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## Regulatory Committee

### OPEN MINUTES

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Minutes of a meeting of the Regulatory Committee held in the Room 1, Level 26, 135 Albert St, Auckland on Thursday, 15 June 2017 at 9.30am.

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#### PRESENT

<b>Chairperson</b>	Cr Linda Cooper, JP	
<b>Deputy Chairperson</b>	Cr Wayne Walker	
<b>Members</b>	Cr Fa'anana Efeso Collins	
	Cr Richard Hills	
	Cr Daniel Newman, JP	
	Cr Dick Quax	Until 12.03pm, part item C3
	Cr Sharon Stewart, QSM	
	IMSB Member IMSB Chair David Taipari	
	Cr John Watson	From 9.42am, part item 5.1
<b>Ex-officio</b>	IMSB Member Glenn Wilcox	
	Deputy Mayor Bill Cashmore	Until 10.57am, item 11

#### ABSENT

<b>Ex-officio</b>	Mayor Hon Phil Goff, CNZM, JP
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#### ALSO PRESENT

Cr C Casey

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## 1 Apologies

Resolution number REG/2017/45

MOVED by Chairperson L Cooper, seconded by Cr D Newman:

**That the Regulatory Committee:**

- a) **accept the apology from Cr D Quax for early departure.**

**CARRIED**

## 2 Declaration of Interest

Councillor L Cooper declared a conflict of interest in relation to items 11 - Statutory review of Auckland Council's gambling venue policies and Confidential Item 1 - Recommendation for the appointment of District Licensing Committee chairs and members 2017-2020.

## 3 Confirmation of Minutes

Resolution number REG/2017/46

MOVED by Chairperson L Cooper, seconded by Cr D Newman:

**That the Regulatory Committee:**

- a) **confirm the ordinary minutes of its meeting, held on Thursday, 18 May 2017, including the confidential section, as a true and correct record.**

**CARRIED**

## 4 Petitions

There were no petitions.

## 5 Public Input

### 5.1 Four Winds Foundation - Jared True : Review of the Auckland Council's gambling venue policies

Jared True on behalf of Four Winds Foundation spoke and tabled a copy of their feedback in relation to the review of the gambling venue policies. A copy has been placed in the official minutes and is available on the Auckland Council website as minutes attachments.

*Cr J Watson arrived at the meeting at 9.42am*

Resolution number REG/2017/47

MOVED by IMSB Member G Wilcox, seconded by IMSB Member D Taipari:

**That the Regulatory Committee:**

- a) **thank Jared True for the presentation.**

**CARRIED**

#### **Attachments**

- A 15 June 2017 - Regulatory Committee - Item 5.1 Four Winds Foundation - feedback

**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 Appointment of independent hearings commissioners 2017-2020**

Staff were present in support of the report.

Resolution number REG/2017/48

MOVED by IMSB Member D Taipari, seconded by Cr R Hills:

**That the Regulatory Committee:**

- a) **note the selection process for independent hearings commissioner appointments for 2017-2020.**
- b) **note that it will consider recommendations for independent hearings commissioner appointments after the public has been excluded.**

**CARRIED**

**10 Appointment of District Licensing Committee chairs and members 2017-2020**

Staff were present in support of the report.

Resolution number REG/2017/49

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

**That the Regulatory Committee:**

- a) **note the selection process for District Licensing Committee chair and member appointments for 2017-2020.**
- b) **note that it will consider recommendations for District Licensing Committee chair and member appointments after the public has been excluded.**

**CARRIED**

**11 Statutory review of Auckland Council's gambling venue policies**

Staff were present in support of the report.

Chairperson L Cooper declared a conflict of interest on this item and vacated the chair.

*Cr Cooper left the room at 10.15am.*

The Deputy Chairperson assumed the chair.

Resolution number REG/2017/50

MOVED by IMSB Member D Taipari, seconded by IMSB Member G Wilcox:

**That the Regulatory Committee:**

- a) **note that staff have now completed a review of the Class 4 Gambling Pokie Venue Policy, which included consideration of whether to adopt a relocation policy, as required by the Gambling Act 2003.**
- b) **note that staff have now completed a review of the New Zealand Racing Board (TAB) Venue Policy, as required by the Racing Act 2003.**

***Auckland Council Class 4 Gambling Pokie Venue Policy***

- c) **agree that its response to the review of the Class 4 Gambling Pokie Venue Policy is to:**
  - (i) **agree to retain the existing Class 4 Pokie Venue Policy, with no changes, as recommended by staff.**

***Auckland Council New Zealand Racing Board (TAB) Venue Policy***

- d) **agree that its response to the review of the Auckland Council New Zealand Racing Board (TAB) Venue Policy is to:**
  - i) **agree to retain the New Zealand Racing Board (TAB) Venue Policy, with no changes, as recommended by staff.**

**CARRIED**

The meeting adjourned at 10.55am and reconvened at 11.00am.

Members Wilcox and Taipari were not present.

*Deputy Mayor B Cashmore left the meeting at 10.57 am.*

*Chairperson L Cooper returned to the meeting at 11.00 am.*

The Chairperson, Cr L Cooper resumed the chair.

*IMSB Member D Taipari returned to the meeting at 11.01 am.*

*IMSB Member G Wilcox returned to the meeting at 11.01 am.*

## **12 Boarding Houses Inspection update**

Staff were present in support of the report.

