
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, 25 May 2017 at 9.34am.

PRESENT

Mayor Councillors	Hon Phil Goff, CNZM, JP	
	Cr Ross Clow	From 9.35am, Item 2
	Cr Fa'anana Efeso Collins	
	Cr Linda Cooper, JP	
	Cr Chris Darby	
	Cr Alf Filipaina	
	Cr Richard Hills	
	Cr Penny Hulse	From 9.39am, Item 10 Until 11.41am, Item 14
	Cr Denise Lee	
	Cr Mike Lee	
	Cr Daniel Newman, JP	
	Cr Dick Quax	From 10.17am, Item 11
	Cr Desley Simpson, JP	
	Cr Sharon Stewart, QSM	
Cr Sir John Walker, KNZM, CBE		
Cr Wayne Walker	From 9.36am, Item 2	
Cr John Watson	From 9.44am, Item 10	

ABSENT

Deputy Mayor Cr Bill Cashmore
Cr Cathy Casey
Cr Christine Fletcher
Cr Greg Sayers

ALSO PRESENT

Shale Chambers, Waitematā Local Board Deputy Chair

1 Affirmation

His Worship the Mayor read the affirmation and a moment of silence was observed as a mark of respect for the victims and families of the Manchester bombings.

2 Apologies

*Cr R Clow entered the meeting at 9.35 am.
Cr W Walker entered the meeting at 9.36 am.*

Resolution number GB/2017/45

MOVED by Mayor P Goff, seconded by Cr A Filipaina:

That the Governing Body:

- a) **accept the apologies from Deputy Mayor B Cashmore, Cr C Casey and Cr C Fletcher for absence, from Cr G Sayers for absence on council business and from Cr D Quax for lateness.**

CARRIED

3 Declaration of Interest

There were no declarations of interest.

4 Confirmation of Minutes

Resolution number GB/2017/46

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

That the Governing Body:

- a) **confirm the ordinary minutes of its meeting, held on Thursday, 27 April 2017, including the confidential section, as a true and correct record.**

CARRIED

5 Petitions

There were no petitions.

6 Public Input

There was no public input.

7 Local Board Input

There was no local board input.

8 Extraordinary Business

There was no extraordinary business.

9 Notices of Motion

There were no notices of motion.

10 Governance Framework Review - update on progress

Shale Chambers, Waitematā Local Board Deputy Chair was present for this item.

Note: Changes to the original motion were incorporated adding a new clause c), with the agreement of the meeting.

Cr P Hulse entered the meeting at 9.39 am.

Cr J Watson entered the meeting at 9.44 am.

Cr J Walker entered the meeting at 9.52 am.

Resolution number GB/2017/47

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

That the Governing Body:

- a) **note that the Governance Framework Review was initiated to assess how well the Auckland governance model is meeting the aims of the 2010 reforms.**
- b) **note that the political working party, established to consider the findings of the review, is currently in the process of assessing options under a number of work streams and will report back to the Governing Body with final recommendations in August 2017.**
- c) **agree that members of the political working party can be substituted by agreement with the Chair.**
- d) **endorse the following criteria that have been agreed by the working party to assess the various options under consideration:**
 - i) **consistency with the statutory purpose of local government**
 - ii) **provision for decision making at the appropriate level, as set out in Section 17 of the Local Government (Auckland Council) Act 2009 and consistency with the subsidiarity principle**
 - iii) **contribution to improving role clarity between the two arms of governance, both internally and for the public**
 - iv) **provision for increased empowerment of local boards, especially in their place shaping role**
 - v) **ensuring appropriate accountability and incentives for political decisions**
 - vi) **contribution to improved community engagement with, and better services for Aucklanders**
 - vii) **administrative feasibility, including efficiency and practicality of implementation.**
- e) **note that an extensive process of engagement has been put in place with elected representatives ahead of the final report to the governing body in August 2017.**

CARRIED

11 Independent Maori Statutory Board - proposed funding agreement for 2017/2018

Cr D Quax entered the meeting at 10.17 am.

Resolution number GB/2017/48

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

That the Governing Body:

- a) **approve the 2017/2018 funding agreement between Auckland Council and the Independent Māori Statutory Board, which comprises a total direct funding of \$2,956,000 (opex).**
- b) **approve that variations to the 2017/2018 funding agreement between Auckland Council and the Independent Māori Statutory Board of no more than \$50,000 in the financial year, can be agreed between the chief executive of the Auckland Council and the chief executive of the Independent Māori Statutory Board, subject to budget being available to cover the variations.**
- c) **note that the 2017/2018 funding agreement between Auckland Council and the Independent Māori Statutory Board will be prepared and signed by the mayor and council's chief executive and the Independent Māori Statutory Board chair and chief executive.**
- d) **note that a Service Level Agreement between Auckland Council and the Independent Māori Statutory Board which records additional services council will supply and services provided by third parties will be finalised and agreed by the governance director of Auckland Council and the chief executive of the Independent Māori Statutory Board.**

CARRIED

12 Hearing Panel report on the proposed Air Quality Bylaw for Indoor Domestic Fires

Note: Changes to the original motion were incorporated, adding clause e), with the agreement of the meeting.

