

I hereby give notice that an ordinary meeting of the Council Controlled Organisations Governance and Monitoring Committee will be held on:

Date: Tuesday, 2 June 2015
Time: 10.00am
Meeting Room: Rooms 1 and 2, Level 26
Venue: 135 Albert Street
Auckland

Council Controlled Organisations Governance and Monitoring Committee

OPEN AGENDA

MEMBERSHIP

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
	Cr Linda Cooper, JP
	Cr Chris Darby
	Cr Denise Krum
	Cr Dick Quax
	Cr Penny Webster
	Member Glenn Wilcox
	Cr George Wood, CNZM
Ex-officio	Mayor Len Brown, JP

(Quorum 7 members)

Jaimee Maha
Democracy Advisor

26 May 2015

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TERMS OF REFERENCE

Responsibilities

The committee will undertake the Auckland Council's responsibilities for CCOs through:

- Setting policy relating to CCO governance
- Director appointments
- Approving SOIs
- Monitoring performance
- The committee will also have responsibility for the oversight of, and making appointments to, Council Organisations and exempt CCOs and COs

Powers

- (i) All powers necessary to perform the committee's responsibilities.

Except:

(a) powers that the Governing Body cannot delegate or has retained to itself (see Governing Body responsibilities)

(b) where the committee's responsibility is limited to making a recommendation only

- (ii) Power to establish subcommittees.

EXCLUSION OF THE PUBLIC – WHO NEEDS TO LEAVE THE MEETING

Members of the public

All members of the public must leave the meeting when the public are excluded unless a resolution is passed permitting a person to remain because their knowledge will assist the meeting.

Those who are not members of the public

General principles

- Access to confidential information is managed on a “need to know” basis where access to the information is required in order for a person to perform their role.
- Those who are not members of the meeting (see list below) must leave unless it is necessary for them to remain and hear the debate in order to perform their role.
- Those who need to be present for one confidential item can remain only for that item and must leave the room for any other confidential items.
- In any case of doubt, the ruling of the chairperson is final.

Members of the meeting

- The members of the meeting remain (all Governing Body members if the meeting is a Governing Body meeting; all members of the committee if the meeting is a committee meeting).
- However, standing orders require that a councillor who has a pecuniary conflict of interest leave the room.
- All councillors have the right to attend any meeting of a committee and councillors who are not members of a committee may remain, subject to any limitations in standing orders.

Staff

- All staff supporting the meeting (administrative, senior management) remain.
- Only staff who need to because of their role may remain.

Local Board members

- Local Board members who need to hear the matter being discussed in order to perform their role may remain. This will usually be if the matter affects, or is relevant to, a particular Local Board area.

IMSB

- Members of the IMSB who are appointed members of the meeting remain.
- Other IMSB members and IMSB staff remain if this is necessary in order for them to perform their role.

CCOs

Representatives of a CCO can remain only if required to for discussion of a matter relevant to the CCO.

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This report was not available at the time the agenda was compiled, and will be distributed under an addendum agenda.

11 Consideration of Extraordinary Items

PUBLIC EXCLUDED

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1 Apologies

At the close of the agenda no apologies had been received.

2 Declaration of Interest

Members are reminded of the need to be vigilant to stand aside from decision making when a conflict arises between their role as a member and any private or other external interest they might have.

3 Confirmation of Minutes

That the Council Controlled Organisations Governance and Monitoring Committee:

- a) confirm the ordinary minutes of its meeting, held on Tuesday, 12 May 2015, including the confidential section, as a true and correct record.

4 Petitions

At the close of the agenda no requests to present petitions had been received.

5 Public Input

Standing Order 3.21 provides for Public Input. Applications to speak must be made to the Committee Secretary, in writing, no later than **two (2)** working days prior to the meeting and must include the subject matter. The meeting Chairperson has the discretion to decline any application that does not meet the requirements of Standing Orders. A maximum of **thirty (30) minutes** is allocated to the period for public input with **five (5)** minutes speaking time for each speaker.

At the close of the agenda no requests for public input had been received.

6 Local Board Input

Standing Order 3.22 provides for Local Board Input. The Chairperson (or nominee of that Chairperson) is entitled to speak for up to **five (5)** minutes during this time. The Chairperson of the Local Board (or nominee of that Chairperson) shall wherever practical, give **two (2)** days notice of their wish to speak. The meeting Chairperson has the discretion to decline any application that does not meet the requirements of Standing Orders.

