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, 25 July 2019 at 9.38am.

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 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

From 10.06am, Item 9
Until 12.13pm, Item 18.1
From 10.16am, Item 9
From 9.59am, Item 9
From 10.43am, Item 11
From 9.53am, Item 9
From 9.41am, Item 4

ABSENT

Councillors
Cr Hon Christine Fletcher, QSO
Cr Richard Hills

ALSO PRESENT

Julia Parfitt, Chairperson
Janet Fitzgerald, Deputy Chairperson
Glenn Wilcox, Deputy Chair

Hibiscus and Bays Local Board
Hibiscus and Bays Local Board
Independent Māori Statutory Board
1  **Affirmation**

His Worship the Mayor read the affirmation.

2  **Apologies**

Resolution number GB/2019/65

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

That the Governing Body:

a) accept the apologies from Cr C Fletcher and Cr R Hills for absence; and Cr R Clow, and Cr D Newman for lateness.

CARRIED

Note: a subsequent apology for lateness was received from Cr W Walker.

3  **Declaration of Interest**

Cr Casey advised that she was the SPCA Ambassador for Auckland Council.

4  **Confirmation of Minutes**

Resolution number GB/2019/66

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 June 2019, including the confidential section, as a true and correct record.

CARRIED

*Cr P Young joined the meeting at 9.41am.*

5  **Petitions**

There were no petitions.

6  **Public Input**

There was no public input.
7 Local Board Input


Julia Parfitt, Chairperson; and Janet Fitzgerald, Deputy Chairperson - Hibiscus and Bays Local Board were in attendance to speak to the Governing Body.

Resolution number GB/2019/67

MOVED by Mayor P Goff, seconded by Cr G Sayers:

That the Governing Body:

a) receive the presentation from Julia Parfitt, Chairperson and Janet Fitzgerald, Deputy Chairperson - Hibiscus and Bays Local Board regarding - Item 11 - Auckland Council Policy on Dogs 2012 and Dog Management Bylaw 2012: Hearings Panel report and thank them for their attendance.

CARRIED

8 Extraordinary Business

8.1 Extraordinary Business - Cr C Casey

Resolution number GB/2019/68

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

That the Governing Body:

a) consider an extraordinary item “Ihumātao land at Māngere” at Item 16 – Consideration of Extraordinary Items of this agenda, noting:

i) the reason the matter was not on the agenda is because the situation has escalated since the agenda was printed and is of wide public and media interest, and

ii) the reason why this matter cannot be delayed until a subsequent meeting is that the situation is fast moving and could further escalate.

CARRIED

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

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

Cr W Walker joined the meeting at 9.53am.
Cr D Newman joined the meeting at 9.59am.
Cr R Clow joined to the meeting at 10.06am.
Cr M Lee joined the meeting at 10.16 am.
Note: changes to the original recommendation, adding new clauses f), g) and h) were made with the agreement of the meeting.

Resolution number GB/2019/69

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

That the Governing Body:

a) note the progress Auckland Transport has made in respect of the resolutions of the Governance Framework Review

b) request that Auckland Transport continues to work with local boards to refine the engagement plans over time to reflect local needs and circumstances, and implement the commitments outlined in the plans

c) request that Auckland Transport works with Local Board Services to finalise an implementation plan for the improved process for approving projects under the Local Board Transport Capital Fund by October 2019

d) request that Auckland Transport continues to ensure the community safety fund process includes opportunities for ward councillors to identify projects

e) note Auckland Transport’s proposed protocols for engagement with ward councillors, and request that it adopt these protocols with any changes recommended by the Governing Body

f) request that Auckland Transport make the following changes to the ward councillor protocols:

i) amend the first bullet point under “Auckland Transport will” to read “Transport projects”

ii) amend the second bullet point to read “are informed and offered briefings on all projects and changes to projects in their ward, including those with major impacts on communities and businesses”

iii) add a bullet point: “ensure ward councillors also receive information (including monthly reports) provided to local boards”

iv) provide an agreed level of service for responses to written enquiries from elected members (two working days for an acknowledgement and 20 working days for a response answering the request).

