
Tira Kāwana / Governing Body

OPEN MINUTES

Minutes of a meeting of the Governing Body held remotely on Thursday, 16 December 2021 at 10.02am and can be viewed on the Auckland Council website, <https://councillive.aucklandcouncil.govt.nz/>

PRESENT

Mayor	Hon Phil Goff, CNZM, JP	
Deputy Mayor	Deputy Mayor Cr Bill Cashmore	
Councillors	Cr Josephine Bartley	
	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 Shane Henderson	
	Cr Richard Hills	
	Cr Tracy Mulholland	
	Cr Daniel Newman, JP	
	Cr Greg Sayers	
	Cr Desley Simpson, JP	Until 2.37pm, Item C1
	Cr Sharon Stewart, QSM	
	Cr Wayne Walker	From 10.09am, Item 8
	Cr John Watson	
	Cr Paul Young	

Note: All members of the Governing Body and those presenting attended via electronic link.

1 Affirmation

His Worship the Mayor will read the affirmation.

Note: a roll-call was conducted that ascertained the following members were in attendance at the commencement of the meeting:

Mayor P Goff	✓	Cr S Henderson	✓
Deputy Mayor BC Cashmore	✓	Cr R Hills	✓
Cr J Bartley	✓	Cr T Mulholland	✓
Cr C Casey	✓	Cr D Newman	✓
Cr E Collins	✓	Cr G Sayers	✓
Cr P Coom	✓	Cr D Simpson	✓
Cr L Cooper	✓	Cr S Stewart	✓
Cr A Dalton	✓	Cr W Walker	
Cr C Darby	✓	Cr J Watson	✓
Cr A Filipaina	✓	Cr P Young	✓
Cr C Fletcher	✓		

2 Apologies

Resolution number GB/2021/158

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

That the Governing Body:

a) accept the apology from:

Early Departure

Cr D Simpson

CARRIED

3 Declaration of Interest

There were no declarations of interest.

4 Confirmation of Minutes

Resolution number GB/2021/159

MOVED by Deputy Mayor BC Cashmore, seconded by Cr A Dalton:

That the Governing Body:

a) confirm the ordinary minutes of its meeting, held on Thursday, 25 November 2021 and the extraordinary minutes of its meeting, held on Wednesday, 8 December 2021, 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.

Cr W Walker joined the meeting at 10.09 am.

Acknowledgement

Recent sporting achievements were acknowledged:

Cr J Watson acknowledged Ajaz Patel – cricket

His Worship the Mayor acknowledged *Liam Lawson – motorsports racing*

9 Three Waters Economic Regulation - Council family submission

A PowerPoint presentation was given in support of the item. A copy has been placed on the official minutes and is available on the Auckland Council website as a minutes attachment.

Resolution number GB/2021/160

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

That the Governing Body:

- a) **approve Council's draft submission on the Economic and Consumer Protection Regulation of Three Waters shown at Attachment A of the agenda report**
- b) **authorise the Mayor as Chair of Governing Body to approve the final submission by 20 December 2021 once any feedback from mana whenua has been included.**

CARRIED

Attachments

- A 16 December 2021, Governing Body: Item 9 - Three Waters Economic Regulation - Council family submission, Presentation

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

Resolution number GB/2021/161

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

That the Governing Body:

- a) **tuhi / note the Auckland Council's Health, Safety and Wellbeing (HSW) performance report (Attachment A of the agenda report) and any commentary from the Audit and Risk Committee**
- b) **tuhi / note that the report has been provided to all local boards for their information.**

CARRIED

11 Referred from the Audit and Risk Committee - Enterprise Risk Update - December 2021

Resolution number GB/2021/162

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

That the Governing Body:

- a) **riro / receive the Enterprise Risk Update – December 2021 (Attachment A of the agenda report).**

CARRIED

12 Referred from the Audit and Risk Committee - Annual Report on the Performance of the Audit and Risk Committee

Resolution number GB/2021/163

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

That the Governing Body:

- a) **tuhi / note the Annual Report on the Performance of the Audit and Risk Committee (Attachment A of the agenda report) with the additional paragraph as noted in paragraph 5 of this agenda report.**

CARRIED

13 Update on Māori representation in local government

Note: a change to the original motion, adding new clause b), was made with the agreement of the meeting.

