

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, 2 May 2019 at 9.38am.

PRESENT

Mayor	Hon Phil Goff, CNZM, JP	
Deputy Mayor	Deputy Mayor Cr Bill Cashmore	Until 4.01pm
Councillors	Cr Josephine Bartley	From 9.39am, Item 6.1
	Cr Dr Cathy Casey	Until 4.25pm, Item 13
	Cr Ross Clow	
	Cr Fa'anana Efeso Collins	From 9.44, Item 6.1
	Cr Linda Cooper, JP	Until 4.25pm, Item 13
	Cr Chris Darby	
	Cr Alf Filipaina	
	Cr Hon Christine Fletcher, QSO	
	Cr Richard Hills	Until 4.04pm, Item 12
	Cr Penny Hulse	From 9.39am, Item 6.1
	Cr Mike Lee	
	Cr Daniel Newman, JP	
	Cr Greg Sayers	
	Cr Desley Simpson, JP	
	Cr Sir John Walker, KNZM, CBE	Until 1.41pm, Item 9
	Cr Wayne Walker	
	Cr John Watson	Until 3.40pm, Item 9
	Cr Paul Young	From 9.52am, Item 6.1

ABSENT

Cr Sharon Stewart, QSM

IN ATTENDANCE

Sir Brian Roche, Chair	City Rail Link Limited
Sean Sweeney, Chief Executive	City Rail Link Limited
Shane Ellison, Chief Executive	Auckland Transport
Mark Laing, Executive General Manager	Finance, Auckland Transport

1 Affirmation

His Worship the Mayor read the affirmation.

2 Apologies

Resolution number GB/2019/27

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

That the Governing Body:

- a) **accept the apology from Cr S Stewart for absence; Cr J Bartley and Cr E Collins for lateness.**

CARRIED

Note: A subsequent apology for early departure was received from Cr C Casey.

3 Declaration of Interest

There were no declarations of interest.

4 Confirmation of Minutes

Resolution number GB/2019/28

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

That the Governing Body:

- a) **confirm the ordinary minutes of its meeting, held on Thursday, 28 March 2019, as a true and correct record.**

CARRIED

5 Petitions

There were no petitions.

6 Public Input

6.1 Public Input: Heart of the City - City Rail Link Funding

Cr P Hulse joined the meeting at 9.39am.

Cr J Bartley joined the meeting at 9.39am.

Cr E Collins joined the meeting at 9.44am.

Cr P Young joined the meeting at 9.52am.

Viv Beck, Chief Executive, Heart of the City was in attendance to address the Governing Body.

Resolution number GB/2019/29

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

That the Governing Body:

- a) **receive and note the verbal public input presentation from Viv Beck on behalf of Heart of the City with regards to City Rail Link Funding and thank her for her attendance.**

CARRIED

7 Local Board Input

There was no local board input.

8 Extraordinary Business

There was no extraordinary business.

9 City Rail Link Funding Commitment

A PowerPoint presentation was given along with a tabled document outlining an overview of the contract and alliance contracts. Copies have been placed on the official minutes and are available on the Auckland Council website as a minutes attachments.

Note: changes to the original motion were incorporated under clause a) with the agreement of the meeting.

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

That the Governing Body:

- a) approve the council's funding commitment to City Rail Link Limited be increased by \$500 million to \$2.2 billion and agree that budgets are updated to reflect this.
- b) agree that budgets are updated to reflect the funding capacity created by:
 - i) interest cost savings due to lower market interest rates;
 - ii) a reduction in cash holdings from improved cash management;
 - iii) re-assessment of the valuation of operating contract commitments.
- c) agree to progress a strategy to assess future off-street parking requirements for Auckland, including additional investment in park and ride facilities, noting:
 - i) options for the council's city centre carpark buildings to be investigated will include the status quo alongside outright sale, partnering with developers, and concession arrangements;
 - ii) budgets will be updated to reflect a target of a \$50 million net surplus by 2023/2024 to fund City Rail Link;
 - iii) decisions on the strategy and any specific actions in relation to any carpark building will be made by the Governing Body or the appropriate committee.
- d) agree that council staff will continue efforts to get the best arrangements with the Crown for City Rail Link funding, and to update budgets to reflect flexibility around the timing of the council's City Rail Link contributions.
- e) delegate to the Mayor, Deputy Mayor and Chief Executive the authority to approve any changes to agreements as a result of the above resolutions.

