
Governing Body

OPEN MINUTES

Minutes of an extraordinary meeting of the Governing Body held in the Reception Lounge, Auckland Town Hall, 301-305 Queen Street, Auckland on Thursday, 10 November 2016 at 9.35am.

PRESENT

Mayor	Hon Phil Goff, JP
Deputy Mayor	Bill Cashmore
Councillors	Cr Dr Cathy Casey
	Cr Ross Clow
	Cr Fa'anana Efeso Collins
	Cr Linda Cooper, JP
	Cr Chris Darby
	Cr Alf Filipaina
	Cr Hon Christine Fletcher, QSO
	Cr Richard Hills
	Cr Penny Hulse
	Cr Denise Lee
	Cr Mike Lee
	Cr Daniel Newman, JP
	Cr Dick Quax
	Cr Greg Sayers
	Cr Desley Simpson, JP
	Cr Sharon Stewart, QSM
	Cr Sir John Walker, KNZM, CBE
	Cr Wayne Walker
	Cr John Watson

ALSO PRESENT

Angela Dalton, Chair Manurewa Local Board
Julia Parfitt, Chair Hibiscus and Bays Local Board
Greg Presland, Chair Waitakere Ranges Local Board
Paul Walden, Chair Waiheke Local Board
Lydia Sosene, Chair Māngere-Ōtāhuhu Local Board
Denise Yates, Member Waitakere Local Board
Saffron Toms, Member Waitakere Local Board
Neil Henderson, Member Waitakere Local Board
Steve Tollestrup, Member Waitakere Local Board

1 Affirmation

His Worship the Mayor read the affirmation.

1.1 Statutory Declaration - Councillor Christine Fletcher

Councillor Christine Fletcher made an oral declaration and signed a written declaration, which was attested by His Worship the Mayor.

The signed declaration has been attached to the official minutes and is available on the Auckland Council website as a minutes attachment.

Attachments

- A 10 November 2016 - Governing Body - Councillor Christine Fletcher signed declaration

2 Apologies

There were no apologies.

3 Declaration of Interest

There were no declarations of interest.

4 Acknowledgements and Achievements

There were no acknowledgements and achievements.

5 Petitions

There were no petitions.

6 Public Input

6.1 Public Input - Greenpeace Aotearoa New Zealand – Item 10 - Approval of Block Offer 2017 Council Submission

Steve Abel – Senior Campaign Adviser from Greenpeace Aotearoa was in attendance to address the meeting regarding Item 10 - Approval of Block Offer 2017 Council Submission.

A PowerPoint presentation was provided. A copy has been placed on the official minutes and is available on the Auckland Council website.

6.2 Public Input - Oil Free Auckland – Item 10 - Approval of Block Offer 2017 Council Submission

Annabeth Cohen – Oil Free Auckland was in attendance to address the meeting regarding Item 10 - Approval of Block Offer 2017 Council Submission.

6.3 Public Input - Penny Bright - 'Rule of Law' which pertains to transparency in the spending of public monies

Penny Bright was in attendance to address the meeting regarding 'Rule of Law' which pertains to transparency in the spending of public monies.

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

Resolution number GB/2016/246

MOVED by Mayor P Goff, seconded by Cr C Casey:

That the Governing Body:

- a) **thank Steve Abel, representing Greenpeace Aotearoa and Annabeth Cohen, representing Oil Free Auckland, for their presentations regarding Item 10 - Approval of Block Offer 2017 Council Submission and Penny Bright for her presentation regarding 'Rule of Law' which pertains to transparency in the spending of public monies.**

CARRIED

Attachments

- A 10 November 2016, Governing Body, Item 6.1 - Public Input - Greenpeace Aotearoa New Zealand - Item 10 - Approval of Block Offer 2017 Council Submission Presentation
- B 10 November 2016, Governing Body, Item 6.3 - Public Input - Penny Bright - 'Rule of Law' which pertains to transparency in the spending of public monies tabled information

7 Local Board Input

7.1 Local Board Input - Manurewa Local Board - Working Together Governing Body and Local Boards

Angela Dalton, Chair Manurewa Local Board, Julia Parfitt, Chair Hibiscus and Bays Local Board, Greg Presland, Chair Waitakere Ranges Local Board, Paul Walden, Chair Waiheke Local Board and Lydia Sosene, Chair Māngere- Ōtāhuhu Local Board were in attendance to address the meeting regarding the Governing Body and Local Boards working together.

