

COUNCIL 23. 2. 2012

8. DELEGATION TO THE REGULATORY AND PLANNING COMMITTEE TO APPROVE A SUBMISSION ON THE MANUKAU CITY COUNCIL (REGULATION OF PROSTITUTION IN SPECIFIED PLACES) BILL

General Manager responsible:	General Manager Regulation and Democracy Services
Officer responsible:	Legal Services Manager
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PURPOSE OF REPORT

1. This report is to recommend to the Council that it delegate to the Regulatory and Planning Committee the power to approve a submission by the Council on the Manukau City Council (Regulation of Prostitution in Specified Places) Bill ("the Bill").
2. The report also seeks the appointment of two additional councillor members to the Regulatory and Planning Committee for the purposes of considering the submission.

EXECUTIVE SUMMARY

3. The Council was given an information report on the Bill at its meeting on 8 December 2011 ([http://www1.ccc.govt.nz/council/proceedings/2011/december/cnclcover8th/council8december2011agendaclause23manukaucitycouncil\(regulationprostitutionspecifiedplaces\)bill.pdf](http://www1.ccc.govt.nz/council/proceedings/2011/december/cnclcover8th/council8december2011agendaclause23manukaucitycouncil(regulationprostitutionspecifiedplaces)bill.pdf)).
4. In that report it was noted that the new Auckland Council had indicated to the Local Government and Environment Select Committee its desire to take over and continue the Bill. If it did so, further submissions on the Bill might be called for by the Select Committee, and the Christchurch City Council would then be able to make a submission on the Bill at that time if it wished.
5. The Select Committee has issued an interim report noting that the Auckland Council has released a supplementary order paper with proposed amendments to the Bill to make the new Auckland Council the promoter of the Bill and to change the definition of "district" in the Bill. The Select Committee has noted in its interim report that as the new "district" (the Auckland Council district) could apply to a much wider area it may affect more people than the original Bill and they have decided to call for additional submissions on the Bill and the supplementary order paper. The closing date for the submissions is 29 February 2012.
6. The Submissions Panel has delegated power to approve Council submissions. However, its terms of reference state it may also refer proposed submissions to the Council for its consideration and approval where the Panel is unable to confirm the Council's position on an issue before it.
7. The Chair of the Submissions Panel has indicated that as Council has not formally discussed its position in relation to the Bill the small group of Councillors on the Submissions Panel could not confirm the Council's position on this issue. However, there is insufficient time for a report and submission on the Bill to be submitted to the full Council.
8. The Regulatory and Planning Committee is meeting on the 29 February 2012; the day the submissions are due, and would be in a position to consider a submission to be made by the Council.
9. Therefore, it is proposed that for the purposes of a submission on the Bill the Regulatory and Planning Committee be delegated the power to approve the Council submission. In order to increase the representation of Council views in respect of the approval of the submission, it is also proposed that two additional Councillors be appointed to the Committee when it considers the agenda item on the Bill on 29 February 2012.

FINANCIAL IMPLICATIONS

10. None.

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LEGAL CONSIDERATIONS

11. The Council is able to delegate powers to its committees and to appoint members to any committees in accordance with Schedule 7 of the Local Government Act 2002 (see Part 1 clause 32, and clause 31(1), respectively).

ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS

12. Not applicable.

ALIGNMENT WITH STRATEGIES

13. Not applicable.

CONSULTATION FULFILMENT

14. Not required.

STAFF RECOMMENDATION

That the Council:

- (a) Delegate the power to the Regulatory and Planning Committee to approve a submission on behalf of the Council on the Manukau City Council (Regulation of Prostitution in Specified Places) Bill.
- (b) Appoint Councillors Keown and Corbett to be members of the Regulatory and Planning Committee at the Committee's meeting on 29 February 2012, when the Committee considers the submission on the Manukau City Council (Regulation of Prostitution in Specified Places) Bill.