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 June 2020 at 10.02am.

PRESENT

Mayor
Hon Phil Goff, CNZM, JP

Deputy Mayor
Deputy Mayor Cr Bill Cashmore

Councillors
Cr Dr Cathy Casey
Cr Fa’anana Efeso Collins
Cr Pippa Coom
Cr Linda Cooper, JP
Cr Angela Dalton
Cr Chris Darby
Cr Alf Filipaina
Cr Christine Fletcher, QSO
Cr Richard Hills
Cr Tracy Mulholland
Cr Daniel Newman, JP
Cr Greg Sayers
Cr Desley Simpson, JP
Cr Sharon Stewart, QSM
Cr Wayne Walker
Cr John Watson
Cr Paul Young

From 10.04am, Item 1
Until 3.08pm, Item 15
Until 3.26pm, Item 15
Until 3.10pm, Item 15
By electronic link
By electronic link
From 10.04am, Item 1

ABSENT

Cr Josephine Bartley
Cr Shane Henderson
1  Affirmation

His Worship the Mayor read the affirmation.

Cr E Collins joined the meeting at 10.04am.
Cr J Watson joined the meeting at 10.04am.

2  Apologies

Resolution number GB/2020/50
MOVE by Mayor P Goff, seconded by Cr P Young:

That the Governing Body:

a) accept the apology from Cr J Bartley for absence; Cr S Henderson for lateness, on council business; Cr A Filipaina and Cr L Cooper for early departure on council business.

CARRIED

Resolution number GB/2020/51
MOVE by Mayor P Goff, seconded by Cr W Walker:

That the Governing Body:

b) approve the electronic attendance of:

• Cr C Fletcher
• Cr R Hills

CARRIED

Note: Subsequently, Cr S Henderson did not join the meeting.

3  Declaration of Interest

There were no declarations of interest.

4  Confirmation of Minutes

Resolution number GB/2020/52
MOVE by Mayor P Goff, seconded by Cr C Casey:

That the Governing Body:

a) confirm the ordinary minutes of its meeting, held on Thursday, 28 May 2020 and the extraordinary minutes of its meeting, held on Tuesday, 9 June 2020, including the confidential sections, as a true and correct record.

CARRIED
Acknowledgement

The Mayor acknowledged the service of Stephen Town as he left Auckland Council as Chief Executive. It was distinguished service not only to the council but the citizens of Auckland Tamaki Makaurau

On behalf of councillors, the Mayor wished Mr Town well with his next appointment as Chief Executive of the New Zealand Institute of Skills and Technology

Cr C Fletcher joined the meeting at 10.12am.

5    Petitions

There were no petitions.

6    Public Input

6.1   Public Input: Waikato-Tainui - Drought Conditions facing Auckland

    Rahui Papa introduced Rukumoana Schaafhausen, Chair of Te Arataura and Donna Flavell, Chief Executive of Waikato-Tainui. A verbal presentation was given.

    Resolution number GB/2020/53

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

    That the Governing Body:

    a) receive the public input from Waikato-Tainui regarding drought conditions facing Auckland and thank them for their attendance.

    CARRIED

Mayor P Goff left the meeting at 11.03am.
Cr W Walker left the meeting at 11.03am.

The meeting adjourned at 11.03am and reconvened at 11.19am.

Deputy Mayor Cr B Cashmore assumed the chair at 11.19am.

7    Local Board Input

There was no local board input.
8 Extraordinary Business

8.1 Extraordinary Business - Shovel Ready Projects Funding Urgent Communication to Central Government

Resolution number GB/2020/54

MOVED by Cr D Simpson, seconded by Deputy Mayor BC Cashmore:

That the Governing Body:

a) consider an extraordinary item “Shovel Ready Projects Funding Urgent Communication to Central Government” at Item 20 – Consideration of Extraordinary Items of this agenda, noting:

i) the reason the matter was not on the agenda is because it was not known at the time of publishing the agenda whether a response would be received in time for the emergency budget process, and the absence of any response from central government on the shovel ready projects has become more urgent since the agenda was published

ii) the reason why this matter cannot be delayed until a subsequent meeting is the extremely compressed time constraints related to the emergency budget process.

