
Regulatory and Bylaws Committee

OPEN MINUTES

Minutes of a meeting of the Regulatory and Bylaws Committee held in the Level 26, 135 Albert Street, Auckland on Wednesday, 8 July 2015 at 9.34am.

PRESENT

Chairperson
Deputy Chairperson
Members

Cr Calum Penrose
Cr Denise Krum
Cr Bill Cashmore
Cr Sharon Stewart, QSM
Cr John Watson
Member Glenn Wilcox
Member Karen Wilson
Cr George Wood, CNZM

From 9.36am, Item 9

ABSENT

Mayor Len Brown, JP
Cr Linda Cooper, JP
Cr Alf Filipaina
Deputy Mayor Penny Hulse

ALSO PRESENT

Cr Cathy Casey
Cr Wayne Walker

1 Apologies

Resolution number RBC/2015/20

MOVED by Chairperson CM Penrose, seconded by Cr SL Stewart:

That the Regulatory and Bylaws Committee:

- a) **accept the apologies from Cr LA Cooper, Cr AM Filipaina and Deputy Mayor PA Hulse for absence, and from Cr GS Wood for lateness.**

CARRIED

2 Declaration of Interest

There were no declarations of interest.

3 Confirmation of Minutes

Resolution number RBC/2015/21

MOVED by Deputy Chairperson DA Krum, seconded by Cr WB Cashmore:

That the Regulatory and Bylaws Committee:

- a) **confirm the ordinary minutes of its meeting, held on Wednesday, 3 June 2015, as a true and correct record.**

CARRIED

4 Petitions

There were no petitions.

5 Public Input

There was no public input.

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 Approval of Trading and Events in Public Places Guidelines 2015

Cr GS Wood entered the meeting at 9.36 am.

Resolution number RBC/2015/22

MOVED by Member G Wilcox, seconded by Cr WB Cashmore:

That the Regulatory and Bylaws Committee:

- a) **approve the Trading and Events in Public Places Guidelines 2015.**

CARRIED

10 Decisions on Remaining Legacy Bylaws

Secretarial Note: Changes to the original motion were incorporated under recommendation d) prior to the meeting, with the agreement of the chair.

Resolution number RBC/2015/23

MOVED by Chairperson CM Penrose, seconded by Deputy Chairperson DA Krum:

That the Regulatory and Bylaws Committee:

- a) **allow the legacy council bylaws on recreational and cultural facilities, and libraries, damage to council property (in the former Rodney District area), set netting restrictions at Arkles Bay, water-related recreation at Orakei Basin and marinas, specified in Table 1 and Attachment B of this report, to be automatically revoked by section 63 of the Local Government (Auckland Transitional Provisions) Act 2010 on 31 October 2015.**
- b) **allow several residual clauses in seven of the legacy bylaws for public places, specified in Table 2 and Attachment B of this report, to be automatically revoked by section 63 of the Local Government (Auckland Transitional Provisions) Act 2010 on 31 October 2015.**
- c) **recommend the adoption of the Statement of Proposal: Confirmation of Legacy Bylaws 2015, contained in Attachment A, to the Governing Body for the purposes of consulting with the public on the following proposals:**
- i) **the proposal to confirm the legacy bylaws (or parts thereof) on freedom camping, electric and barbed wire fences on property next to public land, wharves, construction activities in the road corridor and public places and on-site wastewater until 31 October 2020, at which time these bylaws (or residual parts thereof) will be automatically revoked.**
- ii) **the proposal to confirm Auckland City Council Bylaws: Bylaw No. 27B Billboards 2007 until the relevant signage provisions of the Auckland Unitary Plan become operative, at which time this bylaw will be automatically revoked.**
- d) **appoint a hearing panel comprised of Chairperson CM Penrose (chair) and Cr AM Filipaina to hear submissions on the confirmation of the legacy bylaws (or parts thereof), deliberate and make recommendations to the Governing Body, subject to the Governing Body adopting the Statement of Proposal as per recommendation (c).**

- e) delegate to the chairperson of the Regulatory and Bylaws Committee the power to make a replacement appointment to the hearings panel in the event that any member appointed by the committee under clause (d) is unavailable.
- f) delegate to the Manager, Social Policy and Bylaws the ability to make any minor edits or amendments to the Statement of Proposal: Confirmation of Legacy Bylaws 2015, to correct any identified errors or typographical edits or to reflect decisions made by the Regulatory and Bylaws Committee or the Governing Body.

CARRIED

11 Update report on set net controls

Secretarial Note: Changes to the original motion were incorporated under recommendation c) with the agreement of the meeting.

Resolution number RBC/2015/24

MOVED by Member G Wilcox, seconded by Deputy Chairperson DA Krum:

That the Regulatory and Bylaws Committee:

- a) request staff investigate the making of seasonal crab pot and set net controls at Omaha Beach and a set net control at Arkles Bay.
- b) note that staff will undertake further monitoring of set net activities at Hatfields Beach, Browns Bay, Matakatia Beach and Campbells Bay over the 2015/2016 summer period.
- c) note that the chair of the Regulatory and Bylaws Committee will correspond with the Ministry of Primary Industries regarding their roles in regulating set netting in partnership with Auckland Council.

CARRIED

12 Evidence gathering for Boarding House project in South Auckland

Secretarial Note: Changes to the original motion were incorporated under recommendations c) and d) with the agreement of the meeting.

Resolution number RBC/2015/25

MOVED by Cr GS Wood, seconded by Chairperson CM Penrose:

That the Regulatory and Bylaws Committee:

- a) note that council officers using a combined regulatory approach can manage the environmental health and building safety issues relating to boarding houses without the creation of a specific bylaw, by utilising existing legislation/regulations, especially;
 - Building Act 2004 and associated regulations
 - Health Act 1956 and associated regulations
 - Resource Management Act 1991
- b) note that staff will develop an operational plan to proactively monitor and inspect boarding houses.

- c) note that staff will engage with the Independent Maori Statutory Board, seeking input to the draft operational plan for the monitoring of boarding houses.
- d) request that a report on boarding houses be directed to the 6 August 2015 Regional Strategy and Policy Committee meeting to continue Auckland Council's advocacy with government.

CARRIED

13 Review of Boarding Houses Bylaws

Resolution number RBC/2015/26

MOVED by Cr GS Wood, seconded by Cr SL Stewart:

That the Regulatory and Bylaws Committee:

- a) agree to allow the following legacy bylaws for boarding houses to be automatically revoked on the 31 October 2015:
 - Auckland City Council Hostels Bylaw 2008
 - Rodney District Council Sanitation and Cleanliness of Buildings and Places of Public Resort Bylaw 1998

CARRIED

14 Consideration of Extraordinary Items

There was no consideration of extraordinary items.

11.25am

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:.....