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

OPEN MINUTES

Minutes of a meeting of the Regulatory and Community Safety Committee held in Room 1, Level 26, 135 Albert Street, Auckland on 02 July 2024 at 10.05am. A recording of the meeting is available here: <https://www.aucklandcouncil.govt.nz/about-auckland-council/how-auckland-council-works/meetings-council-bodies/Pages/webcasts-council-meetings.aspx>

TE HUNGA KUA TAE MAI | PRESENT

Chairperson	Cr Josephine Bartley	
Deputy Chairperson	Cr Ken Turner	
Members	Hokura Member Edward Ashby	
	Cr Julie Fairey	
	Cr Alf Filipaina, MNZM	Via electronic link
	Cr Kerrin Leoni	Via electronic link
		Until 11.40am, Item 11
	Cr Sharon Stewart, QSM	Via electronic link

TE HUNGA KĀORE I TAE MAI | ABSENT

Hokura Member Ngarimu Blair
Cr Mike Lee

TE HUNGA ĀPITI KUA TAE MAI | ALSO PRESENT

Cr Wayne Walker
Cr John Watson

1 Ngā Tamōtanga | Apologies

Resolution number RSCCC/2024/42

MOVED by Chairperson J Bartley, seconded by Cr J Fairey:

That the Regulatory and Community Safety Committee:

a) **whakaae / accept the following apologies:**

Absence

Cr M Lee

Lateness

Houkura Member Ngarimu Blair.

CARRIED

Note: Apologies were subsequently received from Houkura Member Ngarimu Blair for absence.

2 Te Whakapuaki i te Whai Pānga | Declaration of Interest

There were no declarations of interest.

3 Te Whakaū i ngā Āmiki | Confirmation of Minutes

Resolution number RSCCC/2024/43

MOVED by Cr J Fairey, seconded by Deputy Chairperson K Turner:

That the Regulatory and Community Safety Committee:

a) **whakaū / confirm the ordinary minutes of its meeting, held on [Tuesday, 4 June 2024](#), including the confidential section, as a true and correct record.**

CARRIED

4 Ngā Petihana | Petitions

There were no petitions.

5 Ngā Kōrero a te Marea | Public Input

5.1 Public Input: Alan Parker

Resolution number RSCCC/2024/44

MOVED by Cr J Fairey, seconded by Chairperson J Bartley:

That the Regulatory and Community Safety Committee:

a) **whakamihi / thank Alan Parker for his presentation.**

CARRIED

Attachments

A 2 July 2024, Regulatory and Community Safety Committee, Item 5.1 - Public Input: Alan Parker, presentation

6 Ngā Kōrero a te Poari ā-Rohe Pātata | Local Board Input

There was no local board input.

7 Ngā Pakihi Autaia | Extraordinary Business

There was no extraordinary business.

Note: The chairperson accorded precedence to Item 12 - Regulatory and Community Safety Committee Forward Work Programme - 2 July 2024, and Item 13 - Determination of Objection against Disqualification of Dog Owner Adam Paul North, at this time.

12 Regulatory and Community Safety Committee Forward Work Programme - 2 July 2024

Resolution number RSCCC/2024/45

MOVED by Chairperson J Bartley, seconded by Cr J Fairey:

That the Regulatory and Community Safety Committee:

- a) **tuhi ā-taipitopito / note the progress on the Forward Work Programme appended as Attachment A of the agenda report.**

CARRIED

13 Determination of Objection against Disqualification of Dog Owner Adam Paul North

The hearing commenced at 10.42am in relation to the objection to Disqualification of Dog Owner.

Adam North addressed the committee and outlined their objection to being issued with a Disqualification of Dog Owner classification. Section 25(1)(a) and 25(3) of the DCA provide that a territorial authority must disqualify a person from being an owner of a dog for a period not exceeding 5 years if that person commits 3 or more infringement offences (not relating to a single incident or occasion) against the DCA within a continuous period of 24 months.

Council staff addressed the committee and outlined the Disqualification of Dog Owner classification and responded to questions.

The objector was given the opportunity to reply to the matters raised by the council staff and provide the committee with final comments.

The hearing concluded at 10.58am.

8 Findings from review of Council's Cemetery Bylaw and Code

Resolution number RSCCC/2024/46

MOVED by Chairperson J Bartley, seconded by Deputy Chairperson K Turner:

That the Regulatory and Community Safety Committee:

- a) **ohia / endorse the findings in the '2024 Review Findings Report: Auckland Council Cemeteries and Crematoria Bylaw and Code 2014' in Attachment A of this agenda report.**
- b) **whakatuu / approve the start of the statutory review of the Auckland Council Ture ā-Rohe mo ngā Wāhi Tapu me ngā Whare Tahu Tupāpaku | Cemeteries and Crematoria Bylaw 2014 in accordance with the scope and timeframes outlined in the agenda report.**
- c) **tono / request that staff, as delegated by the Chief Executive, prepare a report in response to the findings that completes a statutory bylaw review, develops options for improvements, and includes a proposal on the preferred option.**

CARRIED

9 Findings from review of Council's policy and bylaw on dogs

Resolution number RSCCC/2024/47

MOVED by Chairperson J Bartley, seconded by Houkura Member E Ashby:

That the Regulatory and Community Safety Committee:

