Te Kāhui Ngārahu / Emergency Committee

OPEN MINUTES

Minutes of a meeting of the Emergency Committee held remotely on Thursday, 28 May 2020 at 10.01am. The meeting can be viewed on the Auckland Council website at https://councillive.aucklandcouncil.govt.nz/

PRESENT

<table>
<thead>
<tr>
<th>Mayor</th>
<th>Hon Phil Goff, CNZM, JP</th>
</tr>
</thead>
<tbody>
<tr>
<td>Deputy Mayor</td>
<td>Cr Bill Cashmore</td>
</tr>
<tr>
<td>Councillors</td>
<td></td>
</tr>
<tr>
<td>Cr Josephine Bartley</td>
<td></td>
</tr>
<tr>
<td>Cr Dr Cathy Casey</td>
<td>From 10.50am, Item C2</td>
</tr>
<tr>
<td>Cr Fa'anana Efeso Collins</td>
<td></td>
</tr>
<tr>
<td>Cr Pippa Coom</td>
<td>From 10.58am, Item C2</td>
</tr>
<tr>
<td>Cr Linda Cooper, JP</td>
<td></td>
</tr>
<tr>
<td>Cr Angela Dalton</td>
<td></td>
</tr>
<tr>
<td>Cr Chris Darby</td>
<td></td>
</tr>
<tr>
<td>Cr Alf Filipaina</td>
<td></td>
</tr>
<tr>
<td>IMSB Member Tau Henare</td>
<td>Until 11.03am</td>
</tr>
<tr>
<td>Cr Shane Henderson</td>
<td></td>
</tr>
<tr>
<td>Cr Richard Hills</td>
<td></td>
</tr>
<tr>
<td>Cr Tracy Mulholland</td>
<td></td>
</tr>
<tr>
<td>Cr Daniel Newman, JP</td>
<td></td>
</tr>
<tr>
<td>Cr Greg Sayers</td>
<td></td>
</tr>
<tr>
<td>Cr Desley Simpson, JP</td>
<td></td>
</tr>
<tr>
<td>Cr Sharon Stewart, QSM</td>
<td></td>
</tr>
<tr>
<td>IMSB Chair David Taipari</td>
<td>Until 1.21pm, Item 9</td>
</tr>
<tr>
<td>Cr Wayne Walker</td>
<td></td>
</tr>
<tr>
<td>Cr John Watson</td>
<td></td>
</tr>
<tr>
<td>Cr Paul Young</td>
<td></td>
</tr>
</tbody>
</table>

Note: All members attended via electronic link.

ABSENT

Cr Christine Fletcher
1 **Apologies**

Resolution number EME/2020/76

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

That the Emergency Committee:

a) accept the apology from Cr C Fletcher for absence and Deputy Mayor BC Cashmore and Cr P Coom for lateness on council business.

CARRIED ON VOICES

2 **Declaration of Interest**

There were no declarations of interest.

3 **Confirmation of Minutes**

Resolution number EME/2020/77

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

That the Emergency Committee:

a) confirm the ordinary minutes of its meeting, held on Thursday, 21 May 2020, including the confidential section, as a true and correct record.

CARRIED ON VOICES

4 **Petitions**

There were no petitions.

5 **Public Input**

There was no public input.

6 **Local Board Input**

There was no local board input.

7 **Extraordinary Business**

There was no extraordinary business.
11 Procedural motion to exclude the public

Resolution number EME/2020/78

MOVED by Mayor P Goff, seconded by Cr A Dalton:
That the Emergency Committee:

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:

| CONFIDENTIAL: Adoption of Consultation material: Emergency Budget Annual Budget 2020/2021 |
|---|---|---|
| Reason for passing this resolution in relation to each matter | Particular interest(s) protected (where applicable) | Ground(s) under section 48(1) for the passing of this resolution |
| 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)(h) - The withholding of the information is necessary to enable the local authority to carry out, without prejudice or disadvantage, commercial activities. 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 around potential financial implications and emerging financial risk of COVID-19 in a highly uncertain environment. The release of this information could prejudice the position of the council and CCOs in sensitive commercial arrangements and negotiations. | 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. |

| CONFIDENTIAL: Queens Wharf Mooring Dolphin |
|---|---|---|
| Reason for passing this resolution in relation to each matter | Particular interest(s) protected (where applicable) | Ground(s) under section 48(1) for the passing of this resolution |
| 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)(g) - The withholding of the information is necessary to maintain legal professional privilege. In particular, the report relates to an appeal before the Environment Court and decisions on Council’s position on legal matters. | 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 ON VOICES
10.07am 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.

