
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, 25 June 2015 at 9.30am.

PRESENT

| | | |
|--------------------|--------------------------------|-------------------------|
| Mayor | Len Brown, JP | |
| Councillors | Cr Anae Arthur Anae | |
| | Cr Cameron Brewer | |
| | Cr Dr Cathy Casey | |
| | Cr Bill Cashmore | |
| | Cr Ross Clow | |
| | Cr Linda Cooper, JP | Until 3.04pm, Item 17 |
| | Cr Chris Darby | |
| | Cr Alf Filipaina | |
| | Cr Hon Christine Fletcher, QSO | Until 3.57pm, Item 10.1 |
| | Cr Denise Krum | Until 4.11pm, Item 21 |
| | Cr Mike Lee | Until 3.04pm, Item 17 |
| | Cr Calum Penrose | |
| | Cr Dick Quax | |
| | Cr Sharon Stewart, QSM | |
| | Cr Wayne Walker | |
| | Cr John Watson | |
| | Cr Penny Webster | |
| | Cr George Wood, CNZM | |

ABSENT

Deputy Mayor Penny Hulse
Cr John Walker

1 Affirmation

His Worship the Mayor read the affirmation.

2 Apologies

Resolution number GB/2015/48

MOVED by Mayor LCM Brown, seconded by Cr AM Filipaina:

That the Governing Body:

- a) **accept the apologies from Deputy Mayor PA Hulse and Cr JG Walker for absence.**

CARRIED

3 Declaration of Interest

Cr AM Filipaina subsequently declared an interest at Item 18 – Proposal to adopt an Auckland Council Traffic Bylaw.

4 Confirmation of Minutes

Resolution number GB/2015/49

MOVED by Mayor LCM Brown, seconded by Cr WB Cashmore:

That the Governing Body:

- a) **confirm the ordinary minutes of its meeting, held on Thursday, 28 May 2015, including the confidential section, as a true and correct record.**

CARRIED

5 Acknowledgements and Achievements

5.1 Acknowledgements

His Worship the Mayor acknowledged the passing of Sir Peter Williams QC and a moment of silence was observed

Achievements

A document noting Auckland Council Group's achievements was tabled. A copy has been placed on the official minutes and is available on the Auckland Council website as a minutes attachment.

Attachments

- A 25 June 2015 - Item 5.1 - Auckland Council's Group Achievements June 2015

6 Petitions

There were no petitions.

7 Public Input

7.1 Public Input - Penny Bright – Auckland Transport and public transport subsidy

Ms Bright tabled information in support of her presentation. A copy has been placed on the official minutes and is available as a minutes attachment.

Resolution number GB/2015/50

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

That the Governing Body:

- a) **receive Penny Bright's presentation regarding Auckland Transport and public transport subsidy.**

CARRIED

Attachments

A 25 June 2015 - Governing Body - Item 7.1 - supporting information

8 Local Board Input

There was no local board input.

9 Extraordinary Business

There was no extraordinary business.

10 Notices of Motion

This item was considered prior to Item 21 – Procedural motion to exclude the public.

11 Adoption of Contributions Policy and Revenue and Financing Policy

Resolution number GB/2015/51

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

That the Governing Body:

- a) **adopt the Contributions Policy (Attachment A to the agenda report).**
- b) **adopt the Revenue and Financing Policy (Attachment B to the agenda report).**

CARRIED

12 Amendment to remission scheme for licence to occupy retirement villages and Papakainga

Local Board feedback was tabled at the meeting. A copy has been placed on the official minutes and is available on the Auckland Council website as a minutes attachment.

Resolution number GB/2015/52

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

That the Governing Body:

- a) **adopt the amendment to the rates remission scheme for residents of licence to occupy retirement villages and Papakāinga housing (Attachment A to the agenda report) for inclusion in the rates remission and postponement policy.**

CARRIED

Attachments

A 26 June 2015 - Governing Body - Item 12 - Local Board Feedback

13 Local content for the Long-term Plan 2015-2025

Resolution number GB/2015/53

MOVED by Cr C Darby, seconded by Cr WB Cashmore:

That the Governing Body:

- a) **note that:**
 - i) **all 21 local boards have adopted local content for the Long-term Plan 2015-2025, including a Local Board Agreement 2015/2016, a message from the chair and local board advocacy.**
 - ii) **local content forms Volume 3 of the Long-term Plan 2015-2025.**

