog Control Policy and Bylaw" report, dated 1 March 2016.
2. Notes that it has considered all submissions to the Council's proposed Dog Control Policy and Dog Control Bylaw.
3. Recommends to Council the following decisions determined as a result of deliberations for adoption of a revised Dog Control Policy and Dog Control Bylaw:

<p><b>Descriptions/Objectives (policy)</b> Recommend amending proposed policy clause 1.2(c) to add the word 'generally' and to separate into two sub clauses, to read:</p> <ul style="list-style-type: none"><li>1.2(c) Minimise potential danger, distress and nuisance to the community generally and to native wildlife.</li><li>1.2(d) Enable, to the extent that is practicable, the public to use streets and public amenities without fear of attack or intimidation by dogs.</li></ul>
<p><b>Purpose (bylaw)</b> Recommend amending the proposed wording in the bylaw clause 2.1 to reference 'native wildlife' to read:</p> <ul style="list-style-type: none"><li>2.1. This bylaw gives effect to the Council's Dog Control Policy, the objective of which is to enable people to enjoy the benefits of responsible dog ownership and provide for the exercise and recreational needs of dogs and their owners, whilst minimising danger, distress, and nuisance to the community generally and native wildlife.</li></ul>
<p><b>Nature and application of bylaw (policy)</b> Recommend no changes from the proposal.</p>

<p><b>Definitions (policy and bylaw)</b> Recommend no changes from the proposal.</p> <p><i>Vote to retain proposal <b>moved/seconded:</b> McLean/Fox and <b>against:</b> Connors &amp; Brljevich – casting vote by Chair to retain status quo.</i></p> <p><b>Reasons (regarding holiday weekend definition)</b> To retain all holiday weekends in definition:</p> <ul style="list-style-type: none"><li>• For health and safety, as holiday weekends across the entire year can be busier than usual with visitors.</li><li>• For simplicity and consistency in rules for public holidays; for ease of understanding for the public and use by Council enforcement officers.</li></ul>
<p><b>Education programmes (policy)</b> Recommend no changes from the proposal.</p>
<p><b>Neutering of menacing dogs (policy and bylaw)</b> Recommend no changes from the proposal.</p>
<p><b>Impoundment of dogs (bylaw)</b> Recommend no changes from the proposal.</p>
<p><b>Fees and charges (policy and bylaw)</b> Recommend no changes from the proposal.</p>
<p><b>Department of Conservation (policy)</b> Recommend amending proposed clause 4.6.2 to read: The Department of Conservation has not formally advised the Council of controlled or open dog areas under Section 26ZS of the Conservation Act 1987 for inclusion in the policy.</p>
<p><b>Areas of dog control in public places (policy)</b> Recommend amending detail in the policy table at proposed clause 4.5.3 to reflect any changes recommended by the Committee to area rules, as appropriate for consistency across the policy and the bylaw and to meet requirements under the Dog Control Act 1996.</p>
<p><b>Control of dogs in public places/dog exercise areas/prohibited areas (bylaw)</b> Recommend no changes from the proposal.</p>
<p><b>Temporary area restrictions</b> Recommend no changes from the proposal.</p>
<p><b>Exemptions (bylaw)</b> Recommend no changes from the proposal.</p>
<p><b>Dogs fouling in public places (bylaw)</b> Recommend no changes from the proposal.</p>
<p><b>Enforcement, offences and penalties (bylaw)</b> Recommend no changes from the proposal.</p>
<p><b>Other comments and out of scope matters</b> Recommend no changes from the proposal.</p>

<b>Area Rules</b>
<b>Area rules at all dates and times</b> Recommend no changes to the proposed range of area rules that may be applied on an area by area basis for all dates and times.
<b>Area rules at certain dates and/or certain times</b> Recommend no changes to the approach of providing two sets of area rules that may be applied at certain dates and/or certain times.
<b>Proposed rule: Labour Weekend to 1 March at all times (inclusive)</b> Recommend no changes to this proposed rule for Labour Weekend to 1 March.
<b>Proposed rule: 20 December to 31 January and all holiday weekends between 9am - 6pm</b> Recommend no changes to this proposed rule 20 December to 31 January and all holiday weekends between 9am - 6pm.
<i><b>The above resolutions (excluding "definitions (policy and bylaw)") moved/seconded by: Fox/Connors</b></i>
<b>Proposed: All beaches and parts of beaches, excluding areas described elsewhere in this schedule</b> Recommend no changes from the proposal.
<b>Proposed: All public places excluding beaches and excluding other public places described elsewhere in the bylaw</b> Recommend no changes from the proposal.
<b>Proposed: Within 5 metres of children's playgrounds</b> Recommend amending the area reference to delete the words '5 metres of' to read: "Within children's playgrounds."
<b>Proposed: On sports surfaces</b> Recommend no changes from the proposal.
<b>Proposed: Defined areas as identified from time to time with temporary area restrictions and/or signs</b> Recommend no changes from the proposal.
<i><b>The above resolutions moved/seconded by: McLean/Fox</b></i>
<b>Coromandel-Colville Community Board Area</b>
<b>Proposed: Big Sandy Bay - entire beach</b> Recommend no changes from the proposal.
<b>Proposed: Carey Road Beach - entire beach</b> Recommend no changes from the proposal.

