
Tira Hautū / 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 March 2023 at 9.03am.

TE HUNGA KUA TAE MAI | PRESENT

Mayor	Wayne Brown	
Deputy Mayor	Cr Desley Simpson, JP	
Councillors	Cr Andrew Baker	
	Cr Josephine Bartley	
	Cr Angela Dalton	From 9.18am, Item 4.1
	Cr Chris Darby	
	Cr Julie Fairey	
	Cr Alf Filipaina, MNZM	Via electronic link
	Cr Lotu Fuli	Via electronic link
	Cr Shane Henderson	
	Cr Richard Hills	From 9.32am, Item 4.3
	Cr Mike Lee	
	Cr Kerrin Leoni	
	Cr Daniel Newman, JP	
	Cr Greg Sayers	Via electronic link, From 9.20am, Item 4.2
	Cr Sharon Stewart, QSM	
	Cr Ken Turner	From 9.12am, Item 4.1
	Cr Wayne Walker	
	Cr John Watson	From 9.12am, Item 4.1
	Cr Maurice Williamson	

TE HUNGA KĀORE I TAE MAI | ABSENT

Councillor	Cr Christine Fletcher
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HE HUNGA ATU ANŌ I TAE MAI | IN ATTENDANCE

Nick Hill, Chief Executive	Tātaki Auckland Unlimited
Justine White	Tātaki Auckland Unlimited
Richard Clarke	Tātaki Auckland Unlimited
Malcolm Lawry	Tātaki Auckland Unlimited

1 Ngā Tamōtanga | Apologies

Resolution number GB/2023/20

MOVED by Cr K Leoni, seconded by Cr J Fairey:

That the Governing Body:

a) **whakaae / accept the apologies from:**

Absence

Cr C Fletcher

Lateness

Cr R Hills

Cr A Dalton

CARRIED

Note: Subsequent apology was received from Cr K Turner for lateness.

Electronic Attendance

Resolution number GB/2023/21

MOVED by Cr W Walker, seconded by Cr K Leoni:

That the Governing Body:

a) **whakaae / approve electronic attendance under Standing Order 3.3.3 for:**

- **Cr A Filipaina (SO 3.3.3 c))**
- **Cr L Fuli (SO 3.3.3 b))**

CARRIED

2 Te Whakapuaki i te Whai Pānga | Declaration of Interest

There were no declarations of interest.

3 Te Whakaū i ngā Āmiki | Confirmation of Minutes

Resolution number GB/2023/22

MOVED by Cr W Walker, seconded by Deputy Mayor D Simpson:

That the Governing Body:

a) **whakaū / confirm the ordinary minutes of its meeting, held on Thursday, [23 February 2023](#), including the confidential section, as a true and correct record.**

CARRIED

4 Ngā Kōrero a te Marea | Public Input

4.1 Public Input: Local Government New Zealand - Local Government New Zealand Membership

*Cr J Watson entered the meeting at 9.12am.
Cr K Turner entered the meeting at 9.12am.
Cr A Dalton returned to the meeting at 9.18am.*

Resolution number GB/2023/23

MOVED by Cr C Darby, seconded by Cr K Leoni:

That the Governing Body:

- a) **whiwhi / receive the public input from Stuart Crosby and Scott Necklen on behalf of Local Government New Zealand regarding Local Government New Zealand Membership.**

CARRIED

Electronic Attendance

Resolution number GB/2023/24

MOVED by Cr W Walker, seconded by Cr M Williamson:

That the Governing Body:

- a) **whakaae / approve electronic attendance under Standing Order 3.3.3 for:**
 - **Cr G Sayers (SO 3.3.3 b))**

CARRIED

4.2 Public Input: Auckland Young Elected Member Network - Local Government New Zealand Membership

Cr G Sayers entered the meeting at 9.20am.

Resolution number GB/2023/25

MOVED by Mayor W Brown, seconded by Cr K Leoni:

That the Governing Body:

- a) **whiwhi / receive the public input from Logan Soole and Nerissa Henry on behalf of the Auckland Young Elected Member Network regarding Local Government New Zealand Membership.**

CARRIED

4.3 Public Input: Anna Radford - Auckland Council's co-governance obligations and responsibilities

A supporting document had been circulated prior to the meeting. A copy has been placed on the official minutes and is available on the Auckland Council website as a minutes attachment.

Cr R Hills entered the meeting at 9.32am.