CARRIED

9 Report from Watercare on Water Shortage

A presentation was given.

A copy of a letter from the Mayor to Watercare and the reply had been circulated to members prior to the meeting.

A copy of the presentation had been attached to the agenda report.

A copy of the letters have been placed on the official minutes and are available on the Auckland Council website as minutes attachments.

Cr W Walker returned to the meeting at 11.21am.

Deputy Mayor Cr B Cashmore vacated the chair. Mayor P Goff returned to the meeting and resumed the chair at 11.49am.

Resolution number GB/2020/55

MOVED by Cr L Cooper, seconded by Deputy Mayor BC Cashmore:

That the Governing Body:

a) receive the report from Watercare regarding the water shortage.

b) thank Watercare representatives for their attendance.

CARRIED

Attachments


The meeting adjourned at 12.50pm and reconvened at 1.18pm.
10  **Update on water matters**  

*Cr W Walker left the meeting at 1.59pm.*

Resolution number GB/2020/56  

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

**That the Governing Body:**

a)  note the different roles and responsibilities of Watercare and Council with respect to water across Auckland  

b)  agree, in principle, to remove the current consenting requirements for rain tanks in residential zones and rural zones through a change to the Auckland Unitary Plan  

c)  direct staff to explore options under the current legal framework to enable the council to make rain tanks for water supply mandatory in certain situations e.g. new buildings  

d)  note that the Planning Committee will approve the public notification of any plan change to the Auckland Unitary Plan.  

**CARRIED**

11  **Referred from the Audit and Risk Committee - Enterprise Risk COVID-19 Update**

*Cr W Walker returned to the meeting at 2.00pm.  
Cr G Sayers left the meeting at 2.06pm.*

Resolution number GB/2020/57  

MOVED by Cr D Newman, seconded by Deputy Mayor BC Cashmore:  

**That the Governing Body:**


b)  note that top risks and reporting related to the COVID-19 pandemic, will continue to be referred from the Audit and Risk Committee to the Governing Body.  

**CARRIED**

12  **Local Government New Zealand Annual General Meeting**

Note:  changes to the original motion were incorporated under clause a) and adding new clause f) with the agreement of the meeting.  

*Cr G Sayers returned to the meeting at 2.11pm.*

Resolution number GB/2020/58  

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

**That the Governing Body:**

a)  appoint up to two delegates to attend the 2020 Local Government New Zealand Annual General Meeting on 21 August 2020, with Mayor Phil Goff being the presiding delegate.
b) delegate to the mayor, in the event he cannot attend the 2020 Local Government New Zealand Annual General Meeting at short notice, the ability to appoint another governing body member to the role of presiding delegate

c) delegate to the mayor, in the event an appointed delegate cannot attend the 2020 Local Government New Zealand Annual General Meeting at short notice, the ability to appoint another member

d) agree that when exercising the Auckland Council’s vote at the 2020 Local Government New Zealand Annual General Meeting, the delegates have the discretion to determine the Auckland Council’s position on any matter on which the Auckland Council’s position is not otherwise known

e) note that, prior to the Annual General Meeting, staff will convene a meeting of all of council’s Local Government New Zealand representatives to discuss voting at the Annual General Meeting.

f) encourage Local Government New Zealand to hold the meeting by electronic means.

CARRIED

13 Standing Orders - Attendance by Electronic Link

Note: amended wording of the original recommendation was made by staff and agreed to by the meeting.

MOVED by Cr C Darby, seconded by Cr W Walker:

That the Governing Body:

a) amend Standing Order 3.3.3 to read as follows:

“3.3.3 Conditions for attending by electronic link

The governing body or its committees may give approval for a member to attend meetings by electronic link, either generally or for a specific meeting. Situations where approval can be given are:

a) where the member is at a place that makes their physical presence at the meeting impossible or impracticable

b) to accommodate the member’s illness or infirmity

c) in emergencies

d) where a member prefers to attend by electronic link but is otherwise able to attend the meeting physically.

