

Note: In the absence of His Worship the Mayor, Deputy Mayor B Cashmore presided.

1 Affirmation

The Deputy Mayor read the affirmation.

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

Member		Member	
Mayor P Goff		Cr S Henderson	✓
Deputy Mayor BC Cashmore	✓	Cr R Hills	✓
Cr J Bartley - apology		Cr T Mulholland	
Cr C Casey	✓	Cr D Newman	✓
Cr E Collins	✓	Cr G Sayers	
Cr P Coom	✓	Cr D Simpson - apology	
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/2022/26

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

That the Governing Body:

a) **accept the apologies from:**

Absence

**Cr J Bartley
Cr D Simpson**

Lateness

**Mayor P Goff - on council business
Cr G Sayers**

Early Departure

Cr P Coom

CARRIED

3 Declaration of Interest

There were no declarations of interest.

4 Confirmation of Minutes

Resolution number GB/2022/27

MOVED by Cr C Darby, seconded by Cr A Filipaina:

That the Governing Body:

- a) confirm the ordinary minutes of its meeting, held on Thursday, 24 March 2022, including the confidential section, as a true and correct record.

CARRIED

5 Petitions

There were no petitions.

Cr T Mulholland joined the meeting at 10.05am.

Cr P Young joined the meeting at 10.05am.

6 Public Input

6.1 Public Input: Auckland War Memorial Museum - Tāmaki Paenga Hira Auckland War Memorial Museum Revised Annual Levy and Draft Annual Plan for FY2022/23

Dr David Gaimster – Chief Executive, Penny Hulse – Trust Board and James Liddell – Stakeholder Relations Manager from Auckland War Memorial Museum were in attendance via electronic link to speak to the Governing Body.

Mayor P Goff joined the meeting at 10.06am.

The Deputy Mayor vacated the Chair.

His Worship the Mayor assumed the chair at 10.06am.

Cr P Coom left the meeting at 10.14am.

Resolution number GB/2022/28

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

That the Governing Body:

- a) mihi / thank the representatives from Auckland War Memorial Museum for their presentation regarding Tāmaki Paenga Hira Auckland War Memorial Museum Revised Annual Levy and Draft Annual Plan for FY2022/23 and for their attendance at the meeting.

CARRIED

7 Local Board Input

There was no local board input.

8 Extraordinary Business

There was no extraordinary business.

9 Consideration of funding contributions to regional cultural and safety amenities 2022/2023

Cr A Filipaina left the meeting at 10.33am.

Cr G Sayers joined the meeting 10.39am.

Cr P Coom returned to the meeting via electronic link at 10.43am.

Resolution number GB/2022/29

MOVED by Mayor P Goff, seconded by Cr S Henderson:

That the Governing Body:

- a) **note that the proposed levies, if agreed by this committee, will exceed the budgeted allowance by \$310,839 and that this additional cost will need to be addressed as part of the Annual Budget process**

Auckland Regional Amenities Funding Act

- b) **approve the Auckland Regional Amenities Funding Board's proposed council funding contribution for 2022/2023 of \$16,910,479**

Museum of Transport and Technology

- c) **approve the Museum of Transport and Technology's (MOTAT's) levy request for 2022/2023 of \$18,607,810**
- d) **note that \$2.66 million of the levy request for 2022/2023 is required for delivering capital works**
- e) **note that the levy request for 2022/2023 includes reinstatement of funding to support a borrowing regime by MOTAT to deliver its 'Approach 2' projects**
- f) **express its appreciation to MOTAT for reducing its levy request following an approach from the Mayor, reflecting the pressures on Council's financial position**

Auckland War Memorial Museum

- g) **approve Auckland War Memorial Museum's levy request for 2022/2023 of \$32,292,000**
- h) **note that \$10.7 million of the levy request for 2022/2023 is required for depreciation and delivery of capital works**
- i) **express its appreciation to Auckland Museum for reducing its levy request following an approach from the Mayor, reflecting the pressures on Council's financial position**

Future changes to processes

- j) **request that staff work closely with Auckland Museum, MOTAT, the Auckland Regional Amenities Funding Board and the specified Amenities under ARAFA to discuss 2023/2024 levies at an early stage of these respective processes**

- k) request that staff explore options for direct relationships with the specified amenities under ARAFA
- l) note that Auckland Unlimited continues to explore options for greater integration of MOTAT with the council group
- m) note the Rangatira group process for discussing changes to Auckland Museum's legislative relationship with Auckland Council is ongoing.

CARRIED

Note: Pursuant to Standing Order 1.8.6, the following councillors requested that their dissenting votes be recorded as follows:

- Cr L Cooper against clause b)
- Cr T Mulholland against clause b)

10 Decision on proposed amendments to Stormwater Bylaw 2015

Resolution number GB/2022/30

MOVED by Cr L Cooper, seconded by Cr D Newman:

That the Governing Body:

