Date: Thursday 8 March 2018  
Time: 9.30am  
Meeting Room: Room 1, Level 26  
Venue: 135 Albert St  
Auckland

Regulatory Committee

OPEN ATTACHMENTS

ADDITIONAL ATTACHMENTS UNDER SEPARATE COVER

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11.30am to 3pm
February 8 2018
Regulatory Committee
Public Safety and Nuisance bylaw
Review (PSN) Workshop
3. Key principles / considerations
2. PSN Bylaw review scope and progress
1. Workshop objectives

Workshop overview

4. Closer look at six PSN topics - discussion and questions

5. Next steps
• Approach to formal decision making

• Are any changes necessary?

• Is the current bylaw working?

More in-depth look at six PSN topics covers:

1. Workshop objectives
Street naming and numbering on buildings

Additional controls for parks and beaches

Obstructions in any public place

Damage in any public place

Nuisance, safety, and behaviour in a public place

28 topics in 5 groups of varying complexity:

2. Scope and progress of bylaw review
Next steps

- Completed Aucklanders' views - to understand the issues and bylaw effectiveness and

Phase 1: Research and engagement
3. Key principles/considerations

- Activity
- Graduated enforcement approach to prioritise enforcement
- Council approach to compliance is driven by Council’s
  - Need the right mix of tools to achieve the outcome
  - Effectiveness – achieving outcomes
- Complementary initiatives can help lift the bylaw efficiency and
  - Education
    - Sometimes, a bylaw is one part of a wider approach (e.g.,
      - Complex social issues)
    - Sometimes, a bylaw is not effective (e.g., begging and other

Attachment C
Risk Profiles

- High Risk
  - Goal: Make it easy to comply and end
  - Make it easy
  - Easy to use accessible services
  - Clear, concise and well-composed
  - Primary, focus
  - Goal: Where confidence is low and end
  - Send a message
  - Communication
  - Communication components of non
  - Strong and coordinated
  - Clear and convincing
  - Effective, accessible
  - Goal: To address immediate needs of issue

- Low Risk
  - Goal: Make it easy to comply and end
  - Easy to use accessible services
  - Clear, concise and well-composed
  - Primary, focus
  - Goal: Where confidence is low and end
  - Send a message
  - Communication
  - Communication components of non
  - Strong and coordinated
  - Clear and convincing
  - Effective, accessible
  - Goal: To address immediate needs of issue

Effective Intelligence Gathering and Analysis

The matrix to the right shows the potential harm and potential rewards towards the attitude and motivation of selecting the compliance tool based on the attitude and motivation of the attitudes and motivational of the areas where the approaches that may be required when the approaches that may be required when the approaches that may be required when the approaches that may be required when

Approach requires both an effective regulatory
4. Closer look at six PSN topics

1. Building/property numbers
2. Car window washing
3. Fireworks
4. Lifesaving equipment
5. Storing and packing goods
6. Street naming
nuisance and safety risk.

- Can impact emergency services and mail delivery
- Problem elsewhere
- Issues in CBD with numbers missing – not a big
- Degree of non-compliance with NZ Address Standard

Problem now? Yes

1. Building/property numbers
Attachment C

Item 13

Implementation:

- Property Team mandated through LGA 1974 to allocate names and numbers – bylaw clause not required – policy could be used
- Update business processes – planning, consents etc. to increase compliance
- Increase public / businesses’ awareness of standard
- Auckland Transport bylaw – requires display of names numbers, responsible for maintenance

DRAFT RECOMMENDATION: Revoke numbering clause
- Police are better equipped to enforce.
- Police to fine offenders
- Regulatory alternative exists = legislation that enables
- Council intervention = risky and ineffective
- Complainants = high
- Still a nuisance and safety problem at intersections
- Problem now? Yes

2. Car window washing
Attachment C

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Auckland Council

Regulatory Committee
08 March 2018

Attachment C

Amendment Act:

Police manage enforcement under Land Transport Implementation:

DRAT RECOMMENDATION: Revise clause on window washing
Irresponsible fireworks behaviour on public and private property.