Any restatements are included at the end of these minutes.

11.03am The public was re-admitted.

IMSB Member T Henare left the meeting at 11.03am.

The meeting adjourned at 11.03am and reconvened at 12.20pm.

Cr G Sayers, Cr S Stewart and Cr J Watson were not present.

8 COVID-19 briefing and Auckland Emergency Management status update

An update report had been distributed prior to the meeting.

A copy has been placed on the official minutes and is available on the Auckland Council website as minutes attachment.

Cr G Sayers returned the meeting at 12.25pm.
Cr S Stewart returned the meeting at 12.25pm.
Cr J Watson returned the meeting at 12.29pm.

Resolution number EME/2020/80

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

That the Emergency Committee:

a) receive the report and thank Ian Maxwell, Director Executive Programmes, Phil Wilson, Group Recovery Manager and Mace Ward, Group Controller, Auckland Emergency Management for the briefing on the COVID-19 pandemic and the Auckland Emergency Management status update.

CARRIED ON VOICES

Attachments

9 Review findings of the Water Supply and Wastewater Network Bylaw 2015

Attachment A of the agenda report had been circulated separately prior to the meeting. A copy has been placed on the official minutes and is available on the Auckland Council website as a minutes attachment.

IMSB Chair D Taipari left the meeting at 1.21pm.

Resolution number EME/2020/81

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

That the Emergency Committee:


b) agree that the statutory review of the Auckland Council Water Supply and Wastewater Network Bylaw 2015 is complete, including that:

i) a bylaw is still the most appropriate way to protect Auckland’s water sources and water supply and wastewater networks from damage, misuse and interference

ii) the current Bylaw does not give rise to any implications and is not inconsistent with the New Zealand Bill of Rights 1990

iii) the current Bylaw approach to focus on the impacts of behaviours on the public assets and to rely on customer contracts to address matters related to connections to the public network is appropriate but could be improved.

c) request that Watercare and Auckland Council staff jointly prepare an options report in response to the findings in Attachment A of the agenda report.

CARRIED ON VOICES

Attachments

A 28 May 2020, Emergency Committee: Item 9 - Review findings of the Water Supply and Wastewater Network Bylaw 2015, Attachment A

10 Consideration of Extraordinary Items

There was no consideration of extraordinary items.
RESTATEMENTS

It was resolved while the public was excluded:

C1  CONFIDENTIAL: Adoption of Consultation material: Emergency Budget Annual Budget 2020/2021
Resolution number EME/2020/79

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

a) agree to recommend to the Governing Body to adopt the Supporting Information for the Emergency Budget - Annual Budget 2020/2021.

b) agree to recommend to the Governing Body to adopt the Consultation Document for the Emergency Budget - Annual Budget 2020/2021.

c) agree to recommend to the Governing Body to delegate responsibility to the Chair of Finance and Performance Committee, and the Group Chief Financial Officer to approve any final edits required to the Consultation Document and Supporting Information in order to finalise the documents for uploading online and physical distribution.

Restatement

d) agree that the decisions only be released but there be no restatement of the report or attachments until the need for confidentiality no longer exists.

C2  CONFIDENTIAL: Queens Wharf Mooring Dolphin
Resolution number EME/2020/80

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

d) agree to restate the decisions in clauses a) – c) once the Environment Court has confirmed the appeal is dismissed, and that the agenda report will remain confidential until dismissal.

1.31 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 EMERGENCY COMMITTEE HELD ON

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

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