

Date: Tuesday 9 April 2024
Time: 10.00am
Meeting Room: Room 1, Level 26
Venue: 135 Albert Street
 Auckland

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

OPEN ATTACHMENTS

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Note: The attachments contained within this document are for consideration and should not be construed as Council policy unless and until adopted. Should Councillors require further information relating to any reports, please contact the relevant manager, Chairperson or Deputy Chairperson.


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BID NO.	BUSINESS IMPROVEMENT DISTRICT	FUNDING RECD \$	CCTV	LIGHTING	SECURITY / COMM LIAISON	MURAL	PLACEMAKING/ CYTED	OTHER	UNSPENT 30 Dec 23
1	Avondale Business Association	10302							✓
2	Birkenhead Town Centre Association	6118	✓				✓		
3	Blockhouse Bay Mainstreet Association Inc	2000	✓						
4	Browns Bay Business Association	4697	✓				✓		
5	Business North Harbour Inc	47402	✓		✓				
6	Central Park Henderson Business Association	32003		✓					
7	Destination Orewa Beach	2000							
8	Devonport Business Association Incorporated	2000			✓				
9	Dominion Road Business Association	9413		✓					✓
10	Ellerslie Business Association	2000		✓					
11	Glen Eden Village	12102	✓						
12	Glen Innes Business Association	13312	✓						
13	Business East Tamaki Inc (previously GETBA)	5075	✓		✓			✓	
14	Heart of the City CEO	155166		✓			✓		
15	Howick Village Association	2000		✓			✓		
16	Hunters Corner Town Centre Association Inc	2000			✓		✓		
17	Karangahape Road Business Association	34827			✓				
18	Kingsland Business Society Inc (The Fringe District)	9324			✓				
19	Mairangi Bay Business Association	2000							
20	Mangere Bridge Progressive Business Association	10367							✓
21	Mangere East Village Business Association	8068	✓						
22	Mangere Town Centre Business Association	34625	✓	✓	✓		✓		
23	Manukau Business Association Incorporated	66288			✓	✓	✓	✓	
24	Manurewa Business Association Inc.	25011						✓	
25	Milford Village Business Association Incorporated	3489			✓				
26	Mt Eden Village Business Association	2420		✓					
27	New Lynn Business Association	2151							✓
28	Newmarket Business Association	97002	✓		✓		✓		
29	North West Country Inc	2000					✓		
30	Northcote Town Centre Inc	18000							✓
31	Papatoetoe (Papatoetoe Central Mainstreet Society Inc)	8350							
32	One Mahurangi Business Association	2000							✓
33	Onehunga Business Association	12371			✓				
34	Otahuhu Mainstreet & Commercial Association Inc	75973							
35	Otara Business Association	2000							

Auckland Council

S161 Building Act 2004

**POLICY ON DANGEROUS DAMS, EARTHQUAKE-PRONE
DAMS AND FLOOD-PRONE DAMS**

	Document Name: Policy on Dangerous Dams, Earthquake-Prone Dams and Flood-Prone Dams
	Document Owner: General Manager-Building Consents
	Authorised By:
	Implementation Date: 13 May 2024
	Review Period: 5 Years
	Last Reviewed:
	Next Review: 13 May 2029

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1. Introduction

This document sets out the policy on dangerous dams, earthquake-prone dams and flood-prone dams adopted by Auckland Council (the Council) in accordance with Sections 161 and 162 of the Building Act 2004.

The policy states the approach and priorities the Council will take in performing its functions in relation to dangerous dams, earthquake-prone dams and flood-prone dams in the Auckland region, and how the policy will apply to heritage dams.

This policy applies to dams defined in section 7 of the Building Act 2004 (“the Act”)

The dam safety provisions in subpart 7 of Part 2 of the Act, apply to:

1. Classifiable dams (defined in regulation 5 of the Building (Dam Safety) Regulations 2022 (“the Regulations”) to be:
 - 4 metres or more in height and storing 20,000 or more cubic metres volume of water or other fluid.
2. Referable dams as defined in the Regulations¹.
3. All dams but only for the purposes of section 133B² (height measurement of dams) and sections 157-158 (measures by a regional authority to avoid immediate danger).

2. Application of this policy

This policy applies to dams everywhere in the Auckland region, irrespective of the age and intended life of the dam. Some parts of this policy may apply to all dams. Where required by the Act, this policy applies to classifiable dams, which also includes “large dams” as defined in Section 7 of the Act.

The terms ‘dangerous dam’, ‘earthquake-prone dam’ and ‘flood-prone dam’ have the same meaning as provided in section 153, 153A and 153AA of the Act.³

This policy must be read alongside the Building (Dam Safety) Regulations 2022 (“the Regulations”) which defines terms used in the Act in relation to “dangerous

¹ The current Regulations do not define a referable dam.

² When measuring the height of the dam under this section, the crest of the dam includes any freeboard – refer Appendix A for the definition.

³ This includes buildings in areas designated under subpart 6B as set out in section 153AA of the Building Act 2004.

**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>														

Item 16

Attachment A

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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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	
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>															

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				
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.																
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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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
<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 Gambling Venue Policies Review 2023 – 5 March 2024 Link to decision			X									

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				
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

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			
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																	
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.	<p>Hear and determine the objections according to clause 1(e) of Schedule 12 of the Local Government Act 2022.</p> <p>Hearings will be undertaken by the committee as the need arises.</p>	As required												Attachm		

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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 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											
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											
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											

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 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												Item
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												Attachment A
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												Attachment A

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Completed

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-licence premises’ in Attachment A of this agenda report.</p> <p>b) ohia / endorse the Auckland District Licensing Committee Practice Note on off-licence advertising as the most appropriate option to reduce alcohol advertising outside off-licence 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-licence 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-licence premises can be considered during the first statutory review of the Auckland Local Alcohol Policy, if and when it becomes operative.</p>

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>Item 1</p>

Last edited 1/02/24

