
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 March 2021 at 10.14am.

PRESENT

Mayor	Hon Phil Goff, CNZM, JP	
Deputy Mayor	Deputy Mayor Cr Bill Cashmore	
Councillors	Cr Josephine Bartley	From 10.17am, Item 9
	Cr Dr Cathy Casey	
	Cr Fa'anana Efeso Collins	Until 11.39am, Item 10
	Cr Pippa Coom	
	Cr Linda Cooper, JP	
	Cr Angela Dalton	
	Cr Chris Darby	
	Cr Alf Filipaina	Via electronic link
	Cr Christine Fletcher, QSO	
	Cr Shane Henderson	From 10.15am, Item 2 Until 1.38pm, Item C1
	Cr Richard Hills	
	Cr Tracy Mulholland	
	Cr Daniel Newman, JP	
	Cr Greg Sayers	
	Cr Desley Simpson, JP	
	Cr Sharon Stewart, QSM	From 10.30am, Item 9
	Cr Wayne Walker	
	Cr John Watson	From 10.17am, Item 9
	Cr Paul Young	

1 Affirmation

His Worship the Mayor read the affirmation.

2 Apologies

Cr S Henderson arrived at the meeting at 10.15am.

Resolution number GB/2021/16

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

That the Governing Body:

- a) **accept the apology from Cr S Stewart for lateness, Cr J Bartley and Cr E Collins for early departure.**

CARRIED

Note: Subsequently, Cr J Bartley did not depart early.

Electronic Attendance

Resolution number GB/2021/17

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

That the Governing Body:

- a) **approve electronic attendance under Standing Order 3.3.3 for:**
 - **Cr A Filipaina**

CARRIED

3 Declaration of Interest

There were no declarations of interest.

4 Confirmation of Minutes

Resolution number GB/2021/18

MOVED by Cr S Henderson, seconded by Cr D Simpson:

That the Governing Body:

- a) **confirm the ordinary minutes of its meeting, held on Thursday, 25 February 2021 and the extraordinary minutes of its meeting, held on Thursday, 11 March 2021, including the confidential section, 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

There was no extraordinary business.

9 Advice on next steps for a Freedom Camping in Vehicles Bylaw

Cr J Bartley arrived at the meeting at 10.17am.

Cr J Watson arrived at the meeting at 10.17am.

Cr S Stewart arrived at the meeting at 10.30am.

Resolution number GB/2021/19

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

That the Governing Body:

- a) **confirm the specific policy intent and operational objectives for a Freedom Camping Act 2011 bylaw, within the context of a broader policy intent and operational objectives that includes the protection of reserves, outlined in the table at paragraph 81.**
- b) **agree that the preferred option for progressing freedom camping regulation is Option two: Freedom Camping Act 2011 bylaw (excluding reserves), to:**
 - i) **make a bylaw under the Freedom Camping Act 2011 to control freedom camping on land held under the Local Government Act 2002**
 - ii) **retain the existing prohibition on freedom camping on land held under the Reserves Act 1977 and exclude all reserves from the scope of the bylaw.**
- c) **direct staff to develop a detailed options report to support a decision on whether to include a general rule and possible settings for that rule, for inclusion in a new statement of proposal.**
- d) **appoint a joint working group, comprised of:**
 - i) **Cr L Cooper**
 - ii) **Cr D Simpson**
 - iii) **Cr A Dalton**
 - iv) **three local board chairs (or their delegate)**
 - v) **one Independent Māori Statutory Board member****to consider options for a freedom camping in vehicles general rule.**
- e) **direct staff to also begin work on a new statement of proposal and draft freedom camping bylaw based on the option indicated in clause b) above, utilising previous site assessments and reflecting any further direction given in relation to clause c) and clause d) above.**
- f) **agree to amend part of previous resolution GB/2015/112 passed at the Governing Body meeting on 29 October 2015 (as amended by GB/2019/82) to clarify that the statutory expiry date of the Freedom Camping Bylaw 2015 is 29 October 2022, as contained in Attachment C of the agenda report.**

CARRIED UNANIMOUSLY

10 2021 Local Government New Zealand Conference and Annual General Meeting

Cr E Collins retired from the meeting at 11.39am.

Note: changes were made to the original recommendation with new clause j) being added as chairs recommendation.

