
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, 29 May 2014 at 9.30am.

PRESENT

Deputy Mayor Councillors

Cr Penny Hulse
Cr Anae Arthur Anae
Cr Cameron Brewer
Cr Dr Cathy Casey
Cr Bill Cashmore
Cr Ross Clow
Cr Linda Cooper, JP
Cr Alf Filipaina
Cr Hon Christine Fletcher, QSO
Cr Mike Lee
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

From 9.37am, Item 5.1

APOLOGIES

Mayor Len Brown
Cr Chris Darby
Cr Denise Krum
Cr George Wood

For absence on council business
For absence on council business
For absence
For lateness

1 Affirmation

The Deputy Mayor read the affirmation.

2 Apologies

Resolution number GB/2014/47

MOVED by Deputy Mayor PA Hulse, seconded by Cr WD Walker:

That the Governing Body:

- a) **accept the apologies from Mayor LCM Brown and Cr C Darby for absence on council business, from Cr DA Krum for absence and from Cr GS Wood for lateness.**

CARRIED

3 Declaration of Interest

There were no declarations of interest.

4 Confirmation of Minutes

Resolution number GB/2014/48

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

That the Governing Body:

- a) **confirm the minutes of its meetings, held on Thursday 27 March, Thursday 1 May, including the confidential section, and Thursday, 8 May 2014, as true and correct records.**

CARRIED

5 Acknowledgements and Achievements

5.1 Acknowledgements

Cr GS Wood entered the meeting at 9.37 am.

Cr AM Filipaina acknowledged the passing of Pani Stirling and a moment of silence was observed.

Cr AM Filipaina left the meeting at 9.39 am.

Achievements

A document noting Auckland Council achievements for May 2014 was tabled. A copy has been placed on the official minutes and is available on the Auckland Council website as a minutes attachment.

Attachments

A 29 May 2014 Item 5.1 - Auckland Council Group achievements May 2014

6 Petitions

There were no petitions.

7 Public Input

There was no public input.

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 Statement of Proposal for proposed Trading and Events in Public Places Bylaw 2014 - Recommendations from the 20 May 2014 Regulatory and Bylaws Committee

Cr AM Filipaina returned to the meeting at 9.48 am.

Resolution number GB/2014/49

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

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 the issues relating to the following activities:**
 - i) **markets and stalls;**
 - ii) **mobile shops;**
 - iii) **outdoor dining areas;**
 - iv) **fundraising;**
 - v) **offering commercial services;**
 - vi) **distributing promotional material and / or goods;**
 - vii) **street performances / busking and pavement artists**
 - viii) **events and filming in public places**
 - ix) **trading activities in parks and reserves.**
- b) **agree that pursuant to section 155(2)(a) of the Local Government Act 2002, the proposed trading and events in public places bylaw (Attachment C) is the most appropriate form of bylaw to address problems related to trading and events in public places identified as in scope.**
- c) **agree that pursuant to section 155(2)(b) and section 155(3) of the Local Government Act 2002, the proposed trading and events in public places bylaw is not inconsistent with the New Zealand Bill of Rights Act 1990.**
- d) **agree that pursuant to section 62 of the Local Government (Auckland Transitional Provisions) Act 2010, the Auckland Council proposes to revoke those clauses of the existing eight legacy bylaws that deal with the issues of trading and events in public places (and replace them with a new region-wide bylaw on trading and events in public places).**

- e) agree that pursuant to sections 145, 146 and 149 of the Local Government Act 2002, the proposed trading and events in public places bylaw is for the purposes of:
 - i) regulating trading activities and the conduct of persons selling or offering goods or services in public places by requiring approval from the council, Auckland Transport or other council controlled organisation;
 - ii) regulating events and filming in roads and other public places by requiring operators to obtain an approval;
 - iii) setting general and specific conditions for trading and events in public places to ensure that appropriate standards of health and safety, pedestrian and vehicle access and visual amenity are maintained;
 - iv) prescribing for fees in respect of any approval obtained for undertaking any trading activity or events in a public place.
- f) agree that pursuant to sections 83 and 86 of the Local Government Act 2002, Attachment B: Statement of Proposal be adopted for public consultation (noting that portions of this Statement of Proposal relate to Auckland Transport and that decisions relating to those portions will be made by Auckland Transport's board).
- g) authorise the Manager, Policies and Bylaws to make any minor edits or amendments to the Statement of Proposal to correct any identified errors or typographical edits or to reflect decisions made by the Regulatory and Bylaws Committee or the Governing Body.

CARRIED

12 Wind-up of the Safer Papakura Trust

Resolution number GB/2014/50

MOVED by Cr CM Penrose, seconded by Cr CE Fletcher:

That the Governing Body:

- a) provide written consent to the Safer Papakura Trust Board to wind up the Trust.
- b) acknowledge the services that the Trust has provided to the Papakura district during the life of this legacy council controlled organisation.

CARRIED

13 Terms of Reference for Committees - Parks, Recreation and Sport Committee

Resolution number GB/2014/51

MOVED by Cr CE Fletcher, seconded by Cr CM Penrose:

That the Governing Body:

- a) amend the Terms of Reference for the Parks, Recreation and Sport Committee to reflect the ability to approve land purchases for parks purposes to a limit of \$5 million, as in Attachment A to the agenda report.

CARRIED

14 Consideration of Extraordinary Items

There was no consideration of extraordinary items.

15 Procedural motion to exclude the public

Resolution number GB/2014/52

MOVED by Deputy Mayor PA Hulse, seconded by Cr GS Wood:

That the Governing Body:

a) **exclude the public from the following part(s) of the proceedings of this meeting.**

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution follows.

This resolution is made in reliance on section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by section 6 or section 7 of that Act which would be prejudiced by the holding of the whole or relevant part of the proceedings of the meeting in public, as follows:

C1 Appointment of local board members to the Tūpuna Maunga o Tāmaki Makaurau Authority

Reason for passing this resolution in relation to each matter	Particular interest(s) protected (where applicable)	Ground(s) under section 48(1) for the passing of this resolution
The public conduct of the part of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under section 7.	s7(2)(a) - The withholding of the information is necessary to protect the privacy of natural persons, including that of a deceased person. In particular, the report contains the names of possible appointees to the Maunga Authority.	s48(1)(a) The public conduct of the part of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under section 7.

The text of these resolutions is made available to the public who are present at the meeting and form part of the minutes of the meeting.

CARRIED

10.15am The public was excluded.

Resolutions in relation to the confidential items are recorded in the confidential section of these minutes and are not publicly available.

10.18am. The public was re-admitted.

RESTATEMENTS

It was resolved while the public was excluded:

C1 Appointment of local board members to the Tūpuna Maunga o Tāmaki Makaurau Authority

That the Governing Body:

- a) appoint Glenda Fryer, Simon Randall and Kit Parkinson as the three local board members to the Tūpuna Maunga o Tāmaki Makaurau Authority.
- b) agree that the report and decision be restated in the open section of the minutes.

Attachments

- A Appointment of local board members to the Tupuna Maunga o Tamaki Makaurau Authority report

10.18 am

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:.....