<b>Proposed: Hannafords Bay - entire beach</b> Recommend no changes from the proposal.
<b>Proposed: Herds Bay - entire beach</b> Recommend no changes from the proposal.
<b>Proposed: Little Bay - entire beach</b> Recommend no changes from the proposal.
<b>Proposed: Little Sandy Bay - entire beach</b> Recommend no changes from the proposal.
<b>Proposed: Long Bay - entire beach</b> Recommend no changes from the proposal.
<b>Proposed: Oamaru Bay - entire beach</b> Recommend no changes from the proposal.
<b>Proposed: Otautu Bay - entire beach</b> Recommend no changes from the proposal.
<b>Proposed: Patukirikiri Reserve - grassed area west of courts and skate bowl as indicated by signs</b> Recommend no changes from the proposal.
<b>Proposed: Port Jackson Beach - the northern half of the beach from DOC campground, as indicated by signs (rest of beach off leash at all dates and times)</b> Recommend no changes from the proposal.
<b>Proposed: Tucks Bay - entire beach</b> Recommend no changes from the proposal.
<b>Proposed: Waikawau Bay (east coast) - entire beach</b> Recommend no changes from the proposal.
<b>Proposed: Wyuna Bay - entire beach</b> Recommend no changes from the proposal.
<i>The above resolutions moved/seconded by: Brljevich/Connors</i>
<b>Mercury Bay Community Board Area</b>
<b>Area not specified in proposal: Hot Water Beach Old Campground</b> Recommend amending the proposal to specify "Hot Water Beach - Old Campground - the western point of Pye Place Reserve bordering Taiwawe Stream as indicated by signs' as an off leash area at all dates and times.



**Proposed: Buffalo Beach and Brophy's Beach - entire beach**

Recommend amending the proposal to permit dogs off leash at all dates and times at the north end of Buffalo Beach from north of the boating club to Ohuka Reserve/Macrocarpa Reserve.

Recommend amending the area description to reference Brophys Beach and Buffalo Beach separately, and reference the correct name for Brophys Beach being Ohuka Beach.

Recommend specified area descriptions to read as below, with restrictions to prohibit dogs during summer/holiday dates and times and otherwise permit dogs off leash.

Ohuka Beach/Brophys Beach - entire beach

Buffalo Beach - area south of Taputapuatea Stream/Mother Browns Stream as indicated by signs.

**Reasons**

- Health and safety concerns for people in summer at the south end of Buffalo Beach where there are facilities and amenities, and at Brophys Beach which is a popular location for families with young children.
- Brophys Beach is considered the safest place for children in summer and should therefore have restrictions.
- To provide for the exercise and recreation needs of dogs and their owners in Whitianga by providing an off leash beach area at all dates and times.
- The identified north end of Buffalo Beach is easily accessible, is of a reasonable size to cater for many dogs so to avoid congestion issues, is less popular with people in summer compared to Brophys Beach and the south end of Buffalo Beach, and is a distance from Taputapuatea Stream which is a wildlife habitat.
- To include reference to the correct name for Brophys Beach being Ohuka Beach.

**Proposed: Taputapuatea, Whitianga - area from Taputapuatea Stream to 200 metres north of the stream excluding walkway, as indicated by signs**

Recommend amending the proposed area description to read: 'Buffalo Beach – Taputapuatea, Whitianga - area from Taputapuatea Stream/Mother Browns Stream north to the Mercury Bay Boating Club, excluding the walkway, as indicated by signs'.