- a) whakaae / approve the Bylaw Panel recommendations on the amended Te Kaunihera o Tāmaki Makaurau Te Ture-ā-rohe Wai Āwhā 2015 / Auckland Council Stormwater Bylaw 2015 in Attachment A and Attachment B of the agenda report.
- b) whakaū / confirm that the recommended amended Stormwater Bylaw 2015 in Attachment C of this agenda report:
 - i) is the most appropriate way to protect the public stormwater network from damage, misuse, interference and nuisance, and to ensure effective maintenance and operation of private stormwater systems
 - ii) is the most appropriate form of bylaw
 - iii) does not give rise to any implications under, and is not inconsistent with, the New Zealand Bill of Rights Act 1990.
- c) tango / adopt the amendments to the Stormwater Bylaw 2015 in Attachment C of the agenda report with effect from 30 May 2022.
- d) whakaū / confirm that the council has considered the views and preferences of persons likely to be affected or have an interest in the controls referenced in the amended Stormwater Bylaw 2015 in Attachment C of the agenda report.
- e) whakapūmau / make the following controls under the amended Stormwater Bylaw 2015, to commence on 30 May 2022:
 - i) [Code of Practice for Land Development and Subdivision: Chapter 4 – Stormwater \(version 3\)](#)
 - ii) [Stormwater Management Devices in the Auckland Region December 2017 Guideline Document 2017/001](#)
 - iii) [Water Sensitive Design for Stormwater March 2015 Guideline Document 2015/004](#)
 - iv) [Stormwater Soakage and Groundwater Recharge in the Auckland Region 2021 Guideline Document GD2021/007](#)

- f) **tono / request through the Chief Executive to the manager responsible for Healthy Waters to report to the Regulatory Committee on the next update to the Stormwater Code of Practice control, including industry consultation and views.**
- g) **tono / request through the Chief Executive to the manager responsible for Healthy Waters to prepare a schedule of infringement offences and fees for the Stormwater Bylaw 2015 for approval by the chair of the Regulatory Committee.**
- h) **whakaae / authorise the chair of the Regulatory Committee to request the relevant minister to commence the process to make the necessary regulations under the Local Government Act 2002 to prescribe the infringement offences and fees in clause g).**
- i) **whakaae / approve the distribution of this agenda report and associated minutes to local boards for their information.**
- j) **tuku mana / delegate authority through the Chief Executive to the manager responsible for the Bylaw to make any amendments to the Bylaw in Attachment C of the agenda report to correct errors or omissions.**

CARRIED

11 Decision on proposed amendments to the Property Maintenance and Nuisance Bylaw

Resolution number GB/2022/31

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

That the Governing Body:

- a) **whakaae / approve the Bylaw Panel's recommendations on the proposed changes to the Auckland Council Te Ture ā-rohe Tiaki Rawa me Ngā Mahi Whakapōrearea 2015 / Property Maintenance and Nuisance Bylaw 2015 in Attachment A and Attachment B of the agenda report.**
- b) **whakau / confirm that the amended Auckland Council Property Maintenance and Nuisance Bylaw 2015 in Attachment C of the agenda report:**
 - i) **is the most appropriate way to minimise public health risks and nuisance on private property**
 - ii) **is the most appropriate form of bylaw**
 - iii) **does not give rise to any implications under, and is not inconsistent with, the New Zealand Bill of Rights Act 1990.**
- c) **tango / adopt the amendments to the Auckland Council Property Maintenance and Nuisance Bylaw 2015 in Attachment C of the agenda report with effect from 1 July 2022.**
- d) **whakaae / approve the distribution of this agenda report and associated minutes to local boards for their information.**
- e) **tuku mana / delegate authority through the Chief Executive to the manager responsible for bylaws to make any amendments to the Bylaw in Attachment C of the agenda report to correct errors or omissions.**

CARRIED

12 Referred from the Appointments and Performance Review Committee - Update on FY2022-2024 chief executive's performance objectives for the financial year to 31 December 2021

Cr A Filipaina returned to the meeting via electronic link at 11.23am.

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

Resolution number GB/2022/32

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

That the Governing Body:

- a) **tuhi / note the Update on FY2022-2024 chief executive's performance objectives for the finance year to 31 December 2021 report (Attachment A of the agenda report)**
- b) **tuhi / note that the majority of the FY2022-2024 chief executive's performance objectives remain on track to be met by June 2022**
- c) **whakaae / agree with the decision which reduces the full-time equivalent (FTE) employees target range by 262, from 6385 – 6485 to 6123 – 6223 from quarter four of the current financial year, reflecting the divestment of Amenities and Infrastructure Maintenance Services.**

CARRIED UNANIMOUSLY

13 Forward Work Programmes for Committees of the Governing Body

Resolution number GB/2022/33

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

That the Governing Body:

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

CARRIED

14 Summary of Governing Body information memoranda, workshops and briefings (including the Forward Work Programme) - 28 April 2022

Resolution number GB/2022/34

MOVED by Cr E Collins, seconded by Cr P Coom:

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 – 28 April 2022.**

CARRIED

15 Consideration of Extraordinary Items

There was no consideration of extraordinary items.

16 Procedural motion to exclude the public

Resolution number GB/2022/35

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

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: Auckland Light Rail - Heads of Terms of the Sponsors' Agreement (Detailed Planning Phase)**

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 yet to be considered by Cabinet and for which an obligation of confidence exists.	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

12.18pm 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.

2.01pm The public was re-admitted.

RESTATEMENTS

It was resolved while the public was excluded:

C1 CONFIDENTIAL: Auckland Light Rail - Heads of Terms of the Sponsors' Agreement (Detailed Planning Phase)

Resolution number GB/2022/36

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

- h) agree that the report, attachments, and decisions remain confidential until the reasons for confidentiality no longer exist.

2.01 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:.....