Resolution number GB/2021/20

MOVED by Mayor P Goff, seconded by Cr P Coom:

That the Governing Body:

- a) **appoint up to six governing body members who hold formal representation roles with Local Government New Zealand to attend the the Local Government New Zealand 2021 Conference and Annual General Meeting in Blenheim from 15 to 17 July 2021, those being:**
 - i) **Mayor Phil Goff**
 - ii) **Deputy Mayor Bill Cashmore**
 - iii) **Councillor Pippa Coom**
 - iv) **Councillor Richard Hills**
 - v) **Councillor Alf Filipaina**
 - vi) **Councillor Angela Dalton**
- b) **appoint Mayor Phil Goff as the Auckland Council presiding delegate to the 2021 Local Government New Zealand Annual General Meeting.**
- c) **appoint Chief Executive Jim Stabback and up to two other Auckland Council conference attendees as delegates to the 2021 Local Government New Zealand Annual General Meeting.**
- d) **delegate to the mayor, in the event he cannot attend the 2021 Local Government New Zealand Annual General Meeting at short notice, the ability to appoint another governing body member to the role of presiding delegate.**
- e) **delegate to the mayor, in the event an appointed member cannot attend the 2021 Local Government New Zealand Annual General Meeting or conference at short notice, the ability to approve the attendance of another member.**
- f) **agree that when exercising Auckland Council's vote at the 2021 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.**
- g) **note that conference attendees can attend the 2021 Local Government New Zealand Annual General Meeting as observers provided their names are included on the Annual General Meeting registration form, which will be signed by the mayor.**
- h) **confirm that conference attendance including travel and accommodation will be paid for in accordance with the current Auckland Council Elected Member Expense Policy.**
- i) **note that any member who wishes to attend the conference using their Individual Development Budget (IDB) allocation will need to subsidise the cost and must contact the Manager Governance Services by 15 April 2021 to make the necessary arrangements.**

- j) recognise Local Boards' authority to decide their own attendance but would urge them to consider the appropriateness of large expenditure in times of financial constraints.

CARRIED

Note: Pursuant to Standing order 1.8.6, the following councillors requested their dissenting votes be recorded:

- Cr C Fletcher
- Cr R Hills against clause j)
- Cr T Mulholland
- Cr D Newman against clause j)
- Cr G Sayers
- Cr D Simpson
- Cr S Stewart

11 Referred from the Audit and Risk Committee - Auckland Council's Health, Safety and Wellbeing (HSW) performance

Resolution number GB/2021/21

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

That the Governing Body:

- a) note the Auckland Council's Health, Safety and Wellbeing (HSW) performance and any commentary from the Audit and Risk Committee.
- b) note the Audit and Risk Committee's request for the Governing Body to increase focus on quarterly reporting and due diligence responsibilities.
- c) note that the report has been provided to all local boards for their information.

CARRIED

12 Referred from the Audit and Risk Committee - Enterprise Risk Update - February 2021

Resolution number GB/2021/22

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

That the Governing Body:

- a) receive the Enterprise Risk Update – February 2021.

CARRIED

13 Summary of Governing Body information memoranda, workshops and briefings (including the Forward Work Programme) - 25 March 2021

Resolution number GB/2021/23

MOVED by Cr D Simpson, seconded by Cr T Mulholland:

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, workshops and briefings – 25 March 2021.

CARRIED

14 Summary of Confidential Decisions and related information released into Open

Resolution number GB/2021/24

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

That the Governing Body:

- a) **note the confidential decision and related information that is now publicly available:**
 - i) **Regional Fuel Tax: Adoption of consultation proposal.**

CARRIED

15 Consideration of Extraordinary Items

There was no consideration of extraordinary items.

16 Procedural motion to exclude the public

Resolution number GB/2021/25

MOVED by Cr C Fletcher, seconded by Cr A Dalton:

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: Recommendation from the Appointments and Performance Review Committee - Chief Executive Performance Objectives - update on workforce and Full Time Equivalent

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.	<p>s7(2)(a) - The withholding of the information is necessary to protect the privacy of natural persons, including that of a deceased person.</p> <p>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).</p>	<p>s48(1)(a)</p> <p>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.</p>

	<p>In particular, the report contains information that relates to the performance objectives for the chief executive, and the committee my discuss matters relating to the chief executive's current performance.</p>	
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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

12.20pm 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.

1.48pm The public was re-admitted.

RESTATEMENTS

It was resolved while the public was excluded:

C1 CONFIDENTIAL: Recommendation from the Appointments and Performance Review Committee - Chief Executive Performance Objectives - update on workforce and Full Time Equivalent

Resolution number GB/2021/26

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

That the Governing Body:

- d) agree that there be no restatement of the resolutions, report, and attachments.

1.48pm

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:.....