

I hereby give notice that an ordinary meeting of the Regulatory and Bylaws Committee will be held on:

Date: Tuesday, 11 August 2015
Time: 9.30am
Meeting Room: Rooms 1 and 2, Level 26
Venue: 135 Albert Street
Auckland

Regulatory and Bylaws Committee

OPEN AGENDA

MEMBERSHIP

Chairperson	Cr Calum Penrose
Deputy Chairperson	Cr Denise Krum
Members	Cr Bill Cashmore
	Cr Linda Cooper, JP
	Cr Alf Filipaina
	Cr Sharon Stewart, QSM
	Cr John Watson
	Member Glenn Wilcox
	Member Karen Wilson
	Cr George Wood, CNZM
Ex-officio	Mayor Len Brown, JP
	Deputy Mayor Penny Hulse

(Quorum 5 members)

Jaimee Maha
Democracy Advisor

4 August 2015

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TERMS OF REFERENCE

The Regulatory and Bylaws Committee will be responsible for:

- Considering and making recommendations to the Governing Body regarding the regulatory and bylaw delegations (including to Local Boards);
- Regulatory fees and charges in accordance with the funding policy;
- Recommend bylaws to Governing Body for special consultative procedure;
- Appointing hearings panels for bylaw matters;
- Review Local Board and Auckland water organisation proposed bylaws and recommend to Governing Body;
- Set regulatory policy and controls, and maintain an oversight of regulatory performance;
- Engaging with local boards on bylaw development and review; and
- Exercising the Council's powers, duties and discretions under the Sale of Liquor Act 1989 and the Sale and Supply of Alcohol Act 2012

Relevant legislation includes but is not limited to:

Local Government Act 2002;
Resource Management Act 1991;
Local Government (Auckland Council) Act 2009;
Health Act 1956;
Dog Control Act 1996;
Waste Minimisation Act 2008;
Land Transport Act 1994;
Maritime Transport Act 1994;
Sale of Liquor Act 1989;
Sale and Supply of Alcohol Act 2012; and
All Bylaws.

Exclusion of the public – who needs to leave the meeting

Members of the public

All members of the public must leave the meeting when the public are excluded unless a resolution is passed permitting a person to remain because their knowledge will assist the meeting.

Those who are not members of the public

General principles

- Access to confidential information is managed on a “need to know” basis where access to the information is required in order for a person to perform their role.
- Those who are not members of the meeting (see list below) must leave unless it is necessary for them to remain and hear the debate in order to perform their role.
- Those who need to be present for one confidential item can remain only for that item and must leave the room for any other confidential items.
- In any case of doubt, the ruling of the chairperson is final.

Members of the meeting

- The members of the meeting remain (all Governing Body members if the meeting is a Governing Body meeting; all members of the committee if the meeting is a committee meeting).
- However, standing orders require that a councillor who has a pecuniary conflict of interest leave the room.
- All councillors have the right to attend any meeting of a committee and councillors who are not members of a committee may remain, subject to any limitations in standing orders.

Independent Māori Statutory Board

- Members of the Independent Māori Statutory Board who are appointed members of the committee remain.
- Independent Māori Statutory Board members and staff remain if this is necessary in order for them to perform their role.

Staff

- All staff supporting the meeting (administrative, senior management) remain.
- Other staff who need to because of their role may remain.

Local Board members

- Local Board members who need to hear the matter being discussed in order to perform their role may remain. This will usually be if the matter affects, or is relevant to, a particular Local Board area.

Council Controlled Organisations

- Representatives of a Council Controlled Organisation can remain only if required to for discussion of a matter relevant to the Council Controlled Organisation.

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1 Apologies

An apology from Cr SL Stewart has been received.

2 Declaration of Interest

Members are reminded of the need to be vigilant to stand aside from decision making when a conflict arises between their role as a member and any private or other external interest they might have.

3 Confirmation of Minutes

That the Regulatory and Bylaws Committee:

- a) confirm the ordinary minutes of its meeting, held on Wednesday, 8 July 2015, including the confidential section, as a true and correct record.

4 Petitions

At the close of the agenda no requests to present petitions had been received.

5 Public Input

Standing Order 7.7 provides for Public Input. Applications to speak must be made to the Democracy Advisor, in writing, no later than **one (1) clear working day** prior to the meeting and must include the subject matter. The meeting Chairperson has the discretion to decline any application that does not meet the requirements of Standing Orders. A maximum of **thirty (30) minutes** is allocated to the period for public input with **five (5) minutes** speaking time for each speaker.

At the close of the agenda no requests for public input had been received.

6 Local Board Input

Standing Order 6.2 provides for Local Board Input. The Chairperson (or nominee of that Chairperson) is entitled to speak for up to **five (5) minutes** during this time. The Chairperson of the Local Board (or nominee of that Chairperson) shall wherever practical, give **one (1) day's** notice of their wish to speak. The meeting Chairperson has the discretion to decline any application that does not meet the requirements of Standing Orders.

This right is in addition to the right under Standing Order 6.1 to speak to matters on the agenda.

At the close of the agenda no requests for local board input had been received.