The meeting adjourned at 11.51am and reconvened at 12.00pm.

Cr M Lee, Cr W Walker and Cr G Sayers were not present.

Staff continued the presentation.

Councillor W Walker returned to the meeting at 12.02pm.

Cr M Lee returned to the meeting at 12.05 pm.

Cr G Sayers returned to the meeting at 12.15pm.

Shane Ellison, Chief Executive – Auckland Transport and Mark Laing, Executive General Manager Finance - Auckland Transport were present to answer questions.

Cr J Watson left the meeting at 12.34pm.

Cr J Watson returned to the meeting at 1.33pm.

Cr J Walker left the meeting at 1.41pm.

The meeting adjourned at 1.41pm and reconvened at 2.10pm.

Cr C Fletcher, Cr D Newman and Cr W Walker were not present.

Cr W Walker returned to the meeting at 2.13pm.

Cr D Newman returned to the meeting at 2.16pm.

Cr C Fletcher returned to the meeting at 2.16pm.

Note: Further changes to the original motion were incorporated under clauses c) i) and c) iii) with the agreement of the meeting.

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

That the Governing Body:

- a) approve the council's funding commitment to City Rail Link Limited be increased by \$500 million to \$2.2 billion and agree that budgets are updated to reflect this.
- b) agree that budgets are updated to reflect the funding capacity created by:
 - i) interest cost savings due to lower market interest rates;
 - ii) a reduction in cash holdings from improved cash management;
 - iii) re-assessment of the valuation of operating contract commitments.
- c) agree to progress a strategy to assess future off-street parking requirements for Auckland, including additional investment in park and ride facilities, noting:
 - i) options for the council's city centre carpark buildings to be investigated will include the status quo alongside partnering with developers, and concession arrangements;
 - ii) budgets will be updated to reflect a target of a \$50 million net surplus by 2023/2024 to fund City Rail Link;
 - iii) decisions on the strategy and any specific actions in relation to any carpark building will be made by the Governing Body.

- d) agree that council staff will continue efforts to get the best arrangements with the Crown for City Rail Link funding, and to update budgets to reflect flexibility around the timing of the council's City Rail Link contributions.
- e) delegate to the Mayor, Deputy Mayor and Chief Executive the authority to approve any changes to agreements as a result of the above resolutions.

MOVED by Cr D Newman, seconded by Cr C Fletcher an amendment by way of addition:

- f) agree that options including recalibrating budgets and a reduction in cash holdings to increase the Council's funding commitment to City Rail Link Limited by \$500 million have not been subject to consultation in the draft 2019/2020 Annual Plan, nor was it legally required.

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

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

The motion was declared LOST by 9 votes to 10.

MOVED by Cr G Sayers, seconded by Cr P Young an amendment by way of addition:

- c) agree to progress the strategies to assess future off-street parking requirements for Auckland, including additional investment in park and ride facilities, noting:
 - iv) consideration of the strategies to take account of parking and space requirements including:
 - A) mobility parking
 - B) loading zones
 - C) waste collection and recycling
 - D) pedestrianisation of Queen Street and other streets
 - E) additional bus lanes
 - F) light rail
 - G) carpooling
 - H) bicycles and e-bikes
 - I) electric vehicles
 - J) taxis
 - K) electric buses
 - L) vehicle sharing facilities
 - M) docking requirements including charging for electric vehicles
 - N) consider parking requirements for residents, workers and visitors in the city centre.

