

I hereby give notice that an extraordinary meeting of the Governing Body will be held on:

Date: Thursday, 11 March 2021
Time: 1.00pm or at the conclusion of the Extraordinary
Meeting Room: Planning Committee meeting whichever is later
Venue: Reception Lounge
Auckland Town Hall
301-305 Queen Street
Auckland

Tira Kāwana / Governing Body

OPEN AGENDA

MEMBERSHIP

Mayor	Hon Phil Goff, CNZM, JP	
Deputy Mayor	Deputy Mayor Cr Bill Cashmore	
Councillors	Cr Josephine Bartley	Cr Richard Hills
	Cr Dr Cathy Casey	Cr Tracy Mulholland
	Cr Fa'anana Efeso Collins	Cr Daniel Newman, JP
	Cr Pippa Coom	Cr Greg Sayers
	Cr Linda Cooper, JP	Cr Desley Simpson, JP
	Cr Angela Dalton	Cr Sharon Stewart, QSM
	Cr Chris Darby	Cr Wayne Walker
	Cr Alf Filipaina	Cr John Watson
	Cr Christine Fletcher, QSO	Cr Paul Young
	Cr Shane Henderson	

(Quorum 11 members)

Sandra O'Toole
Kaiarataki Kapa Tohutohu Mana Whakahaere /
Team Leader Governance Advisors

8 March 2021

Contact Telephone: (09) 890 8152
Email: sandra.otoole@aucklandcouncil.govt.nz
Website: www.aucklandcouncil.govt.nz

Terms of Reference

Those powers which cannot legally be delegated:

- (a) the power to make a rate
- (b) the power to make a bylaw
- (c) the power to borrow money, or purchase or dispose of assets, other than in accordance with the Long-Term Plan
- (d) the power to adopt a long-term plan, annual plan, or annual report
- (e) the power to appoint a chief executive
- (f) the power to adopt policies required to be adopted and consulted on under the Local Government Act 2002 in association with the long-term plan or developed for the purpose of the local governance statement
- (g) the power to adopt a remuneration and employment policy

Additional responsibilities retained by the Governing Body:

- (h) approval of long-term plan or annual plan consultation documents, supporting information and consultation process prior to consultation
- (i) approval of a draft bylaw prior to consultation
- (j) resolutions required to be made by a local authority under the Local Electoral Act 2001, including the appointment of electoral officer
- (k) adoption of, and amendment to, the Committee Terms of Reference, Standing Orders and Code of Conduct
- (l) relationships with the Independent Māori Statutory Board, including the funding agreement and appointments to committees
- (m) overview of and decisions relating to any CCO review including the implementation of any resulting changes to CCOs
- (n) oversight of work programmes of all committees of the governing body.

Exclusion of the public – who needs to leave the meeting

Members of the public

All members of the public must leave the meeting when the public are excluded unless a resolution is passed permitting a person to remain because their knowledge will assist the meeting.

Those who are not members of the public

General principles

- Access to confidential information is managed on a “need to know” basis where access to the information is required in order for a person to perform their role.
- Those who are not members of the meeting (see list below) must leave unless it is necessary for them to remain and hear the debate in order to perform their role.
- Those who need to be present for one confidential item can remain only for that item and must leave the room for any other confidential items.
- In any case of doubt, the ruling of the chairperson is final.

Members of the meeting

- The members of the meeting remain (all Governing Body members if the meeting is a Governing Body meeting; all members of the committee if the meeting is a committee meeting).
- However, standing orders require that a councillor who has a pecuniary conflict of interest leave the room.
- All councillors have the right to attend any meeting of a committee and councillors who are not members of a committee may remain, subject to any limitations in standing orders.

Independent Māori Statutory Board

- Members of the Independent Māori Statutory Board who are appointed members of the committee remain.
- Independent Māori Statutory Board members and staff remain if this is necessary in order for them to perform their role.

Staff

- All staff supporting the meeting (administrative, senior management) remain.
- Other staff who need to because of their role may remain.

Local Board members

- Local Board members who need to hear the matter being discussed in order to perform their role may remain. This will usually be if the matter affects, or is relevant to, a particular Local Board area.

Council Controlled Organisations

- Representatives of a Council Controlled Organisation can remain only if required to for discussion of a matter relevant to the Council Controlled Organisation.

ITEM	TABLE OF CONTENTS	PAGE
1	Affirmation	7
2	Apologies	7
3	Declaration of Interest	7
4	Petitions	7
5	Public Input	7
6	Local Board Input	7
7	Extraordinary Business	7
8	Consideration of Extraordinary Items	
PUBLIC EXCLUDED		
9	Procedural Motion to Exclude the Public	9
C1	Regional Fuel Tax: Adoption of consultation proposal	9

1 Affirmation

His Worship the Mayor will read the affirmation.

2 Apologies

At the close of the agenda no apologies had been received.

3 Declaration of Interest

Members are reminded of the need to be vigilant to stand aside from decision making when a conflict arises between their role as a member and any private or other external interest they might have.

4 Petitions

There is no petitions section.

5 Public Input

There is no public input section.

6 Local Board Input

There is no local input section.

7 Extraordinary Business

Section 46A(7) of the Local Government Official Information and Meetings Act 1987 (as amended) states:

“An item that is not on the agenda for a meeting may be dealt with at that meeting if-

- (a) The local authority by resolution so decides; and
- (b) The presiding member explains at the meeting, at a time when it is open to the public,-
 - (i) The reason why the item is not on the agenda; and
 - (ii) The reason why the discussion of the item cannot be delayed until a subsequent meeting.”

Section 46A(7A) of the Local Government Official Information and Meetings Act 1987 (as amended) states:

“Where an item is not on the agenda for a meeting,-

- (a) That item may be discussed at that meeting if-
 - (i) That item is a minor matter relating to the general business of the local authority; and
 - (ii) the presiding member explains at the beginning of the meeting, at a time when it is open to the public, that the item will be discussed at the meeting; but
- (b) no resolution, decision or recommendation may be made in respect of that item except to refer that item to a subsequent meeting of the local authority for further discussion.”

Exclusion of the Public: Local Government Official Information and Meetings Act 1987

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 Regional Fuel Tax: Adoption of consultation proposal

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)(c)(ii) - The withholding of the information is necessary to protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information would be likely to damage the public interest. In particular, the report contains information related to the confidential Regional Land Transport Programme report.	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.