g) request that Auckland Transport and council’s local board services team ensure that the Local Board Transport Capital Fund process includes an opportunity for ward councillors to input, while recognising the primary role of the local boards as the decision-maker for this Fund.

h) request that public communications issued by Auckland Transport or Auckland Council staff relating to Local Board Transport capital fund projects recognising the source of the funding for these projects.

i) direct staff to report back to the Governing Body with a further progress report on the Governance Framework Review resolutions and clauses b) to h) above, early in 2020.

CARRIED

Attachments
A 25 July 2019, Governing Body: Item 9 - Update on response of Auckland Transport to recommendations of the Governance Framework review, Presentation
10  **Recommendations from the Regulatory Committee: Review of Food Safety 2013, options and proposed future direction**

Resolution number GB/2019/70

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

That the Governing Body:

a) adopt the Food Safety Information Bylaw Statement of Proposal in Attachment A of the agenda report for public consultation and confirm that the proposed new bylaw:

i) is the most appropriate way to help protect public health from foodborne illness

ii) is the most appropriate form of bylaw

iii) does not give rise to any implications and is not inconsistent with the New Zealand Bill of Rights Act 1990

iv) is not inconsistent with the Food Act 2014.

b) forward to local boards and the Independent Māori Statutory Board:

i) the statement of proposal in Attachment A of the agenda report for their views

ii) this agenda report for their information

c) note the delegation of authority through the Chief Executive to a manager responsible for bylaws:

i) to appoint staff to receive public feedback at ‘Have Your Say’ events

ii) to make any amendments to the proposal in clause a) to correct errors, omissions or to reflect decisions made by the Regulatory Committee or the Governing Body.

CARRIED


A letter from Great Barrier Local Board and Waiheke Local Board was tabled. A copy has been placed on the official minutes and is available on the Auckland Council website as a minutes attachment.

Independent Māori Statutory Board Deputy Chair Glenn Wilcox was in attendance as part of the Hearings Panel.

*Cr J Walker joined the meeting at 10.43am.*

Resolution number GB/2019/71

MOVED by Cr L Cooper, seconded by Cr C Casey:

That the Governing Body:

a) approve the panel recommendations on proposed changes to the Auckland Council Policy on Dogs 2012 and Dog Management Bylaw 2012 in Attachment A and Attachment B of the agenda report
b) confirm that a bylaw is the most appropriate way to manage dogs in Auckland

c) approve that the amendments to the Auckland Council Policy on Dogs 2012 and Dog Management Bylaw 2012 in Attachment C of the agenda report:
   i) are the most appropriate form of bylaw
   ii) are not inconsistent with the New Zealand Bill of Rights Act 1990

d) adopt the amended Auckland Council Policy on Dogs 2012 and Dog Management Bylaw 2012 in Attachment C of the agenda report with effect from 01 November 2019

e) approve the distribution of this report and associated minute to local boards and advisory panels for their information

f) 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 and correct errors or omissions.

CARRIED

Note: Standing Order 1.8.6, Cr Sayers requested his dissent to the on-leash areas across Auckland.

Attachments

12 Trade Waste Bylaw 2013: Hearings Panel report

Independent Māori Statutory Board Deputy Chair Glenn Wilcox was in attendance as part of the Hearings Panel.