**Reasons**

- To provide sufficient buffer between the new recommended off leash area at Buffalo Beach and the area at Taputapuatea Stream/Mother Browns Stream that is restricted for wildlife protection.
- For greater continuity in rules that apply to areas of Buffalo Beach north of the Mercury Bay Boating Club.
- Changes to referenced area name for clarification and ease of reference so the area appears directly underneath the area rules for Brophys Beach and Buffalo Beach.
- To include local reference to Taputapuatea as Mother Browns Stream.

**Proposed: Cooks Beach - entire beach excluding the Purangi river flats from east side of playground to south side of boat ramp as indicated by signs (river flats area off leash at all dates and times)**

Recommend no changes from the proposal.

**Proposed: Cooks Beach, Purangi Reserve - as indicated by signs**

Recommend no changes from the proposal.

<p><b>Proposed: Flaxmill Bay and Front Beach - entire beaches</b> Recommend no changes from the proposal.</p>
<p><b>Proposed: Hahei Beach - entire beach</b> Recommend no changes from the proposal.</p>
<p><b>Proposed: Hot Water Beach north - area from the Domain Road car park (middle car park) to the most northern end of the beach as indicated by signs</b> Recommend amending the proposed rule for Hot Water Beach north to require dogs to be on leash from Labour Weekend to 1 March and otherwise permitted off leash.</p>
<p><b>Proposed: Hot Water Beach south - area from the Domain Road car park (middle of carpark) to the most southern end of the beach as indicated by signs</b> Recommend amending the proposal for Hot Water Beach south to prohibit dogs from Labour Weekend to 1 March and otherwise allow dogs on leash.</p>
<p><b>Proposed: Kuaotunu - Rings Beach - entire beach excluding western end from west side of car park as indicated by signs (excluded area off leash at all dates and times)</b> Recommend no changes from the proposal.</p>
<p><b>Proposed: Kuaotunu east - Kuaotunu Beach - entire beach excluding western end as indicated by signs (excluded area off leash at all dates and times)</b></p> <p><b>Proposed: Kuaotunu west - Grays Beach - entire beach excluding eastern end as indicated by signs (excluded area off leash at all dates and times)</b></p> <p>Recommend amending the proposal to combine the two areas of Kuaotunu East and Kuaotunu West and describe the combined area as 'Kuaotunu Beach East and West (including Grays Beach) excluding the area 400 metres on each side of Quarry Point as indicated by signs (excluded area off leash at all dates and times)' and make no changes to the restrictions proposed, being dogs prohibited during summer/holiday dates and times and otherwise allowed off leash.</p>
<p><b>Proposed: Matapaua Beach - entire beach</b> Recommend no changes from the proposal.</p>
<p><b>Proposed: Matarangi Beach - entire beach excluding northern spit area as indicated by signs</b> Recommend no changes from the proposal.</p>
<p><b>Proposed: Matarangi Beach - Northern spit adjacent to the golf course excluding walkway as indicated by signs (walkway on leash at all dates and times)</b> Recommend no changes from the proposal.</p>
<p><b>Proposed: Matarangi - Omara Boat Ramp Reserve - area as indicated by signs</b> Recommend no changes from the proposal.</p>
<p><b>Proposed: New Chums Beach - entire beach</b> Recommends amending the proposed area description to read: "Wainuiototo Beach/New Chums Beach - entire beach".</p>

<p><b>Proposed: Opito Bay Beach - entire beach excluding from the eastern boat launch area to the most eastern end as indicated by signs (excluded off leash at all dates and times)</b> Recommend amending the area description to read: 'Opito Bay Beach - entire beach' and apply summer/holiday restrictions to prohibit dogs on the beach during specified dates and times, and otherwise allow dogs off leash.</p>
<p><b>Proposed: Otama Beach - entire beach excluding east of the stream opposite the Black Jack Road and Otama Beach Road intersection as indicated by signs (excluded area off leash at all dates and times)</b> Recommend no changes from the proposal.</p>
<p><b>Proposed: Robinson Road Reserve, Whitianga - part of the reserve west of the Robinson Road and Arthur Street intersection, as indicated by signs</b> Recommend no changes from the proposal.</p>
<p><b>Proposed: Whangapoua Beach - entire beach excluding northern end from north-facing side of Mangakahia car park (near lagoon) as indicated by signs</b> Recommend no changes from the proposal.</p>
<p><b>Proposed: Whangapoua Beach north - the north side of Mangakahia car park (near lagoon) to the northern end of Whangapoua beach as indicated by signs</b> Recommend no changes from the proposal.</p>
<p><b>Proposed: Whangapoua - Opera Point southern spit - area including carpark and beach area as indicated by signs</b> Recommend amending the proposed rule to allow dogs on leash at all dates and times.</p> <p><b>Reasons</b></p> <ul style="list-style-type: none"><li>• Provides sufficient protection for wildlife while allowing some controlled access with dogs.</li></ul>
<p><b>Proposed: Wharekaho Beach - entire beach excluding southern end from southern most walkway as indicated by signs</b> Recommend amending the area description for Wharekaho Beach to read: 'Wharekaho Beach - entire beach as indicated by signs' and apply restrictions so that dogs are prohibited during specified dates and times over summer and holidays and otherwise permitted off leash.</p> <p><b>Proposed: Wharekaho Beach south - the southern end from southern most walkway as indicated by signs</b> Recommends removing the proposed area for Wharekaho Beach South from the bylaw schedule.</p>
<p><b><i>The above resolutions moved/seconded by: McLean/Fox</i></b></p>