7 Extraordinary Business

Section 46A(7) of the Local Government Official Information and Meetings Act 1987 (as amended) states:

“An item that is not on the agenda for a meeting may be dealt with at that meeting if-

- (a) The local authority by resolution so decides; and
- (b) The presiding member explains at the meeting, at a time when it is open to the public,-
 - (i) The reason why the item is not on the agenda; and
 - (ii) The reason why the discussion of the item cannot be delayed until a subsequent meeting.”

Section 46A(7A) of the Local Government Official Information and Meetings Act 1987 (as amended) states:

“Where an item is not on the agenda for a meeting,-

- (a) That item may be discussed at that meeting if-
 - (i) That item is a minor matter relating to the general business of the local authority; and
 - (ii) the presiding member explains at the beginning of the meeting, at a time when it is open to the public, that the item will be discussed at the meeting; but
- (b) no resolution, decision or recommendation may be made in respect of that item except to refer that item to a subsequent meeting of the local authority for further discussion.”

8 Notices of Motion

At the close of the agenda no requests for notices of motion had been received.

Update on Animal Management Controls 2015

File No.: CP2015/11017

Purpose

1. To make a seasonal licence exemption in the Keeping of Stock Control 2015 to enable children living in rural-residential areas to participate in agricultural day events.

Executive Summary

2. In April 2015 the Governing Body directed staff to investigate options to amend the Keeping of Stock Control 2015 and enable the keeping of stock in rural-residential areas for events such as school pet days and calf club (GB/2015/22).
3. The Keeping of Stock Control 2015 requires a licence to keep stock on properties that are smaller than 4,000 square metres, including large lot and rural and coastal settlement zones.
4. Three options have been developed for consideration:
 - no change to the Keeping of Stock Control (Option 1)
 - a seasonal licence exemption for children's agricultural day events registered with Auckland Council (Option 2)
 - a seasonal licence exemption to keep stock on properties larger than 1,000 square metres (Option 3).
5. Staff recommend Option 2 a seasonal licence exemption to keep stock for children's agricultural day events. This option would require that:
 - the event is registered with the council and event organisers provide participants with education on responsible animal ownership
 - the premises on which the stock is being kept is within one of the following local board areas: Franklin, Great Barrier, Papakura, Rodney, Waiheke or Waitakere Ranges
 - the stock is less than 12 months of age and is kept on the premises for no more than six months between 1 June and 30 November.
6. Registration of events is intended to be a one-off process with no associated costs for event organisers.

Recommendation

That the Regulatory and Bylaws Committee:

- a) amend the Keeping of Stock Control 2015 to make a seasonal licence exemption for children's agricultural day events (as contained in Attachment A).

Background

7. On 30 April the Governing Body adopted the Keeping of Stock Control 2015 which will come into effect on 1 September 2015 (GB/2015/22). The Keeping of Stock Control 2015 is made under the Auckland Council Animal Management Bylaw 2015.
8. Staff were directed by the Governing Body to investigate options to amend the Keeping of Stock Control 2015 and enable children to keep stock in rural-residential areas for events such as calf club and school agricultural days.

9. Children’s agricultural day events are a valued tradition in rural communities. The events aim to encourage children to learn animal handling by rearing a lamb, kid or calf and bringing their pet to competition days where they compete in various classes. Competition days are usually held at the end of spring and animals are often collected in June or July to enable the animal to grow to its full potential.
10. The Keeping of Stock Control 2015 regulates the keeping of stock in urban areas. A licence must be obtained from the council to keep stock on properties that are smaller than 4,000 square metres. An urban area is defined by the Residential Zone of the Proposed Auckland Unitary Plan, which includes large lot and rural and coastal settlement zones.
11. The Regulatory and Bylaws Committee has delegated authority to amend the control.

Comments

12. The Social Policy and Bylaws Unit developed three options as a basis for consultation with the Rural Advisory Panel and Auckland Council Licensing and Compliance Services. From this engagement staff then developed a recommended amendment to the Keeping of Stock Control 2015 to enable the keeping of stock in rural-residential areas for events such as school pet days and calf club.

Options

13. The table below shows three options for consideration.

Options	Advantages	Disadvantages
Option 1 No change – licence required to keep stock on properties smaller than 4,000 square metres	<ul style="list-style-type: none"> • Licences enable the council to meet with animal owners and avoid potential problems (containment, effluent disposal). 	<ul style="list-style-type: none"> • Licence fee of \$240 to keep stock on a property that is smaller than 4,000 square metres. • Compliance cost to the council.
Option 2 Seasonal licence exemption to keep stock for events registered with the council (June – November)	<ul style="list-style-type: none"> • No licence fee to temporarily keep stock for children’s agricultural day events held during the spring. • Enables the council to support event organisers educate households on responsible animal ownership and the bylaw’s general animal owner obligations. • No administration cost to the council. 	<ul style="list-style-type: none"> • The exemption is reliant on the event being registered with the council. • Relies on the responsibility of animal owners to ensure their property is appropriate for the type of animal and that they don’t cause issues with neighbours.
Option 3 Seasonal licence exemption to keep stock on properties larger than 1,000 square metres	<ul style="list-style-type: none"> • No action required on behalf of the event organiser. • No licence fee to keep stock on sections that are larger than 1,000 square metres. • Avoids possible problems that may arise if households wish to keep stock in suburban areas e.g Pukekohe 	<ul style="list-style-type: none"> • Households are not provided with education on the bylaw’s general animal owner obligations. • Cost of \$240 for a licence to own stock on a property that is smaller than 1,000 square metres. • Compliance cost to the council.

