

---

## Governing Body

# OPEN MINUTES

---

Minutes of a meeting of the Governing Body held in the Council Chamber, Civic Building, Level 2, 6 Henderson Valley Road, Henderson on Thursday, 30 July 2015 at 9.34am.

---

### PRESENT

<b>Mayor</b>	Len Brown, JP	
<b>Deputy Mayor</b>	Penny Hulse	
<b>Councillors</b>	Cr Cameron Brewer	Until 2.01pm, Item C2
	Cr Dr Cathy Casey	
	Cr Bill Cashmore	
	Cr Ross Clow	Until 12.58pm, Item C1
	Cr Linda Cooper, JP	
	Cr Chris Darby	
	Cr Alf Filipaina	
	Cr Denise Krum	Until 11.00am, Item 16
	Cr Mike Lee	From 9.58am, Item 7.2
	Cr Calum Penrose	
	Cr Dick Quax	From 10.39am, Item 13
	Cr Sharon Stewart, QSM	
	Cr Sir John Walker, KNZM, CBE	
	Cr Wayne Walker	From 10.58am, Item C1
	Cr John Watson	
	Cr Penny Webster	
	Cr George Wood	From 10.23am, Item 7.3

### ABSENT

Cr Anae Arthur Anae  
Cr Christine Fletcher

---



**1 Affirmation**

His Worship the Mayor read the affirmation.

**2 Apologies**

Resolution number GB/2015/72

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

**That the Governing Body:**

- a) **accept the apologies from Cr AJ Anae for absence on council business, from Cr CE Fletcher for absence and from Cr W Walker, Cr D Quax and Cr GS Wood for lateness.**

**CARRIED**

**3 Declaration of Interest**

There were no declarations of interest.

**4 Confirmation of Minutes**

Resolution number GB/2015/73

MOVED by Mayor LCM Brown, seconded by Cr RI Clow:

**That the Governing Body:**

- a) **confirm the ordinary minutes of its meeting, held on Thursday, 25 June 2015, including the confidential section, as a true and correct record.**

**CARRIED**

**5 Acknowledgements and Achievements**

**5.1 Acknowledgements**

His Worship the Mayor acknowledged the passing of Eleitino (Paddy) Walker, Sir Ronald Davison, Captain Ian Bradley, Edward (John) Evans and Anzac Pīkia and a moment of silence was observed.

**Achievements**

A document noting Auckland Council Group's achievements was tabled. A copy has been placed on the official minutes and is available on the Auckland Council website.

**Attachments**

A 30 July 2015 - Item 5.1 - Auckland Council's Group Achievements July 2015

## 6 Petitions

A petition was received in the public input section of the meeting.

## 7 Public Input

### 7.1 Public Input - Penny Bright - Auckland Population Growth Projection Triggers

Supporting information was tabled. A copy has been placed on the official minutes and is available on the Auckland Council website as a minutes attachment.

Resolution number GB/2015/74

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

**That the Governing Body:**

- a) **receive the presentation from Penny Bright regarding Auckland population growth projection triggers.**

**CARRIED**

#### **Attachments**

- A 30 July 2015 - Governing Body - Item 7.1 - Penny Bright Public Input - Auckland population growth projection triggers - supporting information

### 7.2 Public Input - Nicola Owen - Auckland Council Disability Advisors

Nicola Owen, representing 'Save Auckland Council Disability Advisors' was present to address the meeting and to present a petition regarding Auckland Council Disability Advisors.

#### Petition Prayer:

*Please save the Auckland Council Disability Advisors!*

*They play a vital role in assisting disabled Aucklanders to engage with Auckland Council, and in assisting Council to understand how to involve disabled people in so many aspects of Council's work.*

*We understand that Council wants local communities to feel empowered, but most disability work is done at a regional level rather than at local board level. While it's positive when specific local boards want to make their work more accessible it is often the region-wide initiatives that affect disabled people the most.*

*We understand the current plan is to disestablish the two Disability Advisor roles and we want you to understand the negative impact this will have on the disabled community.*

*The current team have done a great job in ensuring that disabled Aucklanders are able to engage with Auckland Council in a meaningful way and we do not feel the new approach would be as beneficial for disabled people or for Auckland Council.*

*We urge you to meet with disability groups to discuss their concerns and to intervene to save the Auckland Disability Advisors!*

A copy of the petition has been placed on the official minutes.

