Minutes of a meeting of the Governing Body held in the Reception Lounge, Auckland Town Hall, 301-305 Queen Street, Auckland on Thursday, 13 December 2018 at 9.37am.

PRESENT

Mayor
Hon Phil Goff, CNZM, JP
Deputy Mayor
Cr Bill Cashmore
Councillors
Cr Josephine Bartley
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 Mike Lee
Cr Daniel Newman, JP
Cr Greg Sayers
Cr Desley Simpson, JP
Cr Sharon Stewart, QSM
Cr Sir John Walker, KNZM, CBE
Cr Wayne Walker
Cr John Watson
Cr Paul Young
1 **Affirmation**  
His Worship the Mayor will read the affirmation.

2 **Apologies**  
There were no apologies.

Note: a subsequent apology for lateness was received from Cr M Lee.

3 **Declaration of Interest**  
Cr C Fletcher subsequently declared an interest as the patron of Mountain Green Archery Club but had no conflict with Item 10 – Adoption of the Draft Tūpuna Maunga o Tāmaki Makaurau Operational Plan 2019/2020 and summary.

4 **Confirmation of Minutes**  
Resolution number GB/2018/200  
MOVED by Cr D Simpson, seconded by Cr P Hulse:  
**That the Governing Body:**  

a) confirm the ordinary minutes of its meeting held on Thursday, 22 November 2018, including the confidential section, and the extraordinary minutes of its meeting held on Thursday, 6 December 2018, as a true and correct record.  
CARRIED

**Acknowledgement**  
The Mayor acknowledged the death of Grace Millane and victims of domestic violence.

*Cr C Fletcher entered the meeting at 9.39 am.*

5 **Petitions**  
5.1 **Hayden Donnell - Petition relating to Auckland’s Giant Santa**  
Hayden Donnell presented the petition. It can be found online at:  
The petition prayer:  
*We must reinstall the winking eye and beckoning finger of Auckland’s Giant Santa. Through exhaustive journalistic efforts, I have secured the original winking eye. I also know the location of a beckoning finger. But I need to convince the authorities in charge of Santa to put both the eye and finger back in their rightful place. For that, I need your support. Please sign this petition and show Auckland mayor Phil Goff, Auckland Council, Prime Minister Jacinda Ardern, and Heart of the City that there is overwhelming public demand to bring the real, canonical giant Santa back to its rightful place at the heart of Auckland's CBD. It’s time to restore Santa to his former glory, and in doing so, restore Christmas in Auckland to its former glory.*
Note: clause c) was incorporated with the agreement of the meeting.

Resolution number GB/2018/201

MOVED by Mayor P Goff, seconded by Cr R Hills:

That the Governing Body:

a) thank Hayden Donnell for his attendance

b) receive the petition in relation to restoring the winking eye and beckoning finger of Auckland’s Giant Santa

c) agree to refer the petition to the appropriate entity for consideration.

CARRIED

5.2 Miles Hallam - Loss of a HOP Card top-up facility

Miles Hallam and Lisa-Marie Hallam presented the petition. A copy have been placed on the official minutes and the supporting information is available on the Auckland Council website as a minutes attachment.

The petition prayer:

“We, the undersigned, being residents of Meadowbank and surrounding districts, would like you to revisit your decision to remove the AT Hop Card franchise from Dorchester Superette. It was very handy to the bus route, and the store was open long hours making a top-up easy to obtain. With its removal we now have to go to either Meadowbank railway station, which isn’t on the way to anywhere apart from the rail link, or Glen Innes, which is some distance from here. Many of the bus users are school children, and neither of those options is a particularly attractive one for youngsters or parents.

While it may be argued that on-line is the way of the future, there are sufficient problems with your on-line system to make it something of a frustrating exercise at times. Having the franchise at Dorchester Superette meant a top-up point was conveniently located in the middle of what is a large commuter suburb.

One would think that in order to encourage the use of public transport, it should be made simpler for the general public to access rather than more difficult. Therefore we ask you to reconsider your decision and reinstall the device.”

Resolution number GB/2018/202

MOVED by Cr D Simpson, seconded by Cr J Bartley:

That the Governing Body:

a) thank Miles Hallam and Lisa-Marie Hallam for their attendance

b) receive the petition in relation to the loss of a HOP card top-up facility

c) refer the petition to Auckland Transport with a request to reconsider reinstalling the HOP card top-up facility at the Dorchester Superette.

