
Regulatory and Bylaws Committee

OPEN MINUTES

Minutes of a meeting of the Regulatory and Bylaws Committee held in Room 1, Level 26, 135 Albert Street, Auckland on Tuesday, 10 May 2016 at 9.31am.

PRESENT

Chairperson	Cr Calum Penrose	
Deputy Chairperson	Cr Denise Krum	From 9.36am, Item 5.2
Members	Cr Bill Cashmore	Until 1.04pm, Item 10
	Cr Alf Filipaina	
	Cr Sharon Stewart, QSM	From 9.32am, Item 1
	Cr John Watson	
	Member Glenn Wilcox	
	Member Karen Wilson	
	Cr George Wood, CNZM	

ABSENT

Cr Linda Cooper
Deputy Mayor Penny Hulse

ALSO PRESENT

Cr Cathy Casey
Cr Wayne Walker
Cr Penny Webster

IN ATTENDANCE

Beth Haulbrooke	Rodney Local Board Member
Julia Parfitt	Chair, Hibiscus and Bays Local Board
Greg Sayers	Deputy Chair, Hibiscus and Bays Local Board
Brenda Steele	Chair, Rodney Local Board

1 Apologies

Cr SL Stewart entered the meeting at 9.32 am.

Resolution number RBC/2016/6

MOVED by Cr AM Filipaina, seconded by Member G Wilcox:

That the Regulatory and Bylaws Committee:

- a) **accept the apologies from Cr LA Cooper and Deputy Mayor PA Hulse for absence.**

CARRIED

2 Declaration of Interest

Cr AM Filipaina declared a conflict of interest at Item 12 - Extending the McManus Park alcohol ban to part of Ōtāhuhu.

3 Confirmation of Minutes

Resolution number RBC/2016/7

MOVED by Cr W Cashmore, seconded by Cr GS Wood:

That the Regulatory and Bylaws Committee:

- a) **confirm the ordinary minutes of its meeting, held on Tuesday, 9 February 2016, as a true and correct record.**

CARRIED

4 Petitions

There were no petitions.

5 Public Input

Item 5.1 – Public Input – Viv Beck and Tania Loveridge, Heart of the City, was heard at Item 11 – Update on begging behaviour in the central city.

5.2 Public Input - Graham Painter - Set Netting

Documents were tabled at the meeting. Copies have been placed on the official minutes and are available on the Auckland Council website as minutes attachments.

Deputy Chairperson DA Krum entered the meeting at 9.36 am.

Member G Wilcox left the meeting at 10.16 am.

Resolution number RBC/2016/8

MOVED by Chairperson CM Penrose, seconded by Member K Wilson:

That the Regulatory and Bylaws Committee:

- a) **thank Graham Painter for his presentation regarding set netting.**

CARRIED

Attachments

- A 10 May 2016, Regulatory and Bylaws Committee, Item 5.2 - Graham Painter, Tabled Information - Document One
- B 10 May 2016, Regulatory and Bylaws Committee, Item 5.2 - Graham Painter, Tabled Information - Document Two

6 Local Board Input

6.1 Local Board Input - Julia Parfitt and Greg Sayers, Hibiscus and Bays Local Board, Brenda Steele and Beth Houlbrooke, Rodney Local Board - Set Netting

Member G Wilcox returned to the meeting at 10.18 am.

Note: Changes to the original motion were incorporated with the agreement of the meeting.

Resolution number RBC/2016/9

MOVED by Cr W Cashmore, seconded by Cr SL Stewart:

That the Regulatory and Bylaws Committee:

- a) **thank Julia Parfitt, Greg Sayers, Brenda Steele and Beth Houlbrooke for their presentations regarding set netting.**

CARRIED

7 Extraordinary Business

There was no extraordinary business.

8 Notices of Motion

There were no notices of motion.

9 Report from the Ministry of Primary Industries

Note: Changes to the original motion were incorporated with the agreement of the meeting.

Resolution number RBC/2016/10

MOVED by Deputy Chairperson DA Krum, seconded by Cr J Watson:

That the Regulatory and Bylaws Committee:

- a) **thank Laura Furneaux and Jacob Hore (Ministry of Primary Industries) for their presentation.**

CARRIED

The meeting adjourned at 12.00pm, and reconvened at 12.11pm.

Member G Wilcox was not present when the meeting reconvened.

10 Update on monitoring of set netting activities at Omaha Beach

Member G Wilcox returned to the meeting at 12.13pm.

Cr W Cashmore left the meeting at 1.04 pm.

Staff provided a verbal update on the matter.

Note: With the agreement of the meeting Item 10 was adjourned at 1.07pm, and Item 11 was accorded precedence at this time.

