
Komiti Whakahaere ā-Ture / 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, 8 March 2018 at 9.31am.

PRESENT

| | | |
|---------------------------|--------------------------|---------------------|
| Chairperson | Cr Linda Cooper, JP | |
| Deputy Chairperson | Cr Bill Cashmore | |
| Members | Cr Sharon Stewart, QSM | |
| | Cr Wayne Walker | From 9.37am, Item 9 |
| | Cr John Watson | |
| | IMSB Member Glenn Wilcox | |

ABSENT

Hon Mayor Phil Goff, JP
Cr Efeso Collins
Cr Richard Hills
Cr Daniel Newman, JP
Cr Dick Quax
IMSB Chair David Taipari

ALSO PRESENT

Dr Cr Cathy Casey

1 Apologies

Resolution number REG/2018/10

MOVED by Chairperson L Cooper, seconded by Cr S Stewart:

That the Regulatory Committee:

- a) **accept the apologies from Mayor P Goff for absence on Council business, Cr E Collins, Cr R Hills, Cr D Quax and IMSB Chair D Taipari for absence.**

CARRIED

Note: An apology was subsequently received from Cr D Newman for absence.

2 Declaration of Interest

IMSB Member G Wilcox declared an interest in Item 9: Ara Tūhono Warkworth to Wellsford project - Notice of Requirement, Resource Consents and Environmental Protection Authority Process 2018.

3 Confirmation of Minutes

Resolution number REG/2018/11

MOVED by Chairperson L Cooper, seconded by Deputy Chairperson BC Cashmore:

That the Regulatory Committee:

- a) **confirm the ordinary minutes of its meeting, held on Thursday, 8 February 2018, 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

There was no local board input.

7 Extraordinary Business

There was no extraordinary business.

8 Notices of Motion

There were no notices of motion.

Adjournment of Meeting

Resolution number REG/2018/12

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

That the Regulatory Committee:

- a) **agree to adjourn the meeting from 9.35am until 9.37am.**

CARRIED

The meeting adjourned at 9.35am and reconvened at 9.37am.

Cr W Wayne joined the meeting.

9 Ara Tūhono Warkworth to Wellsford project - Notice of Requirement, Resource Consents and Environmental Protection Authority Process 2018

IMSB Member G Wilcox declared an interest in this item and left the table at 9.37am.

Resolution number REG/2018/13

MOVED by Deputy Chairperson BC Cashmore, seconded by Cr S Stewart:

That the Regulatory Committee:

- a) **agree that the council's response to the Environmental Protection Authority in relation to the notice of requirement and applications for resource consent for the Warkworth to Wellsford Projects is to:**
- i) **agree that the Warkworth to Wellsford Project is a proposal of national significance**
 - ii) **recommend that the Warkworth to Wellsford Project should be referred to a Board of Inquiry**
 - iii) **confirm that Auckland Council has the capacity to process the matter if required.**
- b) **delegate to the Chair and Deputy Chair of the committee and a member of the Independent Māori Statutory Board, working with Manager North West & Islands Planning and the Manager North West Resource Consents, the task of preparing a list of potential Board of Inquiry members with expertise in the areas of planning, ecology, engineering, landscape architecture, and tikanga Māori, should the Minister refer the Warkworth to Wellsford Project to a Board of Inquiry.**

CARRIED

IMSB Member G Wilcox returned to the table at 9.43am

10 Revocation of a resolution endorsing the construction of a stormwater channel through 1 Takanini School Road

Resolution number REG/2018/14

MOVED by Chairperson L Cooper, seconded by Cr J Watson:

That the Regulatory Committee:

- a) **revoke the following decision carried at the 6 July 2017 meeting of the Regulatory Committee:**

Resolution number REG/2017/68:

That the Regulatory Committee:

- b) ***endorse the construction of an overland flow path channel through Lot 2 DP 157092 at 1 Takanini School Road, Takanini as the only practical route, being the lowest point in the catchment, pursuant to section 460 of the Local Government Act 1974 and as referenced on approved plans under EPA – 2016 - 642 - Stg 6C dated 15th February 2017.***

CARRIED

11 Public safety and nuisance bylaw review and direction for any changes 2018

Resolution number REG/2018/15

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

That the Regulatory Committee:

As required by section 160(1) of the Local Government Act 2002

- a) **determines that a bylaw is not the most appropriate way to address the following issues:**
- i) **street naming (clause 10(1)-(3))**
 - ii) **building and property numbers (clause 10(4)-(6))**
 - iii) **car window washing (clause 6(1)(g))**
 - iv) **fireworks in other places (clause 6(3)(b))**
 - v) **safety or lifesaving equipment (clause 9(5)(q)).**
- b) **determines that a bylaw is the most appropriate way to address the following matters:**
- i) **fireworks in public places (clause 6(3)(a))**
 - ii) **storing or packing goods (clause 8(1)(e)).**
- c) **determines that the Auckland Council Public Safety and Nuisance Bylaw 2013 does not give rise to any unjustified implications under the New Zealand Bill of Rights Act 1990.**
- d) **determines that the Auckland Council Public Safety and Nuisance Bylaw 2013 is not the most appropriate form of bylaw.**

As provided for in section 160(3) of the Local Government Act 2002

- e) request a statement of proposal that amends the Auckland Council Public Safety and Nuisance Bylaw 2013 as detailed in Attachment A that:
 - i) repeals bylaw clauses about issues in (a)
 - ii) amends bylaw clauses about issues in (b)
 - iii) amends the general form of the bylaw as detailed in this report.

CARRIED

12 Resource Consents: Quarterly Hearings Report March 2018

Resolution number REG/2018/16

MOVED by Cr J Watson, seconded by Cr S Stewart:

That the Regulatory Committee:

- a) receive the Resource Consents: Quarterly Hearings Report March 2018.

CARRIED

13 Regulatory Committee Summary of Information Items - 8 March 2018

Resolution number REG/2018/17

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

That the Regulatory Committee:

- a) receive the information report.

CARRIED

14 Objection against a Menacing Dog Classification

For health reasons the objector, Ms R Maud, requested the hearing of her objection to the menacing dog classification be deferred.

The Chair has agreed to defer the hearing until the next meeting of the Regulatory Committee which is scheduled for Thursday, 12 April 2018.

15 Consideration of Extraordinary Items

There was no consideration of extraordinary items.

10.05am

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:.....