
Governing Body

OPEN MINUTES

Minutes of a meeting of the Governing Body held in the Council Chamber, Takapuna Service Centre, Level 3, 1 The Strand, Takapuna on Thursday, 27 February 2014 at 9.30am.

PRESENT

Mayor	Len Brown, JP	
Deputy Mayor	Penny Hulse	
Councillors	Cr Cameron Brewer	
	Cr Dr Cathy Casey	
	Cr Bill Cashmore	
	Cr Ross Clow	
	Cr Linda Cooper, JP	
	Cr Chris Darby	
	Cr Alf Filipaina	
	Cr Hon Chris Fletcher, QSO	
	Cr Denise Krum	
	Cr Mike Lee	From 10.06am, Item 11
	Cr Calum Penrose	
	Cr Dick Quax	
	Cr Sharon Stewart, QSM	
	Cr Sir John Walker, KNZM, CBE	
	Cr Wayne Walker	Until 12.01pm, Item 11
	Cr John Watson	
	Cr Penny Webster	
	Cr George Wood, CNZM	

APOLOGIES

Cr Anae Arthur Anae	For absence
Cr Wayne Walker	For early departure

1 Affirmation

His Worship the Mayor read the affirmation.

2 Apologies

Resolution number GB/2014/9

MOVED by Mayor LCM Brown, seconded by Cr MP Webster:

That the Governing Body:

- a) **accept the apologies from Cr AJ Anae for absence and from Cr W Walker for early departure.**

CARRIED

3 Declaration of Interest

There were no declarations of interest.

4 Confirmation of Minutes

Resolution number GB/2014/10

MOVED by Mayor LCM Brown, seconded by Cr JG Walker:

That the Governing Body:

- a) **confirm the ordinary minutes of its meeting, held on Thursday, 30 January 2014, including the confidential section, as a true and correct record.**

CARRIED

5 Acknowledgements

His Worship the Mayor acknowledged the appointment of Mike Bush as the next Commissioner of Police.

6 Petitions

There were no petitions.

7 Public Input

7.1 Public Input - Penny Bright - Review of Auckland Council CCOs - Terms of Reference

Penny Bright was present to address the meeting regarding the review of Auckland Council CCOs – Terms of Reference.

Resolution number GB/2014/11

MOVED by Mayor LCM Brown, seconded by Cr CM Casey:

That the Governing Body:

- a) **receive the presentation by Penny Bright regarding the review of Auckland Council CCOs – Terms of Reference.**

CARRIED

Attachments

A Tabled document

7.2 Public Input - Alan Emmerson, Forest & Bird - the purchase of assets and the setting of regional strategies, policies and plans

Alan Emmerson, representing Forest & Bird, was present to address the meeting regarding the purchase of assets and the setting of regional strategies, policies and plans.

Mr Emmerson provided a PowerPoint presentation and presented a petition on behalf of Forest & Bird North Shore Branch, containing 610 signatures.

The prayer of the petition was:

We urgently ask you to save the bush at Northcross schools in Browns Bay from destruction, so that this bush can develop alongside the Northcross Reserve as a long term asset for the community.

Copies of the petition and the presentation have been placed on the official copy of the minutes. The PowerPoint presentation will be available on the Auckland Council website as an attachment to the minutes.

Resolution number GB/2014/12

MOVED by Mayor LCM Brown, seconded by Cr CE Fletcher:

That the Governing Body:

- a) **receive the presentation by Alan Emmerson regarding the purchase of assets and the setting of regional strategies, policies and plans and receive the petition presented on behalf of the Forest & Bird North Shore Branch about saving the bush at Northcross School.**

CARRIED

Attachments

A Saving Northcross Bush PowerPoint Presentation

8 Local Board Input

There was no Local Board input.

9 Extraordinary Business

9.1 Extraordinary Business – Local Government New Zealand Special General Meeting

The reason this item was not included on the agenda is that the matter came to our attention after the close of the agenda.