At 3.30pm, it was:

Extension of Meeting Time

Resolution number GB/2019/30

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

That the Governing Body:

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

CARRIED

Resolution number GB/2019/31

MOVED by Cr G Sayers, seconded by Cr P Young: as an amendment by way of addition:

That the Governing Body:

- c) agree to progress the strategies to assess future off-street parking requirements for Auckland, including additional investment in park and ride facilities, noting:
- iv) consideration of the strategies to take account of parking and space requirements including:
- A) mobility parking
 - B) loading zones
 - C) waste collection and recycling
 - D) pedestrianisation of Queen Street and other streets
 - E) additional bus lanes
 - F) light rail
 - G) carpooling
 - H) bicycles and e-bikes
 - I) electric vehicles
 - J) taxis
 - K) electric buses
 - L) vehicle sharing facilities
 - M) docking requirements including charging for electric vehicles
 - N) consider parking requirements for residents, workers and visitors in the city centre.

CARRIED

Resolution number GB/2019/32

MOVED by Cr M Lee, seconded by Cr W Walker an amendment by way of addition:

That the Governing Body:

- f) agree that given the significant scale of the projected cost increase of the City Rail Link (\$1.014 billion); that given this cost increase has occurred during the period of governance responsibility for this project by the Crown Entity CRL Limited, that the Council formally approach the government with a request that the government increases its share of capital contribution for this project.

CARRIED

Cr J Watson retired from the meeting at 3.40pm.

The substantive motion was put.

Resolution number GB/2019/33

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

That the Governing Body:

- a) **approve the council's funding commitment to City Rail Link Limited be increased by \$500 million to \$2.2 billion and agree that budgets are updated to reflect this.**
- b) **agree that budgets are updated to reflect the funding capacity created by:**
 - i) **interest cost savings due to lower market interest rates;**
 - ii) **a reduction in cash holdings from improved cash management;**
 - iii) **re-assessment of the valuation of operating contract commitments.**
- c) **agree to progress the strategies to assess future off-street parking requirements for Auckland, including additional investment in park and ride facilities, noting:**
 - i) **options for the council's city centre carpark buildings to be investigated will include the status quo alongside partnering with developers, and concession arrangements;**
 - ii) **budgets will be updated to reflect a target of a \$50 million net surplus by 2023/2024 to fund City Rail Link;**
 - iii) **decisions on the strategy and any specific actions in relation to any carpark building will be made by the Governing Body.**
 - iv) **consideration of the strategies to take account of parking and space requirements including:**
 - A) **mobility parking**
 - B) **loading zones**
 - C) **waste collection and recycling**
 - D) **pedestrianisation of Queen Street and other streets**
 - E) **additional bus lanes**
 - F) **light rail**
 - G) **carpooling**
 - H) **bicycles and e-bikes**
 - I) **electric vehicles**
 - J) **taxis**
 - K) **electric buses**
 - L) **vehicle sharing facilities**
 - M) **docking requirements including charging for electric vehicles**
 - N) **consider parking requirements for residents, workers and visitors in the city centre**
- d) **agree that council staff will continue efforts to get the best arrangements with the Crown for City Rail Link capital, maintenance and operational funding, and to update budgets to reflect flexibility around the timing of the council's City Rail Link contributions.**

- e) delegate to the Mayor, Deputy Mayor and Chief Executive the authority to approve any changes to agreements as a result of the above resolutions.
- f) agree that given the significant scale of the projected cost increase of the City Rail Link (\$1.014 billion); that given this cost increase has occurred during the period of governance responsibility for this project by the Crown Entity CRL Limited, that the Council formally approach the government with a request that the government increases its share of capital contribution for this project.

CARRIED

Note: Pursuant to Standing order 1.8.6, the following councilors requested that their dissenting votes be recorded as follows:

- Cr G Sayers
- Cr C Fletcher against clause a)
- Cr M Lee against clause a)

Attachments

- A 2 May 2019, Governing Body: Item 9 - City Rail Link Funding Commitment, Presentation
- B 2 May 2019, Governing Body: Item 9 - City Rail Link Funding Commitment, Maps

Deputy Mayor BC Cashmore retired from the meeting at 4.01pm.

The meeting adjourned at 4.01pm and reconvened at 4.03pm.

