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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, 14 February 2019 at 9.31am.

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#### PRESENT

<b>Chairperson</b>	Cr Linda Cooper, JP	
<b>Deputy Chairperson</b>	Deputy Mayor Cr Bill Cashmore	
<b>Members</b>	Cr Josephine Bartley	
	Cr Richard Hills	From 10.37am, Item 10
	Cr Daniel Newman, JP	From 9.50am, Item 6.1
	Cr Sharon Stewart, QSM	
	IMSB Chair David Taipari	From 9.49am, Item 6.1
	Cr Wayne Walker	
	Cr John Watson	
	IMSB Member Glenn Wilcox	From 9.43am, Item 6.1
	Cr Paul Young	

#### ABSENT

Cr Efeso Collins  
Mayor Phil Goff

#### ALSO PRESENT

Cr Dr C Casey	
Cr G Sayers	
John Gillon, Chair	Kaipatiki Local Board
Julia Parfitt, Chair	Hibiscus and Bays Local Board
George Wood, Chair	Devonport-Takapuna Local Board

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## 1 Apologies

Resolution number REG/2019/1

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

**That the Regulatory Committee:**

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

**CARRIED**

## 2 Declaration of Interest

There were no declarations of interest.

## 3 Confirmation of Minutes

Resolution number REG/2019/2

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

**That the Regulatory Committee:**

- a) **confirm the ordinary minutes of its meeting, held on Thursday, 8 November 2018 and the extraordinary minutes of its meeting, held on Friday, 16 November 2018, including the confidential section, 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

### 6.1 Kaipatiki, Hibiscus and Bays, Devonport and Takapuna Local Boards, - Auckland Council Policy on Dogs and Dog Management Bylaw Statement of Proposal

*IMSB Member G Wilcox entered the meeting at 9.43am.*

*IMSB Chair D Taipari entered the meeting at 9.49am.*

*Cr D Newman entered the meeting at 9.50am.*

Resolution number REG/2019/3

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

**That the Regulatory Committee:**

- a) **thank Local Board Chairs, John Gillon – Kaipatiki, Julia Parfitt – Hibiscus and Bays, George Wood –Devonport and Takapuna, for their input in relation to the Auckland Council Policy on Dogs and Dog Management Bylaw Statement of Proposal.**

**CARRIED**

## 7 Extraordinary Business

There was no extraordinary business.

### 8 Request to appoint Independent Hearings Commissioners to hear submissions on Plan Changes 14, 15, 16 and 17, to the Auckland Unitary Plan (Operative in part)

Resolution number REG/2019/4

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

**That the Regulatory Committee:**

- a) **appoint independent hearings commissioner Rebecca Macky to chair the independent hearings panel hearing submissions on Plan Change 14-17 to the Auckland Unitary Plan (Operative in Part);**
- b) **appoint independent commissioners Alan Watson and Karyn Kurzeja, to hear the submissions on Plan Change 15 and Plan Change 17 to the Auckland Unitary Plan (Operative in Part);**
- c) **appoint independent commissioner Russell Karu, Kitt Littlejohn and Karyn Sinclair hear the submissions on Plan Change 14 and Plan Change 16 to the Auckland Unitary Plan (Operative in Part);**
- d) **delegate to the independent commissioners appointed in clauses a), b) and c), the authority to make decisions on the Plan Changes;**
- e) **delegate to the chair of the Regulatory Committee the authority to make replacement appointments if necessary.**

**CARRIED**

## 9 Hearing on the Proposed Margan Avenue Land Exchange

Resolution number REG/2019/5

MOVED by Cr W Walker, seconded by IMSB Chair D Taipari:

**That the Regulatory Committee:**

- a) **appoint independent hearings commissioner David Hill to hear submissions and make a recommendation to the Environment and Community Committee on the proposed land exchange of 295m<sup>2</sup> of Margan Reserve, New Lynn for 295m<sup>2</sup> of adjacent land at 5 Clinker Place, New Lynn.**

**CARRIED**

## 10 Auckland Council Policy on Dogs and Dog Management Bylaw Statement of Proposal

*Cr R Hills entered the meeting at 10.37 am.*

A letter from the Waiheke Local Board was tabled. A copy has been placed on the official minutes and is available on the Auckland Council website as a minutes attachment.