The reason for urgency is that the Local Government New Zealand (LGNZ) Special General meeting is to be held on 13 March 2014 to amend its constitution and authorisation for delegates is required.

The meeting agreed to consider the report entitled 'LGNZ Special General Meeting' under Item 16.1 Consideration of Extraordinary Items.

9.2 Extraordinary Business - Forest & Bird Public Input

The issue of saving the bush at Northcross School in Browns Bay was raised in the public input section of the meeting. The reason for urgency is that the tender process has closed and the matter requires immediate action.

Following public input, the meeting agreed to consider this matter under Item 16.2 Consideration of Extraordinary Items.

10 Notices of Motion

There were no notices of motion.

11 Auckland Council submission to the Proposed Auckland Unitary Plan 2013

Resolution number GB/2014/13

MOVED by Mayor LCM Brown, seconded by Deputy Mayor PA Hulse:

That the Governing Body consider the matter of the Auckland Council submission to the Proposed Auckland Unitary Plan 2013.

CARRIED

Cr ME Lee entered the meeting at 10.06 am.

MOVED by Mayor LCM Brown, seconded by Deputy Mayor PA Hulse:

That the Governing Body:

- a) approve the lodgment of the council submission on the Proposed Auckland Unitary Plan, as attached to the Unitary Plan Committee agenda item on 25 February 2014, **subject to the following changes agreed to by that committee:**
 - i) amend the submission to refer to the need for a Significant Ecological Area to be applied to part of Kawau Island after further work has been completed, but remove the map from the submission.
 - ii) add the following to the list of properties that should be rezoned:

Address	Amendment	Reasons
85-87 Gladstone Road, Parnell	Rezone from Public Open Space – Informal Recreation to Public Open Space - Community	Incorrect Public Open Space zone applied in the PAUP.
5 Hobson Place, Waiuku	Rezone from Public Open Space – Informal Recreation to Light Industry	The site is predominantly zoned Light Industry. A small portion has been incorrectly zoned Public Open Space. The area of land in question is part of the main site and has no public open space characteristics.
23 Commercial Road, Helensville	Rezone from Public Open Space – Sport and Active Recreation to Public Open Space - Community	Incorrect Public Open Space zone applied in the PAUP.
4 Taikata Road, Te Atutu Peninsula	Rezone from Mixed Housing Urban to Town Centre	The site is used solely for vehicle access to the adjacent Town Centre zoned sites.

iii) Add the following items to the submission:

Overlay	Provision	Amendment	Reasons
Sites and Places of Significance to Mana Whenua	J5.1 Activity Table	Remove earthworks control from the activity table: Earthworks on or within 50m of a scheduled site or place of significance to Mana Whenua – D	There is a conflict in the activity status between the Sites and Places of Significance to Mana Whenua overlay and the Auckland-wide rules for earthworks on and around sites of significance to Mana Whenua. Relying on the Auckland-wide rules, which provide a 20 metre buffer, is appropriate.
Sites and Places of Value to Mana Whenua	J5.2 Activity Table	Add a new row in the activity table: <u>Earthworks for the operation, repair and maintenance of existing network utilities. P</u>	To permit earthworks associated with the operation, repair and maintenance of a network utilities, subject to appropriate standards.
Sites and Places of Value to Mana Whenua	J5.2 Development Controls	Add a new development control 2.7 <u>Earthworks for the operation, repair and maintenance of existing network utilities.</u>	To permit earthworks associated with the operation, repair and maintenance of network utilities, subject to appropriate standards.