Views of the Rural Advisory Panel

14. At their meeting on 12 June 2015 the Rural Advisory Panel supported a seasonal licence exemption for events registered with the council and recommend the use of school newsletters to educate parents on responsible animal ownership. The panel opposed requiring a licence to keep stock for children's agricultural day events because the cost would hinder children's participation learning opportunities through such events (RUR/2015/13).

Views of Licensing and Compliance Services

15. Licensing and Compliance Services staff are supportive of enabling children's participation in agricultural day events and providing parents with guidance on responsible animal ownership.

Staff recommendation

16. Staff recommend Option 2 to make a seasonal licence exemption to keep stock for children's participation in agricultural day events. This option would require that:
 - the event is registered with the council and event organisers provide participants with education on responsible animal ownership. It is intended that registration will be a one-off process
 - the premises on which the stock is being kept is within one of the following local board areas: Franklin, Great Barrier, Papakura, Rodney, Waiheke or Waitakere Ranges
 - the stock is less than 12 months of age and is kept on the premises for no more than six months between 1 June and 30 November.
17. Option 2 has been recommended for the following reasons:
 - no licence fee for animal owners
 - pro-active approach to educate animal owners on responsible practices
 - responsive approach to problems as they arise.
18. Full details of the amendment to the Keeping of Stock Control 2015 can be viewed in Attachment A.

Consideration

Local Board views and implications

19. The views of local boards had been sought during the Animal Management Bylaw Review in 2013. Keeping animals for calf club and school agricultural days was not raised as an issue at the time.
20. It is noted that members of the Rodney and Franklin local boards were engaged as part of the preparation for this report through the Rural Advisory Panel (RUR/2015/13).

Māori impact statement

21. The impact of the decision of this report will be positive for Māori.
22. Council staff engaged with Māori on the Animal Management Bylaw Review in 2013. Keeping animals for calf club and school agricultural days was not raised as an issue at the time.

Implementation

23. Licensing and Compliance Services will need to develop a new process to register children's agricultural day events. This is intended to be a one-off process (not an annual requirement). If the event is an annual event, organisers will need to ensure participants are aware of their obligations to properly contain stock and ensure animals do not cause issues for neighbours. Licensing and Compliance Services will implement this new process by updating practices and procedures and information available to customers.

Attachments

No.	Title	Page
A	Amendment to the Keeping of Stock Control 2015	13

Signatories

Authors	Emma Pilkington - Policy Analyst Paul Wilson - Team Leader Bylaws
Authorisers	Kataraina Maki - GM - Community & Social Policy

Part 2 Keeping stock in urban areas

History of register for Keeping of Stock Control

Action	Description	Date of decision	Decision reference	Commencement
Make	Keeping of Stock Control	30 April 2015	GB/2015/22	1 September 2015
Amend	Keeping of Stock Control	11 August 2015	TBC	1 September 2015

2.1 Introduction

The keeping of stock such as chickens, other poultry, goats, lambs and horses requires an understanding of responsible animal ownership, the welfare needs of the animal (including food, water, shelter and exercise) and the appropriateness of properties for the keeping of such animals within urban areas.

National legislation

Animal owners have an obligation under the Animal Welfare Act 1999 to ensure that the physical, health and behavioural needs of their animal are met¹. Minimum standards for the care and management of layer hens are stipulated by the Animal Welfare (Layer Hens) Code of Welfare 2012. Minimum standards are also contained in codes of welfare for meat chickens, dairy and beef cattle, sheep, deer, goats, pigs, llamas and alpacas.

Animal Management Bylaw 2015

The Animal Management Bylaw 2015 requires every person keeping stock -

- to ensure their stock do not cause a nuisance to any other person;
- to ensure their stock do not cause a risk to public health and safety;
- to obtain a licence to graze stock in a public place;
- to comply with any keeping of stock control made by the council; and
- to obtain a licence to keep stock where the type or number exceeds the controls as set out in Table 1.

¹ Section 10 of the Animal Welfare Act 1999.

2.2 Keeping of Stock Control

The Keeping of Stock Control, made under the Animal Management Bylaw 2015, introduces compulsory minimum standards for the number of stock that may be kept in an urban area and the conditions in which they may be kept to manage potential nuisance and risks to public health and safety. Additional guidelines, while not compulsory, are provided to assist animal owners understand why the minimum standards are important and to assist with compliance.

