
Regulatory and Bylaws Committee

OPEN MINUTES

Minutes of a meeting of the Regulatory and Bylaws Committee held in the Reception Lounge, Auckland Town Hall, 301-305 Queen Street, Auckland on Tuesday, 21 October 2014 at 9.30am.

PRESENT

Chairperson	Cr Calum Penrose	
Deputy Chairperson	Cr Denise Krum	From 10.21am, Item 10
Members	Cr Bill Cashmore	
	Cr Linda Cooper, JP	
	Cr Alf Filipaina	
	Cr Sharon Stewart, QSM	
	Member John Tamihere	
	Cr John Watson	
	Member Glenn Wilcox	
Ex-officio	Cr George Wood, CNZM	
	Deputy Mayor Penny Hulse	From 9.46am, Item 9

APOLOGIES

Cr Denise Krum	Lateness
Deputy Mayor Penny Hulse	Lateness

ALSO PRESENT

Cr Cathy Casey
Albert-Eden Local Board Member Margi Watson

1 Apologies

Resolution number RBC/2014/42

MOVED by Cr J Watson, seconded by Cr LA Cooper:

That the Regulatory and Bylaws Committee:

- a) **accept the apologies from Deputy Chairperson DA Krum and Deputy Mayor PA Hulse for lateness.**

CARRIED

2 Declaration of Interest

There were no declarations of interest.

3 Confirmation of Minutes

Resolution number RBC/2014/43

MOVED by Cr SL Stewart, seconded by Member G Wilcox:

That the Regulatory and Bylaws Committee:

- a) **confirm the ordinary minutes of its meeting, held on Tuesday, 16 September 2014, as a true and correct record.**

CARRIED

4 Petitions

There were no petitions.

5 Public Input

There was no public input.

6 Local Board Input

A request was received from Albert-Eden Local Board to speak to item 10 – Introduction of a new Air Quality Bylaw. The Regulatory and Bylaws Chairperson accepted the request and Local Board Member Margi Watson was in attendance to speak at the item.

7 Extraordinary Business

There was no extraordinary business.

8 Notices of Motion

There were no notices of motion.

9 Integrated bylaw review and implementation (IBRI) update - October 2014

Member PA Hulse entered the meeting at 9.46 am.

Resolution number RBC/2014/44

MOVED by Cr GS Wood, seconded by Cr AM Filipaina:

That the Regulatory and Bylaws Committee:

- a) **note the progress of the Integrated Bylaw Review and Implementation programme towards its completion of the delivery of new bylaws by October 2015.**

CARRIED

10 Introduction of a new Air Quality Bylaw

Albert-Eden Local Board Member Margi Watson was in attendance and addressed the meeting on this topic.

Secretarial note: Changes to the original motion were incorporated with the agreement of the meeting under a) and f), and as Chair's recommendations under b) and c).

Resolution number RBC/2014/45

MOVED by Chairperson CM Penrose, seconded by Member PA Hulse:

That the Regulatory and Bylaws Committee:

- a) **thank Albert-Eden Local Board Member Margi Watson for attending and speaking to the committee on the topic of a new air quality bylaw.**

CARRIED

Deputy Chairperson DA Krum entered the meeting at 10.21 am.

Resolution number RBC/2014/46

MOVED by Chairperson CM Penrose, seconded by Member PA Hulse:

That the Regulatory and Bylaws Committee:

- b) **request an amendment to the statement of proposal and proposed Air Quality Bylaw 2015 to state that the proposed prohibition on the use of coal in an indoor fire in the Auckland urban airshed be introduced on 1 May 2015, at the commencement of the bylaw.**

CARRIED

Resolution number RBC/2014/47

MOVED by Chairperson CM Penrose, seconded by Member PA Hulse:

That the Regulatory and Bylaws Committee:

- c) **request an amendment to the statement of proposal and proposed Air Quality Bylaw 2015 to state that the proposed prohibition on the use of existing indoor open fires in the Auckland urban airshed be introduced on 1 October 2018.**

A division was called for, voting on which was as follows:

<u>For</u>	<u>Against</u>	<u>Abstained</u>
Cr WB Cashmore	Cr LA Cooper	
Member PA Hulse	Cr AM Filipaina	
Deputy Chairperson DA Krum	Cr GS Wood	
Chairperson CM Penrose		
Cr SL Stewart		
Cr J Watson		
Member G Wilcox		

The division was declared **CARRIED** by 7 votes to 3.

CARRIED

Resolution number RBC/2014/48

MOVED by Chairperson CM Penrose, seconded by Member PA Hulse:

That the Regulatory and Bylaws Committee:

- d) recommend to the Governing Body of Auckland Council that it resolve (i) to (vi) as follows:**
- i) that a bylaw is the most appropriate way for the council to reduce particulate emissions from indoor home heating fires to improve public health and to meet its obligations under the Resource Management (National Environmental Standards for Air Quality) Regulations 2004.**
 - ii) that the proposed bylaw included in the “Statement of Proposal – Introduction of an Air Quality Bylaw 2015” (and as per Regulatory and Bylaws Committee resolutions) is the most appropriate form of the bylaw.**
 - iii) that the proposed Air Quality Bylaw 2015 is not inconsistent with the New Zealand Bill of Rights Act 1990.**
 - iv) that pursuant to sections 83 and 86 of the Local Government Act 2002, the statement of proposal and the proposed Air Quality Bylaw 2015 be adopted for public consultation.**
 - v) that the council commences the special consultative procedure pursuant to section 83 of the Local Government Act 2002 during November 2014.**
 - vi) that the Manager of Policies and Bylaws be authorised to make any minor edits or amendments to the statement of proposal (including the proposed bylaw) to correct any identified errors or to reflect decisions made by the Governing Body prior to public notification of the bylaw.**
- e) that the Manager of Policies and Bylaws be authorised to make any minor edits or amendments to the statement of proposal (including the proposed bylaw) to correct any identified errors or to reflect decisions made by the Regulatory and Bylaws Committee prior to public notification of the bylaw by the Governing Body.**
- f) request that a letter be sent to the Minister for the Environment, Hon Dr Nick Smith, Minister for Social Housing, Hon Paula Bennett, and the Minister Responsible for Housing New Zealand Corporation, Hon Bill English, to advise Central Government of the proposed methods that Auckland Council will take to meet the Air Quality National Standards, and to request Central Government assistance to mitigate the financial burden on Auckland’s most vulnerable communities.**

CARRIED

Secretarial note: Pursuant to Standing Order 3.15.4, councillor J Watson requested his abstention from voting be recorded.

11 Consideration of Extraordinary Items

There was no consideration of extraordinary items.

11.32 am

The Chairperson thanked Members for their attendance and attention to business and declared the meeting closed.

CONFIRMED AS A TRUE AND CORRECT RECORD
AT A MEETING OF THE REGULATORY AND
BYLAWS COMMITTEE HELD ON

DATE:.....

CHAIRPERSON:.....