Cr C Casey, Cr R Clow, Cr C Fletcher, Cr R Hills and Cr W Walker were not present.

Note: The Chairperson accorded precedence to Item 12 – Recommendations from Regulatory Committee, Waste Bylaw Statement of Proposal.

12 Recommendations from Regulatory Committee, Waste Bylaw Statement of Proposal

*Cr C Casey returned to the meeting at 4.03pm.
Cr R Hills retired from the meeting at 4.04 pm.
Cr W Walker returned to the meeting at 4.04pm.*

Resolution number GB/2019/34

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

That the Governing Body:

- a) adopt the Waste Bylaw Statement of Proposal included in Attachment A of the agenda report for public consultation and confirm that the proposed new Waste Management and Minimisation Bylaw 2019 and amendments to the Trading and Events in Public Places Bylaw 2015:
 - i) are the most appropriate form of bylaw
 - ii) do not give rise to any implications and are not inconsistent with the New Zealand Bill of Rights Act 1990
 - iii) are not inconsistent with the Waste Plan.

CARRIED

10 Independent Maori Statutory Board - proposed funding agreement for the 2019/2020 financial year

Cr R Clow returned to the meeting at 4.06pm.

Resolution number GB/2019/35

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

That the Governing Body:

- a) **approve the 2019/2020 funding agreement between Auckland Council and the Independent Māori Statutory Board, which comprises a total direct funding of \$3,025,621 (opex)**
- b) **approve that variations to the funding agreement between Auckland Council and the Independent Māori Statutory Board of no more than \$50,000 in the 2019/2020 financial year can be agreed between the chief executive of Auckland Council and the chief executive of the Independent Māori Statutory Board, subject to budget being available to cover the variations**
- c) **note that following approval of the proposed funding by the Governing Body at this meeting, the 2019/2020 Funding Agreement between Auckland Council and the Independent Māori Statutory Board and the 2019/2020 Service Level Agreement will be prepared and signed by the mayor and council's chief executive and the chair and chief executive of the Independent Māori Statutory Board.**

CARRIED

11 Recommendations from the Appointments, Performance Review and Value for Money Committee - Value for Money Customer Services Review

Cr C Fletcher returned to the meeting at 4.12pm.

Cr W Walker returned to the meeting at 4.14pm.

Cr D Newman left the meeting at 4.14pm.

Resolution number GB/2019/36

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

That the Governing Body:

- a) **approve the value for money Customer Services review appended as Attachment A, Item 8: Value for Money Customer Services Review to the Appointments, Performance Review and Value for Money Committee agenda of 4 April 2019.**
- b) **note the recommendation to the council's chief executive to collaborate with the chief executives of the council-controlled organisations to:**
 - i) **design and implement a group approach to simplifying the customer channels and points of interaction**
 - ii) **develop a programme of work, building on initiatives underway to improve first time resolution of customer enquiries.**

CARRIED

Note: Item 12 – Recommendations from Regulatory Committee, Waste Bylaw Statement of Proposal was taken prior to Item 10 – Independent Maori Statutory Board – proposal funding agreement for the 2019/2020 financial year.

13 Changes to Standing Orders

Cr D Newman returned to the meeting at 4.17pm.

Cr C Casey left the meeting at 4.25pm.

Cr L Cooper left the meeting at 4.25pm.

Resolution number GB/2019/37

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

That the Governing Body:

- a) note the new statutory responsibility of the chief executive:

facilitating and fostering representative and substantial elector participation in elections and polls held under the Local Electoral Act 2001;

- b) amend standing order 2.3.3 by replacing:

Calling an extraordinary meeting at earlier time

The mayor or chairperson, or if they are unavailable, the chief executive, may call a meeting for an earlier time if this is necessary to deal with the business.

The person calling such a meeting must give each member and the chief executive notice of the time and place of the meeting and the matters in respect of which the meeting is being called, by whatever means is reasonable in the circumstances, at least 24 hours before the meeting.

with:

Calling an emergency meeting

The mayor or chairperson, or if they are unavailable, the chief executive, may call an emergency meeting for an earlier time than is provided in Standing Order 2.3.2 if this is necessary to deal with the business.