Resolution number GB/2023/26

MOVED by Cr J Watson, seconded by Cr W Walker:

That the Governing Body:

- a) **whiwhi / receive Anna Radford’s input regarding “A call for Auckland Council to review how it currently delivers its Tūpuna Maunga Authority co-governance obligations and responsibilities, to ensure it demonstrably delivers ‘common benefit’ to ‘the other peoples of Auckland” and whakamihi / thank her for her attendance.**
- b) **tono / request staff to report back to the Governing Body or to a workshop on the matters raised.**

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

<u>For</u>	<u>Against</u>	<u>Abstained</u>
Cr A Baker	Cr J Bartley	
Mayor W Brown	Cr A Dalton	
Cr M Lee	Cr C Darby	
Cr D Newman	Cr J Fairey	
Cr G Sayers	Cr A Filipaina	
Deputy Mayor D Simpson	Cr L Fuli	
Cr S Stewart	Cr S Henderson	
Cr K Turner	Cr R Hills	
Cr W Walker	Cr K Leoni	
Cr J Watson		
Cr M Williamson		

The motion was declared CARRIED by 11 votes to 9.

CARRIED

Attachments

A 23 March 2023, Governing Body: Item 4.3 - Public Input: Anna Radford - Auckland Council’s co-governance obligations and responsibilities, Supporting Document

Note: Under Standing Order 1.8.6 Cr J Bartley requested her dissenting vote against clause b), be recorded.

5 Ngā Kōrero a te Poari ā-Rohe Pātata | Local Board Input

There was no local board input.

6 Ngā Pakihi Autaia | Extraordinary Business

There was no extraordinary business.

7 Chief Executive and Group Chief Financial Officer Update

Resolution number GB/2023/27

MOVED by Mayor W Brown, seconded by Deputy Mayor D Simpson:

That the Governing Body:

- a) **whiwhi / receive the information provided in this report, the monthly financial dashboard circulated prior to the meeting and verbally presented by the Chief Executive and Group Chief Financial Officer.**

CARRIED

8 Auckland Council Group and Auckland Council Quarterly Performance Reports for the six months ended 31 December 2022

The monthly performance dashboard had been circulated prior to the meeting. A PowerPoint presentation was given in support of the item.

Copies have been placed on the official minutes and are available on the Auckland Council website as a minutes attachments.

Resolution number GB/2023/28

MOVED by Deputy Mayor D Simpson, seconded by Cr M Williamson:

That the Governing Body:

- a) **whiwhi / receive the Auckland Council Group and Auckland Council quarterly performance reports for the six months ended 31 December 2022.**

CARRIED

Attachments

- A 23 March 2023, Governing Body: Item 8 - Auckland Council Group and Auckland Council Quarterly Performance Reports for the six months ended 31 December 2022, Monthly Performance Dashboard
- B 23 March 2023, Governing Body: Item 8 - Auckland Council Group and Auckland Council Quarterly Performance Reports for the six months ended 31 December 2022, Presentation

The meeting adjourned at 10.50am and reconvened at 11.06am.

9 Treasury Management Policy update and the provision of treasury services to Ports of Auckland Limited by Auckland Council

Resolution number GB/2023/29

MOVED by Cr C Darby, seconded by Cr W Walker:

That the Governing Body:

- a) **whakaae / approve the revised Treasury Management Policy (Attachment A).**
- b) **whakaae / approve the provision of treasury services to Ports of Auckland Limited by Auckland Council including the provision of a Revolving Advance Facility with a limit of \$600 million, subject to adjustment if any existing debt of POAL is not refinanced or novated to council.**
- c) **tautapa / delegate to the Group Chief Financial Officer the authority to execute the relevant documents relating to the provision of treasury services to Ports of Auckland Limited by Auckland Council both initially and in an ongoing capacity.**

CARRIED

10 Options for treatment of rates for properties affected by recent storm events and alternative support options for Aucklanders

Note: the following was moved as chair's recommendations.

Resolution number GB/2023/30

MOVED by Mayor W Brown, seconded by Deputy Mayor D Simpson:

That the Governing Body:

- a) **whakaae / agree to request officers to use the Miscellaneous Remissions Policy to remit the base waste management targeted rate and the refuse waste management targeted rate for the second half of the 2022/2023 year for properties red stickered at a cost of \$40,000 as this is a service based charge which these ratepayers cannot use.**
- b) **whakaae / agree to request officers to continue to remit penalties on red and yellow stickered properties who miss their February and May rates instalments and to continue to provide other existing support options as set out in this report.**
- c) **whakaae / agree to reopen the Emergency Relief Fund and increase it by \$1 million, with those additional funds being available to be allocated based on need to rates relief for Q3 and Q4, for those with properties that are uninhabitable as a result of recent severe weather (including red-stickered, yellow-stickered and white-stickered properties).**
- d) **tono / request that officers report back to the Governing Body on how these funds have been allocated and other options for relief if there is unmet need.**
- e) **tono / request that officers ensure that the process is as simple as possible for people with uninhabitable properties.**

CARRIED UNANIMOUSLY

11 Funding and supplier recommendation for Te Hā Noa - Victoria Street Linear Park

Feedback from the Auckland City Centre Residents was circulated prior to the meeting.