This right is in addition to the right under Standing Order 3.9.14 to speak to matters on the agenda.

At the close of the agenda no requests for local board input had been received.

7 Extraordinary Business

Section 46A(7) of the Local Government Official Information and Meetings Act 1987 (as amended) states:

“An item that is not on the agenda for a meeting may be dealt with at that meeting if-

- (a) The local authority by resolution so decides; and
- (b) The presiding member explains at the meeting, at a time when it is open to the

public,-

- (i) The reason why the item is not on the agenda; and
- (ii) The reason why the discussion of the item cannot be delayed until a subsequent meeting.”

Section 46A(7A) of the Local Government Official Information and Meetings Act 1987 (as amended) states:

“Where an item is not on the agenda for a meeting,-

- (a) That item may be discussed at that meeting if-
 - (i) That item is a minor matter relating to the general business of the local authority; and
 - (ii) the presiding member explains at the beginning of the meeting, at a time when it is open to the public, that the item will be discussed at the meeting; but
- (b) no resolution, decision or recommendation may be made in respect of that item except to refer that item to a subsequent meeting of the local authority for further discussion.”

8 Notices of Motion

At the close of the agenda no requests for notices of motion had been received.

Voting at Civic Assurance Annual General Meeting

File No.: CP2015/09468

Purpose

1. To delegate to the Chief Financial Officer the power to vote or direct a proxy at the Annual General Meeting of the New Zealand Local Government Insurance Corporation Limited (trading as Civic Assurance) to be held on Thursday 18 June 2015 and at all future Annual General Meetings.

Executive summary

2. Civic Assurance are to hold an Annual General Meeting on Thursday 18 June 2015 to consider passing resolutions relating to the adoption of the Annual Report, the appointment of directors and the appointment and remuneration of the auditor.
3. Auckland Council's Chief Financial Officer intends to support the resolutions.

Recommendation/s

That the Council Controlled Organisations Governance and Monitoring Committee:

- a) delegate to the Chief Financial 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 Thursday 18 June 2015 and at future Annual General Meetings.

Comments

4. The New Zealand Local Government Insurance Corporation trading as Civic Assurance ("Civic") was established in April 1961 as a local-government owned insurance and financial services company, and with 67 out of 78 councils in New Zealand as shareholders. Auckland Council is the largest shareholder with a 19.9 per cent shareholding (2,195,042 shares), as at 31 December 2014.
5. The proposed resolutions are standard in nature and involve:
 - receiving the Annual Report for the year ended 31 December 2014;
 - approving the re-appointment of Messrs JB Melville and BJ Morrison as directors; and
 - recording the appointment and remuneration of the auditors.
6. Civic made a before-tax profit of \$1.099 million in 2014 after four years of losses.
7. The losses in 2010-13 were a direct result of the 2010-11 Canterbury earthquakes.
8. Civic's claims paying ability rating as at 1 May 2015 from AM Best remains at B+ (good) with a negative outlook.
9. Messrs JB Melville and BJ Morrison are both current directors who are due to retire from office by rotation but have offered themselves for re-election.
10. The Auditor-General has appointed Mr D Shadwell of Deloitte to undertake the audit.
11. Auckland Council's Chief Financial Officer intends to support the resolutions.

Consideration

Local board views and implications

12. Local boards were not consulted on this report as a region-wide issue and not specific to a particular local board.

Māori impact statement

13. The decision to delegate to the Chief Financial Officer the power to vote or direct a proxy is not a significant decision for Maori.

Implementation

14. No implementation issues have been identified.

Attachments

There are no attachments for this report.

Signatories

Authors	John Bishop - Treasurer and Manager CCO Governance & External Partnerships
Authorisers	Sue Tindal - Chief Financial Officer Stephen Town - Chief Executive

Exclusion of the Public: Local Government Official Information and Meetings Act 1987

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 Appointments to a legacy CCO and council organisations

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 (COMET).	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.

C2 Auckland Council Council Controlled Organisations (CCOs) and Tamaki Redevelopment Company Limited : Board Appointments

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 information about the privacy of individuals who have applied for director vacancies on Auckland Council's Council Controlled Organisations (CCOs) and Tamaki Redevelopment Company Limited.	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.