CARRIED

14 Tūpuna Maunga Annual Operational Plan 2015/2016

Resolution number GB/2015/54

MOVED by Cr CE Fletcher, seconded by Cr AM Filipaina:

That the Governing Body:

- a) **note that, under the Ngā Mana Whenua o Tāmaki Makaurau Collective Redress Act 2014, the Tūpuna Maunga o Tāmaki Makaurau Authority and Auckland Council must agree the Tūpuna Maunga Annual Operational Plan.**
- b) **note the Tūpuna Maunga o Tāmaki Makaurau Authority adopted the Tūpuna Maunga Annual Operational Plan 2015/2016 on 8 June 2015.**
- c) **note that the budget for the Tūpuna Maunga Annual Operational Plan 2015/2016 was approved by the Budget Committee and Governing Body on 7 - 8 May 2015.**
- d) **agree the Tūpuna Maunga Annual Operational Plan 2015/2016 (Attachment A to the agenda report).**
- e) **note that, once the Tūpuna Maunga Annual Operational Plan 2015/2016 has been agreed, a summary will be adopted for inclusion in the Long-term Plan 2015-2025.**

CARRIED

15 Adoption of the Auckland Council Long-term Plan 2015-2025 (the ten-year budget)

Lyn Provost, Controller and Auditor-General of New Zealand was present for this item. A copy of the Independent Auditor report on the Auckland Council Group Long-term Plan 2015-2025, together with a document (Change Log) noting the changes in the Long-term Plan 2015-2025 were tabled. Copies have been placed on the official minutes and are available on the Auckland Council website as minutes attachments.

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

That the Governing Body:

- a) adopt the funding agreement for the Independent Māori Statutory Board for the 2015/2016 financial year, as approved by the Finance and Performance Committee on 21 May 2015.
- b) note that the council's policy of moving towards fully funding depreciation by 2025 means that for three of the next 10 years, the council's operating revenue (adjusted for items such as vested assets and development contributions) is less than the council's total operating expenditure (including depreciation) and agree that this is financially prudent.
- c) adopt the Long-term Plan 2015-2025 (the ten-year budget), including 21 local board agreements.
- d) delegate the authority and responsibility for agreeing minor editorial changes and the correction of minor errors to the Long-term Plan 2015-2025 document to the Chair or Deputy Chair of the Finance and Performance Committee, and the Chief Finance Officer.
- e) agree that following the adoption of the Long-term Plan 2015-2025, staff complete activity to close the consultation loop with Aucklanders.
- f) note that additional work will be undertaken to inform the 2016/2017 Annual Plan on a number of issues including:
 - i) an independent review of rail costs
 - ii) level of transport levy
 - iii) managing the impacts of significant rate increases
 - iv) additional revenue sources including asset recycling and alternate sources of financing
 - v) review of Ports of Auckland Ltd capital expenditure through Auckland Council Investments Ltd.

The meeting was adjourned at 11.17am

The meeting reconvened at 11.26am

The meeting was adjourned at 12.29pm

The meeting reconvened at 1.01pm. Cr J Watson was not present.

Cr J Watson returned to the meeting at 1.09 pm.

Amendment MOVED by Cr CE Brewer, seconded by Cr D Quax:

That the Governing Body:

- g) instruct the Chief Executive, that as part of the 2016/2017 Annual Plan budget preparations, he presents options that commit to the transport targeted levy but at \$58.99 from each ratepayer, a number referred to in the original Long-term Plan 2015-2025 public consultation, and for the remainder to be found within existing council budgets, noting it would equate to less than one per cent of the organisation's operating expenditure and include reviewing rail costs and that the Governing Body note the level of the Uniform Annual General Charge will be reviewed annually.

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

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

The amendment was declared LOST by 9 votes to 10.

The substantive motion was put in parts.

Resolution number GB/2015/55

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

That the Governing Body:

- a) adopt the funding agreement for the Independent Māori Statutory Board for the 2015/2016 financial year, as approved by the Finance and Performance Committee on 21 May 2015.

CARRIED

Secretarial note: Pursuant to Standing Order 1.8.6, Crs CE Brewer, D Quax, SL Stewart and GS Wood requested that their dissenting votes against clause a) be recorded.

