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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 March 2019 at 9.32am.

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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	From 9.34am, item 2
	Cr Fa'anana Efeso Collins	
	Cr Daniel Newman, JP	From 9.35am, item 4
	Cr Sharon Stewart, QSM	
	Cr Wayne Walker	From 9.38am, item 8
	Cr John Watson	
	IMSB Member Glenn Wilcox	
	Cr Paul Young	

### ABSENT

Cr Richard Hills  
Mayor Hon Phil Goff, CNZM, JP  
IMSB Chair David Taipari

### ALSO PRESENT

Cr Dr C Casey

### IN ATTENDANCE

Peter Rodgers Watercare

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## 1 Apologies

Resolution number REG/2019/9

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

**That the Regulatory Committee:**

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

**CARRIED**

Note: An apology was subsequently received from Cr J Bartley for lateness.

## 2 Declaration of Interest

*Cr J Bartley entered the meeting at 9.34 am.*

Chairperson L Cooper advised the meeting she is the President of the Waitakere Licensing Trust but had no conflict with Item 10: Provisional Local Alcohol Policy Sub-Committee for Appeals.

## 3 Confirmation of Minutes

Resolution number REG/2019/10

MOVED by Cr J Bartley, seconded by Cr P Young:

**That the Regulatory Committee:**

- a) **confirm the ordinary minutes of its meeting, held on Thursday, 14 February 2019, as a true and correct record.**

**CARRIED**

## 4 Petitions

*Cr D Newman entered the meeting at 9.35 am.*

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 Trade Waste Bylaw 2013 - Statement of Proposal

*Cr W Walker entered the meeting at 9.38 am.*

*Cr W Walker left the meeting at 9.43 am.*

Note: changes were incorporated under clause c) with the agreement of the meeting.

Resolution number REG/2019/11

MOVED by Cr D Newman, seconded by Deputy Chairperson BC Cashmore:

**That the Regulatory Committee:**

- a) **recommend the Governing Body adopt the statement of proposal in Attachment A of the agenda report 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.**
- b) **recommend the Governing Body forward 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 Cr R Hills, IMSB Member G Wilcox and Watercare Services Ltd. board member Catherine Harland, 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 Regulatory Committee chairperson to make replacement appointments to the panel if a member of the panel is unavailable.**
- e) **delegate authority through the Watercare Services Limited Board to staff approved by a manager responsible to receive public feedback at 'Have Your Say' events.**
- f) **delegate authority through the Watercare Services Limited Board to a manager 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.**

**CARRIED**

## 9 Solid waste bylaw review 2019 and direction for changes

*Cr W Walker returned to the meeting at 9.45 am.*

Resolution number REG/2019/12

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

**That the Regulatory Committee:**

- a) **agree that a new bylaw is the most appropriate way to address waste issues related to waste collection from a public place, waste facilities (data collection), donation points, hazardous waste, multi-unit developments, events, unaddressed mail, shopping trolleys, waste nuisance and litter receptacles.**

- b) agree that a solid waste bylaw is no longer required to manage kerbside inorganic waste collection or to prevent litter from display of flags or similar items.
- c) request a statement of proposal that makes a new bylaw as detailed in Attachment A of the agenda report.

**CARRIED**

## 10 Provisional Local Alcohol Policy Sub-Committee for Appeals

Chairperson Cr L Cooper declared an interest but had no conflict with this item.

Note: changes were incorporated under subclauses a) i) – a) iii) with the agreement of the meeting.

Resolution number REG/2019/13

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

**That the Regulatory Committee:**

- a) establish a sub-committee to make urgent decisions relating to court proceedings involving the Provisional Auckland Council Local Alcohol Policy within the Terms of Reference included in Attachment A of the agenda report, which consists of:
  - i) Deputy Chair, Cr B Cashmore
  - ii) Cr J Bartley
  - iii) IMSB Member, G Wilcox.

**CARRIED**

## 11 Regulatory Committee Summary of Information Items - 14 February 2019

Resolution number REG/2019/14

MOVED by IMSB Member G Wilcox, seconded by Cr E Collins:

**That the Regulatory Committee:**

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

**CARRIED**

## 12 Consideration of Extraordinary Items

There was no consideration of extraordinary items.

### 13 Procedural motion to exclude the public

Resolution number REG/2019/15

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

**That the Regulatory Committee:**

**a) exclude the public from the following part(s) of the proceedings of this meeting.**

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution follows.

This resolution is made in reliance on section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by section 6 or section 7 of that Act which would be prejudiced by the holding of the whole or relevant part of the proceedings of the meeting in public, as follows:

#### C1 Update and Direction on Appeals against Plan Change 3: Protection of Views from Stockade Hill, Howick to the Auckland Unitary Plan (Operative in Part)

Reason for passing this resolution in relation to each matter	Particular interest(s) protected (where applicable)	Ground(s) under section 48(1) for the passing of this resolution
The public conduct of the part of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under section 7.	s7(2)(g) - The withholding of the information is necessary to maintain legal professional privilege.  In particular, the report addresses matters that relate to the two appeals before the Environment Court.	s48(1)(a)  The public conduct of the part of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under section 7.

The text of these resolutions is made available to the public who are present at the meeting and form part of the minutes of the meeting.

**CARRIED**

10.04am The public was excluded.

Resolutions in relation to the confidential items are recorded in the confidential section of these minutes and are not publicly available.

10.50am The public was re-admitted.

**RESTATEMENTS**

It was resolved while the public was excluded:

**C1 Update and Direction on Appeals against Plan Change 3: Protection of Views from Stockade Hill, Howick to the Auckland Unitary Plan (Operative in Part)**

Resolution number REG/2019/16

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

- c) agree that the decisions, report and attachments will remain confidential until the conclusion of the appeal process.

10.51am

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:**.....