		<p><u>The permitted activity controls for earthworks for the operation, repair and maintenance of existing network utilities contained in H4.2.1 (Auckland wide earthworks controls) apply.</u></p>	
Not applicable	Chapter H: 4.2 Earthworks – 2.1.1.10	<p>Replace existing clause 10 with the following:</p> <p><u>In relation to historic heritage places and sites and places of significance to Mana Whenua, where the 'extent of place' is not mapped, earthworks must be located at least 20m from any scheduled historic heritage place or scheduled sites and places of significance to Mana Whenua.</u></p>	<p>Firstly, it avoids the current duplication between the Auckland-wide earthworks rules and the rules for sites and places of significance to Mana Whenua.</p> <p>Secondly, it clarifies that a 20 metre buffer applies (as opposed to 50 metres).</p> <p>Thirdly, it clarifies that the 20 metre buffer for scheduled historic heritage places does not apply beyond the 'extent of place', where this has been mapped. Most buildings have an 'extent of place' mapped to the property boundary.</p>

- iv) Include the additional submission points in the attached addendum
- v) Include Watercare Services Ltd (memorandum dated 25 February from team leader, Unitary Plan) additional submission points
- vi) Delete line item 1146 Natural Environment section
- vii) Include the following Local Board requests as part of council's submission:
 - Franklin Local Board:
 - 1) Rural Coastal zone – rezone a number of properties Rural Production or Mixed Rural to align with the Operative District Plan (Franklin Section)
 - 2) Waiuku – rezone all land around Waiuku from Large Lot Residential to Single House
 - 3) Waiuku – Kitchener Road Business Park – rezone from Light Industry to General Business
 - Kaipatiki Local Board:
 - 1) Public Open Space zones activity table – provide greater clarity in

relation to the role of precinct plans, adopted reserve management plans, conservation management plans and conservation management strategies

- 2) Onepoto Domain – rezone a portion of the site from Public Open Space (Informal Recreation) to Public Open Space (Conservation)
- 3) Glenfield Community Centre, Library and Local Board Office – rezone from Special Purpose (School) to Public Open Space (Community)
- 4) Birkenhead Library – rezone the library site from Town Centre to Public Open Space (Community) but retain Public Open Space (Civic) on the undeveloped part of the site
- 5) Northcote Library – rezone the library site from Town Centre to Public Open Space (Community)
- 6) Northcote War Memorial Hall – rezone from Single House to Public Open Space (Community)

Rodney Local Board:

- 1) Parking maximums – remove maximums from the Mixed Use zones in Warkworth, Riverhead and Kumeu-Huapai.

Devonport-Takapuna Local Board:

- 1) Include outcomes of Plan Changes 33 and 38 without dilution.

- b) delegate minor editorial rights to the Chair **and Deputy Chair** of the Unitary Plan Committee, until the submission is made.

11.02am The meeting was adjourned.

11.18am The meeting reconvened.

MOVED by Cr WB Cashmore, seconded by Cr MP Webster

Cr WB Cashmore moved an amendment to the original recommendation as follows:

- c) That the issue of the Sites of Significance / Value to Mana Whenua is dealt with urgently by staff / Independent Māori Statutory Board / Te Waka Angamua and reported back to the Unitary Plan Committee.

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

<u>For</u>	<u>Against</u>	<u>Abstained</u>
Mayor LCM Brown	Cr CE Brewer	
Cr CM Casey	Cr CE Fletcher	
Cr WB Cashmore	Cr DA Krum	
Cr RI Clow	Cr ME Lee	
Cr LA Cooper	Cr D Quax	
Cr C Darby	Cr SL Stewart	
Cr AM Filipaina	Cr WD Walker	
Deputy Mayor PA Hulse	Cr J Watson	
Cr CM Penrose		
Cr JG Walker		
Cr MP Webster		
Cr GS Wood		

The amendment was declared CARRIED by 12 votes to 8.

MOVED by Cr CE Brewer seconded by Cr D Quax:

Cr CE Brewer moved an amendment to the original recommendation as follows:

- d) That Auckland Transport and Watercare be allowed to submit standalone separate submissions, to assist the Independent Hearings Panel's full understanding of the proposed overlay's potential impacts and costs.

