
Tira Kāwana / 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, 28 March 2019 at 9.37am.

PRESENT

Mayor Councillors

Hon Phil Goff, CNZM, JP	
Cr Josephine Bartley	
Cr Ross Clow	From 9.45am, Item 7.1 Until 11.38am, Item 12
Cr Fa'anana Efeso Collins	
Cr Linda Cooper, JP	
Cr Chris Darby	
Cr Alf Filipaina	From 9.39am, Item 7.1
Cr Hon Christine Fletcher, QSO	
Cr Richard Hills	
Cr Penny Hulse	From 9.40am, Item 7.1
Cr Mike Lee	From 10.00am, Item 7.1 Until 11.43am, Item 13
Cr Daniel Newman, JP	
Cr Greg Sayers	
Cr Desley Simpson, JP	
Cr Sharon Stewart, QSM	
Cr Sir John Walker, KNZM, CBE	From 9.40am, Item 7.1
Cr Wayne Walker	
Cr John Watson	From 9.48am, Item 7.1
Cr Paul Young	From 9.43am, Item 7.1

ABSENT

Deputy Mayor Bill Cashmore
Cr Cathy Casey

ALSO PRESENT

Troy Churton	Ōrākei Local Board member
David Wong	Ōrākei Local Board member

1 Affirmation

His Worship the Mayor read the affirmation.

2 Apologies

Resolution number GB/2019/15

MOVED by Mayor P Goff, seconded by Cr E Collins:

That the Governing Body:

- a) **accept the apologies from Deputy Mayor BC Cashmore for absense on council business, Cr Dr C Casey for absense and Cr J Watson for lateness.**

CARRIED

3 Declaration of Interest

There were no declarations of interest.

4 Confirmation of Minutes

Resolution number GB/2019/16

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, 28 February 2019, 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

7.1 Local Board Input: Ōrākei Local Board - Pre-application documentation availability to Local Board members

*Cr A Filipaina entered the meeting at 9.39 am.
Cr J Walker entered the meeting at 9.40 am.
Cr P Hulse entered the meeting at 9.40 am.
Cr P Young entered the meeting at 9.43 am.
Cr R Clow entered the meeting at 9.45 am.
Cr J Watson entered the meeting at 9.48 am.
Cr M Lee entered the meeting at 10.00 am.*

The Ōrākei Local Board tabled their submission - Pre-application Documentation.

A copy has been placed on the official minutes and is available on the Auckland Council website as a minutes attachment.

Resolution number GB/2019/17

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

That the Governing Body:

- a) **thank Ōrākei Local Board members Troy Churton and David Wong for their input in relation to pre-application documentation availability to local board members and for their attendance**

CARRIED

Attachments

- A 28 March 2019, Governing Body: Item 7.1 - Local Board Input: Ōrākei Local Board - Pre-application documentation availability to Local Board members

8 Extraordinary Business

8.1 Extraordinary Business - Supporting Christchurch and providing feedback to Government on proposed gun law reform

Resolution number GB/2019/18

MOVED by Mayor P Goff, seconded by Cr P Hulse:

That the Governing Body:

- a) **consider an extraordinary item “Supporting Christchurch and providing feedback to Government on proposed gun law reform” at Item 16 – Consideration of Extraordinary Items of this agenda, noting:**
 - i) **the reason the matter was not on the agenda is because:**
 - A) **the item is a consequence of the Government’s response to the Christchurch terror attacks on Friday 15 March 2019 and subsequent announcements relating to a gun law change made on Thursday 21 March 2019**
 - B) **the timing is such that it was not possible to both include the item on an agenda and comply with the timeframes provided by the Government, and**
 - ii) **the reason why this matter cannot be delayed until a subsequent meeting is that the Government has announced its intention to pass the law under urgency by 11 April 2019.**

CARRIED

Note: The chairperson accorded precedence to Item 16 – Consideration of Extraordinary Items at this time.