7.2 Local Board Input - Waitakere Ranges Local Board - Approval of Block Offer 2017 Council Submission

Greg Presland, Chair Waitakere Ranges Local Board, and board members Neil Henderson, Denise Yates, Saffron Toms and Steve Tollestrup were in attendance to address the meeting regarding Item 10 - Approval of Block Offer 2017 Council Submission.

A PowerPoint presentation was provided, a copy has been placed on the official minutes and is available on the Auckland Council website as a minutes attachment.

Resolution number GB/2016/247

MOVED by Mayor P Goff, seconded by Cr D Simpson:

That the Governing Body:

- a) **receive the presentations from Angela Dalton, Chair Manurewa Local Board, Julia Parfitt, Chair Hibiscus and Bays Local Board, Greg Presland, Chair Waitakere Ranges Local Board, Paul Walden, Chair Waiheke Local Board and Lydia Sosene, Chair Māngere- Ōtāhuhu Local Board, regarding the Governing Body and Local Boards working together and from Greg Presland, Chair Waitakere Ranges Local Board, and the accompanying Waitakere Local Board members, regarding Item 10 - Approval of Block Offer 2017 Council Submission and also thank all of the local board chairs in attendance.**

CARRIED

Attachments

- A 10 November 2016, Governing Body, Item 7.2 - Local Board Input - Waitakere Ranges Local Board - Approval of block Offer 2017 Council Submission Presentation

8 Extraordinary Business

There was no extraordinary business.

9 Notices of Motion

There were no notices of motion.

10 Approval of Block Offer 2017 Council Submission

An amended version of the Waitakere Ranges Local Board input to the submission was tabled and a PowerPoint presentation was provided.

Copies have been placed on the official minutes and are available on the Auckland Council website as a minutes attachment.

Note: An additional clause d) was added and moved as a Chairperson's recommendation.

MOVED by Mayor P Goff, seconded by Deputy Mayor B Cashmore:

That the Governing Body:

- a) approve the submission contained in Attachment C of the agenda report, including any amendments sought by the governing body, in response to the Ministry of Business Innovation and Employment's Block Offer 2017 consultation.
- b) delegate authority to the Mayor to approve the council submission sought by the governing body, with any amendments made.
- c) delegate to the Chief Executive the authority to lodge a submission, with a similar position as taken in prior submissions, on future Block Offers which are typically made on an annual basis.
- d) include in the final submission the statement that "Auckland Council seeks the Government's assurance that, in the event of an oil discharge or spill, full emergency response systems are in place and that the polluter responsible will bear the entire financial liability for the incident, including any and all costs associated with environmental mitigation".

MOVED by Cr C Casey, seconded by Cr M Lee, amendment by way of substitution:

That the Governing Body:

- a) oppose the offering and issuing of prospecting, exploration and drilling permits in the 2017 block offer, believing that the risks outweigh the potential benefits because:
 - i) a blowout in an offshore exploratory drilling operation could have catastrophic impacts on our coastal and ocean environment and industries, such as fishing and tourism
 - ii) the critically endangered Maui's dolphin and other cetaceans living in the Tasman Sea use echolocation to navigate, communicate, nurse young and find food. Seismic surveying may have chronic impacts on these behaviours that are not mitigated by the Marine Mammal code of conduct
 - iii) to avoid the catastrophic impacts of climate change and achieve the Paris goal of keeping the increase in global average temperature to well below 2°C above pre-industrial levels, which came into force last Friday 4 November as agreed and ratified by New Zealand, it is necessary to leave most of the world's known reserves of fossil fuels in the ground. Supporting the search for new oil is inconsistent with a scientifically credible approach to climate action
 - iv) the overall economic benefit to Auckland of deep sea oil would be negligible. Rather than encourage further oil exploration, effort should instead be put into developing abundant clean energy opportunities and strategies that can create employment and replace polluting energy sources.
- b) in the event of the government proceeding with issuing of permits, request that the following mitigation measures be followed, as outlined in paragraph 9 to paragraph 37 of Attachment C of the agenda report.