The member who is seeking to attend by electronic link may not take part in the vote to give approval. The only exception is where there is an emergency, in which case the member seeking to attend by electronic link can take part in the vote.”

b) amend Standing Order 3.3.4 to read as follows:

“3.3.4 Request to attend by electronic link

Where possible, a member will give the chairperson of the governing body or its committees, and the chief executive at least two working days’ written notice where they want to attend a meeting by electronic link. Where, because of illness or emergency, this is not possible, the member may give less notice.
Where such a request is made, the chief executive must take reasonable steps to enable the member to attend by electronic link. However, the council has no obligation to make the technology for an electronic link available.

If the member’s request cannot be accommodated, or there is a technological issue with the link, this will not invalidate any acts or proceedings of the governing body or its committees.

If the request is from a member who prefers to attend by electronic link but is otherwise able to attend the meeting physically, that member must attend the meeting physically if the member is advised by staff or the meeting chairperson that physical attendance is necessary to achieve a quorum for the meeting.”

c) amend Standing Order 3.3.10 to read as follows:

“3.3.10 Attendance of non-members by electronic link

A person other than a member of the Governing Body, or the relevant committee, may participate in a meeting of the Governing Body or committee by means of audio link or audio-visual link in emergencies if the person is otherwise approved to participate under these standing orders (such as under Standing Order 6.2 “Local board input” or 7.7 “Public input”).”

d) agree that these changes to standing orders take effect at the expiry of the Epidemic Preparedness (COVID-19) Notice 2020.

Resolution number GB/2020/59

MOVED by Cr C Fletcher, seconded by Cr R Hills an amendment by was of replacement:

That the Governing Body:

a) defer the matter pending a workshop for further consideration.

A division was called for, voting on which was as follows:

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<thead>
<tr>
<th>For</th>
<th>Against</th>
<th>Abstained</th>
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</thead>
<tbody>
<tr>
<td>Cr C Casey</td>
<td>Cr L Cooper</td>
<td>Cr T Mulholland</td>
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<tr>
<td>Deputy Mayor BC Cashmore</td>
<td>Cr A Dalton</td>
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<tr>
<td>Cr E Collins</td>
<td>Cr D Newman</td>
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<tr>
<td>Cr P Coom</td>
<td>Cr D Simpson</td>
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<td>Cr C Darby</td>
<td>Cr S Stewart</td>
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<td>Mayor P Goff</td>
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<td>Cr W Walker</td>
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<td>Cr J Watson</td>
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<td>Cr P Young</td>
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The motion was declared CARRIED by 13 votes to 5.

The substantive motion was put.
Resolution number GB/2020/60
MOVED by Cr C Darby, seconded by Cr W Walker:
That the Governing Body:
a) defer the matter pending a workshop for further consideration.
CARRIED

14 Nomination to University of Auckland Animal Ethics Committee
Resolution number GB/2020/61
MOVED by Cr W Walker, seconded by Cr D Simpson:
That the Governing Body:
a) note that it will consider expressions of interest for nomination to the University of Auckland Animal Ethics Committee, after the public have been excluded.
CARRIED

15 Shareholder comments on revised draft CCO Statements of Intent, 2020-2023

Cr L Cooper retired from the meeting at 3.08pm.
Cr A Filipaina retired from the meeting at 3.10pm.
Cr A Dalton retired from the meeting at 3.26pm.
Resolution number GB/2020/62
MOVED by Deputy Mayor BC Cashmore, seconded by Cr A Dalton:
That the Governing Body:
a) note the recommended comments on the draft statements of intent 2020/2021 – 2022/2023 for the five substantive and three non-substantive CCOs contained in this report
b) note that feedback at this stage of the statement of intent process is focussed on matters raised in the letters of expectation, statutory requirements, and any other council strategies which have not been adequately addressed in the draft statements of intent.
c) agree that the Mayor and Chair of the CCO Oversight Committee will prepare letters to be sent to the five substantive and three non-substantive CCOs containing the shareholder comments
d) agree that the content of the shareholder comment letters be based on the feedback in this report, with any deletions or additions based on feedback at the meeting
e) note that staff will record any feedback at the meeting that relates to performance or operational issues and ensure it is raised with the relevant CCOs
f) delegate to the Manager, CCO Governance and External Partnerships, the authority to finalise the shareholder feedback on the draft statements of intent for Manukau Beautification Charitable Trust, Contemporary Art Foundation and Community Education Trust Auckland.
CARRIED
16 Appointments to board of City Rail Link Limited

