

Date: Tuesday 5 March 2024
Time: 2.00pm
Meeting Room: Room 1, Level 26
Venue: 135 Albert Street
 Auckland

Komiti mō te Waeture me te Haumaru ā-Hapori / Regulatory and Community Safety Committee

OPEN ATTACHMENTS

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Dam Safety Regulations and Dangerous Dams Policy

WRITTEN FEEDBACK

Date published: Wednesday, 10 January 2024



Dam Safety Regulations and Dangerous Dams Policy

Note: this version of the feedback form has been created for the purpose of publishing submissions. As such, contact and demographic information has been removed and handwritten submissions have been transcribed.

Submitter details:

Organisation (if applicable):

Local Board: Howick

Do you have a dam on your property? No

Your feedback

1. Overall, what is your opinion of our Dangerous Dams Policy?

Support

Tell us why

Policy gives assurance that action will be taken when dangerous, earthquake prone or flood prone status of a dam is known to Council.

2. The Dangerous Dams Policy outlines our priorities when performing legislative functions in relation to dangerous, earthquake-prone or flood-prone dams. Our approach to dangerous dams is designed to reduce pre-existing risk while still being able to deal with risks that emerge in the future (see section 5 of the policy for full details).

- | | |
|---|---------|
| A. A dam is considered dangerous due to pre-existing conditions | Support |
| B. A dam becomes dangerous due to previously unobserved deterioration or damage | Support |

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- | | | |
|----|---|---------|
| C. | A dam becomes dangerous due to new risk assessment information for flood or earthquake risk | Support |
| D. | An increase in a dam's potential impact classification (i.e. a change in the consequences of failure) | Support |
| E. | Whether a dam has a Dam Safety Assurance Programme (DSAP) that complies with regulations | Support |

Tell us why, and detail any changes you would like to see

3. We propose to use the above criteria to classify and prioritise dams (from highest to lowest priority) as follows:

1. Dams that are dangerous due to pre-existing conditions and do not have a Dam Safety Assurance Programme (DSAP) that complies with regulations
2. Dams that are dangerous due to pre-existing conditions and do have a Dam Safety Assurance Programme (DSAP) that complies with regulations
3. Dams that have become dangerous due to previously un-observed deterioration or damage
4. Dams that have become dangerous due to new information, e.g. assessment changed to be considered a moderate flood or earthquake risk
5. Dams that have become dangerous due to an increase in their potential impact classification.

In all cases above, we would first consider dams with high potential impact, followed by medium potential impact.

Do you think our proposed criteria effectively prioritises dams of the highest to lowest risk?

No

Tell us why, and detail any changes you would like to see

Nos 3 and 2 must be interchanged. Dams having a complying DSAP provides better confidence and lesser risk as opposed to previously unobserved deterioration or damage.

4. Do you have any other feedback on the proposed policy?

Attachment A



Dam Safety Regulations and Dangerous Dams Policy

Note: this version of the feedback form has been created for the purpose of publishing submissions. As such, contact and demographic information has been removed and handwritten submissions have been transcribed.

Submitter details:

Organisation (if applicable):

Local Board: Waitākere Ranges

Do you have a dam on your property? Yes

Your feedback

1. Overall, what is your opinion of our Dangerous Dams Policy?

Do not support

Tell us why

The biggest dams are already monitored by watercare!

2. The Dangerous Dams Policy outlines our priorities when performing legislative functions in relation to dangerous, earthquake-prone or flood-prone dams. Our approach to dangerous dams is designed to reduce pre-existing risk while still being able to deal with risks that emerge in the future (see section 5 of the policy for full details).

- | | |
|---|---------|
| A. A dam is considered dangerous due to pre-existing conditions | Support |
| B. A dam becomes dangerous due to previously unobserved deterioration or damage | Support |

**Komiti mō te Waeture me te Haumarū ā-Hapori / Regulatory and Community Safety Committee
Forward Work Programme 2024**

This committee deals with regulatory hearings, appointing independent commissioners and regulatory policy and bylaws. The full terms of reference can be found here: [Auckland Council Governing Body Terms of Reference](#)

Area of work and Lead Department	Pūnga / Reason for work	Committee role (whakatau / decision and/or tika / direction)	Expected timeframes Highlight the month(s) this is expected to come to committee in 2024											
			Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
<h1>Bylaws</h1>														

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Area of work and Lead Department	Pūnga / Reason for work	Committee role (whakatau / decision and/or tika / direction)	Expected timeframes Highlight the month(s) this is expected to come to committee in 2024												
			Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	
Cemeteries and Crematoria Bylaw Control Community and Social Policy	To review the rules to manage activities at council cemeteries and crematoria relating to burial, cremation, disinterment, built structures and record-keeping under the Cemeteries and Crematoria Bylaw 2014.	Decision on form of updated bylaw control and whether formal public consultation is required. Progress to date: Recommendations from Regulatory Committee, Proposal to amend the Cemeteries and Crematoria Bylaw 2014 – 24 September 2020 at the Governing Body Link to decision Cemeteries and Crematoria Bylaw 2014: Bylaw Panel report – 22 October 2021 at the Governing Body Link to decision Proposal to Initiation of bylaw projects in 2022 - 8 March 2022 at the Regulatory Committee Link to decision													