Resolution number GB/2015/56

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

That the Governing Body:

- b) note that the council's policy of moving towards fully funding depreciation by 2025 means that for three of the next ten years, the council's operating revenue (adjusted for items such as vested assets and development contributions) is less than the council's total operating expenditure (including depreciation) and agree that this is financially prudent.

CARRIED

Resolution number GB/2015/57

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

That the Governing Body:

- c) adopt the Long-term Plan 2015-2025 (the ten-year budget), including 21 local board agreements.

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 | |
| Mayor LCM Brown | Cr CM Casey | |
| Cr WB Cashmore | Cr RI Clow | |
| Cr LA Cooper | Cr CE Fletcher | |
| Cr C Darby | Cr DA Krum | |
| Cr AM Filipaina | Cr D Quax | |
| Cr ME Lee | Cr SL Stewart | |
| Cr CM Penrose | Cr J Watson | |
| Cr WD Walker | Cr GS Wood | |
| Cr MP Webster | | |

The motion was declared CARRIED by 10 votes to 9.

CARRIED

Resolution number GB/2015/58

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

That the Governing Body:

- d) delegate the authority and responsibility for agreeing minor editorial changes and the correction of minor errors to the Long-term Plan 2015-2025 document to the Chair or Deputy Chair of the Finance and Performance Committee, and the Chief Finance Officer.

CARRIED

Resolution number GB/2015/59

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

That the Governing Body:

- e) agree that following the adoption of the Long-term Plan 2015-2025, staff complete activity to close the consultation loop with Aucklanders.

CARRIED

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

Resolution number GB/2015/60

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

That the Governing Body:

- f) note that additional work will be undertaken to inform the 2016/2017 Annual Plan on a number of issues including:

- i) an independent review of rail costs
- ii) level and composition of the transport targeted rate
- iii) the level of the general rate of 3.2 per cent
- iv) managing the impacts of significant rate increases
- v) review of Ports of Auckland Ltd capital expenditure through Auckland Council Investments Ltd.
- vi) annual review of the Uniform Annual General Charge.

CARRIED

Secretarial note: Pursuant to Standing Order 1.8.6, Cr CE Fletcher requested that her dissenting vote against clauses a) – f) be recorded.

Secretarial note: Cr C Darby requested that his dissenting vote be recorded for the following items in the Long-term Plan 2015-2025:

- 13 - 3. Governance Support d)
- 3. Parks, Community and Lifestyle e)
- 3. Economic and Cultural Development a)
- 9. Rates policy decisions a).

For clarity, the full resolutions are as follows:

That the Governing Body:

- a) **adopt the funding agreement for the Independent Māori Statutory Board for the 2015/2016 financial year, as approved by the Finance and Performance Committee on 21 May 2015.**
- b) **note that the council's policy of moving towards fully funding depreciation by 2025 means that for three of the next 10 years, the council's operating revenue (adjusted for items such as vested assets and development contributions) is less than the council's total operating expenditure (including depreciation) and agree that this is financially prudent.**
- c) **adopt the Long-term Plan 2015-2025 (the ten-year budget), including 21 local board agreements.**
- d) **delegate the authority and responsibility for agreeing minor editorial changes and the correction of minor errors to the Long-term Plan 2015-2025 document to the Chair or Deputy Chair of the Finance and Performance Committee, and the Chief Finance Officer.**
- e) **agree that following the adoption of the Long-term Plan 2015-2025, staff complete activity to close the consultation loop with Aucklanders.**
- f) **note that additional work will be undertaken to inform the 2016/2017 Annual Plan on a number of issues including:**
 - i) **an independent review of rail costs**
 - ii) **level and composition of the transport targeted rate**
 - iii) **the level of the general rate of 3.2 per cent**
 - iv) **managing the impacts of significant rate increases**
 - v) **review of Ports of Auckland Ltd capital expenditure through Auckland Council Investments Ltd.**
 - vi) **annual review of the Uniform Annual General Charge.**

Attachments

- A 25 June 2015 - Governing Body - Item 15 - Long-term Plan 2015-2025 Change Log
- B 25 June 2015 - Governing Body - Item 15 - Independent Auditor report on Auckland Council Group Long-term Plan 2015-2025

16 Rates setting 2015/2016

Resolution number GB/2015/61

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

That the Governing Body:

