



Governing Body

OPEN MINUTES

Minutes of a meeting of the Governing Body held in the Council Chamber, Level 2, Civic Building, 6 Henderson Valley Road, Henderson on Thursday, 22 November 2012 at 10.07am.

PRESENT

Mayor	Mayor Len Brown, JP	
Deputy Mayor	Cr Penny Hulse	
Councillors	Cr Anae Arthur Anae	
	Cr Cameron Brewer	
	Cr Dr Cathy Casey	
	Cr Sandra Coney, QSO	
	Cr Alf Filipaina	
	Cr Hon Chris Fletcher, QSO	
	Cr Michael Goudie	
	Cr Ann Hartley, JP	
	Cr Mike Lee	Until 12.16pm, Item 14
	Cr Des Morrison	
	Cr Richard Northey, ONZM	
	Cr Calum Penrose	
	Cr Dick Quax	
	Cr Noelene Raffills, JP	
	Cr Sharon Stewart, QSM	
	Cr Wayne Walker	
	Cr Penny Webster	Until 12.16pm, Item 14
	Cr George Wood, CNZM	

APOLOGIES

Cr Sir John Walker	For absence
Cr Penny Webster	For early departure

ALSO PRESENT

Glenn Wilcox, IMSB	For Item 12
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1 Affirmation

The Mayor read the affirmation.

Vanessa Neeson, Chair of the Henderson-Massey Local Board welcomed the Governing Body to Henderson.

The Mayor acknowledged the presence of other Local Board members who were in attendance.

2 Apologies

Resolution number GB/2012/149

MOVED by Mayor LCM Brown, seconded Cr AJ Anae:

That apologies from Cr Sir John Walker for absence and Cr Penny Webster for early departure be accepted.

CARRIED

3 Declaration of Interest

There were no declarations of interest.

4 Confirmation of Minutes

Resolution number GB/2012/150

MOVED by Mayor LCM Brown, seconded Cr W Walker:

That the minutes of the Governing Body held on Thursday, 25 October 2012 and the minutes of the Extraordinary Meeting of the Governing Body held on Thursday 1 November 2012, be confirmed as a true and correct record.

CARRIED

5 Acknowledgements

The Mayor acknowledged the passing of Lady June Blundell, Jean Taylor Bell, Tom Etuata and John Lee-Richards. A moment of silence was observed for each.

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 Pacific Peoples Advisory Panel update

Resolution number GB/2012/151

MOVED by Mayor LCM Brown, seconded Deputy Mayor PA Hulse:

That the Governing Body:

- a) **Receives the Pacific Peoples Advisory Panel Chair's report and presentation.**
- b) **Requests that a response to the issues raised in the report be presented to the March 2013 Social and Community Development Forum.**

CARRIED

Precedence of Business

Resolution number GB/2012/152

MOVED by Mayor LCM Brown, seconded Deputy Mayor PA Hulse:

That Item No.14 be accorded precedence at this time.

CARRIED

14 Unitary Plan Process – Response to Minister for the Environment on Government Decisions

MOVED by Mayor LCM Brown, seconded Deputy Mayor PA Hulse:

That the Governing Body:

- a) Notes that the government's response has agreed with nine out of the 12 points recommended by the Auckland Plan Committee on 10 September 2012.
- b) Agrees that the Mayor writes to the Minister for the Environment acknowledging the government's support for a streamlined process for the first Auckland Unitary Plan and to state council's strong support for:
 - i) The Minister for the Environment and Minister of Conservation to work together with the Mayor to select an independent chair and the hearings panel, with input from the Independent Māori Statutory Board (IMSB), from the council's list of accredited commissioners with wide knowledge of Auckland.
 - ii) Consideration of legislative change to give this Unitary Plan (the first Auckland Unitary Plan) legal effect with greater weight at notification.
- c) Agrees that Auckland Council officers continue to work with Ministry for the Environment officials on the following matters:
 - i) Clarification over scope and extent of the section 32 analysis and audit.
 - ii) Clarification that cross-examination is allowed of experts, but that does not impose a requirement on community submitters to engage legal counsel.
 - iii) Potential sharing of costs between council and the government for the independent hearings panel.

