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## Komiti Whakahaere ā-Ture / 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, 12 July 2018 at 9.32am.

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### PRESENT

<b>Chairperson Members</b>	Cr Linda Cooper, JP	
	Cr Josephine Bartley	
	Cr Richard Hills	
	Cr Sharon Stewart, QSM	
	IMSB Chair David Taipari	from 9.47am, Item 9
	Cr John Watson	
	IMSB Member Glenn Wilcox	from 9.35am, Item 8

### ABSENT

(Ex-officio) Deputy Chairperson	Mayor Hon Phil Goff, CNZM, JP	
	Deputy Mayor Bill Cashmore	
	Cr Efeso Collins	
	Cr Wayne Walker	For leave of absence

### ALSO PRESENT

Cr Dr Cathy Casey

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## 1 Apologies

Resolution number REG/2018/48

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

**That the Regulatory Committee:**

- a) **accept the apology from Mayor P Goff, Deputy Mayor B Cashmore and Cr E Collins for absence on council business and Cr D Newman for lateness.**

**CARRIED**

## 2 Declaration of Interest

There were no declarations of interest.

## 3 Confirmation of Minutes

Resolution number REG/2018/49

MOVED by Chairperson L Cooper, seconded by Cr R Hills:

**That the Regulatory Committee:**

- a) **confirm the ordinary minutes of its meeting, held on Thursday, 14 June 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 Submission of the Trade Waste Bylaw Options - July 2018

*IMSB Member G Wilcox entered the meeting at 9.35 am.*

Resolution number REG/2018/50

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

**That the Regulatory Committee:**

- a) **agree that council has completed its statutory review of the Auckland Council Trade Waste Bylaw 2013 in accordance with section 160(1) Local Government Act 2002, and determine that the outcome of the review is that:**
  - i) **a bylaw is the most appropriate way to minimise the risks to the health and safety of people, the environment, and the wastewater system.**
  - ii) **the Auckland Council Trade Waste Bylaw 2013 is not the most appropriate form of bylaw because it does not properly regulate certain trade waste discharges.**
  - iii) **the Auckland Council Trade Waste Bylaw 2013 does not give rise to any implications and is not inconsistent with the New Zealand Bill of Rights Act 1990.**
- b) **agree that Option 2: amend current bylaw framework is the preferred option to better manage trade waste issues that responds to the statutory review findings.**
- c) **request a statement of proposal that amends the Auckland Council Trade Waste Bylaw 2013 as detailed in Attachment A for Option 2: amend current bylaw framework.**

**CARRIED**

## 9 Health and Hygiene Bylaw 2013 Statement of Proposal

*IMSB Chair D Taipari entered the meeting at 9.47 am.*

Resolution number REG/2018/51

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

**That the Regulatory Committee:**

- a) **note that this committee completed the statutory review of the Health and Hygiene Bylaw 2013 and:**
  - i) **determine a bylaw is still the most appropriate way to protect the public from health risks posed by services that contact the body**
  - ii) **determine the current Bylaw is not the most appropriate form of bylaw because it does not properly regulate certain services**
  - iii) **give directions to prepare amendments to the current Bylaw.**
- b) **recommend the Governing Body adopt the statement of proposal in Attachment A for public consultation and confirm that the amended Bylaw contained within this attachment:**
  - i) **is the most appropriate form of bylaw**
  - ii) **does not give rise to any implications and is not inconsistent with the New Zealand Bill of Rights Act 1990.**

- c) recommend the Governing Body forward the statement of proposal in Attachment A of the agenda report to local boards and advisory panels for their views.
- d) appoint the chair Cr Linda Cooper, panel member Cr Richard Hills and Independent Māori Statutory Board member Glenn Wilcox to attend 'Have Your Say' events, to deliberate and make recommendations to a meeting of the Governing Body on public feedback to the statement of proposal in Attachment A of the agenda report.
- e) delegate authority to the Regulatory Committee chairperson to make replacement appointments to the panel if a member of the panel is unavailable.
- f) delegate authority through the Chief Executive to a manager responsible for bylaws to appoint staff to receive public feedback at 'Have Your Say' events.
- g) delegate authority through the Chief Executive to a manager responsible for bylaws to make any amendments to the statement of proposal in Attachment A of the agenda report to correct errors, omissions or to reflect decisions made by the Regulatory Committee or the Governing Body.

**ICARRIED**

## 10 Legacy On-site Wastewater Bylaws Statement of Proposal

Resolution number REG/2018/52

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

**That the Regulatory Committee:**

- a) note that this committee completed the statutory review of the legacy on-site wastewater bylaws and:
  - i) endorse the review findings determining that the legacy on-site wastewater bylaws are no longer needed as the Auckland Unitary Plan and existing legislation regulate on-site wastewater systems
  - ii) give directions to revoke the legacy on-site wastewater bylaws
- b) recommend the Governing Body adopt the statement of proposal in Attachment A, for public consultation to confirm the revocation of the legacy on-site wastewater bylaws including:
  - i) all clauses of the Auckland City Council Bylaws: Bylaw No. 29 (Waiheke Wastewater Bylaw 2008) (i.e. the whole legacy bylaw)
  - ii) residual clauses of the North Shore City Bylaw 2000: Part 20 Wastewater
  - iii) residual clauses of the Rodney District Council General Bylaw 1998: Chapter 20 Wastewater Drainage
  - iv) residual clauses of the Papakura District Council Wastewater Bylaw 2008.
- c) appoint the chair Cr Dr Cathy Casey, panel member Cr Greg Sayers and Independent Māori Statutory Board member Tau Henare, to attend "Have Your Say" events, deliberate and make recommendations to the Governing Body on public feedback to the statement of proposal in Attachment A of the agenda report.

- d) delegate authority to the Regulatory Committee chairperson to make replacement appointments to the panel if a member of the panel is unavailable.
- e) delegate authority through the Chief Executive to a manager responsible for bylaws to appoint staff to receive public feedback at “Have Your Say” events.
- f) delegate authority through the Chief Executive to a manager responsible for bylaws to make any amendments to the statement of proposal in Attachment A of the agenda report to correct errors, omissions, or to reflect decisions made by the Regulatory Committee or Governing Body.

**CARRIED**

**11 Designation of Independent Commissioners as Duty Commissioners to determine resource consent applications**

Resolution number REG/2018/53

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

**That the Regulatory Committee:**

- a) Note the decision of the report, attachment A of this report, made under urgency, by Cr Cooper (Chairperson Regulatory Committee), Deputy Mayor Bill Cashmore (Deputy Chairperson Regulatory Committee), and IMSB Member Glenn Wilcox (Member Regulatory committee).

**CARRIED**

**12 Regulatory Committee Summary of Information Items 12 July 2018**

Resolution number REG/2018/54

MOVED by Chairperson L Cooper, seconded by Cr R Hills:

**That the Regulatory Committee:**

- a) receive the information report.

**CARRIED**

**13 Consideration of Extraordinary Items**

There was no consideration of extraordinary items.

10.00 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:**.....