- a) **resolve under the Local Government (Rating) Act 2002 to set rates for the 2015/2016 financial year and to authorise the addition of penalties as follows:**
- i) **that a Uniform Annual General Charge be set, for all rateable land, at \$385.00 (including GST) per separately used or inhabited part of a rating unit.**
 - ii) **that a general rate be set for all rateable land based on the capital value of the land and at different rates in the dollar for different categories of land as set out in the table below:**

| Category | Rate in the dollar of capital value (including GST) |
|-------------------------|-----------------------------------------------------|
| Urban business | 0.00680685 |
| Franklin urban business | 0.00660375 |
| Urban residential | 0.00246777 |
| Rural business | 0.00612007 |
| Franklin rural business | 0.00594733 |
| Rural residential | 0.00222099 |
| Farm/lifestyle | 0.00197422 |
| No road access | 0.00061694 |
| Uninhabitable islands | 0 |

- iii) **that a transport targeted rate be set for all rateable land except land in the Uninhabitable Islands category, per separately used or inhabited part of a rating unit (SUIP) and differentially for different categories of land, as follows:**

| Categories | Amount of rate per SUIP (\$) (including GST) |
|-------------------------------------------------------------------------------------|----------------------------------------------|
| Urban business, Franklin urban business, rural business and Franklin rural business | 182.85 |
| Urban residential, rural residential, farm/lifestyle and no road access | 113.85 |

- iv) **that waste management targeted rates be set differentially for different categories of land at different fixed amounts as set out in the table below:**

| Category | Type of waste management targeted rate | Amount of rate (\$ including GST) | Basis for charging |
|------------------------------------------|----------------------------------------------------|-----------------------------------|-----------------------|
| Rating units in the former Auckland City | Waste management – full service | 225.56 | Per available service |
| | Waste management – where refuse opt out applies | 96.74 | Per available service |
| | Waste management – where recycling opt out applies | 155.43 | Per available service |
| | Waste management – | 26.61 | Per |

| | | | |
|---------------------------------------------------------------------------------------|-------------------------------------------------|--------|----------------------|
| | where both refuse and recycling opt out applies | | available service |
| | Waste management – additional recycling charge | 70.13 | Per service provided |
| Rating units in the former Franklin District where a service is provided or available | Waste management – refuse collection | 31.34 | Per SUIP |
| Rating units in the former Franklin District where a service is provided or available | Waste management – recycling collection | 70.13 | Per SUIP |
| Rating units in the former Manukau City where a service is provided or available | Waste management | 225.56 | Per SUIP |
| Rating units in the former North Shore City where a service is provided or available | Waste management | 88.68 | Per SUIP |
| Rating units in the former Papakura District where a service is provided or available | Waste management | 101.47 | Per SUIP |
| Rating units in the former Rodney District where a service is provided or available | Waste management | 103.23 | Per SUIP |
| Rating units in the former Waitākere City where a service is provided or available | Waste management | 88.68 | Per SUIP |

For these purposes the various waste services are as set out in the Auckland Waste Management and Minimisation Plan.

- v) that a city centre targeted rate be set differentially for all rateable land in the urban business and urban residential differential categories, as defined for the purposes of the general rate, in the central area, of an amount of \$0.00182181 (including GST) per dollar of the capital value of the rating unit for urban business rating units and of a fixed amount of \$57.50 (including GST) per separately used or inhabited part of a rating unit for urban residential rating units.
- vi) that Business Improvement District targeted rates be set for all rateable land in the business differential categories, as defined for the purposes of the general rate, within the defined Business Improvement District area, of a fixed amount per rating unit and a rate in the dollar of capital value, as set out in the table below:

| BID area | Fixed amount per rating unit (\$) (including GST) | Rate in the dollar of capital value (including GST) |
|----------------|---------------------------------------------------|-----------------------------------------------------|
| Avondale | 0.00 | 0.00152465 |
| Birkenhead | 0.00 | 0.00124851 |
| Blockhouse Bay | 0.00 | 0.00184429 |
| Browns Bay | 0.00 | 0.00063987 |