Cr N Raffills – proposed an amendment to b) i), which was incorporated into the substantive

motion, with the agreement of the meeting.

- i) The Minister for the Environment and Minister of Conservation to work together with the Mayor to select an independent chair and the hearings panel, with input from the Independent Māori Statutory Board (IMSB).

Cr R Northey proposed an amendment to b) i), which was incorporated into the substantive motion, with the agreement of the meeting.

That the first two lines of recommendation b) i) be amended to read:

- i) The Minister for the Environment, the Minister of Conservation and the Mayor jointly selecting an independent chair and the members of the hearings panel, with

Cr C Fletcher proposed an amendment to c) iii), which was incorporated into the substantive motion, with the agreement of the meeting.

- iii) Sharing of costs between council and the government for the independent hearings panel.

A further amendment to c) iii) was moved by Cr C Fletcher, seconded by Cr A Filipaina:

- iii) Share costs of original process and the Government bear the full costs of additional requirements.

The amendment was put and declared

LOST

The Mayor put the substantive motion in parts:

Resolution number GB/2012/153

MOVED by Mayor LCM Brown, seconded Deputy Mayor PA Hulse:

That the Governing Body:

- a) Notes that the government's response has agreed with nine out of the twelve points recommended by the Auckland Plan Committee on 10 September 2012.

CARRIED

Resolution number GB/2012/154

MOVED by Mayor LCM Brown, seconded Deputy Mayor PA Hulse:

- b) Agrees that the Mayor writes to the Minister for the Environment acknowledging the government's support for a streamlined process for the first Auckland Unitary Plan and to state council's strong support for:
 - i) The Minister for the Environment, the Minister of Conservation and the Mayor jointly selecting an independent chair and the members of the hearings panel, with input from the Independent Māori Statutory Board (IMSB).

A division was called for, voting on which was as follows:

For:

Mayor: Len Brown
Councillors: Anae Arthur Anae
Cameron Brewer
Alf Filipaina
Michael Goudie
Ann Hartley
Penny Hulse

Against:

Councillors: Dr Cathy Casey
Sandra Coney
Hon Chris Fletcher
Mike Lee
Dick Quax
Sharon Stewart
Wayne Walker

Des Morrison
Richard Northey
Calum Penrose
Noelene Raffills
Penny Webster
George Wood

The motion was declared CARRIED by 13 votes to 7.

CARRIED

Resolution number GB/2012/155

MOVED by Mayor LCM Brown, seconded Deputy Mayor PA Hulse:

- ii) Consideration of legislative change to give this Unitary Plan (the first Auckland Unitary Plan) legal effect with greater weight at notification.

A division was called for, voting on which was as follows:

For:

Mayor: Len Brown
Councillors: Anae Arthur Anae
Cameron Brewer
Alf Filipaina
Hon Chris Fletcher
Michael Goudie
Ann Hartley
Penny Hulse
Des Morrison
Richard Northey
Calum Penrose
Noelene Raffills
Penny Webster
George Wood

Against:

Councillors: Dr Cathy Casey
Sandra Coney
Mike Lee
Dick Quax
Sharon Stewart
Wayne Walker

The motion was declared CARRIED by 14 votes to 6.

CARRIED

Resolution number GB/2012/156

MOVED by Mayor LCM Brown, seconded Deputy Mayor PA Hulse:

- c) Agrees that Auckland Council officers continue to work with Ministry for the Environment officials on the following matters:
 - i) Clarification over scope and extent of the section 32 analysis and audit.
 - ii) Clarification that cross-examination is allowed of experts, but that does not impose a requirement on community submitters to engage legal counsel.
 - iii) Sharing of costs between council and the government for the independent hearings panel.

