

F22/55/05 – D23/48292

Date: Tuesday 28 November 2023 at 2.00PM
Venue: Council Chambers, 63 Miranda Street, Stratford

To hear and consider submissions to the Draft Beauty Therapy, Tattooing and Skin Piercing Bylaw and Code of Practice

Present

The Deputy Mayor M McKay (the Chairperson), the District Mayor N C Volzke, Councillors: S J Beck, G W Boyde, A M C Dudley, J M S Erwood, A K Harris, E E Hall, V R Jones, W J Sandford, C M Tongaawhikau and M J Watt

In attendance

The Chief Executive – Mr S Hanne, the Director – Corporate Services – Mrs T Radich, the Director – Assets – Mrs V Araba, the Director – Community Services – Ms K Whareaitu, the Director – Environmental Services – Mr B Sutherland, the Environmental Health Officer – Ms Sian Horton and the HR and Governance Administrator – Mrs C Reynolds.

Via audio/visual link: The Environmental Health Manager – Ms R Otter and one submitter T Morrison.

1. Welcome

The Deputy Mayor welcomed Elected Members, members of the public, and staff to the meeting.

The opening karakia was read.

The Deputy Mayor reiterated the health and safety message and emergency procedures.

2. Apologies

An apology was received from Councillor C M Tongaawhikau.

Recommendation

THAT the apology be received.

BOYDE/DUDLEY
Carried
P&S/23/162

3. Announcements

Speakers to Submissions

It was reinforced to Councillors that the purpose of this meeting was to hear submissions on the Draft Beauty Therapy, Tattooing and Skin Piercing Bylaw and Code of Practice. Councillors were asked to hear all submissions with an open mind, to restrict their question time to the submitters to points of clarification or issues pertaining to subject matter. Councillors were requested not to get into direct dialogue with submitters.

4. Declarations of members interest

Elected members were asked to declare any real or perceived conflicts of interest relating to items on this agenda. There were no conflicts of interest declared.

5. Attendance Schedule

The Attendance schedule for Policy and Services Committee meetings, including Hearings, was attached.

6. Acknowledgement of Submissions

Submissions – Pages 81-100

Attached are the three submissions received.

Recommendations

1. THAT the submissions to the draft Beauty Therapy, Tattooing and Skin Piercing Bylaw and Code of Practice be received.
2. THAT the submitters be advised of the outcome of their submission and notified that the minutes of the Policy and Services Committee Meeting, and subsequent meetings, will be available on Council's website.

HALL/BOYDE
Carried
P&S/23/163

7. Submitters To Be Heard

There was one submitter wishing to speak.

The submitter was allocated five (5) minutes to present their submission and allowed five (5) minutes for questions.

Submission #	Name	Organisation	Page Number	Time
1	Tanya Morrison	New Zealand Institute of Environmental Health	81	2.05

Points noted in presentation:

- Ms Morrison overall supports the bylaw and commends Council for seeking that the bylaw is fit for purpose.
- It is important to have the bylaw due to absence of national legislation for the industry.
- Ms Morrison urged Council to consider how far the bylaw goes to educate the reader, as the point of a bylaw is not a go to guide. The amount of educational aspects included adds a lot of unnecessary length to the bylaw.
- The bylaw includes promotion of guidelines to other commercial organisation, some of which come with a fee. This could be seen as promoting some organisations over others.
- Some definitions need to be considered how they are worded so they are general enough to cover future trends.
- Ms Morrison recommended Council to look at how the code of practise is consolidated, these recommendations are outlined in her submission. Following this recommendation would consolidate and tidy the current code of practise, making it workable by staff and users of the bylaw.
- Ms Morrison highlighted her offer for staff training which was included in her submission.

Questions/Points of Clarification:

- Ms Morrison noted her recommendation to consolidate the code of practise from section by section which includes a lot of repetition, to all in one which would remove a lot of its weight.

8. Decision Report – Draft Beauty Therapy, Tattooing and Skin Piercing Bylaw and Code of Practice

D23/46235

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Council needs to consider submissions as part of the consultation process.

Recommendations

1. THAT the report be received.

HARRIS/DUDLEY
Carried
P&S/23/164

2. THAT the committee considers submissions received as part of the public consultation process of the *draft* Beauty Therapy, Tattooing and Skin Piercing Bylaw 2023 and Code of Practice.

3. THAT the committee adopt the *draft* Beauty Therapy, Tattooing and Skin Piercing Bylaw 2023 and Code of Practice with recommended changes.

4. THAT the commencement date of the Bylaw be Wednesday 13 December 2023.

DUDLEY/HALL
Carried
P&S/23/165

The Environmental Health Manager noted the following points:

- Ms Morrisons submission does have some merit and can be considered.
- Legal opinion needs to be sought on any removal of sections while consolidating.
- The Environmental Health Officer noted the bylaw was constructed alongside New Plymouth District Council, who are reviewing their bylaw in 3 years' time. There is the option for Council to leave the bylaw as is and review it at the same time as them.

Questions/Points of Clarification:

- It was clarified that the definitions have been looked at, and no emerging trends or procedures could be thought of which were not covered under the current definitions.
- It was clarified the updating of the words has been taken into account, just not the repetition removal recommendation.
- It was noted the bylaw relies on the code of practise, so this should be removed from the bylaw.

Points noted in discussion:

- The District Mayor noted that in section 6 the bylaw states Council can pull and change the bylaw at any time, so his recommendation would be to adopt the bylaw and code of practise as is and look at the recommendations of the submissions and update going forward.

9. Closing Karakia

The closing karakia was read.

The meeting closed at 2.30pm

M McKay
Chairman

Confirmed this 23rd day of January 2024.

N C Volzke
District Mayor