

Date: Tuesday 24 August 2021 at 2.30PM
Venue: Held via Audio Visual Link

Present

The Deputy Mayor A L Jamieson (the Chairman), the District Mayor N C Volzke, Councillors G W Boyde, P S Dalziel, J M S Erwood, R W Coplestone, A K Harris, V R Jones, M McKay, W J Sandford and G M Webby.

In attendance

The Chief Executive – Mr S Hanne, the Director – Community Services – Ms K Whareaitu, the Director – Environmental Services – Mr B Sutherland, the Director – Corporate Services – Mrs T Radich, the Director – Assets – Mrs V Araba, the Committee Advisor and Executive Assistant – Mrs E Bishop, the Environmental Health Manager- Ms R Otter, the Roading Asset Manager – Mr S Bowden, the Project Engineer/Manager – Mr S Taylor, and one member of the media (Stratford Press)

1. Welcome

The Deputy Mayor welcomed the Chief Executive, Councillors, staff, and the media.

2. Apologies

There were no apologies received.

3. Announcements

There were no announcements.

4. Declarations of Members Interest

The Deputy Mayor requested Councillors to declare any real or perceived conflicts of interest relating to items on this agenda. There were no declarations of interest.

5. Attendance Schedule

The Attendance Schedule for Policy and Services Committee meetings was attached. It was noted that the apology for the meeting on 22 June 2021 for Councillor Dalziel would be amended to sick.

6. Acknowledgement of Submissions

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Attached is the one (1) submission received.

Recommendations

1. THAT the submission to the Draft Mobile or Travelling Shops Bylaw 2021 be received.

WEBBY/BOYDE
Carried
P&S/21/111

2. THAT the submitter be advised of the outcome of their submission and notified that the minutes of the Policy and Services Committee Meeting, and subsequent meetings, are available on Council's website.

ERWOOD/JONES
Carried
P&S/21/112

Recommended Reason

So that each submission is formally received and the submitter provided with information on decisions made.

7. Submitters To Be Heard

There were no submitters requesting to be heard.

8. Decision Report – Adoption of the Mobile or Travelling Shops Bylaw 2021

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Recommendations

1. THAT the report be received.
2. THAT the Committee consider the submission received as part of the public consultation process of the bylaw and the subsequent adoption, with the amendments noted in the report, of the draft Mobile or Travelling Shops Bylaw 2021 (attached).
3. THAT the commencement date of the Mobile and Travelling Shops Bylaw 2021 be Wednesday 15 September 2021.

BOYDE/WEBBY
Carried
P&S/21/113

Recommended Reason

The draft Mobile and Travelling Shops Bylaw 2021 has gone through the public consultation process, required by Sections 82 and 83 of the Local Government Act 2002. One submission was received during the public consultation period.

The Environmental Health Manager noted the following points:

- One submission was received from Waka Kotahi New Zealand Transport Agency in relation to the state highways in the Stratford District.
- There are currently limited areas within the District to safely operate a mobile or travelling business along state highways. Officers support the submission that will provide officers with a tool to enforce safety. Other council's also use delegated authority from Waka Kotahi.
- There are currently a small number of businesses who operate from private properties along state highway and these are either permitted activities or governed by other legislation.

Questions/Points of Clarification:

- Councillor Harris questioned how roadside stalls such as free range eggs or feijoas would be affected by the suggested change from the submission. Ms Otter clarified that those activities generally have signs up and point of purchase takes place on private land off the road or on road reserve. She noted there was currently very little area to park along the state highways to set up a business. Schools would not be affected as any stalls would be on their property. Council Officers would be able to stop unsafe trading on state highways because of the delegation provided by Waka Kotahi. The majority of businesses/stalls are not occurring on state highway.
- It was clarified that an exemption would apply along Broadway as the footpath along Broadway is owned by Council therefore Waka Kotahi would have no ruling over activities such as the Rotary weekly sausage sizzle.
- It was noted that the amendments suggested in the report had not been incorporated in the bylaw and would be subject to this Committee's approval.
- The District Mayor questioned the amendment stating no trading shall be undertaken on a state highway without the approval of the appropriate agency when it had been stated prior that exemptions will not apply to state highways. Ms Otter noted that this was worded in this way to allow for any changes to the structure of the highways which could permit future activity without the need for an amendment to be made to the bylaw.
- It was clarified that the business that operates at the Midhirst Hall was on part Midhirst Hall land and part road reserve and has permission from both parties to operate there.
- Councillor Boyde noted his concern that the area surrounding Stratford High School was not in a restricted area and the possibility that mobile vaping shops could operate there. The District Mayor opposed identifying specific products within the bylaw but supported areas being exempt.
- It was clarified that council activity along the state highway would largely be complaint driven but also if an officer was in the field and saw unsafe activity or activity that warranted further questioning. The bylaw would provide a good tool to give control within the district and to apply safety rules. Ms Otter noted that some activities will also be subject to other legislative requirements. She reminded the committee that officers are still limited with how they can deal with private property under this bylaw but there is other legislation that can help with that area if a need arises.
- It was noted the resolution would be amended to approve the amendments as noted in the decision report.

The meeting closed at 2.48pm

A L Jamieson
Chairman

Confirmed this 28th day of September 2021.

N C Volzke
District Mayor