16 Consideration of Extraordinary Items

16.1 Supporting Christchurch and providing feedback to Government on proposed gun law reform

Resolution number GB/2019/19

MOVED by Mayor P Goff, seconded by Cr P Hulse:

That the Governing Body:

- a) mark its sorrow, support and love for the families and Muslim communities of the 50 people killed and those wounded in the Christchurch terrorist attacks on Friday 15 March 2019
- b) reaffirm its commitment to an inclusive, peaceful and harmonious society, where everyone is free to practice their faith safely, and be encouraged to proudly display their cultural identity
- c) in furthering clause b), strongly support initiatives that:
 - i) promote a multicultural and multi-faith society, and
 - ii) show zero tolerance to racism, prejudice and bigotry
- d) strongly support the Government's plan to remove military style, semi-automatic weapons from our community, including a buy back of such weapons, and strengthen gun laws in New Zealand
- e) request the Mayor to send a letter on its behalf to the Prime Minister, Government and Parliamentarians, which details:
 - i) the resolutions from this meeting
 - ii) the Governing Body's support for urgent and effective gun law reform, and
 - iii) the Governing Body's gratitude and commendations to the many first responders, staff and volunteers who have worked tirelessly in response to the Christchurch terror attacks.

CARRIED UNANIMOUSLY

9 Update on response of Auckland Transport to recommendations of the Governance Framework review

Resolution number GB/2019/20

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

That the Governing Body:

- a) agree to defer Item 9: Update on response of Auckland Transport to recommendations of the Governance Framework review pending a workshop.

CARRIED

10 Recommendations from the Appointments, Performance Review and Value for Money Committee - Value for Money (s17A) Review Programme

Resolution number GB/2019/21

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

That the Governing Body:

- a) **approve the terms of reference for the Human Resource Management Services review (included in Attachment A of the agenda report).**

CARRIED

11 Panel report on Public Safety and Nuisance Bylaw 2013

Resolution number GB/2019/22

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

That the Governing Body:

- a) **approve the Panel recommendations on proposed changes to the Public Safety and Nuisance Bylaw 2013, Animal Management Bylaw 2015 and Traffic Bylaw 2015, and revocation of legacy bylaws about fences in Attachment A and Attachment B of the agenda report**
- b) **confirm that a bylaw is the most appropriate way to protect people from nuisance or unsafe behaviours and activities in public places**
- c) **approve that the Public Safety and Nuisance Bylaw 2013 and amendments to the Animal Management Bylaw 2015 and Traffic Bylaw 2015 in Attachment C of the agenda report:**
 - i) **are the most appropriate form of bylaw**
 - ii) **do not give rise to any unjustified implications and are not inconsistent with the New Zealand Bill of Rights Act 1990**
- d) **adopt the amended Public Safety and Nuisance Bylaw 2013 in Attachment C of the agenda report with effect from 1 October 2019**
- e) **adopt the amendments to the Animal Management Bylaw 2015 and Traffic Bylaw 2015 in Attachment C of the agenda report with effect from 1 October 2019**
- f) **revoke the legacy bylaws about fencing in Attachment C of the agenda report with effect from 1 October 2019**
- g) **approve the distribution of this report and associated minute to local boards and advisory panels for their information**
- h) **delegate authority through the Chief Executive to a manager responsible for bylaws to make any amendments to the bylaws in Attachment C of the agenda report to correct errors or omissions**
- i) **note the matter of ash scattering and artefact placement on or near watercourses and marine areas is more appropriately addressed through continued discussions between council, mana whenua and other cultures**
- j) **request the Chief Executive to instruct the appropriate council department/s to develop and report on a process to progress the discussion between council, mana whenua and other cultures on the matter of ash scattering and artefact placement on or near watercourses and marine areas to the Environment and Community Committee by June 2019.**

CARRIED

Note: Pursuant to Standing Order 1.8.6, Cr M Lee requested that his dissenting vote be recorded.

12 Recommendations from Regulatory Committee, Trade Waste Bylaw 2013 - Statement of Proposal

Cr R Clow retired from the meeting at 11.38 am.