*IMSB Member D Taipari returned to the meeting at 11.02 am.*

*Cr D Newman left the meeting at 11.05 am.*

*Cr D Newman returned to the meeting at 11.06 am.*

*IMSB Member G Wilcox returned to the meeting at 11.07 am.*

*Deputy Chairperson W Walker left the meeting at 11.12 am.*

*Deputy Chairperson W Walker returned to the meeting at 11.16 am.*

Resolution number REG/2017/51

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

**That the Regulatory Committee:**

- a) **receive the update on the proactive boarding house inspections in West Auckland.**
- b) **note the increase in proactive inspections from one to a minimum of three per year commencing 2017/18, in collaboration with the Ministry for Business, Innovation and Employment.**

**CARRIED**

**13 Resource Consent Appeals: Status Report 15 June 2017**

Staff were present in support of the report.

Resolution number REG/2017/52

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

**That the Regulatory Committee:**

- a) **receive the Resource Consents Appeals: Status Report 15 June 2017.**

**CARRIED**

**14 Freyberg Place**

*Cr S Stewart left the meeting at 11.26 am.*

*Cr S Stewart returned to the meeting at 11.28 am.*

Staff were present in support of the report.

Resolution number REG/2017/53

MOVED by Deputy Chairperson W Walker, seconded by Cr S Stewart:

**That the Regulatory Committee:**

- a) **pursuant to clause 7 of the Auckland Council Traffic Bylaw 2015, makes the council-controlled portion of Freyberg Place (as shown in Attachment D) a one-way road whereby a driver must travel only in an eastbound direction (from High Street to Courthouse Lane).**
- b) **pursuant to clause 8(1)(a) of the Auckland Council Traffic Bylaw 2015, prohibits the stopping or standing of any vehicle on the council-controlled portion of Freyberg Place (as shown in Attachment D) at all times.**
- c) **pursuant to clause 8(1)(d) of the Auckland Council Traffic Bylaw 2015, prohibits heavy vehicles from being driven on the council-controlled portion of Freyberg Place (as shown in Attachment D) at all times.**
- d) **revoke any previous resolutions made pursuant to any bylaw to the extent that they are in conflict with the traffic controls described in (a) and (b) and (c).**
- e) **note that the traffic controls in (a) and (b) and (c) will take effect when the traffic control devices that evidence the restrictions are in place.**
- f) **note that enforcement of the traffic controls in (a) and (b) and (c) will be delegated to Auckland Transport.**
- g) **note that the Auckland Transport Traffic Control Committee will consider equivalent traffic controls for the portion of Freyberg Place that is legal road (as shown in Attachment D).**

**CARRIED**

**15 Information Report - 18 May 2017**

Resolution number REG/2017/54

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

**That the Regulatory Committee:**

- a) **receive the information report.**

**CARRIED**

## 16 Consideration of Extraordinary Items

There were no extraordinary items.

## 17 Procedural motion to exclude the public

Resolution number REG/2017/55

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

**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 Recommendation for the appointment of District Licensing Committee chairs and members 2017-2020

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)(a) - The withholding of the information is necessary to protect the privacy of natural persons, including that of a deceased person.  In particular, the report contains the names of people recommended as District Licensing Committee chairs and members. This information should not be made public until the Regulatory Committee endorses the recommendations and the successful applicants confirm their acceptance of the appointment.	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 Recommendation for the appointment of independent hearings commissioners 2017-2020

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)(a) - The withholding of the information is necessary to protect the privacy of natural persons, including that of a deceased person.  In particular, the report contains the names of people recommended for appointment as independent hearings commissioners.	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.

	<p>This information should not be made public until the Regulatory Committee endorses the recommendations and the successful applicants confirm their acceptance of the appointment.</p>	
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**C3 Designation of independent commissioners as duty commissioners to determine resource consent applications**

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
<p>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.</p>	<p>s7(2)(a) - The withholding of the information is necessary to protect the privacy of natural persons, including that of a deceased person.</p> <p>In particular, the report contains the recommended names of duty commissioners for the coming year and it is necessary to protect the privacy of these individual prior to their appointment.</p>	<p>s48(1)(a)</p> <p>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.</p>

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**

11.43am 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.

12.08pm The public was re-admitted.

**RESTATEMENTS**

It was resolved while the public was excluded:

**C1 Recommendation for the appointment of District Licensing Committee chairs and members 2017-2020**

Resolution number REG/2017/56

MOVED by IMSB Member D Taipari, seconded by Cr R Hills:

- e) agree that the successful candidate appointments will be made public once criminal history checks have been completed and successful candidates have been advised and confirmed acceptance of their appointment.



**C2 Recommendation for the appointment of independent hearings commissioners 2017-2020**

Resolution number REG/2017/57

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

- c) agree that the successful candidate appointments will be made public once criminal history checks have been completed and successful candidates have been advised and confirmed acceptance of their appointment.

**C3 Designation of independent commissioners as duty commissioners to determine resource consent applications**

Resolution number REG/2017/58

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

That the Regulatory Committee:

Restatement

- d) agree that the report and resolutions be re-stated in the open section of the minutes once the duty commissioners have been advised and confirmed acceptance of their appointment.

12.09 pm

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:**.....