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Health and Hygiene Bylaw Control Community and Social Policy	To review minimum standards to protect public health associated with commercial services that pierce, risk breaking or risk burning the skin or tissue, therapeutic massage, colon hydrotherapy, swimming pools, water play parks and splash pads under the Health and Hygiene Bylaw 2013.	Decision on form of updated bylaw control and whether formal public consultation is required. Progress to date: Initiation of bylaw projects in 2022 - 8 March 2022 at the Regulatory Committee Link to decision														Item	
Vape Retail Bylaw	Notice of Motion to introduce a bylaw restricting the visibility of vape products in specialist vape retailers from external view	Decision on form of updated bylaw control and whether formal public consultation is required. Progress to date: Notice of Motion – 13 February 2024 Link to decision															Attachment A

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			Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	
Traffic Bylaw Review Community and Social Policy	<p>To review the bylaw that regulates the use of vehicles on council-controlled land that is not part of the Auckland transport system, like parks and beaches.</p> <p>NB: This Bylaw was made solely under the Land Transport Act 1998 and does not expire.</p> <p>This is a joint project led by Auckland Transport to create a single traffic bylaw for Auckland.</p>	<p>Decision on whether a bylaw is still needed to confirm, amend, replace or revoke the bylaw. If required, recommend a proposal and appoint a Bylaw Panel.</p> <p>Progress to date: Initiation of Bylaw Reviews in 2020 – 18 February 2020 at the Regulatory Committee Link to decision</p> <p>Process and timeline clarified with Auckland Transport.</p> <p>Combined draft findings, options and proposal report scheduled for Mid-2024 for endorsement to seek local board views. Report on recommended proposal scheduled for 3rd Quarter 2024.</p>													
<h1>Reporting</h1>															

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Animal Management Licensing and Regulatory Compliance	Report on Animal Management activities for the year ending June 2024 as required by Section 10A of the Dog Control Act 1996.	Note that the Animal Management Annual Report is required under Section 10A of the Dog Control Act 1996 and staff will provide the 2023/24 report to the Secretary of Local Government. Progress to date: 2023/2024 report still to be prepared by Animal Management for presentation and approval during September/October 2024.														Item Attachment A
Resource Consent Appeals Resource Consents	To provide an update on all resource consent appeals	Information purposes. Bi-monthly report.														
Boarding House Inspections Licensing and Regulatory Compliance	Update on the Auckland proactive boarding house inspections programme.	Information purposes. Progress to date: Boarding House Inspection Programme Update – 20 April 2021 at the Regulatory Committee Link to decision														

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<h2>Policies</h2>														
Gambling Venue Policies Review 2020	Review required under the Gambling Act 2003	To approve the review findings Progress to date: Gambling Venue Policies Review 2020 – 13 October 2020 at the Regulatory Committee Link to decision Start of gambling and dog policy/bylaw reviews – 5 September 2023 Link to decision			X									

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Regulatory and Safety Committee Policy		<p>To produce and obtain approval for an amended Regulatory and Safety Committee Policy</p> <p>Progress to date: Adoption of a Regulatory and Safety Committee Policy – 4 April 2023 at the Regulatory Committee Link to decision</p>																
Dog Policy and Bylaw Review Community and Social Policy	To review the Policy and Bylaw on dogs that regulates the keeping and control of dogs in Auckland.	<p>Decision on whether policy fit for purpose and whether a bylaw is still needed to confirm, amend, replace or revoke the bylaw. If required, recommend a proposal and appoint a Panel.</p> <p>Progress to date: Start of gambling and dog policy/bylaw reviews – 5 September 2023 Link to decision</p>																Attachment A

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Area of work and Lead Department	Pūnga / Reason for work	Committee role (whakatau / decision and/or tika / direction)	Expected timeframes Highlight the month(s) this is expected to come to committee in 2024											
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Funding														
Local Crime Fund	<p>To approve the distribution model and ratio for the Local Crime Fund of \$2 million.</p> <p>Progress to date: Local Crime Fund – 30 May 2023 at the Regulatory Committee Link to decision</p>												
Hearings														

Area of work and Lead Department	Pūnga / Reason for work	Committee role (whakatau / decision and/or tika / direction)	Expected timeframes Highlight the month(s) this is expected to come to committee in 2024												
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Objection hearings under section 181 of the Local Government Act	The committee hears and determines objections to proposed stormwater works on private properties pursuant to section 181 of the Local Government Act 2002.	Hear and determine the objections according to clause 1(e) of Schedule 12 of the Local Government Act 2022. Hearings will be undertaken by the committee as the need arises.	As required												Item
Objections under section 22 of the Dog Control Act 1996	The committee hears and determines objections to the probationary classification of dog owners pursuant to section 22(1) of the Dog Control Act 1996.	Hear and determine the objections according to sections 22(3) and 22(4) of the Dog Control Act 1996. Hearings will be undertaken by the committee as the need arises.	As required												Attachment A
Objections under section 26 of the Dog Control Act 1996	The committee hears and determines objections to the disqualification of persons to own dogs pursuant to section 26(1) of the Dog Control Act 1996.	Hear and determine the objections according to sections 26(3) and 26(4) of the Dog Control Act 1996. Hearings will be undertaken by the committee as the need arises.	As required												Attachment A