• Summary offences Act 1981 provides police with power to address

• Few issues related to fireworks on private property

• Difficult to enforce – education is the main tool used

• Public comply

• Bylaw sends a message about use of public places - most of the

nuisance

• High number of complaints, significant problem = safety and

Problem now? Yes

• Fireworks
Regulatory Committee
08 March 2018

Attachment C

Item 13

Issue as required

- Amend wording to enable a strict liability offence so fines can be
  equivalent to police powers
- Revoke bylaw clause on nuisance on private property and rely on
  return bylaw clause that bans letting off fireworks on public places

DRAFT RECOMMENDATION - FIREWORKS
Parks staff act to reinstate/repair equipment as required. Enforcement

The Local Government Act 2002 provides a regulatory alternative for

The bylaw has not been used recently

Could be significant safety issue

9% of survey respondents had seen

Still problem? Yes (Although the bylaw not recently used)

4. Lifesaving equipment
Activity without Council permission.
Inconsistent with Trading in Public Places Bylaw prohibits the activity.

- Bylaw regulates the nuisance and safety impacts/risk.
- Police could respond—unlikely to prioritise response.
- Can cause safety/nuisance issues.
- Still an issue but limited data on occurrence / impacts.

Problem now? Yes.

5. Storing and packing goods
Item 13

Implementation:

Permission

Amend: Wording to prevent the activity outset without Council on public place

DRRAFT RECOMMENDATION - Amend: Storing and packing goods
LC 1974.

- Council (local boards) retain power to allocate street names under
- to respond to damage, missing signs
- As a Road Controlling Authority Auckland Transport has the authority
  - Still an issue = nuisance and safety issues
  - Problem now? Yes

6. Street naming
Attachment C

Item 13

Under LGA 1974:

- Council still allocates street names through mandate
- Complainants’ replaces/repairs street signs
- Re-try on mirror bylaw - Auckland Transport responds to

Implementation:

DRAFT RECOMMENDATION - Revoke clauses on street names
5. Next Steps

- Finish Line
- Special Consultative Procedure
- Proposal for public notification
- Regulatory Committee decision on statement of
  options by August 2018
- Regulatory Committee decision on the review and
  and options reports
- Further research and engagement to finalise review

Attachment D
Item 13
Memo

To: Chair and members of the Regulatory Committee
From: Kataraina Maki – GM, Community and Social Policy

Subject: Public Safety and Nuisance Bylaw review – Schedule of reports to Regulatory Committee May – June 2018

Purpose
1. To outline when topics within the Public Safety and Nuisance Bylaw 2013 (the Bylaw) review will be reported to the Regulatory Committee.

Background
2. The review of the Bylaw must be completed by the statutory deadline of August 2018. The reporting schedule sets out a process to meet this deadline.
3. Elected members at the Regulatory Committee Workshop on 8 February 2018 indicated that the review should be divided into parts and reported to consecutive Regulatory Committee meetings. This is to ensure elected members can adequately consider the 49 topics contained in the Bylaw.

Reporting Schedule
4. The below table lists when each topic that will be reported to the Regulatory Committee.
5. Each report will contain an assessment of each clause that meets statutory review requirements (including appropriateness of bylaw, bylaw form and bill of rights issues). It will also include recommendations on the next steps (e.g. whether the Bylaw clause should be confirmed, amended or revoked).

<table>
<thead>
<tr>
<th>Regulatory Committee Meeting</th>
<th>General Topic Category (examples)</th>
<th>Number of topics</th>
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<tr>
<td>March</td>
<td>Street naming, building/property numbering, car window washing, fireworks, lifesaving equipment, storage of goods</td>
<td>6</td>
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<tr>
<td>April</td>
<td>Damage and obstructions (including damaging, removing, interfering with council property)</td>
<td>12</td>
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<tr>
<td>May</td>
<td>Nuisance / Safety behaviour (including begging, skateboarding, PA systems, lighting fires, graffiti)</td>
<td>11</td>
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<tr>
<td>June</td>
<td>Parks and beaches (including set netting, use of weapons, killing animals, cars on beaches)</td>
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Next Steps
6. From June staff will prepare a Statement of Proposal to implement the decisions of the Regulatory Committee to confirm, amend, or revoke the Bylaw.
7. The Statement of Proposal will be reported to the Regulatory Committee to recommend to the Governing Body for the purposes of public consultation, and appoint a panel. The panel will consider public views and make a recommendation to the Governing Body.
8. This process is anticipated to start in August 2018 and be completed by March 2019.