
Council Controlled Organisations Governance and Monitoring Committee

OPEN MINUTES

Minutes of a meeting of the Council Controlled Organisations Governance and Monitoring Committee held in the Reception Lounge, Level 2, Auckland Town Hall, 301-305 Queen Street, Auckland on Wednesday, 12 November 2014 at 1.45pm.

PRESENT

Chairperson	Deputy Mayor Penny Hulse	
Deputy Chairperson	Cr Calum Penrose	
Members	Cr Anae Arthur Anae	
	Cr Cameron Brewer	
	Cr Dr Cathy Casey	
	Member Precious Clark	
	Cr Ross Clow	From 2.45pm, Item 10
	Cr Linda Cooper, JP	
	Cr Chris Darby	
	Cr Dick Quax	
	Member Glenn Wilcox	
	Cr George Wood, CNZM	

APOLOGIES

Cr Penny Webster	Absence
Cr Denise Krum	Absence

ALSO PRESENT

Cr Bill Cashmore	
Cr Sir John Walker	From 2.44pm, Item 10
Cr Wayne Walker	From 2.58pm, Item 10

IN ATTENDANCE

Brian Donnelly, Chairperson Tamaki Redevelopment Company Limited
Deborah Lawson, Chief Executive Tamaki Redevelopment Company Limited

1 Apologies

Resolution number COU/2014/78

MOVED by Chairperson PA Hulse, seconded by Deputy Chairperson CM Penrose:

That the Council Controlled Organisations Governance and Monitoring Committee:

- a) **accept the apology from Cr MP Webster and Cr DA Krum for absence.**

CARRIED

2 Declaration of Interest

There were no declarations of interest.

3 Confirmation of Minutes

Resolution number COU/2014/79

MOVED by Chairperson PA Hulse, seconded by Member Clark:

That the Council Controlled Organisations Governance and Monitoring Committee:

- a) **confirm the ordinary minutes of its meeting, held on Tuesday, 7 October 2014, including the confidential section, as a true and correct record.**

CARRIED

4 Petitions

There were no petitions.

5 Public Input

The Chair accorded precedence to Item 5.2 at this stage.

5.2 Public Input - Penny Bright: Statutory compliance by all Auckland Council CCOs, regarding the rights of citizens and ratepayers to know where public rates are spent, including details of awarded contracts with private sector contractors

Penny Bright tabled information in support of her public input presentation. A copy has been placed on the official minutes and is available on the Auckland Council Website as a minutes attachment.

Resolution number COU/2014/80

MOVED by Chairperson PA Hulse, seconded by Cr CM Casey:

That the Council Controlled Organisations Governance and Monitoring Committee:

- a) **thank Penny Bright for her public input presentation on the statutory compliance by all Auckland Council CCOs, regarding the rights of citizens and ratepayers to know where public rates are spent, including details of awarded contracts with private sector contractors.**

CARRIED

Attachments

- A 12 November 2014, CCO Governance & Monitoring Committee, Item 5.2 - Penny Bright Tabled Information

5.1 Public Input - Lisa Prager: The failure of the Supercity to deliver a more cost effective return on investment, plus the current debt levels and the responsibility of all Auckland Councillors in the control CCOs

Cr AJ Anae left the meeting at 2.05 pm.

Cr AJ Anae returned to the meeting at 2.13 pm.

Resolution number COU/2014/81

MOVED by Chairperson PA Hulse, seconded by Cr CM Casey:

That the Council Controlled Organisations Governance and Monitoring Committee:

- a) **thank Lisa Prager for her public input presentation regarding the failure of the Supercity to deliver a more cost effective return on investment, plus the current debt levels and the responsibility of all Auckland Councillors in the control CCOs.**

CARRIED

6 Local Board Input

There was no local board input.

7 Extraordinary Business

There was no extraordinary business.

8 Notices of Motion

There were no notices of motion.

9 Tamaki Redevelopment Company Limited (TRC) - Annual Report (to 30 June 2014)

Resolution number COU/2014/82

MOVED by Deputy Chairperson CM Penrose, seconded by Cr D Quax:

That the Council Controlled Organisations Governance and Monitoring Committee:

- a) **receive the Annual report for the period 1 July 2013 to 30 June 2014 from the Tamaki Redevelopment Company Limited**
- b) **thank the Chair, Brian Donnelly and Chief Executive, Deborah Lawson from the Tamaki Redevelopment Company Limited for their attendance**
- c) **acknowledge Deborah Lawson's work as Chief Executive of the Tamaki Redevelopment Company Limited.**

CARRIED

10 CCO Letters of Expectation

A PowerPoint presentation was provided.

A copy has been placed on the official minutes and is available on the Auckland Council Website as a minutes attachment.

Cr J Walker entered the meeting at 2.44 pm.

Cr RI Clow entered the meeting at 2.45 pm.

Cr W Walker entered the meeting at 2.58 pm.

Cr RI Clow left the meeting at 3.10 pm.

Cr RI Clow returned to the meeting at 3.15 pm.

Member G Wilcox left the meeting at 3.29 pm.

Cr RI Clow left the meeting at 3.31 pm.

Secretarial note: Changes to the original motion were incorporated with agreement of the meeting.

