

**MINUTES OF A MEETING OF THE PLANNING AND REGULATORY COMMITTEE
HELD AT WAITAKERE CENTRAL, 6 HENDERSON VALLEY ROAD,
HENDERSON, WAITAKERE, ON TUESDAY, 10 APRIL 2007
COMMENCING AT 9.30 AM**

PRESENT: Councillors VS Neeson, JP (Chairman)
DQ Battersby, JP
MFP Chan, JP
LA Cooper (from 10.19 am)
AK Corban, OBE, JP
DE Gilmour
PA Hulse
JP Lawley
CA Stone (from 9.35 am)

IN ATTENDANCE: Group Manager: Planning & Community Services
Director: City Services
Group Manager: Asset Management
Manager: Legal Services
Manager: Solid Waste
Team Leader: Legal Services
Principal Advisor: Heritage
Senior Resource Planner
Contract Solicitor: S Masoud-Ansari
Waste Minimisation Officer
Committee Secretary: A Chan

PART A-OPENING OF MEETING

1 APOLOGIES

576/2007

MOVED by Cr Hulse, seconded Cr Battersby:

That apologies from Crs Clews, Clow, Dallow, Flaunty and Harding for absence and Crs Cooper and Stone for lateness be received and sustained.

CARRIED

2 URGENT BUSINESS

There was no Urgent Business.

3 CONFIRMATION OF MINUTES

577/2007

MOVED by Cr Lawley, seconded Cr Chan:

That the minutes of the Meeting of the Planning and Regulatory Committee held on Tuesday, 13 March 2007, including the public excluded minutes as circulated, be taken as read and now be confirmed.

CARRIED

PART B - REGULATORY / ENFORCEMENT

4 LEGAL UPDATE (AS AT 30 MARCH 2007)

9.35 am Cr Stone entered the meeting.

578/2007

MOVED by Cr Gilmour, seconded Cr Lawley:

That the Legal Update (As At 30 March 2007) report be received.

CARRIED

PART C - ENVIRONMENTAL MANAGEMENT

5 BUILDING CONSENT ACCREDITATION AND OTHER INITIATIVES

579/2007

MOVED by Cr Hulse, seconded Cr Gilmour:

1. That the Building Consent Accreditation and Other Initiatives report be received.
2. That a progress report on the Building Consent Accreditation in terms of building consent functions to improve customer service and customer satisfaction be provided to the Planning and Regulatory Committee every two months to enable the Committee to have an overview of improvements and provide feedback on any actions that should be taken.
3. That a report be submitted to the Long Term Council Community Plan and Annual Plan Special Committee on resource implications for 2007/2008 arising from the new Building (Accreditation of Building Consent Authorities) Regulation 2006 legislation.

CARRIED

6 DETERMINATION REPORT - REVIEW OF BYLAW NO 4 (1990) CHAPTER 13 - THE KEEPING OF ANIMALS, POULTRY AND BEES

10.19 am Cr Cooper entered the meeting.

580/2007

MOVED by Cr Stone, seconded Cr Hulse:

1. That the Determination Report - Review of Bylaw No 4 (1990) Chapter 13 - The Keeping of Animals, Poultry and Bees report be received.
2. That a bylaw is the most appropriate way of addressing the perceived problem, namely, the better management and regulation of the keeping of animals, poultry and bees.
3. That Council officers prepare a draft bylaw, with a draft Statement of Proposal and Summary of Information, for consideration and discussion at a future Planning and Regulatory Committee Meeting.

CARRIED

7 DETERMINATION REPORT - REVIEW OF BYLAWS NO 4 (1990) CHAPTER 15 - PUBLIC LIBRARIES AND NO 4 CHAPTER 16 (1990) - PUBLIC SWIMMING POOLS

581/2007

MOVED by Cr Battersby, seconded Cr Chan:

1. That the Determination Report Review of Bylaw No 4 (1990) Chapter 15 - Public Libraries and No 4 Chapter 16 (1990) - Public Swimming Pools report be received.
2. That it be noted that neither the general bylaw making power contained within Section 145 Local Government Act 2002, or the specific bylaw making power contained within Section 146 (b) (vi) Local Government Act 2002, permit Council to adopt new bylaws for other than limited purposes, namely, to protect the facilities from damage, maintain public health, prevent nuisance and minimise potential for offensive behaviour.
3. That it be noted that for the reasons outlined in the agenda report, bylaws are not the most appropriate way of addressing the perceived problem, the management and regulation of public libraries and swimming pools within Waitakere.
4. That it be agreed that both libraries and West Wave would be more appropriately managed by means of conditions of membership and other business management controls, supplemented by the new Public Places Bylaw and Trespass Notices for situations where unacceptable behaviour (by both members and non-members) requires regulatory action.
5. That Libraries and Information Services, and Leisure Services now commence a review of their current bylaws and prepare new documentation for membership or borrowing or entry to come into effect when the bylaws expire in July 2008.

CARRIED

8 BYLAW REVIEW PROGRAMME UPDATE

582/2007

MOVED by Cr Battersby, seconded Cr Lawley:

1. That the Bylaw Review Programme Update report be received.
2. That Council officers prepare a Section 155 determination report regarding a review of the Control of Liquor in Public Places Bylaw 2003 for the Planning and Regulatory Committee's consideration in due course.

CARRIED

9 LITTER AMENDMENT ACT 2006

583/2007

MOVED by Cr Battersby, seconded Cr Cooper:

1. That the Litter Amendment Act 2006 report be received.
2. That in accordance with sections 13(2A) and (3) Litter Act 1979 officers are authorised to arrange for public notice to be given of Council's intention to increase the litter infringement fee to \$400.

3. That a report be brought back to the Planning and Regulatory Committee at least 14 days after public notice of Council's intention to increase the litter infringement fee has been given.

CARRIED

10.35 am

The Chairman thanked Members for their attendance and attention to business and declared the meeting closed.

CONFIRMED AT A MEETING OF THE PLANNING
AND REGULATORY COMMITTEE HELD ON

DATE:.....

CHAIRMAN:.....