Keeping of Stock Control – Number of stock in an urban area

- (1) A person must not keep stock on any premises in an urban area that exceeds the limits specified in Table 1, unless –
- (a) the area of the premises is larger than 4000 square metres, or
 - (b) that person holds a licence, or
 - (c) [the stock is being kept for participation in a children’s agricultural day event where:](#)
 - (i) [the event is registered with the council and event organisers provide participants with education on responsible animal ownership, and](#)
 - (ii) [the premises on which the stock is being kept is within one of the following local board areas: Franklin, Great Barrier, Papakura, Rodney, Waiheke or Waitakere Ranges, and](#)
 - (iii) [the stock is less than 12 months of age and is kept on the premises for no more than six months between 1 June and 30 November.](#)

Explanatory note: obligations of animal owners still apply as contained in clauses 6, 7 and 8 of the Animal Management Bylaw.

Type of stock	Premises smaller than 2000 square metres	Premises larger than 2000 square metres
Cattle	0	0
Chickens	6	12
Deer	0	0
Donkeys	0	0
Ducks	0	6
Geese	0	6
Goats	0	0
Horses	0	0
Llamas	0	0
Peacocks	0	0
Peahens	0	0
Pheasants	0	6
Pigs	0	0
Ponies	0	0
Quail	6	12
Roosters	0	0
Sheep	0	0
Swans	0	0

Guidelines for the keeping of stock in urban areas

The Keeping of Stock Control allows for the keeping of up to six chickens and six quail without the need for a licence from the council. The control also provides for the keeping of up to twelve chickens or quail, six ducks, geese and pheasants on premises that are larger than 2000 square metres

Last updated
11 August 2015

Additional Information to Animal Management Bylaw

without the need for a licence, which is approximately half an acre. There are no licence requirements for the keeping of stock on premises that are larger than 4000 square metres, which is approximately one acre.

The control is intended to ensure any potential nuisances or risks to public health and safety are minimised. When considering whether to issue a licence, the council considers various matters that may be likely to create nuisances. Such matters may include the type of stock, the suitability of size and site available for keeping stock, the suitability of fencing, housing, drainage, and waste disposal controls to limit the creation of potential nuisances.

Calf club and rural pet days

Event organisers of calf club and rural school pet days are required to register their event with the council. If an event is an annual event, organisers will only need to register with the council once and each season ensure participants are aware of their obligations under the bylaw.

Keeping a calf or lamb for calf club and rural pet days is a tradition in many rural communities and participants do not need to apply for a licence. Participants will still need to ensure stock are properly contained and that animals do not cause issues for neighbours.

Keeping of Stock Control – Prevention of wandering stock

- (2) The owner of any stock in an urban area must ensure their stock is restrained within the boundaries of the premises on which they are kept.

This control is intended to ensure that poultry are properly contained and that appropriate fencing is used to contain stock grazing within the urban area to protect public safety and prevent nuisance to neighbours.

Keeping of stock control - Containment of chickens

- (3) The owner of any chicken must ensure that any chickens are confined on the premises in such a manner that the chicken cannot freely leave the premises. This can be achieved by providing either:
- (a) an enclosed chicken coop with an attached run, or
 - (b) an enclosed chicken coop and adequate fencing of the premises.

Guidelines for the containment of chickens

The proper containment of chickens and provision of shelter is an important aspect of responsible animal ownership in urban areas. A chicken coop should always be set up prior to acquiring the chickens. The permitted number of chickens should have access to an area of land greater than 3m². As part of this space, an enclosed, rainproof chicken coop should be provided for sleeping and laying eggs, allowing at least 30cm of roost or perch per chicken with a minimum roof height of 60cm.

Chicken owners have an obligation under the Animal Welfare (Layer Hens) Code of Welfare 2012 to provide facilities for roosting (e.g. perches), a surface for pecking and scratching, and a secluded nesting area. Perches should be positioned at a height off the ground, and in a manner so that chickens are able to maintain a natural position on top of the perch when roosting.

Keeping of stock control - Location of chicken coops

- (4) The owner of any chicken must not allow their chicken coop to cause a nuisance to any other person.

Last updated
11 August 2015

Additional Information to Animal Management Bylaw

Guidelines for locating chicken coops

The location of chicken coops can be very important for minimising potential nuisance to neighbours. When locating a chicken coop, owners should consider how this may affect their neighbours and locate the coop in a place that is least likely to cause a nuisance. Placing it right up against neighbouring properties or near outdoor living areas has the potential to cause a nuisance, as hens can be noisy when they lay and there is a risk of chicken coops becoming smelly in the summer months.

Chicken coops should also be located on well-drained land as standing water will promote public health risks.

Keeping of stock control - Chicken coop cleanliness

- (5) The owner of any chicken must regularly clean their chicken coop as appropriate to maintain the chicken coop in a dry, clean condition and state of good repair, free from any offensive smell, overflow and vermin.

Guidelines for keeping chicken coops clean

Keeping chicken coops clean is important for minimising potential smells and minimising health problems for both chickens and people. Chicken coops should be thoroughly cleaned out at least once a week. Nesting boxes and the floor of any chicken coop should be kept clean and dry and lined with hay, wood chips (untreated), sawdust, or shredded newspaper so that it can be easily removed when cleaned out. Chicken owners have an obligation under the Animal Welfare (Layer Hens) Code of Welfare 2012 to provide good quality litter material that is free from toxic contaminants. This lining should be removed often and cleaned out as appropriate to ensure compliance with the Keeping of Stock Control. In addition, egg nests should not be positioned beneath elevated perches as this can lead to excrement dropping on eggs.