Resolution number GB/2020/63

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

That the Governing Body:

a) note that the terms of appointment of four directors on the City Rail Link Limited board expire on 30 June 2020

b) note that a separate report on the confidential agenda of the Governing Body meeting of 25 June proposes appointments to this board.

CARRIED

17 Board Appointments: Manukau Beautification Charitable Trust and COMET Auckland

Resolution number GB/2020/64

MOVED by Cr W Walker, seconded by Cr E Collins:

That the Governing Body:

a) note that there is a confidential report on this meeting agenda with recommendations regarding the appointment of trustees to the board of Manukau Beautification Charitable Trust and the board of COMET Auckland.

b) note this report is confidential due to the personal information contained in it and the final appointment decisions will be made publicly available at the conclusion of the appointment process.

CARRIED

18 Summary of Governing Body information memoranda and briefings (including the Forward Work Programme) - 25 June 2020

Resolution number GB/2020/65

MOVED by Cr D Simpson, 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

19 Summary of Confidential Decisions and related information released into Open

Resolution number GB/2020/66

MOVED by Cr C Casey, seconded by Cr D Simpson:

That the Governing Body:

a) note the confidential decisions and related information that are now publicly available.

CARRIED
20 Consideration of Extraordinary Items

20.1 Shovel Ready Projects Funding Urgent Communication to Central Government

Resolution number GB/2020/67

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

That the Governing Body:

a) agree to send a letter to relevant minister/s from all Governing Body members urging central government to make an announcement on shovel ready project funding by Friday 10 July 2020 prior to emergency budget decision-making on Thursday 16 July 2020 noting the impact that funding for shovel ready projects would have on the council’s ability to support the recovery of Auckland’s communities and economy in FY2020/21 and future years.

b) attach previous relevant communication to the Government from both the Mayor and Cr Simpson in support of the agreed letter in clause a).

CARRIED UNANIMOUSLY

21 Procedural motion to exclude the public

Resolution number GB/2020/68

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

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, a discussion about a nomination is likely to disclose personal details.</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>

C1 CONFIDENTIAL: Nomination to University of Auckland Animal Ethics Committee
C2   CONFIDENTIAL:  Appointments to board of City Rail Link Limited

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<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 personal information about proposed board appointees.</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

3.48pm     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.

3.53pm     The public was re-admitted.

RESTATEMENTS

It was resolved while the public was excluded:

C1    CONFIDENTIAL:  Nomination to University of Auckland Animal Ethics Committee

Resolution number GB/2020/69

MOVED by Cr C Casey, seconded by Cr W Walker:

b) agree that the appointment, reports and attachments will be made public once the appointment has been confirmed by the University of Auckland Animal Ethics Committee.
C2  CONFIDENTIAL: Appointments to board of City Rail Link Limited

Resolution number GB/2020/70

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

f) agree that the report and attachments will always remain confidential due to the private information relating to individuals contained in the report

g) note that at the conclusion of the appointment process the decisions will be made publicly available.

C3  CONFIDENTIAL: Board Appointments - Manukau Beautification Charitable Trust and COMET Auckland

Resolution number GB/2020/71

MOVED by Cr E Collins, seconded by Cr S Stewart:

c) agree that the report and attachments will remain confidential due to the private information relating to individuals contained in the report.

d) note that at the conclusion of the appointment process the decisions will be made publicly available.

3.53pm 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:..................................................................................