

Regulatory Committee

OPEN MINUTES

Minutes of a meeting of the Regulatory Committee held in the Room 1, Level 26, 135 Albert St, Auckland on Thursday, 9 March 2017 at 9.30am.

PRESENT

Chairperson	Cr Linda Cooper, JP	
Deputy Chairperson	Cr Wayne Walker	
Members	Cr Fa'anana Efeso Collins	From 9.55am, part item 10
	Cr Richard Hills	
	Cr Daniel Newman, JP	
	Cr Dick Quax	
	Cr Sharon Stewart, QSM	
	IMSB Member David Taipari	From 9.54am part item 10
	Cr John Watson	
	IMSB Member Glenn Wilcox	From 9.38am, part item 5.1

ABSENT

Ex-officio	Mayor Hon Phil Goff, JP
	Deputy Mayor Bill Cashmore

1 Apologies

Resolution number REG/2017/13

MOVED by Chairperson L Cooper, seconded by Deputy Chairperson W Walker:

That the Regulatory Committee:

- a) **accept the apologies from Cr F Collins and IMSB Members G Wilcox and D Taipari for lateness.**

CARRIED

2 Declaration of Interest

There were no declarations of interest.

3 Confirmation of Minutes

Resolution number REG/2017/14

MOVED by Cr S Stewart, seconded by Cr D Quax:

That the Regulatory Committee:

- a) **confirm the ordinary minutes of its meeting, held on Thursday, 9 February 2017, including the confidential section, as a true and correct record.**

CARRIED

4 Petitions

There were no petitions.

5 Public Input

There was no public input.

5.1 Approach to the Public Safety and Nuisance Bylaw review - Heart of the City

Cr J Watson entered the meeting at 9.38am.

IMSB Member G Wilcox entered the meeting at 9.39am.

Viv Beck, Chief Executive Heart of the City addressed the Committee on behalf of businesses in the city centre including on their partnership with Auckland Council to deliver the City Watch service. The City Watch service is a dedicated team whose sole responsibility is to promote safety in the CBD.

Resolution number REG/2017/15

MOVED by Chairperson L Cooper, seconded by Deputy Chairperson W Walker:

That the Regulatory Committee:

- a) **receive the presentation and thank Viv Beck, Chief Executive Heart of the City for her attendance.**

CARRIED

6 Local Board Input

There was no local board input.

7 Extraordinary Business

There was no extraordinary business.

8 Notices of Motion

There were no notices of motion.

9 Dog Management Review

Resolution number REG/2017/16

MOVED by IMSB Member G Wilcox, seconded by Cr R Hills:

That the Regulatory Committee:

- a) **agree to commence an overall review of the effectiveness of the Dog Management Bylaw 2012 and Policy on Dogs 2012, which will include:**
 - i) **a review of dog access issues at regional beaches, foreshore areas, and parks; prioritising the Franklin, Manurewa and Maungakiekie-Tāmaki local board areas.**
 - ii) **an analysis of emerging issues such as complexity of dog access rules across the region.**

CARRIED

10 Endorse approach to the Public Safety and Nuisance Bylaw review

IMSB Member D Taipari entered the meeting at 9.54am

Cr E Collins entered the meeting at 9.55am.

MOVED by IMSB Member G Wilcox, seconded by Chairperson L Cooper:

That the Regulatory Committee:

- a) **endorse the approach to the Public Safety and Nuisance Bylaw review as contained in the report.**

Resolution number REG/2017/17

MOVED by Cr D Newman, seconded by Deputy Chairperson W Walker: **_moved an amendment to the original recommendation as follows:**

That the Regulatory Committee:

- a) **endorse the approach to the Public Safety and Nuisance Bylaw review as contained in the report, with the findings, options and recommendations reported to the September 2017 meeting of the Regulatory Committee.**

The amendment was put to the vote by a show of hands and was declared CARRIED by 6 votes to 4.