- a) **ohia / endorse the findings in the '2024 Review Findings Report: Auckland Council Policy and Bylaw on Dogs 2019' in Attachment A of this agenda report.**
- b) **whakaae / agree that the statutory review of the Auckland Council Policy on Dogs 2019 and Dog Management Bylaw 2019 is complete, including that:**
 - i) **a bylaw is still the most appropriate way to address the risk of danger, distress, nuisance, damage and risk of not meeting the needs of dogs and their owners from irresponsible dog ownership and the inherent conflict between users of shared spaces in Auckland**
 - 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 Policy and Bylaw (and associated delegations) could be improved, including to:**
 - A) **investigate if additional rules are required to 'walk' multiple dogs in shared spaces**
 - B) **address regional park dog access rules that impact responsible dog owners or cause conflict**
 - C) **make the Policy and Bylaw easier to read, understand and administer**
 - D) **update and remove duplicated, inconsistent, and redundant delegations.**
- c) **tono / request that staff, as delegated by the Chief Executive, prepare an options report and proposal on improvements in response to the findings for consultation in 2025.**

CARRIED

10 Findings from joint review of Auckland's traffic-related bylaws

Resolution number RSCCC/2024/48

MOVED by Chairperson J Bartley, seconded by Cr J Fairey:

That the Regulatory and Community Safety Committee:

- a) **whiwhi / receive the '2024 Review Findings Report: Auckland traffic-related bylaws' in Attachment A of this agenda report.**
- b) **ohia / endorse the findings in Attachment A of this agenda report related to vehicle use and parking on Auckland Council controlled roads and public places, including that the current Auckland Council traffic-related bylaws:**
 - i) **have helped ensure council-controlled roads and public places connect people and places in a way that is safe, effective and efficient, and protects the environment**
 - ii) **for vehicles on beaches, could be improved by enabling access to infringement fines and more effective use of permit conditions**
 - iii) **for parking restrictions, could be improved by clarifying where off-road parking is prohibited, how parking controls are adopted and enforcement delegated to Auckland Transport**
 - iv) **for setting new speed limits, can no longer be used**
 - v) **for activities involving vehicles or things such as advertising on vehicles, are not used**
 - vi) **could be streamlined by developing a single traffic-related bylaw made by both Auckland Transport and Auckland Council.**
- c) **tono / request staff, as delegated by the Chief Executive, prepare a report in response to the findings in (b) that develops options and a proposal to improve the regulation of vehicle use and parking in Auckland in a collaboration led by Auckland Transport.**

CARRIED

11 Public Safety and Nuisance Bylaw Enforcement Update

Cr K Leoni retired from the meeting at 11.40am

Resolution number RSCCC/2024/49

MOVED by Cr A Filipaina, seconded by Deputy Chairperson K Turner:

That the Regulatory and Community Safety Committee:

- a) **whiwhi / receive this update of the Public Safety and Nuisance Bylaw enforcement.**

CARRIED

Attachments

- A 2 July 2024, Regulatory and Community Safety Committee, Item 11 - Public Safety and Nuisance Bylaw Enforcement Update, presentation

Note: Item 12 - Regulatory and Community Safety Committee Forward Work Programme - 2 July 2024, and Item 13 - Determination of Objection against Disqualification of Dog Owner Adam Paul North were considered prior to Item 8 - Findings from review of Council's Cemetery Bylaw and Code.

14 Objection to wastewater works at 38c Faidene Avenue

This hearing has been deferred to the next committee meeting on 13 August 2024.

15 Te Whakaaro ki ngā Take Pūtea e Autaia ana | Consideration of Extraordinary Items

There was no consideration of extraordinary items.

Te Mihi | Acknowledgement

The committee acknowledged Craig Hobbs' work as Director Regulatory Services and Lead Officer of the Regulatory and Community Safety Committee over the years.

Te Mōtini ā-Tukanga hei Kaupare i te Marea | Procedural motion to exclude the public

Resolution number RSCCC/2024/50

MOVED by Chairperson J Bartley, seconded by Cr J Fairey:

That the Regulatory and Community Safety Committee:

- a) **whakaae / agree to 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:

13 Determination of Objection against Disqualification of Dog Owner Adam Paul North

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)(a) - The withholding of the information is necessary to protect the privacy of natural persons, including that of a deceased person. 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.	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

12.14pm 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.

12.31pm The public was re-admitted.

RESTATEMENTS

It was resolved while the public was excluded:

13 Determination of Objection against Disqualification of Dog Owner Adam Paul North

Resolution number RSCCC/2024/51

MOVED by Cr A Filipaina, seconded by Deputy Chairperson K Turner:

That the Regulatory and Community Safety Committee:

- a) kohuki / hear and determine the objection, and**
- b) bring forward the date of termination of the disqualification of Mr Adam Paul North to 30 October 2025.**

Restatement

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

CARRIED

Reason for decision

The Committee is satisfied on the evidence provided to it that Mr North is not a suitable person to own a dog. Mr North's dog Luna was classified as menacing on 18 October 2023. Between the period 30 March 2023 to 14 January 2024, Mr North has committed 8 infringement offences for which he was issued with infringement notices. Mr North considered the complaints were from one person in a 'neighbours at war' situation and there was no evidence of an attack or injury. However, multiple complaints were received from several neighbours and complaints were received and a further infringement issued after Mr North received notice of disqualification as an owner. The Committee is satisfied that a 2 year period of disqualification is necessary to prevent re-offending and ensure that Mr North understand the consequences of his failure to comply with the obligation and responsibilities of a dog owner.

The Committee notes that the effect of the disqualification is that Mr North:

- May not own or be in possession of a dog at any time during the period of disqualification.
- Must dispose of any dog owned by him.
- May not dispose of his dog to a person who resides at the same address as him.

12.31pm

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 AND
COMMUNITY SAFETY COMMITTEE HELD ON

DATE:.....

CHAIRPERSON:.....