Resolution number GB/2021/164

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

That the Governing Body:

- a) **tuhi / note the need to engage with mana whenua and mātāwaka, in order to inform Auckland Council's future position on Māori representation in local government**
- b) **tuhi / note that the council's current position is to support direct Māori representation based on the parliamentary model**
- c) **whakaaroaro / consider its support for a model of Māori representation, including the Royal Commission model once all engagement is completed with mana whenua and mātāwaka**
- d) **whakaae / agree that staff bring a timeline for further work early in 2022.**

CARRIED

Note: Pursuant to Standing Order 1.8.6, the following councillors request their dissenting votes be recorded against clauses a), c) and d):

- Cr J Bartley
- Cr C Casey
- Cr E Collins
- Cr A Filipaina

Note: Pursuant to Standing Order 1.8.3, Cr S Henderson requested that his abstention be recorded against clauses a), c) and d).

The meeting adjourned at 12.32pm and reconvened at 1.01pm.

Note: a roll-call was conducted that ascertained the following members were in attendance at the commencement of the meeting:

Mayor P Goff	✓	Cr S Henderson	✓
Deputy Mayor BC Cashmore	✓	Cr R Hills	✓
Cr J Bartley	✓	Cr T Mulholland	✓
Cr C Casey	✓	Cr D Newman	✓
Cr E Collins	✓	Cr G Sayers	✓
Cr P Coom	✓	Cr D Simpson	✓
Cr L Cooper	✓	Cr S Stewart	✓
Cr A Dalton	✓	Cr W Walker	✓
Cr C Darby	✓	Cr J Watson	✓
Cr A Filipaina	✓	Cr P Young	✓
Cr C Fletcher	✓		

14 Auckland Light Rail

Note: changes to the original motion, amending clause b) and adding new clause d), were made with the agreement of the meeting.

Resolution number GB/2021/165

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

That the Governing Body:

- a) **authorise the Mayor and Deputy Mayor to welcome a Cabinet decision to invest in Auckland Light Rail and support its investment in Auckland's infrastructure**
- b) **commit to partnering with government on the Auckland Light Rail Project, acknowledging the government's commitment to do so, noting that council is not in a financial position and cannot contribute to the cost of the construction of Light Rail but will have a role in master planning of urban development of Light Rail.**
- c) **note the importance of City Centre to Mangere Light Rail project as part of a Rapid Transit Network for Auckland, including connections with future lines to the North Shore and North West and integration with the Airport to Botany busway project.**
- d) **note that Auckland Council strongly supports a Rapid Transit Network for Auckland.**

CARRIED

Note: Pursuant to Standing Order 1.8.6, Cr W Walker, requested that his dissenting vote be recorded against clauses a), b) and c).

15 Forward Work Programmes of Committees of the Governing Body

Resolution number GB/2021/166

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

That the Governing Body:

- a) **tuhi / note the approved and updated forward work programmes for all committees of the Governing Body.**

CARRIED

16 Summary of Governing Body information memoranda, workshops and briefings (including the Forward Work Programme) - 16 December 2021

Resolution number GB/2021/167

MOVED by Cr C Casey, seconded by Deputy Mayor BC Cashmore:

That the Governing Body:

- a) **tuhi / note the progress on the forward work programme appended as Attachment A of the agenda report**
- b) **riro / receive the Summary of Governing Body information memoranda, workshops and briefings – 16 December 2021.**

CARRIED

17 Summary of Confidential Decisions and related information released into Open

Resolution number GB/2021/168

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

That the Governing Body:

- a) **tuhi / note the confidential decision and related information that is now publicly available:**
 - i) **Consideration of reappointments for directors of Auckland Council Controlled Organisations**
 - ii) **Reappointment of directors to Community Education Trust Auckland and Māngere Mountain Education Trust**
 - iii) **Appointments to the Contemporary Arts Foundation**
 - iv) **Appointment of Deputy Chair to the board of Eke Panuku**
 - v) **Board appointments to the Museum of Transport and Technology**
 - vi) **Appointment of Conduct Commissioners**
 - vii) **Appointment of a Director to the board of Auckland Transport**
 - viii) **Appointments to the Auckland War Memorial Museum Board**
 - ix) **Board intern programme appointments for 2022-2023**
 - x) **Allocation of the 2021/2022 Waste Minimisation and Innovation Fund.**

CARRIED

18 Consideration of Extraordinary Items

There was no consideration of extraordinary items.

19 Procedural motion to exclude the public

Resolution number GB/2021/169

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

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 Remuneration Review

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>In particular, the Governing Body will discuss the performance and remuneration of the Chief Executive.</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>

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

1.52pm 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.

3.37pm 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 Remuneration Review

Resolution number GB/2021/171

MOVED by Deputy Mayor BC Cashmore, seconded by Cr A Filipaina:

- c) agree that the report and resolutions will remain confidential until the matters contained in this report have been agreed between the Governing Body and the chief executive.

3.37 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:.....