Minutes of a meeting of the Regulatory Committee held in Room 1, Level 26, 135 Albert St, Auckland on Thursday, 13 June 2019 at 9.32am.

PRESENT

Chairperson
Cr Linda Cooper, JP

Deputy Chairperson
Deputy Mayor Cr Bill Cashmore

Members
Cr Josephine Bartley
Cr Fa’anana Efeso Collins
Cr Richard Hills
Cr Daniel Newman, JP
Cr Sharon Stewart, QSM
Cr Wayne Walker
Cr John Watson
IMSB Member Glenn Wilcox
Cr Paul Young

ABSENT

Ex-officio
Mayor Hon Phil Goff, CNZM, JP
IMSB Chair David Taipari
1 Apologies

Resolution number REG/2019/31

MOVED by Chairperson L Cooper, seconded by Cr E Collins:

That the Regulatory Committee:

a) accept the apology from D Taipari and Mayor Hon Phil Goff.  

CARRIED

Note: an apology was subsequently received from Cr W Walker for early departure.

2 Declaration of Interest

Chairperson L Cooper advised the meeting she is the President of the Waitakere Licensing Trust and had an interest in Item 8 - Update on compliance work with taverns hosting pokie machines.

3 Confirmation of Minutes

Resolution number REG/2019/32

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

That the Regulatory Committee:

a) confirm the ordinary minutes of its meeting, held on Thursday, 9 May 2019, as a true and correct record.

CARRIED

4 Petitions

There were no petitions.

5 Public Input

5.1 Public Input: Dr Grant Hewison and David Hay - Update on compliance work with taverns hosting pokie machines

Cr R Hills entered to the meeting at 9.34am.
Cr J Watson entered to the meeting at 9.37am.
Cr W Walker entered to the meeting at 9.38am.
Cr J Bartley entered to the meeting at 9.39am.
Cr D Newman entered to the meeting at 9.51am.

Resolution number REG/2019/33

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

That the Regulatory Committee:

a) receive the presentation from Dr Grant Hewison and David Hay regarding Update on compliance work with taverns hosting class 4 gaming machines and thank them for their attendance.

CARRIED
6 Local Board Input

There was no local board input.

7 Extraordinary Business

There was no extraordinary business.

8 Update on compliance work with taverns hosting pokie machines

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 10.02am.

Resolution number REG/2019/34

MOVED by Cr E Collins, seconded by Cr J Bartley:

That the Regulatory Committee:

a) note the update on the actions being taken by alcohol licensing inspectors to ensure that taverns and restaurants hosting gaming machines (pokies) are complying with the conditions of their alcohol licence.

b) note that the recent decisions by the Department of Internal Affairs that caused concern to the community have not adversely impacted on the Council’s sinking lid pokie policy.

c) note that there are currently no regulations limiting the number of gaming machines within New Zealand or any area within New Zealand.

d) request officers to report to this committee and The Minister of Internal Affairs regulations that give effect to section 314 of the Gambling Act.

e) request officers to report to this committee on how the decision on Counties Inn Pukekohe can be reviewed.

CARRIED

Cr B Cashmore vacated the chair. Cr L Cooper returned to the meeting and resumed the chair at 10.28am.

9 Summary of Regulatory Committee information memoranda and briefings - 13 June 2019 including the Forward Work Programme

Resolution number REG/2019/35

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

That the Regulatory Committee:

a) receive the Regulatory Committee Summary of Information Items for 13 June 2019

b) note the progress on the forward work programme appended at Attachment D of the agenda report.

CARRIED
10 Objection to construction of stormwater pipe at 61 Godden Crescent, Mission Bay

Cr W Walker left the meeting at 10.52 am.

The hearing proceeded as follows:

- Applicant Chris Davids, Derrick Reelick and Peter Dobbs addressed the Committee and proposed why to lay the drain in the advised location.
- Lawyer Peter Webb, representing owner of property, was given the opportunity to outline the objection to the proposal.
- Council Officers Leigh Steckler and Alex Cumming addressed the Committee.
- The applicants exercised their right of reply to matters raised by Council Officers that have not already been addressed.

The Chairperson advised that the Committee would consider and determine the application with the public excluded.

11 Consideration of Extraordinary Items

There was no consideration of extraordinary items.

Public Excluded

Resolution number REG/2019/36

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:

<table>
<thead>
<tr>
<th>Reason for passing this resolution in relation to each matter</th>
<th>Particular interest(s) protected (where applicable)</th>
<th>Ground(s) under section 48(1) for the passing of this resolution</th>
</tr>
</thead>
<tbody>
<tr>
<td>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.</td>
<td>s7(2)(i) - The withholding of the information is necessary to enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).</td>
<td>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.</td>
</tr>
</tbody>
</table>

The Chairperson advised that the Committee would consider and determine the application with the public excluded.
11.22am The public was excluded
11.30am The public was readmitted

RESTATEMENTS

It was resolved while the public was excluded:

C1 Objection to construction of stormwater pipe at 61 Godden Crescent, Mission Bay
Resolution number REG/2019/37
MOVED by Cr D Newman, seconded by Deputy Chairperson BC Cashmore:
That the Regulatory Committee:

a) hear and determine the objections by the owner of 61 Godden Crescent according to clause 1(e) of Schedule 12 of the Local Government Act 2002, and

b) determine to proceed with construction of the pipeline at 61 Godden Crescent (as shown in Attachment A) according to clause 1(e) of Schedule 12 of the Local Government Act 2002 for following reasons:

i) the proposed connection to the public system is the closest and most practicable option

ii) the design and location of the preferred option minimises the number of private properties it needs to cross

iii) the works have been designed with sufficient capacity to serve the development as well as stormwater flows from the uphill catchment if additional properties are built

iv) 61 Godden Street has the available clearance and space for installation of the pipe.

v) the least number of property owners who would be impacted

vi) the least level of disruption property owners would experience from works

vii) the least interference with existing services in the area, such as wastewater pipes

Restatement

c) agree that the matter remain confidential until the conclusion of the hearing and then be restated in the open minutes.
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:.........................................................................................