MOVED by Cr D Quax, seconded by Cr D Newman:

That the Governing Body:

- a) agree that, pursuant to Standing Order 1.6.1, the motion under debate now be put to a vote.

LOST by 7 votes to 14

Debate on the amendment continued.

Resolution number GB/2016/248

MOVED by Cr C Casey, seconded by Cr M Lee:

That the Governing Body:

- a) oppose the offering and issuing of prospecting, exploration and drilling permits in the 2017 block offer believing that the risks outweigh the potential benefits because:
 - i) a blowout in an offshore exploratory drilling operation could have catastrophic impacts on our coastal and ocean environment and industries such as fishing and tourism
 - ii) the critically endangered Maui's dolphin and other cetaceans living in the Tasman Sea use echolocation to navigate, communicate, nurse young and find food. Seismic surveying may have chronic impacts on these behaviours that are not mitigated by the Marine Mammal code of conduct
 - iii) to avoid the catastrophic impacts of climate change and achieve the Paris goal of keeping the increase in global average temperature to well below 2°C above pre-industrial levels, which came into force last Friday 4 November as agreed

and ratified by New Zealand, it is necessary to leave most of the world's known reserves of fossil fuels in the ground. Supporting the search for new oil is inconsistent with a scientifically credible approach to climate action

- iv) the overall economic benefit to Auckland of deep sea oil would be negligible. Rather than encourage further oil exploration, effort should instead be put into developing abundant clean energy opportunities and strategies that can create employment and replace polluting energy sources.
- b) in the event of the government proceeding with issuing of permits, request that the following mitigation measures be followed, as outlined in paragraph 9 to paragraph 37 of Attachment C of the agenda report.

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

<u>For</u>	<u>Against</u>	<u>Abstained</u>
Mayor P Goff	Deputy Mayor B Cashmore	
Cr C Casey	Cr D Lee	
Cr R Clow	Cr D Newman	
Cr E Collins	Cr D Quax	
Cr L Cooper	Cr D Simpson	
Cr C Darby	Cr S Stewart	
Cr A Filipaina	Cr J Walker	
Cr C Fletcher		
Cr R Hills		
Cr P Hulse		
Cr M Lee		
Cr G Sayers		
Cr W Walker		
Cr J Watson		

The amendment was declared CARRIED by 14 votes to 7.

CARRIED

The substantive motion was put.

Resolution number GB/2016/249

MOVED by Mayor P Goff, seconded by Cr C Casey:

That the Governing Body:

- a) **oppose the offering and issuing of prospecting, exploration and drilling permits in the 2017 block offer believing that the risks outweigh the potential benefits because:**
 - i) **a blowout in an offshore exploratory drilling operation could have catastrophic impacts on our coastal and ocean environment and industries such as fishing and tourism**
 - ii) **the critically endangered Maui's dolphin and other cetaceans living in the Tasman Sea use echolocation to navigate, communicate, nurse young and find food. Seismic surveying may have chronic impacts on these behaviours that are not mitigated by the Marine Mammal code of conduct**
 - iii) **to avoid the catastrophic impacts of climate change and achieve the Paris goal of keeping the increase in global average temperature to well below 2°C above pre-industrial levels, which came into force last Friday 4 November as agreed and ratified by New Zealand, it is necessary to leave most of the world's known reserves of fossil fuels in the ground. Supporting the search for new oil is inconsistent with a scientifically credible approach to climate action**

- iv) **the overall economic benefit to Auckland of deep sea oil would be negligible. Rather than encourage further oil exploration, effort should instead be put into developing abundant clean energy opportunities and strategies that can create employment and replace polluting energy sources.**
- b) **in the event of the government proceeding with issuing of permits, request that the following mitigation measures be followed, as outlined in paragraph 9 to paragraph 37 of Attachment C of the agenda report.**