MOVED by Deputy Chairperson BC Cashmore, seconded by IMSB Chair D Taipari:

**That the Regulatory Committee:**

- a) recommend that the Governing Body adopt the statement of proposal in Attachment A of the agenda report for public consultation and confirms that the draft bylaw:
  - i) is the most appropriate and proportionate way to implement aspects of the policy
  - ii) is not inconsistent with the New Zealand Bill of Rights Act 1990.
- b) recommend that the Governing Body forwards to local boards and advisory panels:
  - i) the statement of proposal in Attachment A of the agenda report for their views
  - ii) this agenda report and attachments for their information.
- c) appoint a minimum of three panel members, including a chair, from councillors and the Independent Maori Statutory Board Member to:
  - i) attend 'Have Your Say' events
  - ii) deliberate and make recommendations to the Governing Body based on public feedback on the statement of proposal in Attachment A of the agenda report.
- d) delegate authority to the chair of the Regulatory Committee to make replacement appointments to the panel if a member of the panel is unavailable.
- e) delegate authority through the chief executive to staff approved by a manager responsible for bylaws 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 the Governing Body.
- g) rescind the previous direction to "apply dog access rules that protect wildlife in Mahurangi Regional Park to allow dogs under control on-leash on Mita Bay Loop Track and prohibited from Cudlip Point Loop Track, and that a dog-friendly campground be created" [REG/2018/79] and instead retain the status-quo rules for the Mahurangi Regional Park.

The meeting adjourned at 11.39am and reconvened at 11.46am.

IMSB Chair D Taipari was not present.

*IMSB Chair D Taipari returned to the meeting 11.56am*

Note: clause h) was incorporated with the agreement of the meeting

Resolution number REG/2019/6

MOVED by Deputy Chairperson BC Cashmore, seconded by IMSB Chair D Taipari:

**That the Regulatory Committee:**

- a) **recommend that the Governing Body adopt the statement of proposal in Attachment A of the agenda report for public consultation and confirms that the draft bylaw:**
  - i) **is the most appropriate and proportionate way to implement aspects of the policy**
  - ii) **is not inconsistent with the New Zealand Bill of Rights Act 1990.**
- b) **recommend that the Governing Body forwards to local boards and advisory panels:**
  - i) **the statement of proposal in Attachment A of the agenda report for their views**
  - ii) **this agenda report and attachments for their information.**
- c) **appoint a minimum of three panel members, Cr Cooper Cr Casey, and Cr Wayne Walker, and Independent Maori Statutory Board Member G Wilcox to:**
  - i) **attend 'Have Your Say' events**
  - ii) **deliberate and make recommendations to the Governing Body based on public feedback on the statement of proposal in Attachment A of the agenda report.**
- d) **delegate authority to the chair of the Regulatory Committee to make replacement appointments to the panel if a member of the panel is unavailable.**
- e) **delegate authority through the chief executive to staff approved by a manager responsible for bylaws 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 the Governing Body.**
- g) **rescind the previous direction to "apply dog access rules that protect wildlife in Mahurangi Regional Park to allow dogs under control on-leash on Mita Bay Loop Track and prohibited from Cudlip Point Loop Track, and that a dog-friendly campground be created" [REG/2018/79] and instead retain the status-quo rules for the Mahurangi Regional Park.**
- h) **agree that the statement of proposal be amended to include an option outlining the ability for local boards to determine the time and season provisions for their local board areas.**

**CARRIED**

**Attachments**

- A 14 February 2019 Item 10: Auckland Council Policy on dogs and Dog Management Bylaw Statement of Proposal - letter from Waiheke Local Board

**11 Findings of Solid Waste Bylaw 2012 Review**

Resolution number REG/2019/7

MOVED by IMSB Member G Wilcox, seconded by Deputy Chairperson BC Cashmore:

**That the Regulatory Committee:**

- a) **endorse the findings in the “Solid Waste Bylaw 2012: 2019 Review Findings Report” (Attachment A of the agenda report) and the development of an options report that responds to the findings.**

**CARRIED**

**12 Regulatory Committee Summary of Information Items - 14 February 2019**

Resolution number REG/2019/8

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

**That the Regulatory Committee:**

- a) **receive the Regulatory Committee Summary of Information Items 14 February 2019 report.**

**CARRIED**

**13 Consideration of Extraordinary Items**

There was no consideration of extraordinary items.

12.11pm

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:**.....