| | | |
|----------------------|--------|------------|
| Devonport | 250.00 | 0.00084190 |
| Dominion Road | 0.00 | 0.00083876 |
| Ellerslie | 0.00 | 0.00263181 |
| Glen Eden | 0.00 | 0.00116236 |
| Glen Innes | 0.00 | 0.00164001 |
| Greater East Tamaki | 195.00 | 0.00004468 |
| Heart of the City | 0.00 | 0.00059540 |
| Howick | 0.00 | 0.00111573 |
| Hunters Corner | 0.00 | 0.00098380 |
| Karangahape Road | 0.00 | 0.00061580 |
| Kingsland | 0.00 | 0.00060708 |
| Mairangi Bay | 250.00 | 0.00126159 |
| Mangere Bridge | 0.00 | 0.00197382 |
| Mangere East Village | 0.00 | 0.00053772 |
| Mangere Town | 0.00 | 0.00516031 |
| Manukau Central | 0.00 | 0.00051556 |
| Manurewa | 0.00 | 0.00117726 |
| Milford | 0.00 | 0.00089015 |
| Mt Eden Village | 0.00 | 0.00079356 |
| New Lynn | 0.00 | 0.00059889 |
| Newmarket | 0.00 | 0.00087618 |
| North Harbour | 150.00 | 0.00009551 |
| North West District | 250.00 | 0.00034993 |
| Northcote | 0.00 | 0.00345761 |
| Old Papatoetoe | 0.00 | 0.00171669 |
| Onehunga | 0.00 | 0.00166140 |
| Orewa | 0.00 | 0.00096823 |
| Otahuhu | 0.00 | 0.00097338 |
| Otara | 0.00 | 0.00159309 |
| Panmure | 0.00 | 0.00211238 |
| Papakura | 0.00 | 0.00087494 |
| Parnell | 0.00 | 0.00067649 |
| Ponsonby | 0.00 | 0.00071513 |
| Pukekohe | 0.00 | 0.00061139 |
| Remuera | 0.00 | 0.00144962 |
| Rosebank | 0.00 | 0.00048053 |
| South Harbour | 0.00 | 0.00059125 |
| St Heliers | 0.00 | 0.00143753 |
| Takapuna | 0.00 | 0.00049150 |
| Te Atatu | 0.00 | 0.00179763 |
| Torbay | 0.00 | 0.00101267 |
| Uptown | 0.00 | 0.00017494 |
| Waiuku | 0.00 | 0.00112851 |
| Wiri | 0.00 | 0.00046182 |

- vii) that the Ōtara-Papatoetoe and Māngere-Ōtāhuhu swimming pool targeted rates be set for all rateable land in the residential differential categories, as defined for the purposes of the general rate, located in the respective Māngere-Ōtāhuhu Local Board and Ōtara-Papatoetoe Local Board areas as set out in the table below:

| Local board area | Fixed amount per SUIP (\$ (including GST) |
|------------------|----------------------------------------------|
| Māngere-Ōtāhuhu | 30.51 |
| Ōtara-Papatoetoe | 28.85 |

- viii) that the Riverhaven Drive targeted rate be set on land in Riverhaven Drive, Rodney, in respect of which the council has provided financial assistance for the construction of a road that gives access to the properties, of an amount of \$10,317.02 (including GST) per rating unit
- ix) that the Glorit Flood Gate Restoration targeted rate be set of an amount of \$166.0784 (including GST) per hectare of land in the three properties below benefiting from the facility (as assessed by the council), as follows:

| Valuation number | Legal description (abbreviated) | Area of benefit (Ha) | Amount of rate (\$) (including GST) |
|------------------|---------------------------------|----------------------|-------------------------------------|
| 00910-00102 | Sec 27 SO 59120 | 245 | 40,689.21 |
| 00910-00502 | Lot 5 DP 127940 | 2 | 322.16 |
| 00910-00400 | Sec 2 SO 69274 | 17.5 | 2,906.37 |

- x) that the Waitakere Rural Sewerage targeted rate be set for all land in the district of the former Waitakere City Council which has an on-site waste management system and in respect of which the council has available the service of pumping out the system and which is scheduled to take place within the 3-year period commencing 1 July 2015, of an amount of \$185.13 (including GST) for each such on-site waste management system.
- xi) that the Retro-fit Your Home targeted rate be set on land in respect of which the council has provided financial assistance under the Retro-fit your home scheme, at different levels for each year that the ratepayer has started repaying the financial assistance by this targeted rate, of an amount set out in the table below:

| Year of repayment | Rate in the dollar of value outstanding as at 1 July 2015 (including GST) |
|-------------------|---------------------------------------------------------------------------|
| 1 | 0.17027353 |
| 2 | 0.18597249 |
| 3 | 0.20627096 |
| 4 | 0.23346952 |