Preventing vermin

Owners should not allow excess food and chicken bedding waste to accumulate on their property. This is because it can start to smell, provide somewhere for flies to breed, mice to shelter and may attract rats looking for food. Owners should make sure the waste is regularly gathered up, bagged and disposed of appropriately.

Scattering food across the ground can often lead to the attraction of rats and mice, and should be scattered only for the purpose of immediate consumption. Owners will get more control by using vermin proof receptacles specifically for poultry feeding, which also keep out the rain, providing chickens with good access to dry pellets or grain. Once vermin realise there is an accessible food supply, they will continue to return, leaving excrement that can contaminate chicken feed and water. Owners would also be exposing themselves and their neighbours to the diseases that rats and mice carry in their excrement. Owners need to ensure they do as much as possible to keep the area in and around a chicken coop clean.

Additional guidelines

Auckland Council advises every person wishing to keep chickens in an urban area to participate in a chicken keeping educational course. For advice on the keeping of chickens refer to the SPCA Auckland guidelines found at <http://spca.org.nz/AnimalCare/ChickenCare.aspx>.

Integrated Bylaws Review and Implementation Programme update – August 2015

File No.: CP2015/11930

Purpose

1. To update the Regulatory and Bylaws Committee on the Integrated Bylaw Review and Implementation programme.

Executive Summary

1. The Integrated Bylaw Review and Implementation Programme has been established to review the legacy bylaws and support the adoption and implementation of new bylaws for Auckland, before the end of October 2015.
2. Since the previous update report in April 2015, the following bylaw reviews have been progressed to significant milestones:
 - Trading and Events in Public Places Bylaw (adopted – in effect 1 July 2015)
 - Auckland Council Traffic Bylaw (adopted – in effect 1 August 2015)
 - Animal Management Bylaw (adopted – in effect 1 August 2015)
 - Signage Bylaw (adopted – in effect 1 October 2015)
 - Stormwater Bylaw (deliberations completed – 28 May 2015)
 - Water Supply and Wastewater Network Bylaw (adopted – in effect 1 July 2015)
 - Property Maintenance and Nuisance Bylaw (hearings to commence – 31 July 2015).
3. At its 8 July 2015 meeting, the Regulatory and Bylaws Committee resolved to recommend the adoption of the Statement of Proposal: Confirmation of Legacy Bylaws 2015 to the Governing Body, for the purposes of consulting with the public on confirming the legacy bylaws (or parts thereof) on six topics (resolution number RBC/2015/23):
 - freedom camping
 - electric and barbed wire fences on property next to public land
 - wharves
 - construction activities in the road corridor and public places
 - on-site wastewater
 - billboards in the former Auckland City area.

Recommendations

That the Regulatory and Bylaws Committee:

- a) note that a copy of this report will be circulated to all local boards and Tūpuna Maunga o Tāmaki Makaurau Authority (Maunga Authority) via a memo to provide them with an update on progress on the bylaw review programme.

Comments

Background

4. The Integrated Bylaw Review and Implementation Programme was established to review 140 legacy bylaws across 32 topics by 31 October 2015. Since 1 November 2010, eighteen new bylaws have been made, with two pending adoption before 31 October 2015:

Auckland Council

- Alcohol Control Bylaw 2012
- Animal Management Bylaw 2015
- Cemeteries and Crematoria Bylaw 2014
- Dog Control Bylaw and Policy 2012
- Food Safety Bylaw 2013
- Health and Hygiene Bylaw 2013
- Navigation Safety Bylaw 2012
- Outdoor Fires Bylaw 2014
- Property Maintenance and Nuisance Bylaw (to be adopted before 31 October 2015)
- Solid Waste Bylaw 2012
- Stormwater Bylaw (to be adopted August 2015)
- Trade Waste Bylaw 2012 (administered by Watercare Services)
- Traffic Bylaw 2015
- Waste Water and Water Supply 2015 (administered by Watercare Services)

Auckland Transport

- Election Signs Bylaw 2012
- Speed Limits Bylaw 2012
- Traffic Bylaw 2012

Auckland Council and Auckland Transport

- Public Safety and Nuisance Bylaw 2013
- Signage Bylaw 2015
- Trading and Events in Public Places Bylaw 2015.

5. The Regulatory and Bylaws Committee receive regular updates on the programme. The previous update was provided to the committee in April 2015 (refer CP2015/01795 and RBC/2015/5). This report covers the period from April 2015 to July 2015. It provides an update on the various topics included in the programme.

Update on review stage for bylaw topics

6. Tables one and two below show the current status of the review topics and provide further comments for particular topics.