CARRIED

Attachments

- A 10 November 2016, Governing Body, Item 10 - Approval of Block Offer 2017 Council Submission - Amended Input Waitakere Ranges Local Board
- B 10 November 2016, Governing Body, Item 10 - Approval of Block Offer 2017 Council Submission Presentation

11 Set-up of the Demographic Advisory Panels for the 2016-2019 term

*Cr P Hulse left the meeting at 12.08 pm.
Cr P Hulse returned to the meeting at 12.13 pm.*

MOVED by Mayor P Goff, seconded by Cr C Casey:

That the Governing Body:

- a) endorse the Mayor's proposal to establish the following six demographic advisory panels during the 2016-2019 term:
- Disability Advisory Panel
 - Ethnic Peoples Advisory Panel
 - Pacific Peoples Advisory Panel
 - Rainbow Communities Advisory Panel
 - Seniors Advisory Panel
 - Youth Advisory Panel.
- b) approve the Terms of Reference as contained in Attachment C of the agenda report for the demographic advisory panels.
- c) note that it may be appropriate to consider a different model for engaging with diverse communities at the end of this term of council.

The meeting was adjourned at 12.43pm and reconvened at 1.30pm.

MOVED by Mayor P Goff, seconded by Cr C Casey:

That the Governing Body:

- a) endorse the Mayor's proposal to establish the following six demographic advisory panels during the 2016-2019 term:
- Disability Advisory Panel

- Ethnic Peoples Advisory Panel
 - Pacific Peoples Advisory Panel
 - Rainbow Communities Advisory Panel
 - Seniors Advisory Panel
 - Youth Advisory Panel.
- b) approve the Terms of Reference as contained in Attachment C of the agenda report for the demographic advisory panels.
- c) note that it may be appropriate to consider a different model for engaging with diverse communities at the end this term of council.

Resolution number GB/2016/250

MOVED by Cr A Filipaina, seconded by Cr D Newman: amendment by way of addition

That the Governing Body:

- d) agree that the composition of members for the Youth Advisory Panel remain at 21, one from each local board area.

CARRIED

MOVED by Cr D Simpson, seconded by Cr C Fletcher amendment by way of replacement:

That the Governing Body:

- a) defer a decision, for a maximum of one month, on the set-up of the Demographic Advisory Panels for the 2016-2019 term until discussion has taken place with local boards.

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

<u>For</u>	<u>Against</u>	<u>Abstained</u>
Cr C Fletcher	Cr C Casey	
Cr D Lee	Deputy Mayor B Cashmore	
Cr D Quax	Cr R Clow	
Cr D Simpson	Cr E Collins	
Cr S Stewart	Cr L Cooper	
	Cr C Darby	
	Cr A Filipaina	
	Mayor P Goff	
	Cr R Hills	
	Cr P Hulse	
	Cr M Lee	
	Cr D Newman	
	Cr G Sayers	
	Cr J Walker	
	Cr W Walker	
	Cr J Watson	

The motion was declared **LOST** by 5 votes to 16.

The substantive motion was put.

Resolution number GB/2016/251

MOVED by Mayor P Goff, seconded by Cr C Casey:

That the Governing Body:

- a) endorse the Mayor's proposal to establish the following six demographic

advisory panels during the 2016-2019 term:

- Disability Advisory Panel
 - Ethnic Peoples Advisory Panel
 - Pacific Peoples Advisory Panel
 - Rainbow Communities Advisory Panel
 - Seniors Advisory Panel
 - Youth Advisory Panel.
- b) approve the Terms of Reference as contained Attachment C of the agenda report for the demographic advisory panels.
- c) note that it may be appropriate to consider a different model for engaging with diverse communities at the end this term of council.
- d) agree that the composition of members for the Youth Advisory Panel remain at 21, one from each local board area.

CARRIED

Note: Pursuant to Standing Order 1.8.6, Cr C Fletcher, Cr D Quax, Cr D Simpson and Cr S Stewart requested that their dissenting votes be recorded.