Resolution number GB/2019/23

MOVED by Cr L Cooper, seconded by Mayor P Goff:

That the Governing Body:

- a) **adopt the Tradewaste Bylaw 2013 Statement of Proposal included in Attachment B of the agenda report for public consultation and confirms that the draft bylaw:**
 - i) **is the most appropriate and proportionate way to implement aspects of the policy**
 - ii) **is not inconsistent with the New Zealand Bill of Rights Act 1990**
- b) **forward to local boards, advisory panels and the Independent Maori Statutory Board:**
 - i) **the statement of proposal in Attachment B of the agenda report for their views**
 - ii) **this agenda report and attachments for their information.**

CARRIED

13 Auckland Council Group and Auckland Council quarterly performance reports to 31 December 2018

PowerPoint presentations were given in support of the item.

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

Cr W Walker left the meeting at 11.41.

Cr M Lee retired from the meeting at 11.43 am.

Cr W Walker returned to the meeting at 11.51 am.

Resolution number GB/2019/24

MOVED by Cr D Simpson, seconded by Cr C Darby:

That the Governing Body:

- a) **receive the Auckland Council Performance Report for the period ending 31 December 2018.**

CARRIED

Attachments

- A 28 March 2019, Governing Body: Item 13 - Auckland Council Group and Auckland Council quarterly performance reports to 31 December 2018, Auckland Council Group Performance Presentation
- B 28 March 2019, Governing Body: Item 13 - Auckland Council Group and Auckland Council quarterly performance reports to 31 December 2018, Auckland Council Performance Overview Quarter Two FY19 Presentation

14 2019 Local Government New Zealand Conference and Annual General Meeting

Resolution number GB/2019/25

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

That the Governing Body:

- a) **appoint the Mayor as the Auckland Council presiding delegate to the Local Government New Zealand Annual General Meeting**
- b) **appoint Cr Dr C Casey, Cr P Hulse and a local board member to the Local Government New Zealand Annual General Meeting**
- c) **invite local boards, through the chairs, to choose a delegate to the Local Government New Zealand Annual General Meeting if one of the delegates is a local board member**
- d) **approve attendance at the Local Government New Zealand conference of the Mayor and the Governing Body delegates appointed in recommendation b), and other Governing Body members Deputy Mayor Cr B Cashmore, Cr A Filipaina, Cr R Hills and Cr W Walker as attendees**
- e) **delegate to the Mayor, in the event he cannot attend the Local Government New Zealand Annual General Meeting at short notice, the ability to appoint another Governing Body member to the role of presiding delegate**
- f) **delegate to the Mayor, in the event an appointed member cannot attend the Local Government New Zealand Annual General Meeting or conference at short notice, the ability to approve the attendance of another member**
- g) **agree that when exercising the Auckland Council's vote at the Local Government New Zealand Annual General Meeting, the delegates have the discretion to determine the Auckland Council's position on any matter on which the Auckland Council's position is not otherwise known**
- h) **delegate to the Mayor the ability to act on the Auckland Council's behalf in nominating or seconding any candidate for president or vice-president of Local Government New Zealand**
- i) **note the process for deciding remits to be presented to the Local Government New Zealand Annual General Meeting**
- j) **note the proposed constitutional changes, which will be decided at Annual General Meeting**
- k) **note that local board members can attend the Local Government New Zealand Annual General Meeting in an advisory capacity provided their names are included on the Annual General Meeting registration form, which will be signed by the Mayor**
- l) **note that local board members are offered the opportunity to attend the Local Government New Zealand conference, using their professional development budget.**

CARRIED

15 Summary of Governing Body information memorandum and briefings - 28 March 2019

Resolution number GB/2019/26

MOVED by Mayor P Goff, seconded by Cr E Collins:

That the Governing Body:

- a) **note the progress on the forward work programme**
- b) **receive the Summary of Governing Body information memos and briefings – 28 February 2019.**

CARRIED

Note: Item 16 – Consideration of Extraordinary Items was considered prior to Item 9 - Update on response of Auckland Transport to recommendations of the Governance Framework review.

12.26 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:.....