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

<u>For</u>	<u>Against</u>	<u>Abstained</u>
Cr CE Brewer	Mayor LCM Brown	Cr ME Lee
Cr WB Cashmore	Cr CM Casey	
Cr CE Fletcher	Cr RI Clow	
Cr DA Krum	Cr LA Cooper	
Cr CM Penrose	Cr C Darby	
Cr D Quax	Cr AM Filipaina	
Cr SL Stewart	Deputy Mayor PA Hulse	
Cr JG Walker	Cr MP Webster	
Cr WD Walker	Cr GS Wood	
Cr J Watson		

The division was declared CARRIED by 10 votes to 9.

The Chairperson put the substantive motion.

Resolution number GB/2014/14

MOVED by Mayor LCM Brown, seconded by Deputy Mayor PA Hulse:

That the Governing Body:

- a) **approve the lodgment of the council submission on the Proposed Auckland Unitary Plan, as attached to the Unitary Plan Committee agenda item on 25 February 2014, subject to the following changes agreed to by that committee:**
 - i) **amend the submission to refer to the need for a Significant Ecological Area to be applied to part of Kawau Island after further work has been completed, but remove the map from the submission.**
 - ii) **add the following to the list of properties that should be rezoned:**

Address	Amendment	Reasons
85-87 Gladstone Road, Parnell	Rezone from Public Open Space – Informal Recreation to Public Open Space - Community	Incorrect Public Open Space zone applied in the PAUP.
5 Hobson Place, Waiuku	Rezone from Public Open Space – Informal Recreation to Light Industry	The site is predominantly zoned Light Industry. A small portion has been incorrectly zoned Public Open Space. The area of land in question is part of the main site and has no public open space characteristics.
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4 Taikata Road, Te Atutu Peninsula	Rezone from Mixed Housing Urban to Town Centre	The site is used solely for vehicle access to the adjacent Town Centre zoned sites.
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iii) Add the following items to the submission:

Overlay	Provision	Amendment	Reasons
Sites and Places of Significance to Mana Whenua	J5.1 Activity Table	Remove earthworks control from the activity table: Earthworks on or within 50m of a scheduled site or place of significance to Mana Whenua - D	There is a conflict in the activity status between the Sites and Places of Significance to Mana Whenua overlay and the Auckland-wide rules for earthworks on and around sites of significance to Mana Whenua. Relying on the Auckland-wide rules, which provide a 20 metre buffer, is appropriate.
Sites and Places of Value to Mana Whenua	J5.2 Activity Table	Add a new row in the activity table: <u>Earthworks for the operation, repair and maintenance of existing network utilities. P</u>	To permit earthworks associated with the operation, repair and maintenance of a network utilities, subject to appropriate standards.
Sites and Places of Value to Mana Whenua	J5.2 Development Controls	Add a new development control 2.7 <u>Earthworks for the operation, repair and maintenance of existing network utilities.</u> <u>The permitted activity controls for earthworks for the operation, repair and maintenance of existing network utilities contained in H4.2.1 (Auckland wide earthworks controls) apply.</u>	To permit earthworks associated with the operation, repair and maintenance of network utilities, subject to appropriate standards.
Not applicable	Chapter H: 4.2 Earthworks – 2.1.1.10	Replace existing clause 10 with the following:	Firstly, it avoids the current duplication between the Auckland-wide

		<p><u>In relation to historic heritage places and sites and places of significance to Mana Whenua, where the 'extent of place' is not mapped, earthworks must be located at least 20m from any scheduled historic heritage place or scheduled sites and places of significance to Mana Whenua.</u></p>	<p>earthworks rules and the rules for sites and places of significance to Mana Whenua.</p> <p>Secondly, it clarifies that a 20 metre buffer applies (as opposed to 50 metres).</p> <p>Thirdly, it clarifies that the 20 metre buffer for scheduled historic heritage places does not apply beyond the 'extent of place', where this has been mapped. Most buildings have an 'extent of place' mapped to the property boundary.</p>
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- iv) Include the additional submission points in the attached addendum
- v) Include Watercare Services Ltd (memorandum dated 25 February from team leader, Unitary Plan) additional submission points
- vi) Delete line item 1146 Natural Environment section
- vii) Include the following Local Board requests as part of council's submission:

Franklin Local Board:

- 1) Rural Coastal zone – rezone a number of properties Rural Production or Mixed Rural to align with the Operative District Plan (Franklin Section)
- 2) Waiuku – rezone all land around Waiuku from Large Lot Residential to Single House
- 3) Waiuku – Kitchener Road Business Park – rezone from Light Industry to General Business

Kaipatiki Local Board:

- 1) Public Open Space zones activity table – provide greater clarity in relation to the role of precinct plans, adopted reserve management plans, conservation management plans and conservation management strategies
- 2) Onepoto Domain – rezone a portion of the site from Public Open Space (Informal Recreation) to Public Open Space (Conservation)
- 3) Glenfield Community Centre, Library and Local Board Office – rezone from Special Purpose (School) to Public Open Space (Community)
- 4) Birkenhead Library – rezone the library site from Town Centre to Public Open Space (Community) but retain Public Open Space (Civic) on the undeveloped part of the site
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6) Northcote War Memorial Hall – rezone from Single House to Public Open Space (Community)

Rodney Local Board:

- 1) Parking maximums – remove maximums from the Mixed Use zones in Warkworth, Riverhead and Kumeu-Huapai.

Devonport-Takapuna Local Board:

- 1) Include outcomes of Plan Changes 33 and 38 without dilution.

- b) delegate minor editorial rights to the Chair and Deputy Chair of the Unitary Plan Committee, until the submission is made.
- c) That the issue of the Sites of Significance / Value to Mana Whenua is dealt with urgently by staff / Independent Māori Statutory Board / Te Waka Angamua and reported back to the Unitary Plan Committee.
- d) That Auckland Transport and Watercare be allowed to submit standalone separate submissions, to assist the Independent Hearings Panel's full understanding of the proposed overlay's potential impacts and costs.

CARRIED

Secretarial note: Pursuant to Standing Order 3.15.5, Cr CE Fletcher requested that her dissenting vote be recorded. The Mayor granted approval for her concerns to also be noted in the minutes, which she expressed as follows:

“Whilst I support the basic principles and general strategic direction of the plan, the process undertaken by Auckland Council has resulted in a failure to comprehensively assess critical issues. This has been compounded by the plan not being staged, which has led to a situation whereby sections of the overall zoning, rules and overlays are inconsistent with the core principles. As a consequence I believe the plan contains fundamental flaws and should be withdrawn.”

Cr J Watson requested that his endorsement of this statement be noted.

Cr WD Walker left the meeting at 12.01 pm.

12 Review of Auckland Council CCOs – Terms of Reference

MOVED by Mayor LCM Brown, seconded by Cr CE Fletcher:

That the Governing Body:

- a) approve the Terms of Reference for the review of Auckland Council, Council Controlled Organisations.

MOVED by Cr CM Casey, seconded by Cr RI Clow:

Cr CM Casey moved an amendment to the original recommendation as follows:

That the Governing Body:

- a) approve the Terms of Reference for the review of Auckland Council, Council Controlled Organisations, **with the following amendments:**
- i) OBJECTIVES 1. (a) - Add words in bold:

The objectives of the CCOs are:

1. To ensure the governance structures and accountability mechanisms:

- a) Facilitate appropriate alignment of the CCO operations with the Auckland Plan and other council strategies and policies **including “I Am Auckland – The Children and Young People’s Strategic Action Plan”** and the Māori Responsiveness Framework.

