
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 Tuesday, 2 December 2014 at 9.30am.

PRESENT

Chairperson	Deputy Mayor Penny Hulse	From 10.18am, Item 9
Deputy Chairperson	Cr Calum Penrose	
Members	Cr Anae Arthur Anae	From 9.41am, Item 5.1, Until 12.12pm, Item 9
	Cr Cameron Brewer	From 9.42am, Item 5.1
	Cr Dr Cathy Casey	
	Member Precious Clark	Until 12.17pm, Item 9
	Cr Ross Clow	
	Cr Linda Cooper, JP	Until 12.55pm, Item 9
	Cr Chris Darby	
	Cr Dick Quax	From 9.50am, Item 5.1
	Cr Penny Webster	
	Member Glenn Wilcox	
Ex-officio	Cr George Wood, CNZM	Until 12.32pm, Item 9
	Mayor Len Brown, JP	From 10.23am, Item 9, Until 12.17am, Item 9

APOLOGIES

Cr Denise Krum	Absence
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ALSO PRESENT

Cr Bill Cashmore

1 Apologies

Resolution number COU/2014/91

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

That the Council Controlled Organisations Governance and Monitoring Committee:

- a) **accept the apology from Cr DA Krum for absence, and from Chairperson PA Hulse, Mayor LCM Brown, and Cr D Quax for lateness.**

CARRIED

2 Declaration of Interest

There were no declarations of interest.

3 Confirmation of Minutes

Resolution number COU/2014/92

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

That the Council Controlled Organisations Governance and Monitoring Committee:

- a) **confirm the ordinary minutes of its meeting, held on Wednesday, 12 November 2014, including the confidential section, as a true and correct record.**

CARRIED

4 Petitions

There were no petitions.

5 Public Input

5.1 Public Input - Peter Atkinson and Mark Champion, Employers and Manufacturers Association: Wastewater differential charge applied against the non-domestic sector by Watercare

Cr AJ Anae entered the meeting at 9.41 am.

Cr CE Brewer entered the meeting at 9.42 am.

Cr D Quax entered the meeting at 9.50 am.

Resolution number COU/2014/93

MOVED by Cr GS Wood, seconded by Cr CE Brewer:

That the Council Controlled Organisations Governance and Monitoring Committee:

- a) **thank Peter Atkinson and Mark Champion for their public input presentation regarding the wastewater differential charge applied against the non-domestic sector by Watercare**
- b) **receive the written presentation by Peter Atkinson and Mark Champion regarding the wastewater differential charge applied against the non-domestic sector by Watercare**
- c) **request that the matters raised by the EMA on the non-domestic wastewater tariff be referred for a report from Watercare.**

CARRIED

Attachments

- A 2 December 2014, CCO Governance & Monitoring Committee, Item 5.1 - Peter Atkinson and Mark Champion Tabled Information

6 Local Board Input

There was no local board input.

7 Extraordinary Business

7.1 Substantive Council Controlled Organisations (CCOs) and Extraordinary Business - Tamaki Redevelopment Company Limited (TRC) - Shareholders' Annual General Meeting

Resolution number COU/2014/94

MOVED by Cr LA Cooper, seconded by Cr MP Webster:

That the CCO Governance and Monitoring Committee:

- a) **consider an extraordinary item regarding Substantive Council Controlled Organisations (CCOs) and Extraordinary Business - Tamaki Redevelopment Company Limited (TRC) - Shareholders' Annual General Meeting at item 11.1 of this agenda:**
 - i) **the reason the matter was not on the agenda is that at the time the agenda was finalised the Crown had not yet decided whether to hold an AGM for the TRC, and therefore this report could not be finalised.**
 - ii) **the reason for urgency being that the substantive CCOs and TRC are required to either hold an AGM, or pass a shareholders resolution in lieu of an AGM, by 31 December 2014.**

CARRIED

8 Notices of Motion

There were no notices of motion.

9 Substantive CCO First quarter reports

Chairperson PA Hulse entered the meeting at 10.18 am.

Mayor LCM Brown entered the meeting at 10.23 am.

Resolution number COU/2014/95

MOVED by Deputy Chairperson CM Penrose, seconded by Cr AJ Anae:

That the Council Controlled Organisations Governance and Monitoring Committee:

- a) **receive the report for the first quarter ending 30 September 2014 from Watercare Services Ltd**
- b) **note that Watercare Services Ltd has expressed concerns regarding herbicide spraying in the Hunua Ranges, and has advised council of those concerns**

CARRIED

The Deputy Chair vacated the Chair at 10.29am.

The Chairperson assumed the Chair at 10.29am.

Deputy Chairperson CM Penrose left the meeting at 11.19 am.

Deputy Chairperson CM Penrose returned to the meeting at 11.26 am.

Mayor LCM Brown left the meeting at 11.51 am.