A PowerPoint presentation was given in support of the item.

Copies have been placed on the official minutes and are available on the Auckland Council website as a minutes attachments.

Note: the following was moved as chair's recommendations.

Resolution number GB/2023/31

MOVED by Mayor W Brown, seconded by Cr C Darby:

That the Governing Body:

- a) **tuhi ā-taipitopito / note that the information contained in this report, on allocation of city centre targeted rate funding to Te Hā Noa – Victoria Street Linear Park project and supplier recommendations for the Te Hā Noa project, enables transparency on the topic due for discussion in the public excluded part of the meeting.**
- b) **tuhi ā-taipitopito / note that the confidential report contains information that could prejudice the council's position in negotiations with suppliers.**
- c) **tono / request that officers work with Auckland Transport and the City Centre Advisory Panel to ensure that city centre works associated with this project are timed so that efficient movement for people and goods is maintained across the city centre, including east-west vehicle movement, and report back to the Transport & Infrastructure Committee at an appropriate time on how this will be achieved.**

CARRIED

Attachments

- A 23 March 2023, Governing Body: Item 11 - Funding and supplier recommendation for Te Hā Noa - Victoria Street Linear Park, Auckland City Centre Residents Feedback
- B 23 March 2023, Governing Body: Item 11 - Funding and supplier recommendation for Te Hā Noa, Presentation

The meeting adjourned at 1.08pm and reconvened at 1.37pm.

12 Membership of Local Government New Zealand and Appointments

MOVED by Mayor W Brown, seconded by Cr M Williamson:

That the Governing Body:

- a) whiwhi / receive the feedback from local boards as contained in Attachment B of the agenda report and as circulated prior to the meeting.
- b) whakaae / agree that Auckland Council resign its membership of Local Government New Zealand by giving notice.

The motion was put in parts.

Resolution number GB/2023/32

MOVED by Mayor W Brown, seconded by Cr M Williamson:

That the Governing Body:

- a) **whiwhi / receive the feedback from local boards as contained in Attachment B of the agenda report and as circulated prior to the meeting.**

CARRIED

Resolution number GB/2023/33

MOVED by Mayor W Brown, seconded by Cr M Williamson:

That the Governing Body:

- b) **whakaae / agree that Auckland Council resign its membership of Local Government New Zealand by giving notice.**

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

<u>For</u>	<u>Against</u>	<u>Abstained</u>
Mayor W Brown	Cr A Baker	
Cr M Lee	Cr J Bartley	
Cr D Newman	Cr A Dalton	
Cr G Sayers	Cr C Darby	
Deputy Mayor D Simpson	Cr J Fairey	
Cr S Stewart	Cr A Filipaina	
Cr K Turner	Cr L Fuli	
Cr W Walker	Cr S Henderson	
Cr J Watson	Cr R Hills	
Cr M Williamson	Cr K Leoni	

The motion was declared **CARRIED**.

The chair exercised their casting vote for so the motion was Carried.

CARRIED

At 2.52pm, it was:

Extension of Meeting Time

Resolution number GB/2023/34

MOVED by Mayor W Brown, seconded by Deputy Mayor D Simpson:

That the Governing Body:

- a) **whakaae / agree under Standing Order 1.1.3, that an extension of time until the business of the meeting is complete, be granted.**

CARRIED

13 Recovery from January Floods and Cyclone Gabrielle

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

Resolution number GB/2023/35

MOVED by Deputy Mayor D Simpson, seconded by Cr W Walker:

That the Governing Body:

- a) **whiwhi / receive this update.**
- b) **whakaae / approve an upper limit of up to \$3 million of unbudgeted costs in the current 2022/2023 financial year to support the operation of the Recovery Coordination Office, preparation of the Recovery Plan, retention of specialist expertise (for example Geotech and other engineering advice), workforce and other resourcing.**

CARRIED

Attachments

- A 23 March 2023, Governing Body: Item 13 - Recovery from January Floods and Cyclone Gabrielle, Presentation

14 Appointment of Group Recovery Manager for the January Floods and Cyclone Gabrielle

This item was withdrawn due to the process not being completed.

