Minutes of a meeting of the Regulatory Committee held in the Room 1, Level 26, 135 Albert St, Auckland on Thursday, 14 June 2018 at 9.30am.

PRESENT

Chairperson
Cr Linda Cooper, JP
Deputy Chairperson
Deputy Mayor Bill Cashmore
Members
Cr Josephine Bartley
Cr Fa’anana Efeso Collins
Cr Richard Hills
Cr Daniel Newman, JP
Cr Sharon Stewart, QSM
IMSB Chair David Taipari
IMSB Member Glenn Wilcox

From 9.41am, Item 9
From 9.44am, Item 9
Until 10.20am, Item 10

ABSENT

(Ex-officio)
Mayor Hon Phil Goff, CNZM, JP
Cr Wayne Walker
For leave of absence

ALSO PRESENT

Cr Dr Cathy Casey
1 Apologies

Resolution number REG/2018/40

MOVED by Deputy Chairperson BC Cashmore, seconded by Cr E Collins:

That the Regulatory Committee:

a) accept the apologies from Cr Josephine Bartley for lateness, Mayor P Goff for absence and Cr Sharon Stewart for early departure.

CARRIED

2 Declaration of Interest

There were no declarations of interest.

3 Confirmation of Minutes

Resolution number REG/2018/41

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

That the Regulatory Committee:

a) confirm the ordinary minutes of its meeting held on Thursday, 10 May 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.
9  Trade Waste Bylaw Findings Report - (from Watercare)

Cr J Bartley entered the meeting at 9.41 am.
Cr D Newman entered the meeting at 9.44 am

A PowerPoint presentation was provided. A copy of the presentation has been placed on the official minutes and is available on the Auckland Council website as a minutes attachment.

Resolution number REG/2018/42

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

That the Regulatory Committee:

a) endorse the findings in the “Auckland Council Trade Waste Bylaw 2013: 2018 Review Findings Report” (Appendix A of Watercare’s report), in particular that:
   i) trade waste discharge continue to pose risks that require regulating.
   ii) the Auckland Council Trade Waste Bylaw 2013 has been effective in managing risks, but it could be improved.

b) request an options report responding to the findings in clause a) above, towards completing the statutory review of the Auckland Council Trade Waste Bylaw 2013.

CARRIED

Attachments

A 14 June 2018 Regulatory Committee Item 9: Trade Waste Bylaw Findings Report (from Watercare)

10  Review of the Public Safety and Nuisance Bylaw 2013

Cr S Stewart left the meeting at 10.20 am.

A PowerPoint presentation was provided. A copy of the presentation has been placed on the official minutes and is available on the Auckland Council website as a minutes attachment.

Resolution number REG/2018/43

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

That the Regulatory Committee:

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

a) determine that a bylaw is not the most appropriate way to address the following matters in public places:
   i) gates in parks (clause 9(5)(i))
   ii) cleaning or leaving fish on a beach (clause 9(5)(p))
   iii) damage to council property within the road corridor (clause 7(1)(a)).

b) determine that a bylaw is the most appropriate way to address the following matters in public places:
   i) access to parks and beaches (clauses 9(1), (2), (5)(a))
   ii) recreational beach activities and controls (clauses 9(3), (4), (7))
   iii) aircraft on a park or beach (clause 9(5)(b)(i)(ii))
iv) prohibiting or restricting activities on a park or beach (clauses 9(5)(c), (d), (g), (h))

v) vehicles on parks (clauses 9(5)(e), (f), (j))

vi) weapons, traps, or instruments of a dangerous nature on parks (clause 9(5)(k))

vii) removing, harming, killing, releasing or losing control of any animal on parks (clause 9(5)(l))

viii) vehicles on beaches (clause 9(5)(m))

ix) leaving a boat on a beach (clauses 9(5)(n)(i)(ii), (o)).

c) determine that the Auckland Council Public Safety and Nuisance Bylaw 2013 does not give rise to any unjustified implications and is not inconsistent with the New Zealand Bill of Rights Act 1990.

d) determine 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 of the agenda report that:

i) revokes 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.

f) agree that the determinations in clauses a) to d) above, and in Regulatory Committee resolutions REG/2018/15, REG/2018/20 and REG/2018/38 completes the statutory review of the Public Safety and Nuisance Bylaw 2013 in accordance with section 160(1) Local Government Act 2002.

CARRIED

Attachments

A 14 June 2018 Regulatory Committee Item 10: Review of Public Safety and Nuisance Bylaw 2013


Resolution number REG/2018/44

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

That the Regulatory Committee:

a) endorse the findings the Auckland Council Policy on Dogs 2012 and Dog Management Bylaw 2012: 2018 Findings Report (Attachment A of the agenda report), in particular that:

i) regulation is required the minimise the problems caused by dogs to ensure that dogs remain a positive part of life in Auckland

ii) the current Policy and Bylaw are effective in managing dogs, however these could be improved.

b) agree that staff report back on options report responding to the findings in clause a) above, towards completing the statutory review of the Auckland Council Policy on Dogs 2012 and Dog Management Bylaw 2012.
c) agree that staff report back on options for dog access rules in regional parks.  
CARRIED

12 Request to Appoint Hearing Commissioners for Plan Change 7 (Additions to Heritage Schedule) to the Auckland Unitary Plan (Operative in Part)

Resolution number REG/2018/45

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

That the Regulatory Committee:

a) appoint two Independent Commissioners, David Meade as chair, and Richard Knott, to hear submissions on Plan Change 7 to the Auckland Unitary Plan (Operative in Part)

b) appoint one local board member, Lisa Whyte, to be part of the Hearing Panel to hear submissions on Plan Change 7 to the Auckland Unitary Plan (Operative in Part)

c) delegate to the Hearing Panel appointed in clauses a) and b) above, the authority to make decisions on the Plan Change

d) delegate authority to the chairperson of the Regulatory Committee to make replacement appointments to the Hearing Panel (as contained in clauses a) and b) above) in the event that a member of the hearing panel is unavailable.

CARRIED

13 Request to Appoint Hearing Commissioners for Plan Change 10 (errors, anomalies and information update) to the Auckland Unitary Plan (Operative in Part)

Resolution number REG/2018/46

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

That the Regulatory Committee:

a) appoint up to two Independent Commissioners, David Meade as chair, and Richard Knott, to hear submissions on Plan Change 10 to the Auckland Unitary Plan (Operative in part);

b) appoint one local board member, Lisa Whyte, to be part of the Hearing Panel to hear submissions on Plan Change 10 to the Auckland Unitary Plan (Operative in Part);

c) delegate to the Hearing Panel appointed in clauses a) and b) above, the authority to make decisions on the Plan Change; and

d) delegate authority to the chairperson of the Regulatory Committee to make replacement appointments to the Hearing Panel (as contained in clauses a) and b) above) in the event that a member of the hearing panel is unavailable.

CARRIED
14 Regulatory Committee Summary of Information Items - 14 June 2018

Resolution number REG/2018/47

MOVED by Deputy Chairperson BC Cashmore, seconded by Cr R Hills:

That the Regulatory Committee:

a) receive the information report.

CARRIED

15 Consideration of Extraordinary Items

There was no consideration of extraordinary items.

10.49am

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:................................................................................