Cr A Filipaina left the meeting at 11.28 am.

Cr A Filipaina returned to the meeting at 11.33 am.

Resolution number GB/2017/49

MOVED by Cr D Quax, seconded by Cr L Cooper:

That the Governing Body:

- a) **confirm that, pursuant to section 155 of the Local Government Act 2002, the Air Quality Bylaw for Indoor Domestic Fires 2017 ("the bylaw") is:**
 - i) **the most appropriate form of bylaw to address the problems associated with the use of indoor domestic fires in Auckland, as set out in the statement of proposal**
 - ii) **not inconsistent with the New Zealand Bill of Rights Act 1990.**
- b) **make the Air Quality Bylaw for Indoor Domestic Fires 2017 in Attachment A of the report, pursuant to section 145 of the Local Government Act 2002, with effect from 1 June 2017, noting that the bylaw will:**
 - i) **re-establish Auckland's regional regulations for indoor domestic fires that were contained in the Auckland Council Regional Plan: Air, Land and Water; and**

- ii) update the Auckland Urban Air Quality Area, as defined in Clause 5 of the bylaw.
- c) delegate responsibility for enforcing the Air Quality Bylaw for Indoor Domestic Fires 2017` to the Chief Executive, who can sub-delegate specific responsibilities to staff within the council's relevant departments.
- d) authorise the Manager, Social Policy and Bylaws, in consultation with Councillor Quax, Chair of the Hearing Panel, to make any minor edits or amendments to the Air Quality Bylaw for Indoor Domestic Fires 2017, to correct any identified errors, typographical edits or to reflect decisions made by the Governing Body.
- e) ask staff to report back to the council on the scale of repeat offending against the bylaw and options for the necessary enforcement in those cases.

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

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

The motion was declared CARRIED by 13 votes to 3.

CARRIED

13 Nomination to University of Auckland Animal Ethics Committee

Resolution number GB/2017/50

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

That the Governing Body:

- a) note that it will consider expressions of interest, for nomination to the University of Auckland Animal Ethics Committee, after the public has been excluded.

CARRIED

14 Recommendation for Appointments to the Youth Advisory Panel for the 2016-2019 term

*Cr R Clow left the meeting at 11.38 am.
Cr P Hulse left the meeting at 11.41 am.
Cr R Clow returned to the meeting at 11.44 am.*

Resolution number GB/2017/51

MOVED by Cr E Collins, seconded by Cr R Hills:

That the Governing Body:

- a) **note the selection process for appointments to the Youth Advisory Panel for the 2016-2019 term.**
- b) **note that it will consider recommendations for appointments to the Youth Advisory Panel after the public has been excluded.**

CARRIED

15 Summary of Governing Body information memos and briefings - 25 May 2017

Resolution number GB/2017/52

MOVED by Cr E Collins, seconded by Cr D Simpson:

That the Governing Body:

- a) **receive the Summary of Governing Body information memos and briefings – 25 May 2017.**

CARRIED

16 Consideration of Extraordinary Items

There was no consideration of extraordinary items.

17 Procedural motion to exclude the public

Resolution number GB/2017/53

MOVED by Mayor P Goff, seconded by Cr W Walker:

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 Confidential: Nomination to University of Auckland Animal Ethics 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.	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, discussion about a nomination is likely to disclose personal information.	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.

C2 Confidential: Recommendation for Appointments to the Youth Advisory Panel for the 2016-2019 term

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. The report contains 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 people recommended for the Youth Advisory Panel. This information should not be made public until the Governing Body endorses the recommendations and the successful applicants confirm their acceptance of the appointment.	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

11.51am 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.

12.04pm The public was re-admitted.

RESTATEMENTS

It was resolved while the public was excluded:

C1 Confidential: Nomination to University of Auckland Animal Ethics Committee

Resolution number GB/2017/54

MOVED by Cr L Cooper, seconded by Cr E Collins:

That the Governing Body:

- b) agree that the appointment, reports and attachments (with information on the successful applicant only) will be made public once the appointment has been confirmed by the University of Auckland Animal Ethics Committee.

C2 Confidential: Recommendation for Appointments to the Youth Advisory Panel for the 2016-2019 term

Resolution number GB/2017/55

MOVED by Cr E Collins, seconded by Cr R Hills:

That the Governing Body:

- c) agree that the appointments, report and attachments (with information on the successful candidates only) will be made public once criminal history checks have been completed and successful candidates have been advised and confirmed acceptance of their appointment.

12.04 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:.....