Table 1: Summary of status and next steps for review of bylaw topics

Topic	Status and Progress – 7 stages							Comments
	Status	1-Preparation	2-Pre-consultation	3-Options	4-Write Bylaw	5-Adopt draft	6-Spec Cons Proc	
Bylaw reviews completed								
Alcohol control	G							Completed
Cemeteries and crematoria	G							Completed
Commercial sex industry	G							Completed
Dog management	G							Completed
Election signs	G							Completed
Food safety	G							Completed
General administration	G							Completed
Hazardous substances	G							Completed
Health and hygiene	G							Completed
Navigation safety (including lifejackets)	G							Completed
Offensive trades	G							Completed
Outdoor fire safety	G							Completed
Public safety and nuisance	G							Completed
Solid waste (Waste management)	G							Completed
Trade waste	G							Completed
Transport (Auckland Transport)	G							Completed
Trading and Events in Public Places (including operational guidelines)	G							Completed this period
Signage	G							Completed this period
Traffic(Parks and other council controlled land)	G							Completed this period
Animal management	G							Completed this period
Water supply and wastewater network	G							Completed this period
Regional film fees								Completed this period
Work programme								
Air Quality	G							See below
Boarding houses and hostels	G							See below
Confirmation of legacy bylaws	G							See below
Freedom camping	G							Included in confirmation of legacy bylaws.
Onsite wastewater	G							
Orakei Basin, Wharfs & marinas	G							See below
Property maintenance and nuisance	G							
Recreational and cultural facilities	G							Included in confirmation of legacy bylaws.

Item 10

Topic	Status and Progress – 7 stages							Comments
	Status	1-Preparation	2-Pre-consultation	3-Options	4-Write Bylaw	5-Adopt draft	6-Spec Cons Proc	
Review of current Alcohol bans	G							See below
Review of dog access rules - 2015	G							See below
Review of Food Safety Bylaw	G							See below
Set netting controls (including Arkles Bay)	G							See below
Shared Spaces Guidelines	G							See below
Stormwater	G							See below

Status summary codes

G	Green - Work is progressing as planned, due date will be met or any revised date will not have wider impacts
A	Amber – Original due date at risk of being missed and this may have wider impacts; or an issue has arisen.
R	Red - Due date has or will be missed and this will have wider impacts; or an issue has arisen that will have wider or significant impacts.

Table 2: Additional comments for particular topics in the bylaw review programme

Air Quality	On track G
Staff are developing an Air Quality Action Plan to be considered by the Regional Strategy and Policy Committee. A workshop will be held with councillors (planned for September 2015) to seek their input on a range of approaches for managing Auckland’s air quality.	
Boarding houses, hostels	On track G
At its meeting on 8 of July 2015, the Regulatory and Bylaws resolved to allow the two legacy bylaws to lapse on the 31 October 2015(RBC/2015/26). At that same meeting, the committee requested staff provide an update report to the Regional Strategy and Policy Committee in August 2015 to continue Auckland Council’s advocacy with government. A report was presented to the committee on 6 th of August.	
Confirmation of legacy bylaws	On track G
Following the decision by the Regulatory and Bylaws Committee on 8 July 2015 on the confirmation of several remaining legacy bylaws, a report was presented to the Governing Body at its meeting on the 30 th of July recommending they adopt the statement of proposal. Staff are now preparing for public consultation which will commence on 3 August 2015.	
Property maintenance and nuisance	On track G
Submissions for the proposed Property Maintenance and Nuisance Bylaw closed on 1 July 2015. 34 submissions were received, with one late submission forwarded on to the Hearings Panel chair. Hearings and Deliberations have been set for 31 July 2015, with ten submitters asking to be heard. The new Property Maintenance and Nuisance Bylaw is expected to come in to force on 1 November.	

Review of current alcohol controls	On track G
<p>The review of 1750 alcohol bans continues. In May 2015, final decisions were made by five local boards (Hibiscus and Bays, Kaipatiki, Rodney, Upper Harbour and Waitakere Ranges) on alcohol bans in their areas. Fifteen local boards and the Regulatory and Bylaws Committee are obtaining further alcohol-related evidence through a community engagement/submissions process. Submissions closed on 17 July 2015. Hearings and deliberations are scheduled for August and September, with final reports being presented to local boards and Regulatory and Bylaws Committee before the statutory deadline of 31 October 2015.</p>	
Review of dog access rules - 2015	On track G
<p>The submissions period for the ten local boards undertaking a review of their dog access rules opened on 12 June 2015 and closed on 17 July 2015. The hearings and deliberations are being undertaken in August and September with a final report with recommendations for amendments to the Auckland Dog Management Bylaw 2012 to be presented at the October Governing Body meeting.</p>	
Review of Food Safety Bylaw	On track G
<p>Preliminary research has been completed. This involved a Peoples Panel survey and surveys to food business operators and Environmental Health staff to understand preferred approaches for grading food premises. The drafting of an Issues and Options Paper is currently underway to inform the grading methodology.</p>	
Set netting controls (including Arkles Bay)	On track G
<p>At its meeting on the 8 July 2015, the Regulatory and Bylaws Committee resolved to allow the Rodney District Council – Prohibition of Set Netting Arkles Bay 2007 to lapse (resolution number: RBC/2015/23). At that same meeting the committee also resolved (resolution number: RBC/2015/24) that staff:</p> <ul style="list-style-type: none"> • investigate the making of seasonal crab pot and set net controls at Omaha Beach and a set net control at Arkles Bay. • undertake further monitoring of set net activities at Hatfields Beach, Browns Bay, Matakatia Beach and Campbells Bay over the 2015/16 summer period. <p>Staff are focusing on progressing the above recommendations and are meeting with the council's parks operational staff and representatives from the Ministry for Primary Industries.</p>	
Shared Spaces Guidelines	On track G
<p>Staff from both Social Policy and Bylaws and Licensing and Compliance Services are developing shared spaces guidelines to assist operational staff in implementing the Trading and Events in Public Places Bylaw in relation to trading activities in shared spaces. This is a companion operational document to the Trading and Events in Public Places Guidelines 2015 that were adopted by the Regulatory and Bylaws Committee on 8 July 2015 (resolution number: RBC/2015/22).</p>	
Stormwater	On track G
<p>Oral submissions were heard at a meeting of the Stormwater Bylaw Hearings Panel on 10 November 2014. This was followed by a workshop held with submitters on 4 March 2015 to enable staff to address specific areas of concern. The hearing panel held deliberations on 28 May 2015. The chair of the hearing panel will be presenting the proposed bylaw to the Governing Body for adoption on 30 July 2015. The bylaw will come into effect on 1 November 2015.</p>	