- xii) that the Kumeu Huapai Riverhead Wastewater targeted rate be set on land in respect of which the council has provided financial assistance to connect to the Kumeu Huapai Riverhead pressurised wastewater scheme, at different levels for each year that the ratepayer has started repaying the financial assistance by this targeted rate, of an amount set out in the table below:

| Year of repayment | Rate in the dollar of value outstanding as at 1 July 2015 (including GST) |
|-------------------|---------------------------------------------------------------------------|
| 1 | 0.12113080 |
| 3 | 0.13223477 |

- xiii) that the Point Wells Wastewater targeted rate be set on land in respect of which the council has provided financial assistance to connect to a pressure wastewater collection system in Point Wells, of an amount per separately used or inhabited part of a rating unit based on the extent of the financial assistance as shown in the following table:

| Total assistance provided | Amount of fixed rate (\$) (including GST) |
|---------------------------|-------------------------------------------|
| \$ 8,000 | 674.60 |
| \$ 8,500 | 716.76 |
| \$ 9,000 | 758.92 |
| \$ 9,500 | 801.08 |

| | |
|----------|--------|
| \$10,000 | 843.25 |
|----------|--------|

- xiv) that the Jackson Crescent Wastewater targeted rate be set on land in respect of which the council has provided financial assistance to connect to a wastewater collection scheme in the Jackson Crescent, Martins Bay areas, of an amount of \$608.88 (including GST) per rating unit.
- xv) that for the purposes of the above rates, the definitions of the differential categories, the central area, the various Business Improvement Districts and the expression "separately used or inhabited part of a rating unit" are as set out in the Funding Impact Statement in the Council's Long-term Plan 2015-2025.
- xvi) that in 2015/2016, the rates be due in four instalments as set out in the table below:

| Instalment | Due Date |
|------------|------------------|
| 1 | 31 August 2015 |
| 2 | 27 November 2015 |
| 3 | 26 February 2016 |
| 4 | 27 May 2016 |

- xvii) that a penalty of 10 per cent will be added to so much of any instalment of rates assessed in the 2015/2016 rating year that remains unpaid on the day after the due date.
- xviii) that further penalties of 10 per cent will be added to rates assessed in previous financial years that are unpaid on 3 July 2015; and then again on 3 January 2016.
- xix) That the discount for the early payment of rates be set at 1.4 per cent of the 2015/2016 rates, if those rates, together with any outstanding prior years' rates and penalties, are paid in full on or before the due date of the first instalment (31 August 2015).

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 | |
| Mayor LCM Brown | Cr CE Fletcher | |
| Cr CM Casey | Cr DA Krum | |
| Cr WB Cashmore | Cr D Quax | |
| Cr RI Clow | Cr SL Stewart | |
| Cr LA Cooper | Cr GS Wood | |
| Cr C Darby | | |
| Cr AM Filipaina | | |
| Cr ME Lee | | |
| Cr CM Penrose | | |
| Cr WD Walker | | |
| Cr J Watson | | |
| Cr MP Webster | | |

The motion was declared CARRIED by 13 votes to 6.

CARRIED

The meeting was adjourned at 2.50pm.

The meeting reconvened at 3.04pm. Crs LA Cooper, ME Lee and DA Krum were not present.

17 Review of the Water Supply and Wastewater Network Bylaws Administered by Watercare Services Limited

Catherine Harland, Hearings Panel Chairperson was present for this item.

Cr DA Krum returned to the meeting at 3.07 pm.

Cr AM Filipaina left the meeting at 3.20 pm.