CARRIED

Note: Clarification was sought in relation to the review approach and timetable in light of the motion and with the agreement of the meeting the substantive was resolved as follows:

Resolution number REG/2017/18

MOVED by Cr E Collins, seconded by Deputy Chairperson W Walker:

That the Regulatory Committee:

- a) **endorse the Public Safety and Nuisance Bylaw review as contained in the report, with the findings, options and recommendations reported to the September 2017 meeting of the Regulatory Committee.**
- b) **request the Manager Social Policy and Bylaw to provide a memo updating the committee on the process for achieving the September 2017 deadline.**

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

<u>For</u>	<u>Against</u>	<u>Abstained</u>
Cr E Collins	Chairperson L Cooper	
Cr D Newman	Cr R Hills	
Cr D Quax	IMSB Member D Taipari	
Cr S Stewart	IMSB Member G Wilcox	
Deputy Chairperson W Walker		
Cr J Watson		

The motion was declared CARRIED by 6 votes to 4.

CARRIED

11 Adoption of a Regulatory Committee Policy

Resolution number REG/2017/19

MOVED by IMSB Member D Taipari, seconded by Deputy Chairperson W Walker:

That the Regulatory Committee:

- a) **defer the Regulatory Committee Policy to the April 2017 Committee meeting.**

CARRIED

Deputy Chairperson W Walker left the meeting at 10.57 am.

12 Resource Consent Appeals: Status Report 9 March 2017

Resolution number REG/2017/20

MOVED by IMSB Member D Taipari, seconded by Cr D Newman:

That the Regulatory Committee:

- a) **receive the Resource Consents Appeals: Status Report 9 March 2017.**

CARRIED

13 Consideration of Extraordinary Items

There were no extraordinary items.

14 Procedural motion to exclude the public

Resolution number REG/2017/21

MOVED by Chairperson L Cooper, seconded by IMSB Member D Taipari:

That the Regulatory Committee:

- a) exclude the public from the following part(s) of the proceedings of this meeting.

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution follows.

This resolution is made in reliance on section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by section 6 or section 7 of that Act which would be prejudiced by the holding of the whole or relevant part of the proceedings of the meeting in public, as follows:

- C1 New Resource Consent Appeal - Devonport Peninsula Precincts Society Incorporated v Auckland Council - 7-37 Ngataranga Road, 1-88 Wakakura Crescent and 29 Lake Road, Devonport**

Reason for passing this resolution in relation to each matter	Particular interest(s) protected (where applicable)	Ground(s) under section 48(1) for the passing of this resolution
The public conduct of the part of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under section 7.	s7(2)(i) - The withholding of the information is necessary to enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations). In particular, , the report contains information that could compromise the council in undertaking without prejudice negotiations of this appeal that is before the Environment Court.	s48(1)(a) The public conduct of the part of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under section 7.

- C2 New Resource Consent Appeal: Stride Holdings v Auckland Council - North Harbour route of proposed Titirangi to Albany Watermain 'NH2'.**

Reason for passing this resolution in relation to each matter	Particular interest(s) protected (where applicable)	Ground(s) under section 48(1) for the passing of this resolution
The public conduct of the part of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under section 7.	s7(2)(i) - The withholding of the information is necessary to enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations). In particular, the report contains information relating to an Environment Court appeal and the disclosure of information may prejudice the council's position in regards to negotiations and the potential settlement of the appeal.	s48(1)(a) The public conduct of the part of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under section 7.

The text of these resolutions was made available to the public who were present at the meeting and formed part of the minutes of the meeting.

CARRIED

10.59am The public was excluded.

Resolutions in relation to the confidential items are recorded in the confidential section of these minutes and are not publicly available.

11.01am The public was re-admitted.

RESTATEMENTS

It was resolved while the public was excluded:

C1 New Resource Consent Appeal - Devonport Peninsula Precincts Society Incorporated v Auckland Council - 7-37 Ngataranga Road, 1-88 Wakakura Crescent and 29 Lake Road, Devonport

Resolution number REG/2017/22

MOVED by Cr D Newman, seconded by Cr E Collins:

That the Regulatory Committee:

- b) agree that the report, attachments and the resolution not be restated in the open section of the minutes.

C2 New Resource Consent Appeal: Stride Holdings v Auckland Council - North Harbour route of proposed Titirangi to Albany Watermain 'NH2'.

Resolution number REG/2017/23

MOVED by Cr E Collins, seconded by Cr R Hills:

That the Regulatory Committee:

- b) agree that the report and the resolution not be restated in the open section of the minutes.

11.02 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
COMMITTEE HELD ON

DATE:.....

CHAIRPERSON:.....