<b>Tairua-Pauanui Community Board Area</b>
<b>Area not specified in proposal: Pauanui Beach - area south of Pauanui Surf Club</b> Recommend amending the proposal to specify 'Pauanui Ocean Beach south and associated reserve - area south of Pauanui Surf Club as indicated by signs' and apply restrictions so that dogs are prohibited during specified dates and times over summer/holidays and otherwise permitted off leash.  <b>Reasons:</b> <ul style="list-style-type: none"><li>• For health and safety as the beach and associated reserve are popular places for people in summer.</li><li>• The south end of Pauanui Beach is not a significant dotterel nesting area.</li><li>• To provide for exercise and recreation opportunities for dogs and their owners at the south end of Pauanui Beach, similar to the status quo.</li></ul>
<b>Area not specified in proposal: Pauanui - Tairua Harbour Estuary from Royal Billy Point to Pleasant Point Boat Ramp</b> Recommend amending the proposal to specify 'Pauanui - Tairua Harbour Estuary from the south-east side of the boat ramp at Royal Billy Point to the north-east side of the boat ramp at Pleasant Point' and apply restrictions so that dogs are prohibited during specified dates and times over the summer period and holiday weekends and otherwise allowed off leash. Clarify that the boat ramps at Royal Billy Point and Pleasant Point are on leash areas at all dates and times.
<b>Area not specified in proposal: Pauanui - Gallagher Park</b> Recommend no changes from the proposal.
<b>Area not specified in proposal: Tairua - Otara Bay</b> Recommends amending the proposal to specify 'Otara Bay - entire beach' and apply a rule that dogs are prohibited at all dates and times.
<b>Area not specified in proposal: Tairua - Boat Harbour Beach</b> Recommends amending the proposal to specify 'Boat Harbour Beach - entire beach' and apply a rule that dogs are prohibited at all dates and times.
<b>Proposed: Pauanui - Pleasant Point Reserve - area south of the bollards to Ajax Head as indicated by signs</b> Recommend no changes from the proposal.
<b>Proposed: Pauanui - South End Reserve - western side of South End Reserve as indicated by signs</b> Recommend no changes from the proposal.
<b>Proposed: Pauanui Beach - area north of Pauanui Surf Club around the point to the north-east side of the boat ramp as indicated by signs (rest of beach off leash at all dates and times)</b> Recommend amending the area description to read: 'Pauanui Ocean Beach north - area north of Pauanui Surf Club around the point to the north-east side of the boat ramp at Royal Billy Point as indicated by signs (boat ramp on leash at all dates and times)'