*Cr ME Lee entered the meeting at 9.58 am.*

Resolution number GB/2015/75

MOVED by Deputy Mayor PA Hulse, seconded by Cr LA Cooper:

**That the Governing Body:**

- a) **thank Nicola Owen for her presentation regarding Auckland Council Disability Advisors and receive the petition.**
- b) **request that the Chief Executive report back to the Regional Strategy and Policy Committee on how the Disability Programme will be supported regionally.**

**CARRIED**

**7.3 Public Input - Lisa Prager – The uncontrolled demolition and destruction of heritage homes in protected areas**

*10.23am Cr GS Wood entered the meeting.*

Lisa Prager was present, representing the Westmere Heritage Protection Association. Supporting information was tabled. A copy has been placed on the official minutes and is available on the Auckland Council website as a minutes attachment.

Resolution number GB/2015/76

MOVED by Mayor LCM Brown, seconded by Cr JG Walker:

**That the Governing Body:**

- a) **receive the presentation by Lisa Prager regarding the uncontrolled demolition and destruction of heritage homes in protected areas.**

**CARRIED**

**Attachments**

- A 30 July 2015 - Governing Body - Item 7.3 - Lisa Prager Public Input - The uncontrolled demolition and destruction of heritage homes in protected areas - supporting information

**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 Decisions on Remaining Legacy Bylaws - Recommendation from the Regulatory and Bylaws Committee**

Resolution number GB/2015/77

MOVED by Cr CM Penrose, seconded by Cr JG Walker:

**That the Governing Body:**

- a) **adopt the Statement of Proposal: Confirmation of Legacy Bylaws 2015, 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.**

**CARRIED**

**12 Report of the Hearings Panel on the proposed Stormwater Bylaw 2015**

*Deputy Mayor PA Hulse left the meeting at 10.35 am.*

Resolution number GB/2015/78

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

**That the Governing Body:**

- a) **receive and adopt the recommendations of the hearings panel on the Stormwater Bylaw 2015.**
- b) **confirm that pursuant to section 155 of the Local Government Act 2002, the proposed Stormwater Bylaw 2015 is the most appropriate way for managing the stormwater network, and that the proposed bylaw is the most appropriate form of bylaw and is not inconsistent with the New Zealand Bill of Rights Act 1990.**
- c) **make the proposed Stormwater Bylaw 2015 (Attachment A to the agenda report) pursuant to Sections 145,146 and 149 of the Local Government Act 2002 with effect from 1 November 2015.**
- d) **revoke in full the following legacy bylaws relating to the management of stormwater with effect from 1 November 2015:**
- **Auckland City Council Bylaw No 18 Stormwater Management 2008;**
  - **Papakura District Council Stormwater Bylaw 2008; and**
  - **Chapter 21 (Stormwater drainage) of the Rodney District Council General Bylaw 1998.**
- e) **confirm the delegations proposed in Section 3 of the part entitled “Additional information to Stormwater Bylaw 2015” in Attachment A to the agenda report.**
- f) **authorise the Manager, Social Policy and Bylaws, in consultation with Councillor Wood, as chair of the hearings panel, to make any minor edits or amendments to the Stormwater Bylaw 2015 to correct any identified errors or typographical edits or to reflect decisions made by the governing body.**

**CARRIED**

**13 2019 Elections - Review of Representation Arrangements**

*Cr D Quax entered the meeting at 10.39 am.  
Deputy Mayor PA Hulse returned to the meeting at 10.40 am.*

Resolution number GB/2015/79

MOVED by Mayor LCM Brown, seconded by Cr GS Wood:

**That the Governing Body:**

- a) **seek legislative change to remove the set membership number of the governing body so that any future council has the opportunity to review the number of members on the governing body, as is the case with other councils.**
- b) **seek legislative change that provides the Local Government Commission the power to determine a change to a local board boundary where the key purpose is to achieve alignment with a ward boundary that is changed as a result of a review of representation; provided that either the change is minor or, if not minor, the change:**
  - i) **ensures effective representation of communities of interest within both the local board area and the ward, and**
  - ii) **is supported by the affected local boards, and**
  - iii) **was publicly notified as part of the representation review.**
- c) **ask staff to initiate discussions with the Department of Internal Affairs to promote these changes and report back on progress.**

**CARRIED**

**14 Audit and Risk Committee Chairperson**

*Cr CM Casey left the meeting at 10.45 am.*

Secretarial note: Clauses d) and e) were added with the agreement of the meeting.

