Minutes of a meeting of the Governing Body held in the Reception Lounge, Auckland Town Hall, 301-305 Queen Street, Auckland on 22 August 2019 at 9.35am.

**PRESENT**

**Mayor**  
Hon Phil Goff, CNZM, JP

**Deputy Mayor**  
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 Richard Hills  
Cr Penny Hulse  
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

**ABSENT**

**Councillors**  
Cr Hon Christine Fletcher, QSO  
Cr Mike Lee

**ALSO PRESENT**

Julia Parfitt, Chair  
Hibiscus and Bays Local Board

Janet Fitzgerald, Deputy Chair  
Hibiscus and Bays Local Board
1 **Affirmation**

His Worship the Mayor read the affirmation.

2 **Apologies**

Resolution number GB/2019/79

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

**That the Governing Body:**

a) accept the apology from Cr J Watson for lateness.

*CARRIED*

Note: Apologies were subsequently received from Cr C Darby.

3 **Declaration of Interest**

There were no declarations of interest.

4 **Confirmation of Minutes**

Resolution number GB/2019/80

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

**That the Governing Body:**

a) confirm the ordinary minutes of its meeting, held on Thursday, 25 July 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: Hibiscus and Bays Local Board - Freedom Camping**

Hibiscus and Bays Local Board Chair, Julia Parfitt, and Deputy Chair, Janet Fitzgerald addressed the Governing Body.

*Cr J Bartley joined the meeting at 9.46am.*
*Cr J Walker joined the meeting at 9.46am.*
*Cr J Watson joined the meeting at 9.46am.*
*Cr D Newman joined the meeting at 9.53am.*
Resolution number GB/2019/81
MOVED by Mayor P Goff, seconded by Cr W Walker:

That the Governing Body:

a) thank Hibiscus and Bays Local Board Chair, Julia Parfitt, and Deputy Chair, Janet Fitzgerald for their input in relation to funding for compliance of the freedom camping bylaws particular over the summer period and for their attendance.

CARRIED

Extraordinary Business

There was no extraordinary business.

Note: Items 9 and 10 were taken together.

Implementing the next steps for the Freedom Camping in Vehicles Bylaw
Chair’s Report on Freedom Camping in Vehicles Bylaw

Cr Cooper, Chair of the Hearings Panel outlined the process undertaken to date.

Cr C Darby joined the meeting at 10.14am.

Resolution number GB/2019/82
MOVED by Mayor P Goff, seconded by Cr L Cooper:

That the Governing Body:

a) receive the Freedom Camping Hearings Panel recommendations
b) defer any decision on a Freedom Camping in Vehicles bylaw pending advice from officers on the content of a new Statement of Proposal for a bylaw, and further information on a possible review of the Freedom Camping Act 2011
c) agree to alter part of previous resolution GB/2015/112 passed at the Governing Body meeting on 29 October 2015 from:

“a) confirm the following legacy bylaws, or residual parts, in accordance with section 63(3) of the Local Government (Auckland Transitional Provisions) Act 2010 until 31 October 2020, at which time these bylaws, or residual parts, will be automatically revoked ....”

to:

“a) confirm the legacy bylaws in i., or residual parts, in accordance with section 63(3) of the Local Government (Auckland Transitional Provisions) Act 2010, until a new bylaw made under the Freedom Camping Act 2011 comes into force at which time these bylaws or residual parts will be automatically revoked; and confirm the legacy bylaws in subparagraphs ii. to v. or residual parts, in accordance with section 63(3) of the Local Government (Auckland Transitional Provisions) Act 2010 until 31 October 2020, at which time these bylaws, or residual parts, will be automatically revoked...”
d) direct officers to provide the Regulatory Committee (or its equivalent) and Governing Body with advice on the following potential elements of a future Statement of Proposal:

i) proposed prohibitions in the following areas:
   A) all areas the Freedom Camping Hearings Panel recommended should be prohibited
   B) the 61 sites proposed in public submissions for inclusion as prohibited areas, which were not specified in the original Statement of Proposal but are identified in Attachment E of the Hearings Panel Report
   C) all Reserves in residential areas that are Reserves held under the Reserves Act 1977

