Minutes of a meeting of the Governing Body held in the Reception Lounge, Auckland Town Hall, 301-305 Queen Street, Auckland on Thursday, 12 December 2019 at 1.31pm.

**PRESENT**

<table>
<thead>
<tr>
<th>Role</th>
<th>Name</th>
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<tbody>
<tr>
<td>Mayor</td>
<td>Hon Phil Goff, CNZM, JP</td>
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<tr>
<td>Deputy Mayor</td>
<td>Deputy Mayor Cr Bill Cashmore</td>
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<tr>
<td>Councillors</td>
<td>Cr Josephine Bartley</td>
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<td></td>
<td>Cr Dr Cathy Casey</td>
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<td></td>
<td>Cr Fa’anana Efeso Collins</td>
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<td></td>
<td>Cr Pippa Coom</td>
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<td></td>
<td>Cr Linda Cooper, JP</td>
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<td>Cr Angela Dalton</td>
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<td>Cr Chris Darby</td>
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<td>Cr Hon Christine Fletcher, QSO</td>
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<td>Cr Shane Henderson</td>
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<td>Cr Richard Hills</td>
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<td>Cr Tracy Mulholland</td>
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<td>Cr Daniel Newman, JP</td>
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<td>Cr Greg Sayers</td>
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<td>Cr Desley Simpson, JP</td>
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<td>Cr Sharon Stewart, QSM</td>
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<td>Cr Wayne Walker</td>
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<td>Cr John Watson</td>
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<td>Cr Paul Young</td>
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Until 3.32pm, Item C2

From 1.32pm, Item 4
1 Affirmation
His Worship the Mayor will read the affirmation.

2 Apologies
   a) There were no apologies.

3 Declaration of Interest
There were no declarations of interest.

4 Confirmation of Minutes
Resolution number GB/2019/138
MOVED by Mayor P Goff, seconded by Deputy Mayor BC Cashmore:
That the Governing Body:
   a) confirm the ordinary minutes of its meeting, held on Tuesday, 26 November 2019
      and the extraordinary minutes of its meeting, held on Tuesday, 10 December 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
There was no local board input.

8 Extraordinary Business
   8.1 Extraordinary Business - Resolving the Bus Drivers Industrial Dispute
Resolution number GB/2019/139
MOVED by Cr C Casey, seconded by Mayor P Goff:
That the Governing Body:
   a) consider an extraordinary item “Resolving the Bus Drivers Industrial Dispute” at Item 16 – Consideration of Extraordinary Items of this agenda, noting:
i) the reason the matter was not on the agenda is because 800 bus drivers were suspended by NZ Bus on Saturday 7 December and therefore a report could not have been prepared in, and

ii) the reasons why this matter cannot be delayed until a subsequent meeting is:

A) that the next meeting of the Governing Body is not until 27 February 2020

B) the dispute is currently affecting commuters, bus drivers and their families and undermining Council’s desire for mode shift from cars to public transport

C) negotiations between NZ Bus and the drivers unions have reached an impasse. They are seeking leadership from Auckland Transport and Auckland Council to help broker an immediate solution to get buses back on the road.

CARRIED

Note: The Chairperson accorded precedence to Item 16 – Consideration of Extraordinary Business, at this time.

16 Consideration of Extraordinary Items

16.1 Consideration of Extraordinary Items - Resolving the Bus Drivers Industrial Dispute

Cr G Sayers entered the meeting at 1.37 pm.
Cr A Filipaina entered the meeting at 1.44 pm.

Resolution number GB/2019/140

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

That the Governing Body:

a) note with concern the industrial dispute affecting bus services and its impact on commuters, bus drivers and their families and potentially undermining a shift to use of public transport

b) request Auckland Transport to work with NZ Bus and the relevant unions to find a solution to end the current dispute

c) request Auckland Transport and the Chief Executive of Auckland Council to work on sustainable long-term solutions

d) request the Mayor to write to the Ministry of Transport on behalf of Council seeking urgency to be accorded to the Public Transport Operating Model (PTOM) Review to ensure that problems of recruitment and retention of bus drivers are addressed and a fair and equitable resolution is reached around drivers wages and working conditions.

CARRIED UNANIMOUSLY
9  **Auckland Unitary Plan (Operative in Part) - Appointing hearing commissioners for Plan Change 32 (Private) - Avondale Jockey Club**

Resolution number GB/2019/141

MOVED by Cr L Cooper, seconded by Cr T Mulholland:

**That the Governing Body:**

a) appoint:
   i) Janine Bell (planning and infrastructure)
   ii) Trevor Mackie (planning and infrastructure)

to hear submissions and make decisions on Plan Change 32 (Private) Avondale Jockey Club to the Auckland Unitary Plan (Operative in Part)

b) delegate authority to the chairperson of the Regulatory Committee to make replacement appointments to the hearing panel in clause a) in the event that a member of the panel is unavailable.