Resolution number GB/2015/80

MOVED by Mayor LCM Brown, seconded by Cr CE Brewer:

**That the Governing Body:**

- a) **record its thanks to Sir John Walker for his contribution as chairperson of the Audit and Risk Committee since the start of this political term.**
- b) **note that Councillor Bill Cashmore has been appointed as the chairperson of the Audit and Risk Committee for the remainder of this political term.**
- c) **note that the Chief Executive will develop advice on the relative merits of independence of some, or all, of the members of the Audit and Risk Committee for the incoming mayor and governing body following the 2016 local government elections.**
- d) **appoint Cr RI Clow and Cr LA Cooper to the Audit and Risk Committee.**
- e) **thank Cr CM Casey for her contribution as deputy chairperson of the Audit and Risk Committee.**

**CARRIED**

Secretarial note: His Worship the Mayor acknowledged Cr CM Casey's resignation as a member of the Audit and Risk Committee.

**15 Consideration of Extraordinary Items**

There was no consideration of extraordinary items.

**16 Procedural motion to exclude the public**

Resolution number GB/2015/81

MOVED by Mayor LCM Brown, seconded by Cr LA Cooper:

**That the Governing Body:**

- a) **exclude the public from the following part(s) of the proceedings of this meeting.**
- b) **agree that Don Munro, Manager Strategic Transport Integration, Auckland Transport, be permitted to remain for Confidential Items Special Housing Areas C1 – C3 after the public has been excluded, because of his knowledge of the issues which will help the Governing Body in its decision-making.**

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 Special Housing Areas - Further recommendations on a Tranche 4 request**

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
<p>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.</p>	<p>s7(2)(b)(ii) - The withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information.</p> <p>s7(2)(c)(i) - The withholding of the information is necessary to protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information would be likely to prejudice the supply of similar information or information from the same source and it is in the public interest that such information should continue to be supplied.</p> <p>In particular, the report contains commercially sensitive information</p>	<p>s48(1)(a)</p> <p>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.</p>



	regarding development proposals.	
--	----------------------------------	--

**C2 Special Housing Areas - Deferred from 14 May 2015 Auckland Development Committee**

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.	<p>s7(2)(b)(ii) - The withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information.</p> <p>s7(2)(c)(i) - The withholding of the information is necessary to protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information would be likely to prejudice the supply of similar information or information from the same source and it is in the public interest that such information should continue to be supplied.</p> <p>In particular, the report contains commercially sensitive information regarding development proposals.</p>	<p>s48(1)(a)</p> <p>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.</p>

**C3 Special Housing Areas Tranche 7 - 7 July 2015 Auckland Development Committee Recommendations**

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.	<p>s7(2)(b)(ii) - The withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information.</p> <p>s7(2)(c)(i) - The withholding of the information is necessary to protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information would be likely to prejudice the supply of similar information or information from the</p>	<p>s48(1)(a)</p> <p>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.</p>

	<p>same source and it is in the public interest that such information should continue to be supplied.</p> <p>In particular, the report and attachments contain information which, if released, would potentially prejudice or disadvantage commercial activities.</p>	
--	---	--

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**

10.58am 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.

2.13pm The public was re-admitted.

### **RESTATEMENTS**

It was resolved while the public was excluded:

#### **C1 Special Housing Areas - Further recommendations on a Tranche 4 request**

That the Governing Body:

- g) agree that these decisions, report and attachments remain confidential until all due processes have been concluded, and that the Mayor and Deputy Mayor be delegated responsibility to release this information as may be required.

#### **C2 Special Housing Areas - Deferred from 14 May 2015 Auckland Development Committee**

That the Governing Body:

- e) agree that the decisions, report and attachments regarding 10 Pacific Events Centre Drive and 834 Great South Road remain confidential until all due processes have been concluded, and that the Mayor and Deputy Mayor be delegated responsibility to release information on these special housing areas as may be required.

**C3 Special Housing Areas Tranche 7 - 7 July 2015 Auckland Development Committee Recommendations**

That the Governing Body:

- e) agree that the decisions, report and attachments regarding – Special Housing Areas Tranche 7 - 7 July 2015 Auckland Development Committee Recommendations – remain confidential until all due processes have been concluded, and that the Mayor and Deputy Mayor be delegated responsibility to release information on these special housing areas as may be required.

2.13pm

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:**.....