15 City Rail Link Limited Project Funding Request

This item was withdrawn and referred to an Extraordinary Meeting of the Governing Body on 30 March 2023.

16 Governing Body's Forward Work Programme

Resolution number GB/2023/36

MOVED by Cr W Walker, seconded by Deputy Mayor D Simpson:

That the Governing Body:

- a) whakaae / approve the Governing Body's forward work programme
- b) whakaae / agree that the Governing Body's forward work programme be reported monthly for information and reviewed on a six-monthly basis in March and September each year.

CARRIED

17 Summary of Governing Body and Committee information memoranda and briefings - 23 March 2023

Resolution number GB/2023/37

MOVED by Cr W Walker, seconded by Deputy Mayor D Simpson:

That the Governing Body:

- a) whiwhi / receive the Summary of Governing Body and other committee information memoranda and briefings – 23 March 2023.

CARRIED

18 Te Whakaaro ki ngā Take Pūtea e Autaia ana | Consideration of Extraordinary Items

There was no consideration of extraordinary items.

19 Procedural motion to exclude the public

Resolution number GB/2023/38

MOVED by Cr D Newman, seconded by Deputy Mayor D Simpson:

That the Governing Body:

- a) exclude the public from the following part(s) of the proceedings of this meeting.
- b) agree that Nick Sautner, Chief Executive and Brett Winstanley from Eden Park Trust Board be permitted to remain for Confidential Item C4 - Eden Park Trust Board Presentation after the public has been excluded, because of their knowledge of the operation of Eden Park, which will help the Governing Body in its decision-making.

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: Appointment of Group Recovery Manager for the January Floods and Cyclone Gabrielle

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>In particular, the report contains private information about the recommended Group Recovery Manager (and proposed alternate should this person be unavailable/unable to take up the appointment).</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>

C2 CONFIDENTIAL: Funding and supplier recommendation for Te Hā Noa - Victoria Street Linear Park

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 contains information that could prejudice the council's position with potential suppliers.</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>

C3 CONFIDENTIAL: City Rail Link Limited Project Funding Request

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
<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>s7(2)(b)(ii) - The withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information.</p> <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>The report seeks decisions that also need to be agreed by the Crown as joint Sponsors of City Rail Llnk Limited.</p> <p>The report includes information that would impact commercial negotiations if public knowledge.</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>

C4 CONFIDENTIAL: Eden Park Trust Board Presentation

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
<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>s7(2)(b)(ii) - The withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information.</p> <p>s7(2)(c)(i) - 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 prejudice the supply of similar information or information from the same source and it is in the public interest that such information should continue to be supplied.</p> <p>In particular, the report contains sensitive information the disclosure of which would be likely to disadvantage Eden Park Trust's commercial position.</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>

C5 CONFIDENTIAL: Process for the Governing Body to appoint the next Chief Executive

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, this report contains information that relates to the setting of a recruitment process for the chief executive, and the committee may discuss matters relating to the person specification or potential candidates.</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

3.35pm 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.

5.16pm The public was re-admitted.

RESTATEMENTS

It was resolved while the public was excluded:

C1 CONFIDENTIAL: Appointment of Group Recovery Manager for the January Floods and Cyclone Gabrielle

This item was withdrawn due to the process not being completed.

C2 CONFIDENTIAL: Funding and supplier recommendation for Te Hā Noa - Victoria Street Linear Park

Resolution number GB/2023/39

MOVED by Mayor W Brown, seconded by Cr C Darby:

- d) whakaū / confirm that the resolutions and report remain confidential until reasons for confidentiality no longer exist.

C3 CONFIDENTIAL: City Rail Link Limited Project Funding Request

This item was withdrawn and referred to an Extraordinary Meeting of the Governing Body on 30 March 2023.

C4 CONFIDENTIAL: Eden Park Trust Board Presentation

Resolution number GB/2023/40

MOVED by Deputy Mayor D Simpson, seconded by Cr M Williamson:

- e) whakaae / agree that the decisions, report and attachments remain confidential until the need for confidentiality no longer exists.

C5 CONFIDENTIAL: Process for the Governing Body to appoint the next Chief Executive

Resolution number GB/2023/41

MOVED by Cr D Newman, seconded by Mayor W Brown:

- e) agree that the decisions, report and attachments remain confidential until the reason for confidentiality no longer exists.

5.16 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:.....