12 Elected Members' Expense Policy 2016

Cr M Lee left the meeting at 2.34 pm.

Cr M Lee returned to the meeting at 2.39 pm.

Resolution number GB/2016/252

MOVED by Cr W Walker, seconded by Cr J Watson:

That the Governing Body:

- a) **adopt the Elected Members' Expense Policy 2016.**
- b) **authorise the General Manager Democracy Services to make minor typographical edits or amendments to the policy to correct any identified errors.**

CARRIED

Note: Pursuant to Standing Order 1.8.6, Cr C Casey requested that her dissenting vote be recorded.

13 Governing Body decision-making during the 2016/2017, 2017/2018 and 2018/2019 Christmas recess periods

Resolution number GB/2016/253

MOVED by Cr A Filipaina, seconded by Cr E Collins:

That the Governing Body:

- a) **delegate to any two of either the Mayor or Deputy Mayor, and a chairperson of a committee of the whole, the power to make urgent decisions on behalf of the Governing Body or its committees, between:**
 - i) **the last scheduled Governing Body meeting in December 2016 and the first meeting of the Governing Body or other relevant Committee in 2017**
 - ii) **the last scheduled Governing Body meeting in December 2017 and the first meeting of the Governing Body or other relevant Committee in 2018**
 - iii) **the last scheduled Governing Body meeting in December 2018 and the first meeting of the Governing Body or other relevant Committee in 2019.**
- b) **agree that if a matter of major significance arises during any of the Christmas recess periods in clause a) above, an extraordinary meeting of the Governing Body will be called.**

CARRIED

14 Disposal of land at Lowtherhurst Reserve to the New Zealand Transport Agency pursuant to the Public Works Act 1981

Resolution number GB/2016/254

MOVED by Cr L Cooper, seconded by Cr A Filipaina:

That the Governing Body:

- a) **approve, subject to the satisfactory conclusion of any required statutory processes, the disposal of approximately 7,518m² of Lowtherhurst Reserve to the New Zealand Transport Agency for motorway improvements pursuant to Sections 50 and 52 of the Public Works Act 1981 (all areas being subject to final design and survey), the land being legally described as:**
 - i) **Part Lot 25 DP43421 (2,320m² more or less)**
 - ii) **Allotment 703 PSH of Waipareira CT NA58B/833 (5,198m² more or less)**
- b) **approve the granting of easements over 1,711m² of Lowtherhurst Reserve, to the New Zealand Transport Agency for construction, landscape maintenance and access purposes; and**
- c) **approve an easement over 1,107m² of New Zealand Transport Agency land to allow public access to that area; and**
- d) **agree that final terms and conditions be approved under the appropriate delegations.**

CARRIED

Note: The Mayor accorded precedence to Item 17 – Auckland Council membership on Parakai Recreation Reserve Board at this point in the meeting.

17 Auckland Council membership on Parakai Recreation Reserve Board

Resolution number GB/2016/255

MOVED by Cr C Fletcher, seconded by Cr D Quax:

That the Governing Body:

- a) **appoint Cr G Sayers to the Parakai Recreation Reserve Board for a term of three years (from the date of this decision) and delegate the appointment of the two remaining Auckland Council members to the Rodney Local Board.**

CARRIED

15 Appointments to the Auckland Transport Board - Accountability of Auckland Council Controlled Organisations

Cr R Clow left the meeting at 3.02 pm.

Cr R Clow returned to the meeting at 3.15 pm.

MOVED by Mayor P Goff, seconded by Cr C Fletcher:

That the Governing Body:

- a) note that the appointment of councillors to the Auckland Transport board of directors sits within a wider suite of accountability tools that apply to Auckland Transport specifically and Council Controlled Organisations generally, as outlined in Attachment A of the agenda report.
- b) note that greater investment in using the suite of accountability tools available to council has the potential to provide stronger accountability and responsiveness from Auckland Transport than the appointment of a minority of councillors to a board of eight directors.
- c) request that a report is brought to the Appointments and Performance Review Committee with an assessment of the opportunities to improve the strategic alignment, accountability and responsiveness of Council Controlled Organisations using the current suite of accountability tools for recommendation back to the Governing Body.
- d) note that there are currently three vacancies on the Auckland Transport board of directors.
- e) agree that the primary consideration in filling the vacancies on the Auckland Transport board will be the quality of the skills, knowledge and experience candidates bring to the directorships.
- f) agree to appoint up to three directors to the Auckland Transport board using an open, transparent, and competitive process consistent with the Appointment and Remuneration Policy for Board Members of Council Organisations.
- g) agree that both external candidates and councillors will be eligible to be nominated for appointment to the vacancies, subject to any restrictions imposed by statute and the Appointment and Remuneration Policy for Board Members of Council Organisations.
- h) agree that the detail of the competitive appointment process be agreed through the Appointments and Performance Review Committee, including the confirmation of the directors skills matrix for the appointments, the process for candidate long-listing and short-listing, and the appointment of the preferred candidates.

Resolution number GB/2016/256

MOVED by Mayor P Goff, seconded by Cr E Collins: at 3.30pm:

That the Governing Body:

- a) **agree pursuant to standing order 1.1.3, that an extension of time until the business of the meeting is complete, be granted.**

CARRIED

MOVED by Cr C Casey, seconded by Cr J Watson: amendment by way of replacement:

That the Governing Body:

- a) recommend to the Appointments and Performance Review Committee that Cr M Lee and one other councillor be appointed to the Auckland Transport Board under the exceptional circumstances clause.

Note: After discussion the amendment was withdrawn.

Resolution number GB/2016/257

MOVED by Mayor P Goff, seconded by Cr C Fletcher:

That the Governing Body:

- a) **note that the appointment of councillors to the Auckland Transport board of directors sits within a wider suite of accountability tools that apply to Auckland Transport specifically and Council Controlled Organisations generally, as outlined in Attachment A of the agenda report.**
- b) **note that greater investment in using the suite of accountability tools available to council has the potential to provide stronger accountability and responsiveness from Auckland Transport than the appointment of a minority of councillors to a board of eight directors.**
- c) **request that a report is brought to the Appointments and Performance Review Committee with an assessment of the opportunities to improve the strategic alignment, accountability and responsiveness of Council Controlled Organisations using the current suite of accountability tools for recommendation back to the Governing Body.**
- d) **note that there are currently three vacancies on the Auckland Transport board of directors.**
- e) **agree that the primary consideration in filling the vacancies on the Auckland Transport board will be the quality of the skills, knowledge and experience candidates bring to the directorships.**
- f) **agree to appoint up to three directors to the Auckland Transport board using an open, transparent, and competitive process consistent with the Appointment and Remuneration Policy for Board Members of Council Organisations.**
- g) **agree that both external candidates and councillors will be eligible to be nominated for appointment to the vacancies, subject to any restrictions imposed by statute and the Appointment and Remuneration Policy for Board Members of Council Organisations.**
- h) **agree that the detail of the competitive appointment process be agreed through the Appointments and Performance Review Committee, including the confirmation of the directors skills matrix for the appointments, the process for candidate long-listing and short-listing, and the appointment of the preferred candidates.**

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

<u>For</u>	<u>Against</u>	<u>Abstained</u>
Mayor P Goff	Cr C Casey	
Deputy Mayor B Cashmore	Cr M Lee	
Cr R Clow		
Cr E Collins		
Cr L Cooper		
Cr C Darby		
Cr A Filipaina		
Cr C Fletcher		
Cr R Hills		
Cr P Hulse		
Cr D Lee		
Cr D Newman		
Cr D Quax		
Cr G Sayers		
Cr D Simpson		
Cr S Stewart		
Cr J Walker		
Cr W Walker		
Cr J Watson		

The motion was declared CARRIED by 19 votes to 2.

CARRIED

16 Consideration of Extraordinary Items

There was no consideration of extraordinary items.

Note: Item 17 – Auckland Council membership on Parakai Recreation Reserve Board was taken after Item 14 – Disposal of land at Lowtherhurst Reserve to the New Zealand Transport Agency pursuant to the Public Works Act 1981.

4.07 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:.....