CARRIED

For clarity the full resolution is as follows:

That the Governing Body:

- a) **Notes that the government's response has agreed with nine out of the twelve points recommended by the Auckland Plan Committee on 10 September 2012.**
- b) **Agrees that the Mayor writes to the Minister for the Environment acknowledging**

the government's support for a streamlined process for the first Auckland Unitary Plan and to state council's strong support for:

- i) The Minister for the Environment, the Minister of Conservation and the Mayor jointly selecting an independent chair and the members of the hearings panel, with input from the Independent Māori Statutory Board (IMSB).
 - ii) Consideration of legislative change to give this Unitary Plan (the first Auckland Unitary Plan) legal effect with greater weight at notification.
- c) Agrees that Auckland Council officers continue to work with Ministry for the Environment officials on the following matters:
- i) Clarification over scope and extent of the section 32 analysis and audit.
 - ii) Clarification that cross-examination is allowed of experts, but that does not impose a requirement on community submitters to engage legal counsel.
 - iii) Sharing of costs between council and the government for the independent hearings panel.

Crs Lee and Webster exited the meeting at 12:16pm.

The meeting was adjourned at 12.16pm.

The meeting reconvened at 12.51pm.

12 Hearings panel decision report on the Policy on Dogs and Dog Management Bylaw

Resolution number GB/2012/157

MOVED by Mayor LCM Brown, seconded Cr NM Raffills:

That the Governing Body:

- a) **Adopts the recommendations of the Hearing Panel on the proposed review of the Auckland Council policies and bylaws on dogs.**
- b) **Revokes the following policies on dogs and any subsequent amendments of the seven former City and District Councils of the Auckland region pursuant to section 65 of the Local Government (Auckland Transitional Provisions) Act 2010, effective 1 July 2013:**
 - i) **Rodney District Dog Policy 2004**
 - ii) **North Shore City Council Policy on Dogs 2004**
 - iii) **Policy on Dogs for Waitakere City 2004**
 - iv) **Auckland City Council Dog Policy 2009**
 - v) **Manukau City Council Policy on Dogs 2004**
 - vi) **Policy on Dogs for Papakura District 2004**
 - vii) **Franklin District Council Policy on Dogs.**
- c) **Adopts the Auckland Council Policy on Dogs 2012, contained in Attachment B and D, pursuant to section 10 of the Dog Control Act 1996.**
- d) **Revokes the following bylaws on dogs and any subsequent amendments of the seven former City and District Councils of the Auckland region, pursuant to section 63 of the Local Government (Auckland Transitional Provisions) Act 2010, effective 1 July 2013:**

- i) Rodney District Council Bylaw Chapter 15 Dog Control
 - ii) North Shore City Bylaw Part 23 Dog Control
 - iii) Waitakere City Council Bylaw No. 29 Dog Control
 - iv) Auckland City Council Bylaw No. 12 Dog Control
 - v) Manukau City Council Bylaw Chapter 6 Dog Control
 - vi) Papakura District Council Dog Control Bylaw 2004
 - vii) Franklin District Council Dog Control Bylaw 2010.
- e) Makes the Auckland Council Dog Management Bylaw 2012 contained in Attachments C and D, pursuant to section 10(6) of the Dog Control Act 1996.
 - f) Confirms the delegations as contained in Attachment E.
 - g) Adopts the recommendations of the Hearing Panel relating to other matters raised in submissions, as contained in Attachment F.
 - h) Authorises the Manager Policies and Bylaws, in consultation with Cr Raffills, to make any minor edits or amendments to the policy and bylaw on dogs and delegations to correct any identified errors or typographical edits or to reflect decisions made by the Governing Body.

CARRIED

13 Governing Body decision making during 2012/2013 Christmas recess period

Resolution number GB/2012/158

MOVED by Mayor LCM Brown, seconded Cr W Walker:

That the Governing Body:

- a) Approves the urgent decision making delegation to any two of either the Mayor, Deputy Mayor or any Chairperson of a Committee of the Whole, to make urgent decisions on behalf of the Auckland Council that may arise between the last scheduled Governing Body meeting in December 2012 and the first meeting of the Governing Body or its committees in 2013.
- b) Agrees that in the event that a matter of major significance arises during the Christmas 2012/2013 recess period, an extraordinary meeting of the Governing Body will be called.

CARRIED

Item 14 was taken after Item 11.

15 Consideration of Extraordinary Items

There was no extraordinary business.

1.18 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:.....