LOST

ii) SCOPE - Add in a new bullet point after bullet point one:

- **Whether any CCO activity/function would be better delivered by Council or by a different CCO or amalgamated CCOs**

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

<u>For</u>	<u>Against</u>	<u>Abstained</u>
Mayor LCM Brown	Cr CE Brewer	
Cr CM Casey	Cr WB Cashmore	
Cr RI Clow	Cr LA Cooper	
Cr C Darby	Cr DA Krum	
Cr AM Filipaina	Cr D Quax	
Cr CE Fletcher	Cr SL Stewart	
Deputy Mayor PA Hulse	Cr GS Wood	
Cr ME Lee		
Cr CM Penrose		
Cr JG Walker		
Cr J Watson		
Cr MP Webster		

The amendment was declared **CARRIED** by 12 votes to 7.

iii) Matters that will be out of scope include - Add words in bold:

- The structure of Auckland Transport which is governed by legislation (however there are other issues that will be reviewed and may result in a request for legislative change, e.g. the current responsibility for the development of transport strategy and bylaws **and a review of the delegations e.g. streetscape, footpaths, road reserves, berms**).

LOST

Secretarial note: The three clauses of Cr CM Casey’s amendment were put separately.

MOVED by Cr CE Brewer, seconded by Cr DA Krum:

Cr Brewer moved an amendment to the original recommendation as follows :

Add words in bold to bullet point 3 under SCOPE:

The appropriate mechanisms to ensure CCOs contribution to the development and delivery of broader council strategy and policy, **including Local Board Agreements and Plans**, its statutory obligations to Māori and reference to the Māori Plan for Tāmaki Makaurau.

CARRIED

12 The Chairperson put the substantive motion.

Resolution number GB/2014/15

MOVED by Mayor LCM Brown, seconded by Cr CE Fletcher:

That the Governing Body:

- a) **approve the Terms of Reference for the review of Auckland Council, Council Controlled Organisations, with the following amendments:**
- i) **SCOPE - Add in a new bullet point after bullet point one:**
 - **Whether any CCO activity/function would be better delivered by Council or by a different CCO or amalgamated CCOs**
 - ii) **SCOPE - Add words in bold to bullet point three:**
 - **The appropriate mechanisms to ensure CCOs contribution to the development and delivery of broader council strategy and policy, including Local Board Agreements and Plans, its statutory obligations to Māori and reference to the Māori Plan for Tāmaki Makaurau.**

CARRIED

Attachments

A Final CCO Review Terms of Reference as adopted

13 **Council Controlled Organisation Review - Current State Assessment**

Resolution number GB/2014/16

MOVED by Deputy Mayor PA Hulse, seconded by Cr RI Clow:

That the Governing Body:

- a) **receive the current state assessment reports, noting that the two reports provide feedback that will inform the Council Controlled Organisation review.**

CARRIED

Attachments

A IMSB response to CCO Review Current State Assessment

1.00pm The meeting adjourned.

1.37pm The meeting reconvened.

14 **Proposed Auckland Council membership on the Tūpuna Maunga o Tāmaki Makaurau Authority**

Resolution number GB/2014/17

MOVED by Cr LA Cooper, seconded by Cr CM Casey:

That the Governing Body:

- a) **agree that Auckland Council elected membership on the Tūpuna Maunga o Tāmaki Makaurau Authority comprise of three Governing Body and three local board members.**
- b) **appoint Cr WB Cashmore, Cr C Darby and Cr CE Fletcher as the three Governing Body members to the Tūpuna Maunga o Tāmaki Makaurau Authority.**

- c) invite the eight local boards within whose area the maunga are located to nominate three members to be appointed to the Tūpuna Maunga o Tāmaki Makaurau Authority by the Governing Body at its March meeting.
- d) invite the eight local boards to appoint a member each to a forum which will engage with the council members of the Tūpuna Maunga o Tāmaki Makaurau Authority on matters affecting the maunga.
- e) forward the report and recommendations to all local boards and the Independent Māori Statutory Board for their information.

