

I hereby give notice that an extraordinary meeting of the Albert-Eden Local Board will be held on:

Date: Tuesday, 20 October 2015
Time: 12.00pm
Meeting Room: Board Room
Venue: Albert Eden Local Board Office
135 Dominion Road
Mt Eden

Albert-Eden Local Board OPEN AGENDA

MEMBERSHIP

Chairperson	Peter Haynes
Deputy Chairperson	Glenda Fryer
Members	Helga Arlington
	Lee Corrick
	Graeme Easte
	Rachel Langton
	Margi Watson
	Tim Woolfield

(Quorum 4 members)

Michael Mendoza
Democracy Advisor

15 October 2015

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1 Welcome

2 Apologies

At the close of the agenda no apologies had been received.

3 Declaration of Interest

Members are reminded of the need to be vigilant to stand aside from decision making when a conflict arises between their role as a member and any private or other external interest they might have.

4 Leave of Absence

At the close of the agenda no requests for leave of absence had been received.

5 Acknowledgements

At the close of the agenda no requests for acknowledgements had been received.

6 Petitions

At the close of the agenda no requests to present petitions had been received.

7 Deputations

Standing Order 3.20 provides for deputations. Those applying for deputations are required to give seven working days notice of subject matter and applications are approved by the Chairperson of the Albert-Eden Local Board. This means that details relating to deputations can be included in the published agenda. Total speaking time per deputation is ten minutes or as resolved by the meeting.

At the close of the agenda no requests for deputations had been received.

8 Public Forum

A period of time (approximately 30 minutes) is set aside for members of the public to address the meeting on matters within its delegated authority. A maximum of 3 minutes per item is allowed, following which there may be questions from members.

At the close of the agenda no requests for public forum had been received.

9 Extraordinary Business

Section 46A(7) of the Local Government Official Information and Meetings Act 1987 (as amended) states:

“An item that is not on the agenda for a meeting may be dealt with at that meeting if-

- (a) The local authority by resolution so decides; and
- (b) The presiding member explains at the meeting, at a time when it is open to the public,-
 - (i) The reason why the item is not on the agenda; and

- (ii) The reason why the discussion of the item cannot be delayed until a subsequent meeting.”

Section 46A(7A) of the Local Government Official Information and Meetings Act 1987 (as amended) states:

“Where an item is not on the agenda for a meeting,-

- (a) That item may be discussed at that meeting if-
 - (i) That item is a minor matter relating to the general business of the local authority; and
 - (ii) the presiding member explains at the beginning of the meeting, at a time when it is open to the public, that the item will be discussed at the meeting; but
- (b) no resolution, decision or recommendation may be made in respect of that item except to refer that item to a subsequent meeting of the local authority for further discussion.”

10 Notices of Motion

At the close of the agenda no requests for notices of motion had been received.

Hearing panel decisions on local dog access rules in the Albert-Eden Local Board area 2015

File No.: CP2015/21795

Purpose

1. To rescind the decision of the Albert-Eden Local Board Dog Access Review Panel made at its meeting on Wednesday 9 September 2015.

Executive Summary

2. The Albert-Eden Local Board Dog Access Review Panel was appointed to make decisions on submissions on proposed changes to local dog access rules.
3. The hearing panel considered 249 submissions, heard from 8 submitters on 7 September 2015, and held deliberations and made decisions on 9 September 2015.
4. Following the decision, discussions with members of the public lead to the discovery that one submitter was not invited to attend the hearings.
5. Further investigation found that an administrative error had resulted in 93 submissions being omitted from material provided to the hearing panel for their consideration, and that 11 of those submitters stated they wished to be heard.
6. The local board has a statutory obligation to consider all submissions before making a decision. For the hearing panel to reconvene to consider the 93 submissions and give an opportunity for the 11 submitters to be heard, the original decision of the hearing panel will need to be rescinded.

Recommendation/s

That the Albert-Eden Local Board:

- a) rescind resolution number AE/2015/107 of the Albert-Eden Local Board Dog Access Review Panel.

Comments

7. The Albert-Eden Local Board at its business meeting on 6 May 2015 adopted for public consultation a proposal on changes to local dog access rules on the beach and foreshore areas and selected parks (resolution number AE/2015/59).
8. The Albert-Eden Local Board appointed a hearing panel of the whole board to receive, hear, deliberate and resolve on submissions and other relevant information (resolution number AE/2015/91).
9. The hearing panel considered 249 submissions, heard from 8 submitters on 7 September 2015, and held deliberations on 9 September 2015.
10. Following the decision, discussions with members of the public lead to the discovery that one submitter was not invited to attend the hearings.
11. Further investigation found that an administrative error had resulted in 93 submissions being omitted from material provided to the hearing panel for their consideration, and that 11 of those submitters stated they wished to be heard in their submissions.

12. For the hearing panel to reconvene to consider the 93 submissions and give an opportunity for the 11 submitters to be heard, the original decision of the hearing panel will need to be rescinded.

Consideration

Local Board views and implications

13. The decision to rescind and reconvene the hearing panel will ensure the local board meets its statutory obligations under the Local Government Act 2002 to consider community views.

Māori impact statement

14. None.

Implementation

15. If the decision to rescind the hearing panel decision is made, the hearing panel will reconvene to consider the 93 submissions, hear from the 11 submitters who wish to be heard, and deliberate and make new decisions based on all the information received. This includes information received on 7 September and 9 September. The new decisions may or may not be similar to the decisions made on 9 September.

Attachments

There are no attachments for this report.

Signatories

Author	Justin Walters - Policy Analyst
Authorisers	Paul Wilson - Team Leader Polices and Bylaws Adam Milina - Relationship Manager - Albert-Eden & Orakei Local Boards