<p><b>Proposed: Tairua - Estuary Reserve - entire reserve east of Pepe Bridge</b> Recommend amending the area description to specify 'Tairua Estuary - Estuary east of Pepe Bridge as indicated by signs'.</p>
<p><b>Proposed: Tairua - Ocean Beach - entire main beach</b> Recommend no changes from the proposal.</p>
<p><b>Proposed: Tairua - Sailors Grave also known as Te Karo Bay - entire beach</b> Recommends amending the area description to read: 'Tairua - Te Karo Bay/Sailors Grave - entire beach' and specify the area as off leash at all dates and times</p>
<p style="text-align: center;"><b><i>The above resolutions moved/seconded by: Fox/Connors</i></b></p>
<p><b>Thames Community Board Area</b></p>
<p><b>Area not specified in proposal: Thames Walkway</b> Recommend no changes (excluding as applies to the walkway through Burke Street Reserve).</p>
<p><b>Proposed: Burke Street Beachfront - entire beach</b> Recommend no changes to the proposed rule for Burke Street Beachfront.</p> <p>Recommends amending the area description, from 'Beachfront' to 'beach' for greater consistency across the area schedule.</p>
<p><b>Proposed: Burke Street Beachfront Reserve - the grassed reserve area on the eastern side of the walkway as indicated by signs (the walkway is on leash)</b> Recommend amending the proposal for Burke Street Beachfront Reserve to identify the entire reserve inland of the beach and north of the rainbow fence to the bridge at Burke Street as an off leash area at all dates and times, and describe the area as 'Burke Street Reserve - the reserve area inland of the beach and directly south of Burke Street as indicated by signs'.</p>
<p><b>Proposed: Kuranui Bay - entire beach and reserve</b> Recommend amending the proposed rule for Kuranui Bay Beach and reserve to prohibit dogs during summer and holidays at specified dates and times, and otherwise permit dogs off leash.</p>
<p><b>Proposed: Little Waikawau (west coast) - entire beach</b> Recommend no changes from the proposal.</p>
<p><b>Proposed: Ngarimu Bay Beach - entire beach</b> Recommend no changes from the proposal.</p>
<p><b>Proposed: Ruamahunga Bay Beach - entire beach</b> Recommend no changes from the proposal.</p>
<p><b>Proposed: Tapu Beach - entire beach and spit</b> Recommend amending the proposed rule to require dogs on leash from Labour Weekend to 1 March at all times (inclusive) and off leash at all other dates and times.</p>
<p><b>Proposed: Tararu Beach - entire beach</b> Recommend no changes from the proposal.</p>

<p><b>Proposed: Te Mata Beach and Little Te Mata beach excluding Te Mata Point (Te Mata Point is off leash at all dates and times)</b> Recommend amending the proposed rule to require dogs on leash from Labour Weekend to 1 March at all times (inclusive) and off leash at all other dates and times, and to amend the area description to include Te Mata Point, to read: 'Te Mata Beach, Little Te Mata and Te Mata Point - entire beaches'.</p>
<p><b>Proposed: Te Puru - entire beach</b> Recommend no changes from the proposal.</p>
<p><b>Proposed: Thorton Bay Beach - entire beach</b> Recommend no changes from the proposal.</p>
<p><b>Proposed: Waiomu Bay Beach - entire beach</b> Recommend no changes from the proposal.</p>
<p><b>Proposed: Whakatete Bay Beach - entire beach</b> Recommend no changes from the proposal.</p>
<p><i>The above resolutions moved/seconded by: Connors/Fox</i></p>
<p><b>Whangamata Community Board Area</b></p>
<p><b>Areas not specified in proposal: Onemana Reserves and Whangamata Beach Reserve</b> Recommend no changes from the proposal.</p>
<p><b>Proposed: Onemana Beach - south of Castle Rock as indicated by signs</b> Recommend no changes from the proposal for Onemana Beach south.  Recommend no changes from the proposal as would for Onemana Beach North.</p>
<p><b>Proposed: Opoutere Beach - entire beach excluding southern end indicated by signs</b> Recommend no changes from the proposal.</p>
<p><b>Proposed: Opoutere Beach south - Sandspit and Wharekawa Estuary from southern most access point including bush as indicated by signs</b> Recommends amending the area description to allow dogs on leash on the bush track, to read 'Opoutere Beach south - Sandspit and Wharekawa Estuary and south end bush, south from the point at which the car park bridge crosses the stream and the southernmost beach access but excluding the loop track (loop track on leash) as indicated by signs'.</p>
<p><b>Proposed: Opoutere - between the car park and main beach access north as indicated by signs (dogs are prohibited to the south)</b> Recommends amending the area description to read 'Opoutere bush north - the area north from the point at which the car park bridge crosses the stream and the southernmost beach access as indicated by signs'.</p>
<p><b>Proposed: Whangamata - Heatherington Road Reserve</b> Recommend no changes from the proposal.</p>
<p><b>Proposed: Whangamata - Park Avenue Reserve as indicated by signs</b> Recommend no changes from the proposal.</p>

**Proposed: Whangamata - Patiki Bay Reserve area located at the end of Durrant Drive and the adjoining reserve as indicated by signs**

Recommend no changes from the proposal.

