
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, 23 June 2022 at 10.03am.

PRESENT

Mayor	Hon Phil Goff, CNZM, JP	
Deputy Mayor	Deputy Mayor Cr Bill Cashmore	
Councillors	Cr Josephine Bartley	via electronic link
	Cr Dr Cathy Casey	via electronic link
	Cr Fa'anana Efeso Collins	via electronic link
	Cr Pippa Coom	via electronic link
	Cr Linda Cooper, JP	
	Cr Angela Dalton	via electronic link
		From 11.18am, Item 9
	Cr Chris Darby	via electronic link
		From 10.08am, Item 4
	Cr Alf Filipaina, MNZM	via electronic link
	Cr Christine Fletcher, QSO	via electronic link
	Cr Shane Henderson	via electronic link
	Cr Richard Hills	via electronic link
	Cr Tracy Mulholland	via electronic link
	Cr Daniel Newman, JP	via electronic link
	Cr Greg Sayers	via electronic link
	Cr Desley Simpson, JP	via electronic link
	Cr Sharon Stewart, QSM	via electronic link
	Cr Wayne Walker	via electronic link
	Cr John Watson	via electronic link
	Cr Paul Young	via electronic link

ALSO PRESENT

IMSB Member Glenn Wilcox 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: ✓

Member		Member	
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/2022/49

MOVED by Mayor P Goff, seconded by Cr L Cooper:

That the Governing Body:

a) **accept the apology from:**

Lateness

Cr A Dalton – council business

CARRIED

Acknowledgement

Cr S Stewart acknowledged the recent passing of former Manukau City Councillor Ken Yee.

3 Declaration of Interest

Cr D Simpson advised that she had checked a potential conflict of interest in relation to Item C1 – Confidential: Community led protection of open space in Ōrakei. She had been advised that there was no conflict.

4 Confirmation of Minutes

Resolution number GB/2022/50

MOVED by Cr P Young, seconded by Deputy Mayor BC Cashmore:

That the Governing Body:

- a) **confirm the ordinary minutes of its meeting, held on Thursday, 26 May 2022 and the extraordinary minutes of its meeting, held on Tuesday, 7 June 2022, as a true and correct record.**

CARRIED

Cr C Darby joined the meeting at 10.08am.

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 Auckland Council's submission on the Water Services Entities Bill

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.

Cr A Dalton entered the meeting at 11.18 am.

Note: changes were incorporated in the original motion, amending clause c), with the agreement of the meeting.

Resolution number GB/2022/51

MOVED by Mayor P Goff, seconded by Cr L Cooper:

That the Governing Body:

- a) **endorse the development of Auckland Council's submission on the Water Services Entities Bill consistent with resolutions of the 23 September 2021 Governing Body meeting (Attachment C) and the Mayor's Minority Report (Attachment D).**
- b) **delegate to the Chair and Deputy Chair of the Governing Body, and the Watercare Liaison Councillor, the authority to amend and approve the submission, including any amendments that might mitigate the negative impact of the Bill on Auckland.**
- c) **delegate to the Mayor and Cr Linda Cooper (as the Watercare Liaison Councillor) the authority to speak to the submission on behalf of the Governing Body at the Finance and Expenditure Select Committee.**

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

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

The motion was declared CARRIED by 15 votes to 5.

CARRIED

Attachments

- A 23 June 2022, Governing Body: Item 9 - Auckland Council's submission on the Water Services Entities Bill, Presentation

10 Decision on proposed new Freedom Camping in Vehicles Bylaw

Resolution number GB/2022/52

MOVED by Cr L Cooper, seconded by Cr A Dalton:

That the Governing Body:

- a) **whakaae / approve the Bylaw Panel's recommendations on the new Te Kaunihera o Tāmaki Makaurau Te Ture ā-Rohe Noho Puni Wātea ā-Waka 2022 / Auckland Council Freedom Camping in Vehicles Bylaw 2022 in Attachment A and Attachment B of the agenda report.**
- b) **whakaū / confirm that it is satisfied that the new Te Kaunihera o Tāmaki Makaurau Te Ture ā-Rohe Noho Puni Wātea ā-Waka 2022 / Auckland Council Freedom Camping in Vehicles Bylaw 2022 in Attachment C of the agenda report:**
 - i) **is necessary to protect the areas covered by the Bylaw, the health and safety of people who may visit those areas, and/or to protect access to those areas**
 - ii) **is the most appropriate and proportionate way of addressing the perceived problems associated with freedom camping in those areas covered by the bylaw**
 - iii) **is the most appropriate form of the bylaw**
 - iv) **is not inconsistent with the Freedom Camping Act 2011 or the New Zealand Bill of Rights Act 1990.**
- c) **whai / adopt the Te Kaunihera o Tāmaki Makaurau Te Ture ā-Rohe Noho Puni Wātea ā-Waka 2022 / Auckland Council Freedom Camping in Vehicles Bylaw 2022 in Attachment C of the agenda report, with effect from 1 September 2022.**
- d) **whakakore / revoke the Auckland Council Freedom Camping Bylaw 2015 on 1 September 2022.**
- e) **whakaae / approve the distribution of this agenda report and associated minutes to local boards for their information.**
- f) **tautapa / 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

Note: Under Standing order 1.8.6, the following councillors requested their dissenting votes be recorded against clause b) ii):

- Cr G Sayers
- Cr S Stewart
- Cr W Walker
- Cr J Watson

The meeting adjourned at 12.50pm and reconvened at 1.20pm.