CARRIED UNANIMOUSLY

Attachments

A 13 December 2018, Governing Body: Item 5.2 - Miles Hallam - Loss of a HOP Card top-up facility, Petition

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 Referred from the Audit and Risk Committee - Quarterly Health and Safety Performance Report - Quarter One FY 2019/20

Resolution number GB/2018/203

MOVED by Mayor P Goff, seconded by Cr R Hills:

That the Governing Body:

a) receive the Quarterly Health and Safety Performance report appended as Attachment A of the agenda report

b) note its duties under the Health and Safety at Work Act 2015

c) note that the report will be referred to all local boards for their information.

CARRIED

10 Adoption of the Draft Tūpuna Maunga o Tāmaki Makaurau Operational Plan 2019/2020 and summary

Cr C Fletcher advised the meeting she was the patron of Mountain Green Archery Club, however, the meeting agreed there was no conflict and she participated in the discussion and voting on the matter.

Cr M Lee entered the meeting at 10.22 am.
Cr E Collins entered the meeting at 10.29 am.

Note: clause b) was incorporated with the agreement of the meeting.

Resolution number GB/2018/204

MOVED by Cr A Filipaina, seconded by Cr J Bartley:

That the Governing Body:

a) adopt the Draft Tūpuna Maunga Operational Plan 2019/2020 and summary for the purposes of community consultation through the Annual Plan 2019/2020 process.

b) refer the Draft Tūpuna Maunga Operational Plan 2019/2020 to affected local boards, inviting their comment through the consultation process.

CARRIED
11 Annual Budget 2019/20 items for Public Consultation

Resolution number GB/2018/205

MOVED by Cr R Clow, seconded by Cr D Simpson:

That the Governing Body:

a) adopt the recommendations of 11 December 2018 Finance and Performance Committee regarding the Annual Budget 2019/20 items for public consultation and these:
   i) be based on the budget for year two of the 10-year Budget 2018-2028 updated for subsequent decisions and new information,
   ii) include content to support the development of local board agreements,
   iii) include the summary of the draft Tūpuna Maunga o Tāmaki Makaurau Authority Operational Plan 2019/2020 as agreed between the Maunga Authority and the council.

b) approve that the Consultation Document and supporting information for the Annual Budget 2019/2020 include the following items for consultation:
   i) increasing the base waste management targeted rate to $121.06
   ii) introducing a food scraps targeted rate of $68.34 in the Northcote, Milford and Takapuna former trial area
   iii) phasing out the Waitākere rural sewerage (pump-out) service and the associated targeted rate
   iv) adjusting the rural urban boundary to include the properties described in this report in the areas as specified in Attachment A of the Finance and Performance Committee agenda report
   v) increases to fees as specified in Attachment B of the Finance and Performance Committee agenda report.

c) note that the Finance and Performance Committee has previously agreed to consult on changes to rating of religious use properties, and agree to progress implementation of these changes through consultation on amendments to:
   i) funding Impact Statement to include a zero-rated general rates differential category for this land
   ii) revenue and Financing Policy to amend the general rates differential categories to include the zero-rated category
   iii) remission and Postponement Policy to remit the Uniform Annual General Charge and fixed charges for zero-rated land.

CARRIED UNANIMOUSLY

12 Contributions Policy 2019

Staff tabled an amendment to paragraph 92 of the report and amended versions of Schedule 2 and 3. Copies have been placed on the official minutes and are available on the Auckland Council website as a minutes attachments.

Note: amended wording of the original recommendations were made by staff under clauses b) and c) and agreed to by the meeting.
Resolution number GB/2018/206

MOVED by Deputy Mayor BC Cashmore, seconded by Cr C Darby:

That the Governing Body:

a) note and has considered the feedback received

b) agree to the amendments to the draft Contributions Policy 2019 recommended in this report, including the tabled amendment to paragraph 92 of the agenda report

c) adopt the Contributions Policy 2019 appended in Attachment B of the agenda report, with the tabled amended Schedules 2 and 3

d) delegate the authority and responsibility for agreeing any required changes to the Contributions Policy 2019 to the Chair of the Finance and Performance Committee and the Group Chief Financial Officer.