Cr RI Clow left the meeting at 11.55 am.
Cr AJ Anae left the meeting at 12.12 pm.
Member P Clark left the meeting at 12.17 pm.
Cr GS Wood left the meeting at 12.32 pm.

Resolution number COU/2014/96

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

That the Council Controlled Organisations Governance and Monitoring Committee:

- c) receive the report for the first quarter ending 30 September 2014 from Auckland Council Property Ltd.**
- d) receive the report for the first quarter ending 30 September 2014 from Auckland Waterfront Development Agency Ltd.**
- e) receive the report for the first quarter ending 30 September 2014 from Auckland Council Investments Ltd.**
- f) receive the report for the first quarter ending 30 September 2014 from Auckland Tourism, Events and Economic Development Ltd.**
- g) receive the report for the first quarter ending 30 September 2014 from Regional Facilities Auckland.**
- h) receive the report for the first quarter ending 30 September 2014 from Auckland Transport**

CARRIED

Attachments

- A 2 December 2014, CCO Governance & Monitoring Committee, Item 9 - ATEED Q1 2014 Discussion Presentation

The meeting adjourned at 12.36pm.
The meeting reconvened at 12.55pm.

Cr LA Cooper left the meeting at 12.55 pm.

10 Modified Auckland Transport Statement of Intent 2014-2017

Resolution number COU/2014/97

MOVED by Cr C Darby, seconded by Chairperson PA Hulse:

That the Council Controlled Organisations Governance and Monitoring Committee:

- a) agree to the modified Auckland Transport Statement of Intent 2014-2017**
- b) note the intention of Auckland Transport to maintain New Zealand Transport Agency capital funding at the existing levels for 2014/2015**
- c) note the \$26m reduction in public transport funding (2014/15 revised), notwithstanding the Finance and Performance Committee resolution of 21 August 2014, which sought to maintain public transport outcomes**
- d) note that the revised budget includes an increase in total walking and cycling capital spend of \$10.5m in the revised Statement of Intent.**

CARRIED

Secretarial Note: Pursuant to Standing Order 3.15.5, Cr C Casey requested that her dissenting vote be recorded.

11 Consideration of Extraordinary Items

11.1 Extraordinary Item - Substantive Council Controlled Organisations (CCOs) and Tamaki Redevelopment Company Limited (TRC) - Shareholders' Annual General Meeting

Resolution number COU/2014/98

MOVED by Deputy Chairperson CM Penrose, seconded by Cr C Darby:

That the Council Controlled Organisations Governance and Monitoring Committee:

- a) agree that Deputy Mayor Penny Hulse, as chair of the CCO Governance and Monitoring Committee, be authorised as Auckland Council's shareholder representative to execute a written resolution in lieu of an annual meeting of the shareholder for the following companies:
 - i) Auckland Council Investments Limited;
 - ii) Auckland Council Property Limited;
 - iii) Auckland Tourism, Events and Economic Development Limited;
 - iv) Auckland Waterfront Development Agency Limited;
 - v) Regional Facilities Auckland Limited; and
 - vi) Watercare Services Limited.
- b) agree that Deputy Mayor Penny Hulse be authorised to execute any document or shareholder resolution on behalf of Auckland Council, and give any notifications to the CCOs as necessary or convenient to give effect to the foregoing resolutions.
- c) agree that Deputy Mayor Penny Hulse, as chair of the CCO Governance and Monitoring Committee, be authorised by Auckland Council as its representative of the jointly owned company Tamaki Redevelopment Company Limited to:
 - i) execute a written shareholders resolution in lieu of an annual meeting of the shareholder; or
 - ii) vote on Auckland Council's behalf at an Annual General Meeting of the Company; or
 - iii) execute a proxy form on behalf of Auckland Council.
- d) agree that Deputy Mayor Penny Hulse be authorised to execute any document or shareholder resolution on behalf of Auckland Council, and give any notifications to the jointly owned company Tamaki Redevelopment Company Limited as necessary or convenient to give effect to the foregoing resolutions, if required.

CARRIED

12 Procedural motion to exclude the public

Cr D Quax left the meeting at 1.33 pm.
Resolution number COU/2014/99

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

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 Reappointment of trustee to a legacy CCO and advice of change to a legacy CCO trust board

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 a potential board appointment for a legacy Council Controlled Organisation (Arts Regional Trust). This information needs to be withheld to protect the privacy of the individual.	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.

CARRIED

1.33pm 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.

1.34pm The public was re-admitted.

RESTATEMENTS

It was resolved while the public was excluded:

C1 Reappointment of trustee to a legacy CCO and advice of change to a legacy CCO trust board

Resolution number COU/2014/100

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

That the Council Controlled Organisations Governance and Monitoring Committee:

- b) agree that the report and attachments regarding reappointment to a legacy council controlled organisation remain confidential, and only decision a) be made publicly available when the appointee has been notified.

1.34 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:.....