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## Regulatory and Bylaws Committee

### OPEN MINUTES

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Minutes of a meeting of the Regulatory and Bylaws Committee held in the Reception Lounge, Auckland Town Hall, 301-305 Queen Street, Auckland on Wednesday, 19 March 2014 at 2.10pm.

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#### PRESENT

<b>Chairperson</b>	Calum Penrose	
<b>Members</b>	Cr Bill Cashmore	
	Cr Linda Cooper, JP	
	Cr John Watson	
	Member Glenn Wilcox	until 3.29pm, item 11
	Cr George Wood, CNZM	from 2.25pm, item 5.1

#### APOLOGIES

Cr Alf Filipaina	for absence
Deputy Chairperson Denise Krum	for absence
Cr Sharon Stewart, QSM	for absence
Member Glenn Wilcox	early departure

#### ALSO PRESENT

Cr Cathy Casey

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**1 Apologies**

Resolution number RBC/2014/10

MOVED by Chairperson CM Penrose, seconded by Cr J Watson:

**That the Regulatory and Bylaws Committee:**

- a) **accept the apologies from Cr AM Filipaina, Deputy Chairperson DA Krum and Cr SL Stewart for absence, and Member Glenn Wilcox for early departure.**

**CARRIED**

**2 Declaration of Interest**

There were no declarations of interest.

**3 Confirmation of Minutes**

Resolution number RBC/2014/11

MOVED by Chairperson CM Penrose, seconded by Cr WB Cashmore:

**That the Regulatory and Bylaws Committee:**

- a) **confirm the ordinary minutes of its meeting, held on Tuesday, 3 December 2013, as a true and correct record.**

**CARRIED**

**4 Petitions**

There were no petitions.

**5 Public Input**

**5.1 Anne Murphy and Brent Robinson - BizKids**

Further information was tabled on this matter.

A copy of the tabled information is attached to the original of these minutes and is available on the Auckland Council website.

*Cr GS Wood entered the meeting at 2.25 pm.*

Resolution number RBC/2014/12

MOVED by Chairperson CM Penrose, seconded by Cr J Watson:

**That the Regulatory and Bylaws Committee:**

- a) **thank Anne Murphy, Whangaparaoa Plaza Manager, and Brent Robinson, for their presentation and petition regarding the selling of baking at BizKids events.**

**CARRIED**

**Attachments**

A Tabled Information

**5.2 Barbara Wilkinson - Waiheke Dog Review**

Further information was tabled on this matter.

A copy of the tabled information is attached to the original of these minutes and is available on the Auckland Council website.

Resolution number RBC/2014/13

MOVED by Chairperson CM Penrose, seconded by Cr WB Cashmore:

**That the Regulatory and Bylaws Committee:**

- a) **thank Barbara Wilkinson for her presentation regarding the Waiheke dog review.**

**CARRIED**

**Attachments**

- A Tabled Information

**6 Local Board Input**

There was no local board input.

**7 Extraordinary Business**

There was no extraordinary business.

**8 Notices of Motion**

There were no notices of motion.

**9 For information: Urgent Decision - Temporary Alcohol bans for the Big Day Out 2014**

Resolution number RBC/2014/14

MOVED by Cr LA Cooper, seconded by Cr WB Cashmore:

**That the Regulatory and Bylaws Committee:**

- a) **note the urgent decision made on 10 January 2014 regarding a temporary alcohol ban for the Big Day Out on 17 January 2014.**

**CARRIED**

## 10 Cemeteries and Crematoria Bylaw - Statement of Proposal

A powerpoint presentation was given in support of this item.

A copy of the presentation is attached to the original of these minutes and is available on the Auckland Council website.

Resolution number RBC/2014/15

MOVED by Member GS Wood, seconded by Cr WB Cashmore:

**That the Regulatory and Bylaws Committee:**

- a) **agree that the Manager Policies and Bylaws be authorised to change “Māori Area” to “Wahi Tapu Māori” in the Cemeteries and Crematoria Bylaw Statement of Proposal.**
- b) **recommend to the Governing Body of Auckland Council that it resolve (i) to (vi) as follows:**
  - i) **pursuant to section 155(1) of the Local Government Act 2002, a bylaw is the most appropriate way of addressing management issues relating to council-owned cemeteries and crematoria;**
  - ii) **under section 155(2)(a) of the Local Government Act 2002, the proposed draft Cemeteries and Crematoria Bylaw 2014 is the most appropriate form of bylaw to manage issues in council-owned cemeteries and crematoria;**
  - iii) **under section 155(2)(b) of the Local Government Act 2002, the proposed draft Cemeteries and Crematoria Bylaw 2014 is not inconsistent with the New Zealand Bill of Rights Act 1990;**
  - iv) **under section 62 of the Local Government (Auckland Transitional Provisions) Act 2010, Auckland Council proposes to revoke in full seven legacy bylaws and revoke the relevant provisions of one other legacy bylaw on cemeteries and crematoria (and replace them with the proposed draft Cemeteries and Crematoria Bylaw 2014);**
  - v) **under sections 83 and 86 of the Local Government Act 2002, Attachment A: Statement of Proposal “*Review of Cemeteries and Crematoria Bylaw 2014*”, the draft Cemeteries and Crematoria Bylaw 2014 and the draft Code of Practice be adopted for public consultation;**
  - vi) **agree that the Manager Policies and Bylaws be authorised to make any minor edits or amendments to the Statement of Proposal, the proposed Cemeteries and Crematoria Bylaw 2014 or the Code of Practice to correct any identified errors or typographical edits.**

**CARRIED**

### **Attachments**

A Presentation

11 **Bylaws review and implementation programme update and hearings panels - March 2014**

*Member G Wilcox left the meeting at 3.29 pm.*

Resolution number RBC/2014/16

MOVED by Cr LA Cooper, seconded by Member GS Wood:

**That the Regulatory and Bylaws Committee:**

- a) **note the progress of the bylaw review and implementation programme that will complete the review of the legacy bylaws by 2015.**
- b) **agree to:**
  - i) **appoint a Hearing Panel of up to five elected members and one member of the Independent Māori Statutory Board to hear submissions, deliberate and make recommendations to the governing body of Auckland Council on the review of the cemeteries and crematoria bylaws (including any proposed new bylaw).**
  - ii) **appoint a Hearing Panel of up to five elected members and one member of the Independent Māori Statutory Board to hear submissions, deliberate and make recommendations to the governing body of Auckland Council on the review of the animal management bylaws (including any proposed new bylaw).**
- c) **endorse the following appointments to the hearing panel to hear submissions, deliberate and make recommendations to the Governing Body for the navigation safety bylaw: Councillor C Penrose (chair), Councillor C Casey, Councillor D Krum and one member of the Independent Māori Statutory Board.**
- d) **agree that in the event that any member appointed by the committee under resolutions (b) (i) to (ii) and (c) is unavailable, the chairperson of the Regulatory and Bylaws Committee be delegated the power to make a replacement appointment.**

**CARRIED**

13 **Temporary Alcohol Ban for the Rolling Stones concert**

Secretarial note: This item was withdrawn due to the postponement of the Rolling Stones concert to a date yet to be confirmed. A new item will be brought to the committee at a later date.

**12 Consideration of Extraordinary Items**

There was no consideration of extraordinary items.

3.55 pm

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  
BYLAWS COMMITTEE HELD ON

**DATE:**.....

**CHAIRPERSON:**.....