Risks

7. The confirmation of the several remaining legacy bylaws must be completed by 31 October 2015. Timing is important due to the statutory requirement to review the legacy bylaws by this date. The high demand on elected members' time means that there could be a risk to the scheduling of hearings. To mitigate this risk a hearings panel has already been appointed (resolution number: RBC/2015/23) and staff are ensuring that the project remains on track to meet the bylaw timelines.

Update on implementation stage for new bylaws

8. Tables three and table four below show the current status of implementation projects and further comments for particular implementation projects.

Table 3: Summary of status and next steps for implementation projects

Implementation project name	Status and Progress					Link to bylaw topics / Other comments
	Status	1- Prep	2- Plan	3- Impl	4- Clos	
Completed						
Alcohol licensing readiness	G					Completed
Animals (Stage 1 – Dog management)	G					Completed
Cemeteries and crematoria	G					Completed
Dog access review 2013	G					Completed
Electoral Signs 2013 and 2014	G					Completed
Food safety	G					Completed
Health protection	G					Completed
Marine – Navigation safety	G					Completed
Outdoor fire Safety	G					Completed
Public safety & nuisance	G					Completed
Waste management (Solid waste bylaw)						Completed
Trading and events in public places						Completed
Work underway						
Alcohol control bans	G					See below
Animals (stage 2 –animal management)	G					See below
Boarding houses and hostels	G					See below
Dog access review 2014	G					
Dog access review 2015	G					
Property maintenance and nuisance	G					
Revoked and lapsing bylaws	G					<ul style="list-style-type: none"> • hazardous substances • offensive trades • set netting (Arkles Bay) • boarding houses and hostels • commercial sex industry • recreational and cultural facilities • building deposits for damage to council property • marinas • Orakei Basin.
Set net controls						
Signage	G					See below

Implementation project name	Status and Progress					Link to bylaw topics / Other comments
	Status	1- Prep	2- Plan	3- Impl	4- Clos	
Solid Waste						See below
Stormwater	G					
Traffic (Auckland Council land)	G					See below
Water supply and wastewater network	G					

Table 4: Additional comments for particular implementation projects

Alcohol control bans	On Track	G
Existing signage will be replaced with new alcohol ban signage on bans that are to be retained. A phased process for implementation will occur. All current signage on alcohol ban areas lapsing will be removed.		

Animal (stage 2 – animal management)	On Track	G
Relevant information is being developed to provide to customer services before the bylaw comes into effect.		

Boarding houses and hostels	On Track	G
An operational plan for a proactive regime to inspect boarding houses is being developed.		

Signage	On Track	G
The new bylaw comes into effect on 1 October 2015 and staff are preparing for implementation. Including development of collateral (brochures) as well as engagement with industry stakeholders.		

Solid Waste	On Track	G
Developing draft controls for fillsites and facilities for consultation with the industry.		

Traffic (Auckland Council land)	On Track	G
The bylaw is scheduled to come into effect on 1 August 2015. A report on the delegation of the administration and enforcement of the bylaw will be submitted to the Governing Body on 27 August 2015.		

Consideration

Local Board views and implications

- This report does not raise any specific issues relating to local boards except those specifically referred to above.

Māori impact statement

- This report does not raise any specific issues relating to Māori. The review of each topic includes considering whether that topic includes any elements of special interest to Māori, and if so the appropriate way to seek a greater level of engagement. Where appropriate, consultation with Māori (on a particular topic) may be linked to consultation on other related topics through the Proposed Auckland Unitary Plan or other initiatives.

Implementation

11. The programme includes implementation and delivery for each bylaw, as noted above

Attachments

There are no attachments for this report.