**Proposed: Whangamata Beach - from beach access 18 north to the marina**

Recommends amending the area description to read:

'Whangamata Beach from beach access 18 north to 100 metres north of the wharf as indicated by signs.'

**Reasons:**

- To retain a situation similar to the status quo including an off leash area at all dates/times between the marina and the wharf.
- To potentially reduce congestion when dogs are permitted on the beach during restricted hours.

**Proposed: Whangamata Beach - Otahu Estuary from beach access 18 to beach access 20**

Recommend no changes from the proposal for Whangamata Beach - Otahu Estuary from beach access 18 to 20..

**Area not specified in proposal: Whangamata Beach - Otahu Estuary from beach access 20-23**

Recommends no changes from the proposal for Whangamata Beach - Otahu Estuary from beach access 20 to 23.

***The above resolutions moved/seconded by: Brljevich/Connors***

4. Instructs staff to make changes to the proposed Dog Control Policy and Dog Control Bylaw to reflect deliberations decisions.
5. Determines that it has followed the required special consultative procedure as set out in the Local Government Act 2002.

**Moved/seconded by: Fox/Connors**

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## 4 Community Environment Group

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### 4.1 January 2016 - Community Environment Group

Staff presented the Committee with a report on key activities within the Community Environment Group for the month of January 2016.

In response to the Committee staff explained the spike in 'request for services' (RFS) for January was not usual however staff considered this could relate to the visibility of compliance officers.

19/16 **Resolved**

JC That the Judicial Committee receives the 'Community Environment Group Monthly report - January 2016' dated 24 February 2016.

**Moved/seconded by:** Brljevich/Fox

### 4.2 January 2016 - Buildings Control report

Staff presented the Committee with a report on key activities and results for the Building Unit for the month of January 2016 on its role as a Building Consent Authority and a Territorial Authority.

The Committee asked that Building Control staff communicate with Infrastructure staff to enable them to use consents to help forecast solid waste issues.

20/16 **Resolved**

JC That the Judicial Committee receives the 'January 2016 Buildings Control Report' report, dated 26 February 2016.

**Moved/seconded by:** Connors/Fox

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## 5 Planning Group

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### 5.1 January-February 2016 - Planning Group report

Staff presented the Committee with the report on key activities within the Planning Group for the months of January and February.

The Committee raised with staff that they needed to be mindful of recommending conditions on consents that could not or would not be monitored as there had been issues arising from this in the past.

21/16 **Resolved**

JC That the Judicial Committee receives the 'January- February 2016 - Planning Group report' dated 17 March 2016.

**Moved/seconded by:** Brljevich/Fox



## 5.2 Members reports

Chairperson McLean requested that consideration was given to attaining areas of land to provide dog exercise areas as a long term goal for the district and this be added to the agenda for consideration.

22/16 **Resolved**

JC That the Judicial Committee receives Chairperson McLean member's report.

**Moved/seconded by:** Brljevich/Fox

## 6 Public excluded

23/16 **Resolved**

JC That the public be excluded from the following parts of the proceedings of this meeting namely:

<i>Item</i>	<i>General Subject of each matter to be considered</i>	<i>Reason for passing this resolution in relation to each matter</i>	<i>Ground(s) under section 48(1) for the passing of the resolution</i>
6.1	Public Excluded - 11 February 2016 - Judicial Committee Minutes for Confirmation	<p><b>(7)(2)(g)</b> – Maintain legal professional privilege.</p> <p><b>(7)(2)(i)</b> – Enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).</p> <p><b>7(2)(a)</b> – Protect the privacy of natural persons, including that of deceased natural persons</p>	<p><b>(48)(1)</b> – Subject to subsection (3) of this section, a local authority may by resolution exclude the public from the whole or any part of the proceedings of any meeting only on one or more of the following grounds:</p> <p><b>(48)(1)(a)</b> – That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist.</p>

**Moved/seconded by:** Fox/Connors

24/16 **Resolved**

JC That the public be re-admitted to the meeting and resolutions taken with the public excluded be confirmed in the public session except for the following items which are to remain in the Public excluded minute book.

### Item Description

6.1 Public excluded minutes - 11 February 2016

**Moved/seconded by:** Connors/ Brljevich

**Meeting closed at 12:20pm**

The foregoing minutes were certified as being a true and correct record of the meeting of the Judicial Committee held on 17 March 2016.

**Chairperson** \_\_\_\_\_ **Date** \_\_\_\_\_