
Governing Body

OPEN MINUTES

Minutes of a meeting of the Governing Body held in the Reception Lounge, Auckland Town Hall, 301-305 Queen Street, Auckland on Thursday, 27 March 2014 at 9.30am.

PRESENT

Mayor	Len Brown, JP	
Deputy Mayor	Penny Hulse	From 9.35 am, Item 5
Councillors	Cr Anae Arthur Anae	
	Cr Cameron Brewer	
	Cr Dr Cathy Casey	
	Cr Bill Cashmore	
	Cr Ross Clow	Until 11.28 am, Item 13 From 1.28 pm, Item 16
	Cr Linda Cooper, JP	
	Cr Chris Darby	
	Cr Alf Filipaina	From 9.37 am, Item 7.1
	Cr Hon Chris Fletcher, QSO	
	Cr Denise Krum	Until 9.48 am, Item 7.2 From 11.00 am, Item 12 Until 12.04 pm, Item 15
	Cr Mike Lee	From 9.38 am, Item 7.1
	Cr Calum Penrose	
	Cr Dick Quax	
	Cr Sharon Stewart, QSM	
	Cr Sir John Walker, KNZM, CBE	
	Cr Wayne Walker	
	Cr John Watson	
	Cr Penny Webster	
	Cr George Wood, CNZM	

APOLOGIES

Cr Mike Lee	For lateness
Cr Alf Filipaina	For lateness

1 Affirmation

His Worship the Mayor read the affirmation.

2 Apologies

Resolution number GB/2014/26

MOVED by Mayor LCM Brown, seconded by Cr WB Cashmore:

That the Governing Body:

- a) **accept the apologies from Cr ME Lee and Cr AM Filipaina for lateness.**

CARRIED

3 Declaration of Interest

There were no declarations of interest.

4 Confirmation of Minutes

Resolution number GB/2014/27

MOVED by Mayor LCM Brown, seconded by Cr CM Casey:

That the Governing Body:

- a) **confirm the ordinary minutes of its meeting, held on Thursday, 27 February 2014, including the confidential section, as a true and correct record.**

CARRIED

5 Acknowledgements

His Worship the Mayor acknowledged the passing of Les Andrews and a moment of silence was observed.

Deputy Mayor PA Hulse entered the meeting at 9.35 am.

6 Petitions

There were no petitions.

7 Public Input

7.1 Public Input - The Problem Gambling Foundation

Cr AM Filipaina entered the meeting at 9.37 am.

Cr ME Lee entered the meeting at 9.38 am.

Graeme Ramsey, CEO of the Problem Gambling Foundation, accompanied by Donna Tamaariki, John Wong, and Pesio Ah-Honi Siitia, were present to address the meeting regarding the Problem Gambling Foundation funding and viability.

Resolution number GB/2014/28

MOVED by Mayor LCM Brown, seconded by Cr CM Casey:

That the Governing Body:

- a) receive the Problem Gambling Foundation's presentation regarding the Problem Gambling Foundation funding and viability.
- b) request that a report be prepared for the 14 May 2014 meeting of the Community Development and Safety Committee, regarding the Government's re-allocation of funding to the Problem Gambling Foundation of New Zealand and its implications for the prevention and reduction of gambling harm in Auckland.

CARRIED

Attachments

A Text of presentation

7.2 Public Input - Penny Bright

Cr MP Webster left the meeting at 9.47 am.

Penny Bright was present to address the meeting regarding statutory protection for 'anti-corruption whistle-blowers' who are not employees and the statutory duties arising from s.17 of the Public Records Act 2005.

9.48 am The meeting was adjourned because of disruption.

10.05 am The meeting reconvened.

10.06 am The meeting was adjourned because of further disruption, which was resolved pursuant to Section 50 of the Local Government Official Information and Meetings Act.

10.08 am The meeting reconvened.

Cr MP Webster was present when the meeting reconvened.

Cr D Krum was not present when the meeting reconvened.

Secretarial note: Dr. William Randall, Chairman and Roy Clare, Director, representing the Auckland War Memorial Museum, presented their public input regarding Item 12: The 2014-15 Levies for the Auckland War Memorial Museum, and the Museum of Transport and Technology at the item.

8 Local Board Input

There was no local board input.

9 Extraordinary Business

There was no extraordinary business.

10 Notices of Motion

There were no notices of motion.

11 Auckland Regional Amenities Funding Plan 2014-15

Resolution number GB/2014/29

MOVED by Mayor LCM Brown, seconded by Cr MP Webster:

That the Governing Body:

- a) **approve the 2014/15 levy of \$14.311 million recommended by the Auckland Regional Amenities Funding Board.**
- b) **note that a one off payment of \$400,000 will be made to the Auckland Regional Amenities Funding Board for costs associated with the Auckland Regional Rescue Helicopter Trust judicial review proceedings, which will be made in the 2013/14 financial year.**

CARRIED

12 The 2014-15 Levies for the Auckland War Memorial Museum, and the Museum of Transport and Technology

Dr William Randall, Auckland War Memorial Museum Chairman and Roy Clare, Director, provided a PowerPoint presentation on behalf of the Auckland War Memorial Museum regarding this item. A copy has been placed on the official copy of the minutes and will be available on the Auckland Council website as a minutes attachment.

Cr MP Webster left the meeting at 10.59 am.

Cr DA Krum returned to the meeting at 11.00 am.

Deputy Mayor PA Hulse left the meeting at 11.03 am.

Cr MP Webster returned to the meeting at 11.07 am.

Deputy Mayor PA Hulse returned to the meeting at 11.21 am.

Cr AJ Anae left the meeting at 11.25 am.