Resolution number GB/2019/72

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

That the Governing Body:

a) approve the Panel recommendations on proposed changes to the Trade Waste Bylaw 2013 in Attachment A and Attachment B of the agenda report.

b) confirm that a bylaw is the most appropriate way to protect people, the public wastewater system, wastewater treatment plants and the environment from any detrimental effects due to trade waste discharges.

c) approve that the Trade Waste Bylaw 2013:
   i) is the most appropriate form of bylaw
   ii) is not inconsistent with the New Zealand Bill of Rights Act 1990.

d) approve that the Trade Waste Control 2019:
   i) is appropriate to give effect to the purpose of the bylaw
   ii) is effective, efficient and reasonable
   iii) is not inconsistent with the New Zealand Bill of Rights Act 1990.


f) approve the distribution of this report and associated minutes to local boards and advisory panels for their information.
g) delegate authority through the Watercare Services Limited Board to a manager to make any amendments to the bylaw and control in Attachment C of the agenda report to correct errors or omissions.

h) request the New Zealand Government introduce legislation to empower local authorities to use infringement penalties for breaches of trade waste bylaws.

CARRIED UNANIMOUSLY

13 Auckland Council Top Risks Register - June 2019

Cr P Hulse left the meeting at 11.30am.

Resolution number GB/2019/73

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

That the Governing Body:

a) note the June 2019 Auckland Council top risks register and top risks heat map contained in Attachment A and Attachment B of the agenda report.

CARRIED

14 Referred from the Audit and Risk Committee - Health & Safety Performance Report - Quarter Three Financial Year 2018/19

An updated version of Table 2 in the original report had been circulated to members prior to the meeting. A copy has been attached to the official minutes and is available on the Auckland Council website as a minutes attachment.

Cr P Hulse returned to the meeting at 11.43am.

Resolution number GB/2019/74

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

That the Governing Body:

a) note the report and the responsibility of elected members with regards to their duties under the Health and Safety at Work Act 2015

b) note that the report will be provided to all local boards for their information.

CARRIED

Attachments

A 25 July 2019, Governing Body: Item 14 - Referred from the Audit and Risk Committee - Health & Safety Performance Report - Quarter Three Financial Year 2018/19, Updated Table 2
15  **2019 local government elections - meetings and decision-making until new Governing Body members make their declarations**

Resolution number GB/2019/75

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

That the Governing Body:

a) note that the final Governing Body meeting will be held on 26 September 2019 and that all committee meetings will have ceased by the end of September 2019

b) delegate to any two of either the Mayor, Deputy Mayor and a chairperson of a committee of the whole, the power to make, on behalf of the Governing Body, urgent decisions that may be needed between the final Governing Body meeting and the day the term of office of current members ends

c) note that during the period from the commencement of term of office of new members following the elections until the inaugural meeting of the Governing Body on 1 November 2019, decision-making will be undertaken by the Auckland Council Chief Executive under current delegations.

CARRIED

16  **Mayor’s Report on attendance at the 2019 Asia Pacific Cities Summit**

Resolution number GB/2019/76

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

That the Governing Body:

a) receive the verbal and written report (Attachment A of the agenda report) from His Worship the Mayor, regarding his attendance at the 2019 Asia Pacific Cities Summit.

CARRIED

17  **Summary of Governing Body information memoranda and briefings - 25 July 2019 including the Forward Work Programme**

Resolution number GB/2019/77

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

That the Governing Body:

a) note the progress on the forward work programme appended as Attachment A of the agenda report


CARRIED
18 Consideration of Extraordinary Items

18.1 Extraordinary Business - Ihumātao land at Māngere

Cr L Cooper retired from the meeting at 12.13pm.

Resolution number GB/2019/78

MOVED by Cr C Casey, seconded by Cr E Collins:

That the Governing Body:

a) request the Mayor to facilitate an urgent meeting between all the parties at Ihumatao including Te Kawerau a Maki, Te Akitai Waiohua, Waikato-Tainui and all iwi claiming mana whenua status over the land – with Auckland Council (including the Mangere-Otahuhu Local Board) and the Crown and any affected or interested parties to explore all partnering opportunities that will bring an end to this lengthy dispute.

CARRIED UNANIMOUSLY

12.38pm

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:......................................................................................