**CARRIED**

10  **Auckland Council Fees Framework and Expenses Policy for Appointed Members**

Resolution number GB/2019/142

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

**That the Governing Body:**

a) amend the Auckland Council Fees Framework and Expenses Policy for Appointed Members by replacing Appendix B with the revised Appendix B in Attachment B of the agenda report.

b) amend the Auckland Council Fees Framework and Expenses Policy for Appointed Members by replacing paragraph 15 with: “Members of bodies may opt not to get paid meeting fees by not submitting the required forms or may elect to nominate a lesser fee than the fee that is set”.

c) agree that the amendments apply from the date of this meeting.

**CARRIED**

11  **Referred from the Audit and Risk Committee - Health Safety and Wellbeing update - November 2019**

Note: At its meeting on 9 December 2019, the Audit and Risk Committee resolved as follows:

Resolution number AUD/2019/65

a) review and endorse this report for referral to the Governing Body and draw the attention of elected members to their duties under the Health and Safety at Work Act 2015

b) note that this report will be provided to all local boards for their information.
Resolution number GB/2019/143
MOVED by Cr D Newman, 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

12 Summary of Governing Body information memoranda and briefings - 12 December 2019

Resolution number GB/2019/144
MOVED by Cr D Simpson, seconded by Cr E Collins:
That the Governing Body:
  a) receive the Summary of Governing Body information memoranda and briefings – 12 December 2019.
CARRIED

13 Appointment of independent panel for council-controlled organisations review

Resolution number GB/2019/145
MOVED by Mayor P Goff, seconded by Cr A Dalton:
That the Governing Body:
  a) note that a confidential report is included in the agenda which proposes appointments for membership of the independent panel for the review of council-controlled organisations
  b) note that final decisions will be made publicly available at the conclusion of the appointment process.
CARRIED

14 Setting the Chief Executive’s Performance Objectives

Resolution number GB/2019/146
MOVED by Mayor P Goff, seconded by Cr P Young:
That the Governing Body:
  a) note that there is a confidential report is included in the agenda and provides information regarding the setting of performance objectives for the Auckland Council’s chief executive for the calendar years 2020-2021.
CARRIED
15 Process for the Governing Body to appoint the next Chief Executive

Resolution number GB/2019/147
MOVED by Cr C Fletcher, seconded by Cr S Henderson:
That the Governing Body:
  a) note that there is a confidential report included in the agenda and provides information regarding the process to appoint the next Chief Executive.

CARRIED

Note: Item 16 – Consideration of Extraordinary Items was taken prior to Item 9 – Auckland Unitary Plan (Operative in Part) – Appointing hearing commissioners for Plan Change 32 (Private) – Avondale Jockey Club.

17 Procedural motion to exclude the public

Resolution number GB/2019/148
MOVED by Cr E Collins, seconded by Cr D Simpson:
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:

C1 CONFIDENTIAL: Appointment of independent panel for council-controlled organisation review

<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 report contains private information about candidates for appointment to the independent panel for the review of council’s substantive council-controlled organisations.</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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</table>
### C2  CONFIDENTIAL: Setting the Chief Executive's Performance Objectives

<table>
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| 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. | s7(2)(a) - The withholding of the information is necessary to protect the privacy of natural persons, including that of a deceased person.  
  s7(2)(i) - The withholding of the information is necessary to enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).  
In particular, the report contains information that relates to the setting of performance objectives that have yet to be agreed between the Governing Body and the Chief Executive, and the committee may discuss matters relating to the performance of the Chief Executive. | 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. |

### C3  CONFIDENTIAL: Process for the Governing Body to appoint the next Chief Executive

<table>
<thead>
<tr>
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| 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. | s7(2)(a) - The withholding of the information is necessary to protect the privacy of natural persons, including that of a deceased person.  
  s7(2)(i) - The withholding of the information is necessary to enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).  
In particular, this report contains information that relates to the setting of a recruitment process for the chief executive, and the committee may discuss matters relating to the person specification or potential candidates. | 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. |

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**
2.29 pm 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.

4.08 pm The public was re-admitted.

**RESTATEMENTS**

It was resolved while the public was excluded:

**C1 CONFIDENTIAL: Appointment of independent panel for council-controlled organisation review**

Resolution number GB/2019/149

MOVED by Mayor P Goff, seconded by Cr T Mulholland:

That the Governing Body:

d) agree that the decision, report and attachments remain confidential until the reason for confidentiality no longer exists.

**C2 CONFIDENTIAL: Setting the Chief Executive’s Performance Objectives**

Resolution number GB/2019/150

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

That the Governing Body:

d) agree that the report and attachments will remain confidential, but after the formal conclusion of the Governing Body meeting, Attachment A of the agenda report will be made publicly available.

**Need to attach document**

**Attachments**

A 12 December 2019, Governing Body: Item C2 - CONFIDENTIAL: Setting the Chief Executive’s Performance Objectives, Attachment A of the agenda report

**C3 CONFIDENTIAL: Process for the Governing Body to appoint the next Chief Executive**

Resolution number GB/2019/151

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

That the Governing Body:

d) agree that the decisions, report and attachments remain confidential until the reason for confidentiality no longer exists.
4.08 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: ............................................................................................