Resolution number GB/2014/30

MOVED by Mayor LCM Brown, seconded by Cr MP Webster:

That the Governing Body:

- a) **thank Dr William Randall, Auckland War Memorial Museum Chairman and Roy Clare, Director, for their presentation on behalf of the Auckland War Memorial Museum.**
- b) **approve the 2014-15 Museum of Transport and Technology levy of \$11.987 million, as recommended by Regional Facilities Auckland.**
- c) **reject the 2014-15 Auckland War Memorial Museum levy of \$28.657 million, as recommended by Regional Facilities Auckland.**
- d) **agree that the Chair of the Finance and Performance committee be authorised to negotiate an agreement in relation to the Auckland War Memorial Museum levy.**
- e) **agree that if no agreement can be reached, then the issue of the Auckland War Memorial Museum levy be referred to an arbitrator.**

CARRIED

Secretarial note: Pursuant to Standing Order 3.15.5, Cr CM Casey requested that her dissenting vote be recorded, Cr RI Clow requested that his dissenting

vote against (b) and (c) be recorded, and Cr LA Cooper requested that her dissenting vote against (c) be recorded.

Attachments

A PowerPoint presentation

13 Council Controlled Organisation Review - Project Plan and Timing for Phase Two

Cr AJ Anae returned to the meeting at 11.28 am.

Cr RI Clow left the meeting at 11.28 pm.

Secretarial note: Changes to the original recommendation were incorporated as motion b), with the agreement of the meeting.

Resolution number GB/2014/31

MOVED by Cr ME Lee, seconded by Cr WB Cashmore:

That the Governing Body:

- a) **note the key deliverables and timing for phase two of the Council Controlled Organisation review.**
- b) **agree that consideration be given to a public submission process as part of the Council Controlled Organisation review.**

CARRIED

Secretarial note: The meeting agreed that Item No. 15 - Request to amend the implementation date of the Public Safety and Nuisance Bylaw 2013, and to accelerate the development of the local approved products policy – be accorded precedence at this time.

15 Request to amend the implementation date of the Public Safety and Nuisance Bylaw 2013, and to accelerate the development of the local approved products policy

This report was not available when the agenda went to print and was tabled at the meeting.

A copy of the report has been placed on the official copy of the minutes and will be available on the Auckland Council website as a minutes attachment.

Cr MP Webster left the meeting at 11.55 am.

Cr MP Webster returned to the meeting at 12.02 pm.

Cr DA Krum left the meeting at 12.04 pm.

Cr AM Filipaina left the meeting at 12.10 pm.

Secretarial note: Changes to the original recommendation were incorporated as motions d) and e), with the agreement of the meeting.

Resolution number GB/2014/32

MOVED by Deputy Mayor PA Hulse, seconded by Cr CM Penrose:

That the Governing Body:

- a) **note the concerns raised by Chairs of the Henderson-Massey, Howick, Manurewa, Papakura, Waitakere Ranges and Whau Local Boards in their letter of 13 March 2014, regarding the antisocial effects of psychoactive substance use in public places in their respective communities.**
- b) **confirm that the Auckland Council Public Safety and Nuisance Bylaw is to take effect from 26 May 2014, as planned.**

- c) request that staff explore with local boards the opportunity of shortening the timeline for the development of the Auckland Council Psychoactive Substances Local Approved Products Policy (LAPP), using the recently endorsed work programme for the development of the LAPP as the basis for that opportunity.
- d) agree that a working party comprising of Deputy Mayor PA Hulse, Cr CM Casey, Cr LA Cooper, Cr AM Filipaina, Cr CM Penrose and the affected Local Boards be established to work on this issue.
- e) agree that the report and resolutions be forwarded to all Local Boards for their information.

CARRIED

Attachments

- A Tabled Report - Request to amend the implementation date of the Public Safety and Nuisance Bylaw 2013, and to accelerate the development of the local approved products policy

12.14 pm The meeting was adjourned.

1.27 pm The meeting reconvened.

Cr AM Filipaina was present when the meeting reconvened.

Cr RI Clow was not present when the meeting reconvened.

14 Cemeteries and Crematoria Bylaw: Statement of Proposal - Resolutions from the Regulatory and Bylaws Committee

Resolution number GB/2014/33

MOVED by Cr LA Cooper, seconded by Cr CM Penrose:

That the Governing Body:

- a) agree that 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;
- b) agree that 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;
- c) agree that 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;
- d) agree that 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);
- e) agree that 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;
- f) 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

Secretarial note: Item No.15 - Request to amend the implementation date of the Public Safety and Nuisance Bylaw 2013, and to accelerate the development of the local approved products policy – was considered prior to Item No. 14 - Cemeteries and Crematoria Bylaw: Statement of Proposal - Resolutions from the Regulatory and Bylaws Committee.

16 2014 Local Government New Zealand AGM and Conference

Cr RI Clow returned to the meeting at 1.28 pm.

Resolution number GB/2014/34

MOVED by Mayor LCM Brown, seconded by Cr MP Webster:

That the Governing Body:

- a) **appoint the Mayor, Deputy Mayor, Cr MP Webster, and the Chief Executive (or nominee) as its official delegates to attend the Local Government New Zealand Annual General Meeting on 20 July 2014, with the Mayor as the presiding delegate, and approve their attendance at the Conference.**
- b) **approve the attendance of Cr LA Cooper and Cr AM Filipaina at the Local Government New Zealand Conference from 20 July 2014 to 22 July 2014.**

CARRIED

17 Consideration of Extraordinary Items

There was no consideration of extraordinary items.

1.30 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 GOVERNING BODY HELD
ON

DATE:.....

CHAIRPERSON:.....