Resolution number GB/2015/62

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

That the Governing Body:

- a) receive the letter of the Watercare Board dated 8 June 2015 and the report of the hearings panel dated 8 June 2015, on the proposed new water supply and wastewater network bylaw and the revocation of the legacy water supply and wastewater network bylaws.
- b) adopt the Water Supply and Wastewater Network Bylaw 2015, as amended by Watercare (Attachment B to the agenda report), with effect from 1 July 2015.
- c) resolve that it is satisfied that the proposed Water Supply and Wastewater Network Bylaw 2015, as amended by Watercare (Attachment B to the agenda report) and proposed to have effect from 1 July 2015, meets the requirements of section 61(2) of the Local Government (Auckland Council) Act 2009.
- d) revoke the following legacy water supply and wastewater network bylaws from 1 July 2015 in full:
 - i. Auckland City Council Bylaw No. 26 – Water Supply 2008
 - ii. Franklin District Council Water Supply Bylaw 2008
 - iii. North Shore City Bylaw 2000: Part 18 Water Supply
 - iv. Papakura District Council Water Supply Bylaw 2008
 - v. Rodney District Council General Bylaw 1998: Chapter 11 Water Supply.
- e) revoke the following legacy water supply and wastewater network bylaws from 1 July 2015 in part, but retain the provisions in those bylaws that relate to the regulation of on-site wastewater systems (as detailed in Attachment E of the agenda report):
 - i. North Shore City Bylaw 2000: Part 20 Wastewater
 - ii. Papakura District Council Wastewater Bylaw 2008
 - iii. Rodney District Council General Bylaw 1998: Chapter 20 Wastewater Drainage.

CARRIED

Secretarial note: Pursuant to Standing Order 1.8.6, Crs CM Casey and WD Walker requested that their dissenting votes be recorded.

18 Proposal to adopt an Auckland Council Traffic Bylaw

Cr AM Filipaina returned to the meeting at 3.22 pm.

Cr D Quax left the meeting at 3.26 pm.

Cr AM Filipaina declared an interest in this item and neither spoke nor voted on the matter.

Resolution number GB/2015/63

MOVED by Cr CM Penrose, seconded by Cr CE Brewer:

That the Governing Body:

- a) **receive and adopt the recommendations of the hearings panel on the proposed Auckland Council Traffic Bylaw 2015 and resolve that the bylaw (Attachment A to the agenda report) shall come into force on 1 August 2015.**
- b) **confirm that pursuant to section 155 of the Local Government Act 2002, the proposed Auckland Council Traffic Bylaw 2015 is the most appropriate way of addressing traffic and parking issues on Auckland Council controlled land and the proposed bylaw is the most appropriate form of bylaw and is not inconsistent with the New Zealand Bill of Rights Act 1990.**
- c) **revoke, pursuant to section 63 of the Local Government (Auckland Transitional Provisions) Act 2010, the current thirteen (legacy) traffic control and parking bylaws listed below, to the extent these bylaws do not relate to the Auckland transport system and are deemed to be Auckland Council bylaws when the new Auckland Council Traffic Bylaw 2015 comes into force on 1 November 2015:**
 - i. **Auckland City Council Bylaw Number 25 - Traffic 2006**
 - ii. **Franklin District Council Traffic Control Bylaw 2006**
 - iii. **Chapter 13 of the Manukau City Consolidated Bylaw: Parking and Traffic**
 - iv. **Part 9 of the North Shore City Bylaw 2000: Traffic Control**
 - v. **Papakura District Council Parking and Traffic Bylaw 2009**
 - vi. **Chapter 25 of the Rodney District Council General Bylaw 1998: Parking and Traffic Control**
 - vii. **Waitakere City Council Use of Roads and Parking Bylaw 2010**
 - viii. **Franklin District Council Speed Limits Bylaw 2005**
 - ix. **Chapter 16 (Speed Limits) of the Manukau City Consolidated Bylaw 2008**
 - x. **Papakura District Council Speed Limits Bylaw 2009**
 - xi. **Chapter 18 (Road Speed Limits) of the Rodney District Council General Bylaw 1998**
 - xii. **Waitakere City Council Speed Limits Bylaw 2010.**
 - xiii. **Waikato District Council Speed Limits Bylaw 2008.**
- d) **authorise the Manager Social Policy and Bylaws to make any minor edits or amendments to the Auckland Council Traffic Bylaw 2015, to correct any identified errors including typographical errors or to reflect decisions made by the governing body.**

CARRIED

19 Approval of off-street policies in the 2015 Auckland Transport Parking Strategy and final off-street parking delegation

Cr D Quax returned to the meeting at 3.28 pm.

