
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, 11 April 2019 at 9.31am.

PRESENT

Chairperson	Cr Linda Cooper, JP	Until 10.32am
Deputy Chairperson	Deputy Mayor Cr Bill Cashmore	From 9.47am, item 8
Members	Cr Josephine Bartley	From 9.38am, item 8
	Cr Fa'anana Efeso Collins	From 9.35am, item 8
	Cr Richard Hills	
	Cr Daniel Newman, JP	From 10.04am, item 9
	Cr Sharon Stewart, QSM	
	IMSB Chair David Taipari	
	Cr Wayne Walker	
	Cr John Watson	
	IMSB Member Glenn Wilcox	
	Cr Paul Young	

ABSENT

Ex-officio	Mayor Hon Phil Goff, CNZM, JP
------------	-------------------------------

ALSO PRESENT

Cr Cathy Casey	From 10.01am, item 9
----------------	----------------------

1 Apologies

Resolution number REG/2019/17

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

That the Regulatory Committee:

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

CARRIED

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

2 Declaration of Interest

Cr J Bartley advised the meeting she is the Director for the company Resource Recovery and Social Enterprise but had no conflict with Item 10: Waste Bylaw Statement of Proposal.

Chairperson L Cooper advised the meeting she is the President of the Waitakere Licensing Trust and had a conflict with Item 11: Update on the development of an alcohol fees bylaw 2018.

3 Confirmation of Minutes

Resolution number REG/2019/18

MOVED by IMSB Member G Wilcox, seconded by Cr W Walker:

That the Regulatory Committee:

- a) **confirm the ordinary minutes of its meeting, held on Thursday, 14 March 2019, 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

There was no local board input.

7 Extraordinary Business

There was no extraordinary business.

8 Findings of Alcohol Control Bylaw 2014 Review

Cr E Collins entered the meeting at 9.35 am.
Cr J Bartley entered the meeting at 9.38 am.
Cr B Cashmore entered the meeting at 9.47 am.

Resolution number REG/2019/19

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

That the Regulatory Committee:

- a) **endorse the findings (Attachment A of this report) to complete the statutory review of the Alcohol Control Bylaw 2014, including that:**
 - i) **a bylaw about the consumption or possession of alcohol in public places is still the most appropriate way to address crime or disorder in certain public places caused or made worse by alcohol consumed there.**
 - ii) **the current bylaw does not give rise to any implications and is not inconsistent with the New Zealand Bill of Rights Act 1990.**
 - iii) **the current bylaw structure and wording could be improved.**
- b) **request an options report in response to the findings in clause a) outlined above.**

CARRIED

9 Findings of Cemeteries and Crematoria Bylaw 2014 Review

Cr E Collins left the meeting at 9.59 am.
Cr C Casey entered the meeting at 10.01 am.
Cr D Newman entered the meeting at 10.04 am.

Resolution number REG/2019/20

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

That the Regulatory Committee:

- a) **endorse the findings (Attachment A of this report) to complete the statutory review of the Cemeteries and Crematoria Bylaw 2014, including that:**
 - i) **a bylaw about council cemeteries and crematoria is still the most appropriate way to manage activities that may cause public safety hazards, damage to property, and unnecessary distress to mourners or relatives.**
 - ii) **the current bylaw does not give rise to any implications and is not inconsistent with the New Zealand Bill of Rights Act 1990.**
 - iii) **the current bylaw framework approach to enable detailed rules to be made in a separate code is appropriate but could be improved to reflect current best practice drafting standards.**
 - iv) **the Cemeteries and Crematoria Code of Practice 2014 requires updating.**
- b) **request an options report in response to the findings in clause a) outlined above.**

CARRIED

10 Waste Bylaw Statement of Proposal

Cr J Bartley declared an interest but had no conflict with this item.

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

Cr E Collins returned to the meeting at 10.27 am.

Resolution number REG/2019/21

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

That the Regulatory Committee:

- a) **note that this committee completed the review of the Solid Waste Bylaw 2012 in March 2019 and:**
 - i) **determined a bylaw is still the most appropriate way to address some waste issues, but not others**
 - ii) **gave directions to prepare a new bylaw about waste.**
- b) **recommend the Governing Body adopt the statement of proposal in Attachment A of the agenda report for public consultation, and confirm that the proposed new Waste Management and Minimisation Bylaw 2019 and amendments to the Trading and Events in Public Places Bylaw 2015:**
 - i) **are the most appropriate form of bylaw**
 - ii) **do not give rise to any implications and are not inconsistent with the New Zealand Bill of Rights Act 1990**
 - iii) **are not inconsistent with the Waste Plan.**
- c) **appoint Cr L Cooper, Cr P Hulse Cr W Walker and Independent Māori Statutory Board Member Glenn Wilcox to attend ‘Have Your Say’ events, to 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 to correct errors, omissions or to reflect decisions made by the Regulatory Committee or the Governing Body.**
- g) **request through the Chief Executive that the manager responsible for local board services include this report and attachments on the waste bylaw statement of proposal on the agenda of all local boards for their information.**

CARRIED

11 Update on the development of an alcohol fees bylaw 2019

Chairperson Cr L Cooper declared an interest in this item.

The Chairperson Cr L Cooper vacated the chair in favour of the Deputy Chairperson, Cr B Cashmore and left the meeting at 10.32am.

Resolution number REG/2019/22

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

That the Regulatory Committee:

- a) **note that cost recovery for the alcohol licensing process for the financial year ending 2018 was 99 per cent and development of a new alcohol fees bylaw be delayed.**
- b) **agree that a findings and options report will be provided to the committee for an alcohol fees bylaw if cost recovery for the alcohol licensing process is at 95 per cent or less for the financial year ending 2019.**

CARRIED

12 Regulatory Committee Summary of Information Items - 11 April 2019

Resolution number REG/2019/23

MOVED by IMSB Chair D Taipari, seconded by Cr E Collins:

That the Regulatory Committee:

- a) **receive the Regulatory Committee Summary of Information Items 11 April 2019 report.**

CARRIED

13 Consideration of Extraordinary Items

There was no consideration of extraordinary items.

10.38 am

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:.....