The person calling such a meeting must give each member and the chief executive notice of the time and place of the meeting and the matters in respect of which the meeting is being called, by whatever means is reasonable in the circumstances, at least 24 hours before the meeting.

- c) amend standing order 7.2.2 by replacing:

Notification of extraordinary meetings

Where the council calls an extraordinary meeting, but cannot give public notice to the extent required in Standing Order 7.2.1, the council must publicly notify the meeting, and the general nature of business to be considered at it, as soon as reasonably practicable before the meeting.

with:

Notification of extraordinary / emergency meetings

Where the council calls an extraordinary or emergency meeting, but cannot give public notice to the extent required in Standing Order 7.2.1, the council must publicly notify the meeting, and the general nature of business to be considered at it, as soon as reasonably practicable before the meeting. If it is not practicable to publish a notice in newspapers before the meeting, the council must publicly notify the meeting as soon as practicable on the council's website and in any other manner that is reasonable in the circumstances.

- d) amend standing order 9.4 (Definitions) by replacing:
- Extraordinary meeting has the meaning defined in clause 22 of Schedule 7 of the Local Government Act 2002.*
- with:
- Emergency meeting has the meaning defined in clause 22A of Schedule 7 of the Local Government Act 2002.*
- Extraordinary meeting has the meaning defined in clause 22 of Schedule 7 of the Local Government Act 2002.*
- e) amend standing order 9.4 (Definitions) by replacing:
- Meeting means:*
- (a) any first or ordinary or extraordinary meeting of the governing body*
- with:
- Meeting means:*
- (a) any first or ordinary or extraordinary or emergency meeting of the governing body*
- f) amend standing order 9.4 (Definitions) by replacing:
- Publicly notified means notified to members of the public by a notice printed in appropriate newspapers circulating in the Auckland region.*
- with:
- Publicly notified means made known to members of the public by a notice on the council's website, until any opportunity for review or appeal has lapsed, and by a notice printed in appropriate newspapers circulating in the Auckland region.*
- g) amend standing order 9.4 (Definitions) by replacing:
- Working day means any day of the week other than:*
- (a) Saturday, Sunday, Waitangi Day, Good Friday, Easter Monday, ANZAC Day, the sovereign's birthday and Labour Day*
- (b) a day in the period commencing with 25 December in any year and ending with 15 January in the following year.*
- with:
- Working day means any day of the week other than:*
- (a) Saturday, Sunday, Waitangi Day, Good Friday, Easter Monday, ANZAC Day, the sovereign's birthday and Labour Day*
- (b) Where Waitangi Day or ANZAC Day falls on a weekend, the following Monday*
- (c) Auckland Anniversary Day*
- (d) a day in the period commencing with 20 December in any year and ending with 10 January in the following year.*
- h) amend the following standing orders:
- i) SO 2.3:
- replace the heading "Extraordinary meetings" with "Extraordinary and emergency meetings"

- ii) SO 7.2.2:
replace the heading “Extraordinary meetings” with “Extraordinary and emergency meetings”
- iii) SOs 1.1.3, 2.4.1, 2.4.2, 7.3.1:
replace the words “extraordinary meeting” with “extraordinary or emergency meeting”
- i) amend standing order 3.3.3 to remove the requirement to be representing the council:
 - 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. 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.***

The motion was put to the vote by a show of hands and was declared CARRIED unanimously.

CARRIED UNANIMOUSLY

14 Deputy Mayor's Report on Trip to Singapore, Hong Kong, Beijing and Shanghai as part of the Building Cities: Infrastructure New Zealand Delegation

This item was deferred to the next Governing Body meeting scheduled for 30 May 2019.

15 Summary of Governing Body information memorandum and briefings - 2 May 2019

Resolution number GB/2019/38

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 memorandum and briefings – 2 May 2019.**

CARRIED

16 Consideration of Extraordinary Items

There was no consideration of extraordinary items.

4.28pm

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:.....