Resolution number GB/2015/64

MOVED by Cr CM Penrose, seconded by Cr CE Fletcher:

That the Governing Body:

- a) **note that Auckland Transport has legislative responsibility for on-street parking and that Auckland Council is legislatively responsible for off-street parking, and that council has delegated certain off-street parking powers to Auckland Transport.**
- b) **approve Policy 2A: Pricing Intervention Triggers – Off-Street, contained in the Auckland Transport Parking Strategy for the management of all council-owned off-street carparking assets across the region.**
- c) **approve Policy 2B: Demand Responsive Priced Parking – Off Street, contained in the Auckland Transport Parking Strategy for the management of all council-owned off-street carparking assets across the region.**
- d) **revoke and replace all existing delegations from Auckland Council to Auckland Transport in relation to the management and control of off-street parking facilities owned by the Auckland Council with this new delegation. This includes the delegation from Auckland Council on 18 December 2014.**
- e) **delegate to Auckland Transport its responsibilities, duties and powers relating to the management and control of off-street parking facilities owned by the Auckland Council, including all regulatory and enforcement powers related to that function, as set out in the June 2015 Off-street Parking Delegation Terms contained in Schedule 1, and also on the basis:**
 - i) **that Auckland Transport will actively engage with local boards and reflect their views and preferences in decisions relating to off-street parking charges and restrictions**
 - ii) **that this delegation takes effect on 1 August 2015, remains in force until further decision by Auckland Council and may be reviewed or revoked by Auckland Council at any time.**
- f) **note that the June 2015 Off-street Parking Delegation Terms require the delegation to be exercised in accordance with the Policy 2A: Pricing Intervention Triggers.**
- g) **note that the June 2015 Off-street Parking Delegation Terms is an expansion of the previous delegation and includes the ability for Auckland Transport to:**
 - i) **manage and control carparks associated with community facilities**
 - ii) **serve infringement notices for failure to comply with parking restrictions set on beaches managed or controlled by council.**

CARRIED

Extension of Meeting Time

Resolution number GB/2015/65

MOVED by Mayor LCM Brown, seconded by Cr AM Filipaina:

That the Governing Body:

- a) **agree pursuant to Standing Order 1.1.3, that an extension of time of one hour, until 4.30pm, be granted.**

CARRIED

20 Consideration of Extraordinary Items

There was no consideration of extraordinary items.

10.1 Notice of Motion - Councillor George Wood - Motorway Tolling Referendum

Cr CE Fletcher left the meeting at 3.57 pm.

Resolution number GB/2015/66

MOVED by Cr GS Wood, seconded by Cr CM Casey:

That the Governing Body:

- a) **establish a working party consisting of Crs CM Casey, C Darby, DA Krum, WD Walker and GS Wood to consider the possibility of a referendum relating to alternative transport funding, to report back to the August 2015 Governing Body meeting.**

CARRIED

21 Procedural motion to exclude the public

Resolution number GB/2015/67

MOVED by Mayor LCM Brown, seconded by Cr AJ Anae:

That the Governing Body:

- a) **exclude the public from the following part(s) of the proceedings of this meeting.**
- b) **agree that Matthew Riddle, Chief Executive, Jardine Lloyd Thompson (JLT) be permitted to remain for Confidential Item C1 Insurance Renewal, 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 Insurance renewal

| 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>In particular, the report contains sensitive information relating to Council's insurance operations.</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 Special Housing Areas - Deferred from Auckland Development Committee

| 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>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>In particular, the report contains commercially sensitive information regarding development proposals.</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 Special Housing Areas: Tranche 7 - 11 June 2015 Auckland Development Committee Recommendations

| 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>In particular, the report and attachments contain information which, if released, would potentially prejudice or disadvantage commercial activities.</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

4.11pm 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.

4.46pm The public was re-admitted.

RESTATEMENTS

It was resolved while the public was excluded:

C1 Insurance renewal

That the Governing Body:

- c) agree that the report and decision remain confidential.

C2 Special Housing Areas - Deferred from Auckland Development Committee

This item was deferred.

C3 Special Housing Areas: Tranche 7 - 11 June 2015 Auckland Development Committee Recommendations

That the Governing Body:

- f) agree that the decisions, report and attachments regarding – Special Housing Areas: Tranche 7 – 11 June 2015 Auckland Development Committee Recommendations – remain confidential until all due processes have been concluded, and that the Mayor and Deputy Mayor be delegated responsibility to release information on these special housing areas as may be required.

4.46 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 GOVERNING BODY HELD
ON

DATE:.....

CHAIRPERSON:.....