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Area of work and Lead Department	Pūnga / Reason for work	Committee role (whakatau / decision and/or tika / direction)	Expected timeframes Highlight the month(s) this is expected to come to committee in 2024											
			Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Objections under section 31 of the Dog Control Act 1996	The committee hears and determines objections to the dangerous classification of dogs pursuant to section 31(3) of the Dog Control Act 1996.	Hear and determine the objections according to section 31(4) of the Dog Control Act 1996. Hearings will be undertaken by the committee as the need arises.	As required											
Objections under section 33B of the Dog Control Act 1996	The committee hears and determines objections to the menacing classification of dogs by deed pursuant to section 33B(1) of the Dog Control Act 1996.	Hear and determine the objections according to section 33B(2) of the Dog Control Act 1996. Hearings will be undertaken by the committee as the need arises.	As required											
Objections under section 33D of the Dog Control Act 1996	The committee hears and determines objections to the menacing classification of dogs by breed pursuant to section 33D(1) of the Dog Control Act 1996.	Hear and determine the objections according to section 33D(3) of the Dog Control Act 1996. Hearings will be undertaken by the committee as the need arises.	As required											

Area of work and Lead Department	Pūnga / Reason for work	Committee role (whakatau / decision and/or tika / direction)	Expected timeframes Highlight the month(s) this is expected to come to committee in 2024												Item
			Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	
Objections under section 55 of the Dog Control Act 1996	The committee hears and determines objections to the issue of nuisance abatement notices for barking dogs pursuant to section 55(2) of the Dog Control Act 1996.	Hear and determine the objections according to section 55(3) of the Dog Control Act 1996. Hearings will be undertaken by the committee as the need arises.	As required												

Completed

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Area of work and Lead Department	Pūnga / Reason for work	Committee role (whakatau / decision and/or tika / direction)	Whakatau / Decision
<p>Air Quality Bylaw for Indoor Domestic Fires</p> <p>Community and Social Policy</p>	<p>This Bylaw sets standards for indoor domestic fires and what may be burnt in them. New Bylaw must be made by 25 May 2024 to avoid a regulatory gap.</p>	<p>Decision on key components of a new bylaw (April) to recommend a proposal and appoint a Bylaw Panel (June)</p> <p>Progress to date:</p> <p>It was recommended that the bylaw be allowed to expire as it added no regulatory value. RSCCC/2023/12</p>	<p>whakaae / approve allowing the Auckland Council Air Quality Bylaw for Indoor Domestic Fires 2017 to expire on 25 May 2024. Link to decision</p>

Area of work and Lead Department	Pūnga / Reason for work	Committee role (whakatau / decision and/or tika / direction)	Whakatau / Decision
<p>Signage at off-license premises</p> <p>Community and Social Policy</p>	<p>To investigate regulatory options to restrict the size, number, content and marketing of alcohol on signage and the use of neutral colours on buildings associated with off-license premises and visible from a council controlled public place.</p>	<p>Decision on preferred regulatory option in relation to signs at off-license premises and determination of next steps.</p> <p>Progress to date:</p> <p><u>Decision to initiate project made on 13 October 2020</u> REG/2020/66</p> <p>Completed on 27 June 2023. Link to decision</p>	<p>a) whakaae / agree to the key findings in the ‘Report on further investigation of regulatory options to reduce alcohol advertising outside off-license premises’ in Attachment A of this agenda report.</p> <p>b) ohia / endorse the Auckland District Licensing Committee Practice Note on off-license advertising as the most appropriate option to reduce alcohol advertising outside off-license premises as detailed in Option three of this agenda report.</p> <p>c) request the Auckland District Licensing Committee consider adding to their Practice note on off-license advertising the following:</p> <p>i) require that all alcohol signage comply with the Advertising Standard Authority code</p> <p>ii) clarify that the stricter rule will apply where there is any conflict between the signage Bylaw and the 25% façade limit</p> <p>d) tuhi ā-taipitopito / note that including discretionary conditions about alcohol advertising outside off-license premises can be considered during the first statutory review of the Auckland Local Alcohol Policy, if and when it becomes operative.</p>

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Area of work and Lead Department	Pūnga / Reason for work	Committee role (whakatau / decision and/or tika / direction)	Whakatau / Decision
<p>Waste Management and Minimisation Bylaw Control</p> <p>Community and Social Policy</p>	<p>To review the kerbside collection rules for waste management and minimisation.</p>	<p>Decision on form of updated bylaw control and whether formal public consultation is required.</p> <p>Progress to date:</p> <p>New Waste Management and Minimisation Bylaw Control – 5 December 2023</p> <p>Link to decision</p>	<p></p>

Last edited 1/02/24

Attachment A