11 Update on begging behaviour in the central city

Heart of the City Chief Executive Viv Beck, and Centre Manager Tania Loveridge were in attendance and spoke to the item.

Resolution number RBC/2016/11

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

That the Regulatory and Bylaws Committee:

- a) **thank Viv Beck and Tania Loveridge (Heart of the City) for their presentation.**

CARRIED

Note: Changes to the original motion were incorporated under clauses a) iv)-v) with the agreement of the meeting.

Resolution number RBC/2016/12

MOVED by Deputy Chairperson DA Krum, seconded by Cr GS Wood:

That the Regulatory and Bylaws Committee:

- a) **agree that staff should undertake the following actions:**
 - i) **maintain City Watch patrols and investigate opportunities to improve operational practices; and**
 - ii) **advocate to central government for infringement powers and increased social service provision; and**

- iii) **make minor editorial amendments to the Public Safety and Nuisance Bylaw 2013; and**
- iv) **commence the review of the Public Safety and Nuisance Bylaw 2013 at an early date.**
- v) **report back to the appropriate committee on the positive initiatives regarding begging.**

CARRIED

Note: With the agreement of the meeting, Item 10 continued at this time.

10 Update on monitoring of set netting activities at Omaha Beach

Note: Chair's recommendations were incorporated prior to the meeting.

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

That the Regulatory and Bylaws Committee:

- a) receive an update on the monitoring of set net and crab fishing activities at Omaha Beach over the 2015/2016 summer period.
- b) request a report back on the decision made on 9 December 2015 (resolution number RBC/2015/45) to manage public safety and nuisance issues associated with set netting and crab fishing at Omaha Beach.
- c) agree that staff report back on the options for Auckland Council officers to hold multiple warrants, which will be considered as part of the current review of customer enabled compliance.

Note: Cr J Watson foreshadowed a motion, to be considered if the original motion failed.

MOVED by Cr J Watson, seconded by Cr SL Stewart:

That the Regulatory and Bylaws Committee:

- a) impose a trial seasonal set netting ban at Omaha Beach from the beginning of Labour Weekend 2016 until the end of Easter 2017.

Note: The foreshadowed motion was deemed to be an alteration of a previous resolution of the Regulatory and Bylaws Committee (Standing Order 1.9.1), and was withdrawn.

MOVED by Cr J Watson, seconded by Cr SL Stewart: an amendment by way of replacement to clause c):

That the Regulatory and Bylaws Committee:

- c) direct staff through the Chief Executive to report back to the Regulatory and Bylaws Committee for a decision where at least one option will include a trial seasonal set net ban at Omaha Beach 2016/17.

Note: Cr J Watson and Cr SL Stewart withdrew their amendment, as changes were incorporated into the original motion with the agreement of the meeting.

Resolution number RBC/2016/13

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

That the Regulatory and Bylaws Committee:

- a) receive an update on the monitoring of set net and crab fishing activities at Omaha Beach over the 2015/2016 summer period.
- b) request a report back on the decision made on 9 December 2015 (resolution number RBC/2015/45) to manage public safety and nuisance issues associated with set netting and crab fishing at Omaha Beach, including the consideration of a seasonal ban, and ensuring that Māori feedback is received according to the tikanga requested in paragraph 42 of the agenda report (CP2015/18392).
- c) agree that staff report back on the options for Auckland Council officers to hold multiple warrants, which will be considered as part of the current review of customer enabled compliance.

CARRIED

12 Extending the McManus Park alcohol ban to part of Ōtāhuhu

Cr AM Filipaina declared a conflict of interest in the item and took no part in the discussion or voting on the matter.

Note: Changes to the original motion were incorporated with the agreement of the meeting.

Resolution number RBC/2016/14

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

That the Regulatory and Bylaws Committee:

- a) make an alcohol ban, pursuant to the Auckland Council Alcohol Control Bylaw 2014, to operate for 24 hours a day, seven days a week, in the area marked in red on Attachment A to this report, and described as follows:
“the car parks and access roads of Ōtāhuhu (Mount Richmond) that adjoin McManus Park and Bert Henham Park.”
- b) confirm that the decision in (a) is in accordance with relevant requirements of the Local Government Act 2002 and Auckland Council Alcohol Control Bylaw 2014.

CARRIED

13 Update on bylaws development and information on the 2016/17 work programme

Resolution number RBC/2016/15

MOVED by Cr AM Filipaina, seconded by Cr SL Stewart:

That the Regulatory and Bylaws Committee:

- a) receive the report on the bylaws work programme for 2016/2017.

CARRIED

14 Consideration of Extraordinary Items

There was no consideration of extraordinary items.

2.17 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:.....