ii) restricted freedom camping in the seven sites proposed in public submissions for inclusion as restricted freedom camping areas, which were not specified in the original Statement of Proposal but are identified in Attachment E of the Hearings Panel Report

iii) restricted or prohibited freedom camping in two sites proposed in public submissions, which were not specified in the original Statement of Proposal but are identified in Attachment E of the Hearings Panel Report

iv) a General Rule that regulates freedom camping outside restricted and prohibited areas not listed in the proposed bylaw, which includes provision for:
   A) a prohibition of all freedom camping in vehicles parked directly outside residential homes (unless the resident has granted permission for the vehicle to be parked outside their home)
   B) a prohibition of all freedom camping in vehicles parked directly outside commercial premises, educational facilities, healthcare facilities, playgrounds, and swimming pools
   C) a maximum number of nights stay at any specific site
   D) the same enforcement approach in relation to homelessness as set out in the original Statement of Proposal, which aims to offer compassionate support for people with social needs

v) any other specific proposal for possible inclusion in a Statement of Proposal that is communicated to the Chief Executive by a councillor or Local Board before 30 September 2019

e) note that following decisions on the advice on the matters in recommendation d) above, council officers will be directed to develop a new Statement of Proposal for the Freedom Camping in Vehicles Bylaw for consideration by the Regulatory Committee (or its equivalent) and the Governing Body, following consultation with Local Boards

CARRIED UNANIMOUSLY
11 Panel report on proposed new Waste Management and Minimisation Bylaw 2019

Resolution number GB/2019/83

MOVED by Cr L Cooper, seconded by Cr P Hulse:

That the Governing Body:

a) approve the Panel recommendations on the proposed new Waste Management and Minimisation Bylaw 2019 and changes to the Trading and Events in Public Places Bylaw 2015 in Attachment A and Attachment B of this report

b) confirm that a bylaw is the most appropriate way to manage and minimise waste, protect the public from health and safety risks and nuisance, and to manage the use of council-controlled public places

c) approve that the Waste Management and Minimisation Bylaw 2019 and changes to the Trading and Events in Public Places Bylaw 2015:
   i) are the most appropriate form of bylaws
   ii) are not inconsistent with the New Zealand Bill of Rights Act 1990
   iii) are not inconsistent with the Auckland Waste Management and Minimisation Plan 2018

d) adopt the new Waste Management and Minimisation Bylaw 2019 in Attachment C of the agenda report with effect from 25 October 2019

e) adopt the amended Trading and Events in Public Places Bylaw 2015 in Attachment C of the agenda report with effect from 25 October 2019

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

g) 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.

CARRIED

12 Code of Conduct - Conduct Review Independent Panel

Resolution number GB/2019/84

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

That the Governing Body:

a) note the content of this report and that a more detailed report is provided in the section with the public excluded.

CARRIED
13 Summary of Governing Body information memoranda and briefings - 22 August 2019 including the Forward Work Programme

Resolution number GB/2019/85

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

That the Governing Body:

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

b) receive the Summary of Governing Body information memoranda and briefings – 22 August 2019.

CARRIED

14 Consideration of Extraordinary Items

There was no consideration of extraordinary items.

15 Procedural motion to exclude the public

Resolution number GB/2019/86

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

That the Governing Body:

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:

<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>
</tr>
</thead>
<tbody>
<tr>
<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 discussion about the appointment may result in the disclosure of personal information for which there are good reasons for withholding.</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>
</tr>
</tbody>
</table>

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
10.56am 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.

10.59am The public was re-admitted.

**RESTATEMENTS**

It was resolved while the public was excluded:

**C1 CONFIDENTIAL: Code of Conduct - Conduct Review Independent Panel**

Resolution number GB/2019/87

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

That the Governing Body:

  a) appoint Professor Ron Paterson as principal convenor of the Conduct Review Independent Panel that is constituted under the Auckland Council Code of Conduct.

  b) note that when Professor Ron Paterson is unavailable, Derek Firth will be the convenor.

Restatement

c) agree to restate this resolution in the public minutes subject to acceptance being confirmed.

Note: Following the meeting, Professor Ron Paterson confirmed his acceptance as principal convenor of the Conduct Review Independent Panel.

10.59am 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:** ......................................................................................