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

Member		Member	
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			

11 Increased local board decision-making responsibilities for local community services - Six-monthly progress report, consultation feedback and changes to Allocation of Decision-making for Non-regulatory Activities Policy and the Local Board Funding Policy

Cr T Mulholland returned to the meeting at 1.24 pm.

Cr W Walker returned to the meeting at 1.28 pm.

Cr C Fletcher returned to the meeting at 1.36 pm.

Resolution number GB/2022/53

MOVED by Cr D Newman, seconded by Cr A Dalton:

That the Governing Body:

- a) receive the update on the progress of implementation of increased local board decision-making responsibilities on local community services
- b) receive the summary of the consultation feedback, received through Annual Plan 2022/2023 consultation, on increased local board decision-making proposals
- c) approve the changes to the Allocation of Decision-making for Non-regulatory Activities Policy and the Local Board Funding Policy to give effect to increased local board decision-making (as per attachments A and B to the agenda report).

CARRIED UNANIMOUSLY

12 Grant to Auckland Returned Services Association

Note: changes were made to the original recommendation, adding new clause d), as a Chairperson's recommendation.

Resolution number GB/2022/54

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

That the Governing Body:

- a) **Note that COVID-19 gathering restrictions caused reduced Anzac Day services, resulting in an underspend of the Regional Anzac Day Services budget.**
- b) **Note that the Auckland Returned and Services Association report significant impacts on fundraising activity as a result of the COVID-19 environment.**
- c) **Consider the request from Auckland Returned and Services Association for a grant of \$25,000 to support veterans and their families.**
- d) **reallocate \$25,000 of Regional Events Anzac Day budget underspend from the current FY21/22 financial year to provide a one-off grant to the Auckland Returned and Service Association for the purpose of supporting the welfare of Auckland veterans and their families**

CARRIED UNANIMOUSLY

13 Eden Park Trust Board submission to 2022/2023 Annual Plan

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

That the Governing Body:

- a) agree to advise Eden Park Trust Board that their existing loan capacity with Auckland Council can be used to fund capital requirements if required
- b) agree and delegate all necessary powers to the chief executive for:
 - i) Auckland Council to forgive interest payments on any additional loan drawdown by Eden Park Trust Board until 30 June 2023 whilst Eden Park Trust and the council group, through Tātaki Auckland Unlimited, continue to work on a single-stadium operating model for the city's stadiums
- c) note council staff will engage with Eden Park Trust as required on its debt capacity limit if operating performance is impacted adversely by COVID-19.

Note: changes were made to the original recommendation, amending clause b) i), with the agreement of the meeting.

Clauses a) and c) were put together.

Resolution number GB/2022/55

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

That the Governing Body:

- a) **agree to advise Eden Park Trust Board that their existing loan capacity with Auckland Council can be used to fund capital requirements if required**
- c) **note council staff will engage with Eden Park Trust as required on its debt capacity limit if operating performance is impacted adversely by COVID-19.**

CARRIED UNANIMOUSLY

Clause b) i) was put separately.

Resolution number GB/2022/56

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

That the Governing Body:

- b) agree and delegate all necessary powers to the chief executive for:**
- i) Auckland Council to forgive interest payments until 30 June 2023 on any additional loan drawdown by Eden Park Trust Board whilst Eden Park Trust and the council group, through Tātaki Auckland Unlimited, continue to work on a single-stadium operating model for the city's stadiums**

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

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

The motion was declared CARRIED by 18 votes to 2.

CARRIED

14 Summary of Governing Body information memoranda, workshops and briefings (including the Forward Work Programme) - 23 June 2022

Resolution number GB/2022/57

MOVED by Cr L Cooper, seconded by Cr P Young:

That the Governing Body:

- a) tuhi ā-taipitopito / note the progress on the forward work programme appended as Attachment A of the agenda report**
- b) whiwhi / receive the Summary of Governing Body information memoranda, workshops and briefings – 23 June 2022.**

CARRIED

15 Consideration of Extraordinary Items

There was no consideration of extraordinary items.

16 Procedural motion to exclude the public

Resolution number GB/2022/58

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: Community led protection of open space in Ōrākei

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)(h) - The withholding of the information is necessary to enable the local authority to carry out, without prejudice or disadvantage, commercial activities.</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 report identifies land the council seeks to acquire for open space purposes.</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

3.31pm 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.

3.35pm The public was re-admitted.

RESTATEMENTS

It was resolved while the public was excluded:

C1 CONFIDENTIAL: Community led protection of open space in Ōrākei

Resolution number GB/2022/60

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

- f) whakapūmau / confirm that there is no restatement of the confidential report or the resolutions until settlement of the relevant acquisition, and only then is the resolution to be restated.

4.38pm

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:.....