Signatories

Authors	Rebekah Stuart-Wilson - Principal Policy Analyst Helgard Wagener - Team Leader Policies and Bylaws Max Wilde - Manager Bylaws and Compliance
Authorisers	Kataraina Maki - GM - Community & Social Policy Grant Barnes - General Manager Licensing and Compliance Services

Alcohol ban signage

File No.: CP2015/14043

Purpose

1. To provide an update on the status of the Auckland Council Te Reo Māori/Māori Language Framework.

Executive Summary

2. The Regulatory and Bylaws Committee at its business meeting on 4 May 2015 requested an update on the status of the Te Reo Māori Policy/Framework that would assist officers when integrating Te Reo Māori through appropriate stages of council business, particularly signage.
3. The Auckland Council Te Reo Māori/Māori Language Framework is currently in a draft form. The Secretariat of the Independent Māori Statutory Board has provided feedback on the draft framework and input is being sought from mana whenua. The draft will be presented to the Executive Leadership Team at a date yet to be determined.
4. The committee's discussion about the Auckland Council Te Reo Māori/Māori Language Framework related to the adoption of guidelines for alcohol ban signage. Guidelines for alcohol ban signage are critical to implement decisions on the review of the more than 1,700 alcohol bans by 31 October 2015. Approximately a quarter of all Local Boards have already made decisions in relation to alcohol bans in their local areas. However, signs have not been able to be upgraded in these areas because of delays in finalising the guidelines.
5. The Alcohol Ban Signage Guidelines can be updated as necessary to implement the Auckland Council Te Reo Māori/Māori Language Framework once it is approved.

Recommendations

That the Regulatory and Bylaws Committee:

- a) receive the report.

Comments

Background

6. The Governing Body adopted the new Alcohol Control Bylaw 2014 at its business meeting on 30 October 2014. As part of its decision, the Governing Body, resolved to
“direct the Manager Policies and Bylaws to develop alcohol ban signage guidelines to be reported to the Regulatory and Bylaws Committee”
(Resolution number GB/2014/121)
7. Alcohol Ban Signage Guidelines were subsequently developed and the guidelines were reported back to the Regulatory and Bylaws Committee business meeting on 4 May 2015.
8. The Alcohol Ban Signage Guidelines were developed in conjunction with Brand and Chanel and is compliant with the Auckland Council Identity Guideline. Feedback on the content of the guidelines was also sought from Te Waka Angumua, Parks, Sport and Recreation, Community Development Arts and Culture, Auckland Tourism Economic Events and Development, Auckland Transport, and the New Zealand Police.

9. When the Alcohol Ban Signage Guidelines were presented to the Regulatory and Bylaws Committee there was some discussion relating to the use of Te Reo Māori on the signage. As a result committee resolved to:

“request that officers report back to the Regulatory and Bylaws Committee, or the Regional Strategy and Policy Committee, and to the Independent Maori Statutory Board about the status of the Te Reo Māori Policy/Framework that would assist officers when integrating Te Reo Māori through appropriate stages of council business, particularly signage, as recommended through the Independent Maori Statutory Board Treaty of Waitangi Audit Review”.

(Resolution number RBC/2015/10)

Comments

10. The Auckland Council Te Reo Māori/Māori Language Framework is intended to outline the principles and conventions to guide the council's use of Te Reo Māori. This includes assisting staff on the use of Te Reo Māori on signage.
11. The Auckland Council Te Reo Māori/Māori Language Framework is currently in a draft form. The Secretariat of the Independent Māori Statutory Board has provided feedback on the draft framework and input is being sought from mana whenua. The draft will be presented to the Executive Leadership Team for consideration.
12. The need to develop guidelines for alcohol ban signage is critical to implement decisions on the review of the more than 1,700 alcohol bans currently in progress across 20 local boards (excludes the Great Barrier Local Board) and the Regulatory and Bylaws Committee by 31 October 2015.
13. Alcohol ban signage will need to be removed from the more than 1,700 existing alcohol ban areas and replacement signs installed for all those alcohol ban areas that are retained. This is a significant work programme, and any opportunity to spread the replacement work over a longer period of time would be beneficial to operations.
14. Five local boards have already made decisions on alcohol bans in their areas, but implementation of these decisions has been delayed pending the finalisation of the alcohol ban signage guidelines. The remaining 15 local board areas and the Regulatory and Bylaws Committee will commence hearings in August with the decisions on all alcohol bans to be confirmed by 31 October 2015.
15. The Alcohol Ban Signage Guidelines will be used to confirm the design of signage until such a time as the Auckland Council Te Reo Māori/Māori Language Framework is adopted.
16. At that point, the Alcohol Ban Signage Guidelines will be reviewed to ensure that they are compliant with the Auckland Council Te Reo Māori/Māori Language Framework.
17. If amendments to the guideline are required, then an updated version of the guidelines will be circulated to the members of this committee for their information at that point.

Consideration

Local Board views and implications

18. Local boards have been informed in workshops that alcohol ban signage would be developed regionally to ensure consistency.

Māori impact statement

19. The recognition, protection and revitalisation of Te Reo Māori forms an important part of council's overall Māori responsiveness approach, including on council signage.

Implementation

20. Alcohol ban signage will need to be removed from approximately 1,700 existing alcohol ban areas and replacement signs installed for all those alcohol ban areas that are retained. This is a significant work programme, and any opportunity to spread this installation work over a longer period of time would be beneficial to operations. Some local boards have already made decisions on alcohol bans in their areas and once the signage guidelines are finalised, the installation of upgraded signage will be able to commence in these areas.

Attachments

There are no attachments for this report.

Signatories

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