CARRIED

Attachments

A 13 December 2018, Governing Body: Item 12 - Contributions Policy 2019, Amended paragraph 92

B 13 December 2018, Governing Body: Item 12 - Contributions Policy 2019, Amended Schedule 2


13 Review of the Auckland Council Code of Conduct

Cr R Clow left the meeting at 11.49 am.

MOVED by Cr L Cooper, seconded by Cr W Walker:

That the Governing Body:

a) note the draft code of conduct that has been approved by the Joint Political Working Party for consideration at this meeting, provided as Attachments A and B of the agenda report

b) amend the draft code of conduct by replacing under 4.9 (Material breach):

“The chief executive will provide the report to the complainant, respondent, and the relevant local board or governing body for information purposes only.”

with

“The chief executive will provide the report to the complainant, respondent, and the relevant local board or governing body for information purposes. This does not prevent the local board or governing body passing a vote of disapproval such as a censure or a vote of no confidence, which is commensurate with the findings in the report.”

c) amend the draft code of conduct by adding to the list of sanctions under 4.9 Material breach (addition underlined):

i) a requirement to apologise and, if applicable, withdraw remarks

ii) a requirement to make a public statement correcting previous remarks which misrepresented the facts

iii) a requirement to undertake specified training or personal development

iv) suspending the elected member from committees or other representative bodies
v) seeking guidance from the chairperson, mayor or other mentor
vi) for a nominated period, restrict the member’s access to council staff (other than the chief executive or his/her specific nominees) and/or to council offices or parts of council offices.

d) note that by replacing the current code of conduct with the revised draft code of conduct the Governing Body is also adopting the:
i) Conflict of Interest Policy
ii) Access to Information Protocol
iii) Election Year Policy
iv) Communications Policy
v) Media Protocols
e) delegate to any Conduct Commissioners appointed under the code, the power to suspend a member from committees or representative bodies they have been appointed to by the Governing Body following a determination that the member has materially breached the code
f) agree that members on the list previously approved by the Governing Body, for calling on to form an independent review panel, may be called on to perform the role of Conduct Commissioner until a new list is approved
g) confirm that if a review of a decision made by the chief executive under the Access to Information Protocol is sought, that review will be undertaken by the full Audit and Risk Committee
h) agree that the implementation of the Access to Information Protocol is reviewed in 18 months
i) amend the terms of reference of the Audit and Risk Committee:
i) by adding the following under ‘Committee’s responsibilities’:
   “Access to Information Protocol
   • Perform the committee’s responsibilities set out in the ‘Access to Information Protocol’ attached to the Auckland Council Code of Conduct.”
ii) by amending the frequency of meetings to read ‘Quarterly, or as required in order to undertake its responsibilities under the Access to Information Protocol’.”
iii) by setting the committee’s quorum at two Governing Body members.
j) amend the standing orders to provide for electronic attendance by the external members of the Audit and Risk Committee as follows (addition underlined):
   “3.3.3 Conditions for attending by electronic link
   The governing body or its committees may give approval for a member to attend meetings by electronic link, either generally or for a specific meeting. Situations where approval can be given are:
a) where the member is representing the council at a place that makes their physical presence at the meeting impossible or impracticable
b) to accommodate the member’s illness or infirmity
c) in emergencies.
   The member who is seeking to attend by electronic link may not take part in the vote to give approval to attend. The only exception is where there is an emergency, in which case the member seeking to attend by electronic link can take part in the vote of approval.”
An external member of the Audit and Risk Committee may attend and vote at meetings of that committee by electronic link without any further approval.”

k) replace the current code of conduct with the draft code of conduct as contained in Attachments A and B of the agenda report and as amended by the decisions above.

MOVED by Cr A Filipaina, seconded by Cr C Casey an amendment by way of replacement: That the Governing Body:
a) defer a decision on this item until after a further Governing Body workshop is held.

Resolution number GB/2018/207
MOVED by Cr P Hulse, seconded by Deputy Mayor BC Cashmore:
That the Governing Body:
a) agree that, pursuant to Standing Order 1.6.7, the motion under debate now be put to a vote.

CARRIED

The motion was put.

Resolution number GB/2018/208
MOVED by Cr A Filipaina, seconded by Cr C Casey an amendment by way of replacement: That the Governing Body:
a) defer a decision on this item until after a further Governing Body workshop is held.