CARRIED

15 Political Working Party for negotiations with the Independent Māori Statutory Board for 2014/15 Funding Agreement

Resolution number GB/2014/18

MOVED by Cr CE Fletcher, seconded by Deputy Mayor PA Hulse:

That the Governing Body:

- a) agree to establish a working party of elected members to conduct negotiations on behalf of the Governing Body for funding agreements with the Independent Māori Statutory Board in this electoral term.
- b) note the desirability of retaining some consistency of elected members from the previous working party for the Independent Māori Statutory Board funding agreement negotiations.
- c) appoint Crs WB Cashmore, RI Clow and MP Webster (Chair) as the members to the political working party for the Independent Māori Statutory Board funding agreement negotiations for the 2014/15 financial year and remaining years of this electoral term.
- d) delegate authority to the Independent Māori Statutory Board Funding Agreement Political Working Party to negotiate with the Independent Māori Statutory Board to achieve a recommend funding agreement for adoption by the Governing Body in each financial year of this electoral term.

CARRIED

16 Consideration of Extraordinary Items

16.1 LGNZ Special General Meeting

Resolution number GB/2014/19

MOVED by Cr CE Fletcher, seconded by Cr C Darby:

That the Governing Body:

- a) approve Cr MP Webster as its delegate to the LGNZ Special General Meeting on 13 March 2014 and authorise the Mayor to approve any additional delegates.
- b) authorise its delegates to the LGNZ Special General Meeting on 13 March 2014 to vote on behalf of Auckland Council as they deem best to be in the interests of Auckland Council.

CARRIED

Attachments

A LGNZ Special General Meeting Report

16.2 Extraordinary Business - Forest and Bird Public Input

Alan Emmerson, representing Forest & Bird spoke in the public input section of the meeting about saving the Northcross bush.

Resolution number GB/2014/20

MOVED by Mayor LCM Brown, seconded by Cr J Watson:

That the Governing Body:

- a) refer the matter regarding Northcross bush in Browns Bay to the Parks Recreation and Sport Committee for consideration.

CARRIED

17 Procedural motion to exclude the public

Resolution number GB/2014/21

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

That the Governing Body:

- a) exclude the public from the following part(s) of the proceedings of this meeting.
- b) agree that Andrew Harkness of Simpson Grierson be permitted to remain for Confidential Item C1 – Auckland Council Proposed Retail Bond Issue, after the public has been excluded, because of his knowledge of the matter 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 Auckland Council Proposed Retail Bond Issue

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 6.	s6(a) - The making available of the information would be likely to prejudice the maintenance of the law, including the prevention, investigation, and detection of offences and the right to a fair trial. In particular, the report contains a draft version of documents relating to the offer of securities to the public that cannot be released until a decision is made to proceed with the offer. To do	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 6.

	so will breach the Securities Act.	
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C2 Te Tiriti / Treaty Settlements Update

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)(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 information provided by the Crown to council in confidence on the understanding the information is negotiation sensitive between iwi / hapū and the Crown. If confidential information is made available, it will prejudice both those negotiations and the provision of similar information to council in the future.</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

1.59pm 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.

3.01pm The public was re-admitted.

RESTATEMENTS

It was resolved while the public was excluded:

C1 Auckland Council Proposed Retail Bond Issue

That the Governing Body:

- c) agree that recommendations (a) and (b) be restated in the public section of the minutes when Auckland Council's Legal Team has advised that it is an appropriate time to ensure compliance with the Securities Act.

C2 Te Tiriti / Treaty Settlements Update

Marutūāhu Settlement

That the Governing Body:

- n) agree that these decisions and report not be restated in the open section of the minutes until advised by the Crown that the obligation of confidentiality is removed.

Ngāi Tai ki Tāmaki Settlement

That the Governing Body:

- f) agree that these decisions and report not be restated in the open section of the minutes until advised by the Crown that the obligation of confidentiality is removed.

Ngāti Tamoho Settlement

That the Governing Body:

- b) agree that these decisions and report not be restated in the open section of the minutes until advised by the Crown that the obligation of confidentiality is removed.

3.01 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:.....