Whau Local Board
OPEN MINUTES

Minutes of a meeting of the Whau Local Board held in the Whau Local Board Office, 31 Totara Avenue, New Lynn on Wednesday, 3 July 2019 at 10.00am.

PRESENT

Chairperson
Tracy Mulholland
Deputy Chairperson
Susan Zhu
Members
Derek Battersby, QSM, JP
Catherine Farmer
Te’eva Matafai
David Whitley

ABSENT

Members
Duncan Macdonald, JP
1 Welcome
Chairperson T Mulholland opened the meeting and welcomed those present.

2 Apologies
There were no apologies.

3 Declaration of Interest
There were no declarations of interest.

4 Confirmation of Minutes
Resolution number WH/2019/88
MOVED by Chairperson T Mulholland, seconded by Member D Whitley:
That the Whau Local Board:
a) confirm the ordinary minutes of its meeting, held on Wednesday, 26 June 2019, including the confidential section, as a true and correct record.

CARRIED

5 Leave of Absence
There were no leaves of absence.

6 Consideration of Extraordinary Items
There was no consideration of extraordinary items.

7 Procedural motion to exclude the public
Resolution number WH/2019/89
MOVED by Chairperson T Mulholland, seconded by Member D Battersby:
That the Whau Local Board:
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 Recommendations of the Conduct Review Independent Panel under the Auckland Council Code of Conduct

<table>
<thead>
<tr>
<th>Reason for passing this resolution in relation to each matter</th>
<th>Particular interest(s) protected (where applicable)</th>
<th>Ground(s) under section 48(1) for the passing of this resolution</th>
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<td>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.</td>
<td>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 sensitive material around the conduct of an elected member of the Whau Local Board. The Whau Local Board will consider whether to make the information public after the local board meeting.</td>
<td>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.</td>
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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

10.02am 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.

10.50am The public was re-admitted.

RESTATEMENTS

It was resolved while the public was excluded:

C1 Recommendations of the Conduct Review Independent Panel under the Auckland Council Code of Conduct

Resolution number WH/2019/90

MOVED by Member D Battersby, seconded by Member D Whitley:

That the Whau Local Board:

a) note the three reports from the Conduct Review Independent Panel on the Code of Conduct complaints against Whau Local Board member Duncan Macdonald.

Complaint 1

b) agree that the panel’s report on Complaint 1 (Attachment A) will remain confidential at this time and will not be restated in the public minutes.

Complaint 2

c) endorse the panel’s recommendation and censure Whau Local Board member Duncan Macdonald for his breach of Article 7.8.

d) agree that the panel’s report on Complaint 2 (Attachment B) will be included in the public minutes with appropriate redactions to parts of the complaint that
were not upheld as well as removal of all identifying information with the exception of Member Macdonald’s name.

Complaint 3

e) endorse the panel’s recommendation and censure Whau Local Board member Duncan Macdonald for his breach of Article 7.3.

f) agree that the panel’s report on Complaint 3 (Attachment C) will be included in the public minutes redacting all identifying information with the exception of Member Macdonald’s name.

Restatement

g) approve that the “Recommendations of the Conduct Review Independent Panel under the Auckland Council Code of Conduct” cover report, the local board resolutions andAttachment D be restated in the public minutes, noting that the other attachments are discussed in recommendations b), d) and f).

CARRIED

Note: Pursuant to Standing Order 1.9.7 Member C Farmer and Deputy Chairperson S Zhu requested their dissenting vote be recorded to recommendation b).

Attachments

A 3 July 2019, Whau Local Board: Item C1 - Recommendations of the Conduct Review Independent Panel under the Auckland Council Code of Conduct, Cover report


D 3 July 2019, Whau Local Board: Item C1 - Recommendations of the Conduct Review Independent Panel under the Auckland Council Code of Conduct, Issues to consider when making information from a code of conduct review available to the public

10.50am 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 WHAU LOCAL BOARD HELD ON

DATE:..........................................................................................

CHAIRPERSON:........................................................................