CARRIED

The substantive motion was put.

Resolution number GB/2018/209
MOVED by Cr L Cooper, seconded by Cr W Walker:
That the Governing Body:
a) defer a decision on this item until after a further Governing Body workshop is held.

CARRIED

Cr J Walker left the meeting at 12.33pm.

The meeting adjourned at 12.33pm and reconvened at 1.06pm.

Cr E Collins, Cr C Darby, Cr A Filipaina, Cr D Newman, Cr G Sayers and Cr J Watson were not present.

Cr R Clow returned to the meeting at 1.06 pm.
14  **Order of names on voting documents for the 2019 elections**

Cr C Darby returned to the meeting at 1.07 pm.
Cr J Watson returned to the meeting at 1.08 pm.
Cr G Sayers returned to the meeting at 1.08 pm.

Resolution number GB/2018/210

MOVED by Mayor P Goff, seconded by Cr R Clow:

**That the Governing Body:**

a) note the feedback from local boards

b) resolve that the candidates’ names on voting papers for the 2019 Auckland Council 2019 elections will be arranged in alphabetical order of surname.

**CARRIED**

15  **Online voting trial at the 2019 elections**

Cr D Newman returned to the meeting at 1.10 pm.
Cr E Collins returned to the meeting at 1.11 pm.
Cr A Filipaina returned to the meeting at 1.11 pm.

Note: changes to the original motion were incorporated under clauses b) and e), with the agreement of the meeting.

Resolution number GB/2018/211

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

**That the Governing Body:**

a) note the progress on introducing online voting for the local body elections, which has been made collaboratively through the participating councils, Local Government New Zealand, the Society of Local Government Managers and the Department of Internal Affairs

b) confirm the Chief Executive’s decision that Auckland Council will not proceed with an online voting trial for the 2019 elections due to the costs being unacceptable for the participating councils

c) reconfirm its support for online voting

d) request that the mayor, on behalf of Auckland Council, write to the Minister of Local Government asking that:

i) the Government, in partnership with the local government sector, explore a national or sector-wide system and funding approach for online voting in time for the 2022 elections, or earlier for by-elections if possible

ii) the Government proceed with the enactment of the Local Electoral Matters Bill as soon as possible to avoid losing momentum

e) support Auckland Council continuing to work with the government, other councils and local government sector organisations to trial online voting as soon as possible.

**CARRIED UNANIMOUSLY**
16 **Recommendations from the Appointments, Performance Review and Value for Money Committee - Value for Money ICT Review**

Note: a change to clause a) was incorporated with the agreement of the meeting.

Resolution number GB/2018/212

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

**That the Governing Body:**

a) approve the reports for the ICT Services value for money review included in Attachment A of the agenda report.

CARRIED

17 **Recommendations from the Audit and Risk Committee - Annual Report on the performance of the Audit and Risk Committee**

*Cr C Darby left the meeting at 1.29 pm.*

Resolution number GB/2018/213

MOVED by Deputy Mayor BC Cashmore, seconded by Cr R Clow:

**That the Governing Body:**

a) note the report on the Performance of the Audit and Risk Committee included in Attachment A of the agenda report.

CARRIED

18 **Approval of delegation to transfer responsibility for Aotea/Great Barrier Island airfields to Auckland Transport**

Resolution number GB/2018/214

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

**That the Governing Body:**

a) approve delegating to Auckland Transport all of Auckland Council's responsibilities, duties, functions, and powers relating to the operation, management, control, improvement and maintenance of Claris and Okiwi airfields on Aotea/Great Barrier Island, subject to legal authorisation being obtained as described in resolution b)

b) approve seeking authorisation for Auckland Transport to become an airport authority (by way of an Order in Council) so it can be the operator of the Aotea/Great Barrier airfields.

CARRIED

19 **Summary of Governing Body information memos and briefings - 13 December 2018**

Resolution number GB/2018/215

MOVED by Cr D Simpson, seconded by Cr W Walker:

**That the Governing Body:**

a) note the progress on the forward work programme

b) receive the Summary of Governing Body information memos and briefings – 13 December 2018.

CARRIED
20  Consideration of Extraordinary Items

There was no consideration of extraordinary items.

21  Procedural motion to exclude the public

The public excluded item had been withdrawn.

1.35 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:.........................................................................