Resolution number COU/2014/83

MOVED by Chairperson PA Hulse, seconded by Deputy Chairperson CM Penrose:

That the Council Controlled Organisations Governance and Monitoring Committee:

- a) **approve the 2015/2016 Letters of Expectation for Auckland Council Investments, Auckland Tourism Events and Economic Development, Regional Facilities Auckland Limited, and Waterfront Auckland**
- b) **approve the 2015/2016 Letter of Expectation for Auckland Transport as per changes agreed by the committee and highlighted under attachment B.**
- c) **approve the 2015/2016 Letter of Expectation for Watercare Services Limited as per changes agreed by the committee and highlighted under attachment C.**

CARRIED

Resolution number COU/2014/84

MOVED by Chairperson PA Hulse, seconded by Deputy Chairperson CM Penrose:

That the Council Controlled Organisations Governance and Monitoring Committee:

- d) **approve the 2015/2016 Letter of Expectation for Auckland Council Property Limited including the following addition (underlined):**
 - i) **“We expect Auckland Council Property Limited continued support in these areas, with particular focus on urban development, quality urban design and the provision of affordable housing”**

CARRIED

Secretarial note: Pursuant to Standing Order 3.15.5, Cr D Quax requested that his dissenting vote on d) be recorded.

Cr RI Clow returned to the meeting at 3.35 pm.

MOVED by Cr CM Casey, seconded by Chairperson PA Hulse:

That the Council Controlled Organisations Governance and Monitoring Committee:

- e) approve the following addition under *Issues of Importance* to the 2015/2016 Letter of Expectation for Auckland Council Investments:
 - i) "We request Auckland Council Investments to use their best endeavours to ensure the completion of a collective agreement between the Ports of Auckland and the Maritime Union of New Zealand"

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

<u>For</u>	<u>Against</u>	<u>Abstained</u>
Cr AJ Anae	Cr CE Brewer	
Cr CM Casey	Cr RI Clow	
Member P Clark	Cr LA Cooper	
Cr C Darby	Deputy Chairperson CM Penrose	
Chairperson PA Hulse	Cr D Quax	
	Cr GS Wood	

The division was declared LOST by 5 votes to 6.

Member G Wilcox returned to the meeting at 3.36 pm.

Resolution number COU/2014/85

MOVED by Chairperson PA Hulse, seconded by Deputy Chairperson CM Penrose:

That the Council Controlled Organisations Governance and Monitoring Committee:

- e) **authorise the Deputy Mayor to approve the final 2015/2016 Letters of Expectation for the substantive Council Controlled Organisations, incorporating:**
 - i) **changes agreed by this committee**
 - ii) **changes for final decisions agreed by this committee relating to CCOs on the draft Long-term Plan 2015-2025**
 - iii) **editorial changes.**

CARRIED

Attachments

- A 12 November 2014, CCO Governance & Monitoring Committee, Item 10 - CCO Letters of Expectation - PowerPoint Presentation: Letters of Expectation
- B 12 November 2014, CCO Governance & Monitoring Committee, Item 10 - CCO Letters of Expectation - Auckland Transport Letter of Expectation as per resolution b).
- C 12 November 2014, CCO Governance & Monitoring Committee, Item 10 - CCO Letters of Expectation - Watercare Services Limited Letter of Expectation as per resolution c).

11 Legacy CCOs - Annual Report to 2014

Resolution number COU/2014/86

MOVED by Chairperson PA Hulse, seconded by Cr LA Cooper:

That the Council Controlled Organisations Governance and Monitoring Committee:

- a) **receive the Annual reports of the Contemporary Art Foundation, Te Puru Community Charitable Trust and COMET Auckland.**

CARRIED

12 Voting at Civic Assurance Special General Meeting

Resolution number COU/2014/87

MOVED by Deputy Chairperson CM Penrose, seconded by Chairperson PA Hulse:

That the Council Controlled Organisations Governance and Monitoring Committee:

- a) **delegate to the Chief Finance Officer the power to vote or direct a proxy at the Special General Meeting of the New Zealand Local Government Insurance Corporation Limited (trading as Civic Assurance) to be held on Friday 5 December 2014.**

CARRIED

13 Consideration of Extraordinary Items

There was no consideration of extraordinary items.

14 Procedural motion to exclude the public

Resolution number COU/2014/88

MOVED by Deputy Chairperson CM Penrose, seconded by Cr LA Cooper:

That the Council Controlled Organisations Governance and Monitoring Committee:

- 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 Board Appointments Substantive Council Controlled Organisations (CCOs)

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)(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 information regarding candidates interviewed by Auckland Council for director vacancies on Regional Facilities Auckland and Waterfront Auckland. This information needs to be withheld to protect the privacy of those individuals.</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 Appointments to a legacy CCO

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)(a) - The withholding of the information is necessary to protect the privacy of natural persons, including that of a deceased person. In particular, the report contains specific information about potential board appointments for a legacy council controlled organisation (Manukau Beautification Charitable Trust). This information needs to be withheld to protect the privacy of the individuals.	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

3.38pm 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.

3.46pm The public was re-admitted.

RESTATEMENTS

It was resolved while the public was excluded:

C1 Board Appointments Substantive Council Controlled Organisations (CCOs)

Resolution number COU/2014/89

MOVED by Cr RI Clow, seconded by Cr LA Cooper:

That the Council Controlled Organisations Governance and Monitoring Committee:

- d) agree that the report and attachments regarding board appointments to substantive council controlled organisations remain confidential, and only decisions a), b) and c) be made publicly available when the appointees have been notified.

C2 Appointments to a legacy CCO

Resolution number COU/2014/90

MOVED by Cr GS Wood, seconded by Deputy Chairperson CM Penrose:

That the Council Controlled Organisations Governance and Monitoring Committee:

- c) agree that the report and attachments regarding appointments to a legacy council controlled organisation remain confidential, and only decisions a) and b) be made publicly available when the appointees have been notified.

3.46 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 COUNCIL CONTROLLED
ORGANISATIONS GOVERNANCE AND
MONITORING COMMITTEE HELD ON

DATE:.....

CHAIRPERSON:.....