

Meeting	Taharoa Domain Bylaw Hearing
Date	Monday 25 March 2019
Time	1.00 pm
Venue	Northern Wairoa War Memorial Hall – 37 Hokianga Road, Dargaville

Hearing Agenda

Hearing Panel:

Chair: Mayor Jason Smith

Members: Ric Parore
Sonny Nesbit
Councillor Karen Joyce-Paki
Councillor Andrew Wade

Taharoa Domain Bylaw Hearing
Monday 25 March 2019 in Dargaville

1 Opening

1.1 Karakia

1.2 Present

1.3 Apologies

2 Submissions

All submissions have been circulated under a separate cover '*Taharoa Domain Bylaw Submissions*'.

2.1 Hearing on the Draft Taharoa Domain Bylaw (see page 3 for the complete report)

Policy Planner **3216.03**

Recommended

That the Taharoa Domain Bylaw Hearing Panel:

- a) *Receives the Policy Planner's report 'Hearing on the Draft Taharoa Domain Bylaw'.*
- b) *Receives the submissions made on the Draft Taharoa Domain Bylaw and associated Statement of Proposal, circulated with the above mentioned report as Attachment A.*
- c) *Accepts and receives a late submission from Northland Fish and Game Council (received Monday 25 March 2019).*
- d) *Receives the verbal submissions (made to the Hearing Panel on 25 March 2019) on the Kaipara District Council Taharoa Domain Bylaw Statement of Proposal and alcohol control areas.*

2.2 The following submitters wished to be heard:

Ben Tingey	Page 19
Northland Fish and Game Council (Rudi Hoetjes)	Page 152
Friends of the Kai Iwi Lakes (Rose Coles)	Page 189

Closure

Kaipara District Council
Dargaville

Hearing on the Draft Taharoa Domain Bylaw

Meeting: Taharoa Domain Bylaw Hearing Panel
Date of meeting: 25 March 2019
Reporting officer: Paula Hansen, Policy Planner

Purpose/Ngā whāinga

To receive both written and verbal submissions on the draft Taharoa Domain Bylaw and associated Statement of Proposal.

Executive summary/Whakarāpopototanga

This report acknowledges the submissions received on the draft Taharoa Domain Bylaw and associated Statement of Proposal. Consultation took place from 04 December 2018 to 08 February 2019. The hearing is scheduled for Monday 25 March 2019. The hearing allows submitters to present their case verbally, expand on their submissions and answer any questions from the Panel (the Panel). The Panel does not deliberate at this hearing nor makes a decision on submissions during the hearing. The Panel will hold Deliberations on 05 April 2019 to formulate their decision and present their decision to a Council meeting. Forty-nine submissions were received, of which eight wish to be heard in support of their submissions, including one late submitter. The late submission was received on Monday 25 February 2019. Attachment A contains copies of all the submissions received.

Responsibility to hear these submissions and make recommendations to Council was delegated to the Taharoa Domain Governance Committee, consisting of Ric Parore, Sonny Nesbit, Councillor Wade, and Councillor Joyce-Paki at the November 2018 Council meeting with Mayor Smith appointed as the Chair hereinafter referred to as the Taharoa Domain Bylaw Hearing Panel (the 'Panel').

Recommendation/Ngā tūtohunga

That the Taharoa Domain Bylaw Hearing Panel:

- a) Receives the Policy Planner's report 'Hearing on the Draft Taharoa Domain Bylaw'.
- b) Receives the submissions made on the Draft Taharoa Domain Bylaw and associated Statement of Proposal, circulated with the above mentioned report as Attachment A.
- c) Accepts and receives a late submission from Northland Fish and Game Council (received Monday 25 March 2019).
- d) Receives the verbal submissions (made to the Panel on 25 March 2019) on the Kaipara District Council Taharoa Domain Bylaw Statement of Proposal and alcohol control areas.

Context/Horopaki

Council is required to comply with the Local Government Act 2002 (LGA02) in respect to the community consultation process for the adoption of a new Taharoa Domain Bylaw. This process includes inviting submissions from the public and giving submitters a reasonable opportunity to be heard.

The purpose of the hearing is for submitters to present their case verbally, expand on their submissions and answer any questions from the Panel. The Panel does not deliberate at the hearing nor make decisions on submissions. This occurs during Deliberations.

Discussion/Ngā kōrerorero

The draft Taharoa Domain Bylaw proposes to give effect to the Kai Iwi Lakes (Taharoa Domain) Reserve Management Plan (RMP). The draft Bylaw seeks to formally restrict motorised boats on Lakes Waikare and Kai Iwi to those power driven vessels (power boats) that have been specifically authorised as safety vessels for events, vessels for scientific and research purposes, or vessels for management operations while also allowing non-motorised boat activities to occur. The draft Bylaw also provides for how those permissions can be obtained. The draft Bylaw seeks to support the requirement for biosecurity checks. It is also proposed that in the interests of health and safety and to protect the surroundings of the Lakes within the Taharoa Domain rules need to be in place to control activities around the boat ramp, specifically traffic movements and parking.

The Panel must reach a conclusion on what the final Taharoa Domain Bylaw provisions will be. This decision must be within scope of the Bylaw as consulted on.

Options

The Panel must make a decision to accept the late submission or not. The one late submission contains comments that the Panel may wish to consider when considering if a balance between restricting boats and recreational pursuits is required taking into account the status of the Reserve being a Recreational Reserve.

With regards to the hearing itself, there are no options available to the Panel as it is a statutory requirement for Council to hold hearings. Council therefore needs to complete the Bylaw consultation process by hearing verbal submissions on the draft Taharoa Domain Bylaw.

Financial implications

Financial implications will be discussed within the Deliberations report.

Significance and engagement/Hirahira me ngā whakapāpā

The Significance and Engagement Policy has no direct bearing on the hearing itself as no decisions will be made. The decisions that the Panel makes at the Deliberations meeting will have policy implications, so will be addressed then.

Next steps/E whaiake nei

That the verbal submissions be heard. Deliberations are to be held after the hearing has taken place and are scheduled for Monday 5 April 2019.

Attachments/Ngā tapiritanga

Number	Title
A	Taharoa Domain Bylaw Submission (supplied under a separate cover)

Paula Hansen, 18 March 2019