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# Council Controlled Organisations Governance and Monitoring Committee

## OPEN MINUTES

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Minutes of a meeting of the Council Controlled Organisations Governance and Monitoring Committee held in Rooms 1 and 2, Level 26, 135 Albert Street, Auckland on Thursday, 9 July 2015 at 10.03am.

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### PRESENT

<b>Chairperson</b>	Deputy Mayor Penny Hulse	
<b>Deputy Chairperson</b>	Cr Calum Penrose	
<b>Members</b>	Cr Anae Arthur Anae	From 10.34am, Item C3
	Cr Cameron Brewer	
	Cr Dr Cathy Casey	
	Member Precious Clark	From 10.33am, Item C3
	Cr Ross Clow	
	Cr Chris Darby	From 10.09am, Item 9
	Cr Denise Krum	
	Member David Taipari	(Alternate) From 10.15am, Item C1
	Cr Penny Webster	
<b>Ex-officio</b>	Cr George Wood, CNZM	From 10.06am, Item 9
	Mayor Len Brown, JP	From 10.06am, Item 9

### ABSENT

Cr Linda Cooper, JP  
Cr Dick Quax  
Member Glenn Wilcox

### ALSO PRESENT

Cr Bill Cashmore  
Cr Sir John Walker  
Cr Wayne Walker

### IN ATTENDANCE

David Hosking	Highbrook Park Trust
Graeme Osborne	Mangere Mountain Education Trust

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**1 Apologies**

Resolution number COU/2015/44

MOVED by Chairperson PA Hulse, seconded by Cr CE Brewer:

**That the Council Controlled Organisations Governance and Monitoring Committee:**

- a) **accept the apologies from Cr LA Cooper and Member G Wilcox for absence, and from Cr AJ Anae, Cr G Wood, Member P Clark and Member D Taipari for lateness.**

**CARRIED**

**2 Declaration of Interest**

There were no declarations of interest.

**3 Confirmation of Minutes**

Resolution number COU/2015/45

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

**That the Council Controlled Organisations Governance and Monitoring Committee:**

- a) **confirm the ordinary minutes of its meeting, held on Tuesday, 2 June 2015, including the confidential section, as a true and correct record.**

**CARRIED**

**4 Petitions**

There were no petitions.

**5 Public Input**

There was no public input.

**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 Extension of Trust Deed : Highbrook Park Trust**

*Cr GS Wood entered the meeting at 10.06 am.  
Mayor LCM Brown entered the meeting at 10.06 am.  
Cr C Darby entered the meeting at 10.09 am.*

Resolution number COU/2015/46

MOVED by Deputy Chairperson CM Penrose, seconded by Mayor LCM Brown:

**That the Council Controlled Organisations Governance and Monitoring Committee:**

- a) approve any amendments to Highbrook Park Trust Deed, the Funding and Management Agreements, and any other ancillary documentation to give effect to the decision not to wind up the trust so that it may continue to operate for another fifteen years, with the intention that:**
  - i) there be a review at year five with a right of renewal for an additional five year terms (two by five years), if required; and**
  - ii) at each review will include feedback from Auckland Council's Parks, Recreation and Sport department, and the Howick and Otara-Papatoetoe Local Boards.**
- b) delegate to Auckland Council's Director Legal and Risk the authority to execute, renew and amend all necessary documentation to give effect to clause a) above, including:**
  - i) Highbrook Park Trust Deed between Auckland Council and Highbrook Park Trust; and**
  - ii) Funding and Management Agreements and any other ancillary documentation between Auckland Council and Highbrook Developments Limited.**

**CARRIED**

**10 Consideration of Extraordinary Items**

There was no consideration of extraordinary items.

**11 Procedural motion to exclude the public**

Resolution number COU/2015/47

MOVED by Chairperson PA Hulse, seconded by Cr RI Clow:

**That the Council Controlled Organisations Governance and Monitoring Committee:**

- a) **exclude the public from the following part(s) of the proceedings of this meeting.**
- b) **agree that Graeme Osborne (Mangere Mountain Education Trust) be permitted to remain for Confidential Item C2: Auckland Council's Legacy Council Controlled Organisation (CCO) : Mangere Mountain Education Trust after the public has been excluded, because of his knowledge of the item, which will help the Council Controlled Organisations Governance and Monitoring Committee 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 Board Appointments : Auckland Council's Legacy 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 specific information about the privacy of individuals being reappointed to the Legacy CCOs (Contemporary Art Foundation and Highbrook Park Trust). The report also discusses removal of exemption for Mangere Mountain Education Trust and appropriate appointment of trustees by the three appointors, Council, Department of Conservation and Iwi.</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 Auckland Council's Legacy Council Controlled Organisation (CCO) : Mangere Mountain Education Trust**

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 the board members on Auckland Council Legacy CCOs and discusses private information regarding 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.

**C3 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.

**C4 Board Appointments : Auckland Council's 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
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 directors on the board of Auckland Council Investments Limited and needs to be protected to maintain the privacy of specific 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**

10.10am 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.

11.43am The public was re-admitted.

## **RESTATEMENTS**

It was resolved while the public was excluded:

### **C1 Board Appointments : Auckland Council's Legacy Council Controlled Organisations (CCOs)**

- c) agree that recommendations a) and b) be made publically available following the notification to each legacy council controlled organisation.
- d) note the acknowledgement from Arts Regional Trust of the recent passing of long-time, respected trustee, Dan Chappell.

### **C2 Auckland Council's Legacy Council Controlled Organisation (CCO) : Mangere Mountain Education Trust**

Resolution number COU/2015/48

- a) note the exemption for the Mangere Mountain Education Trust will not be renewed.
- b) note council staff will assist the trust and local board with an appointment programme for three council-appointed trustees and report back to the CCO Governance & Monitoring Committee at its 1 September 2015 meeting.

### **C3 Auckland Council Council Controlled Organisations (CCOs) and Tamaki Redevelopment Company Limited : Board Appointments**

- b) agree that recommendation a) be made publically available following the notification of the new candidate and a joint media release with Auckland Council and Auckland Tourism, Events and Economic Development.
- c) approve the appointment of David Rankin, Auckland Council Property Limited (ACPL) Chief Executive to the Tamaki Redevelopment Company Limited (TRC) Interview Panel, as representative for Auckland Council's Chief Executive.
- f) agree that recommendations d) and e) remain confidential to protect the privacy of short-listed candidates.

**C4 Board Appointments : Auckland Council's Council Controlled Organisations (CCOs)**

- a) approve the skills matrix requirements for Auckland Council Investments Limited being
  - i) Strong leadership with a background in relationship management (Chair)
  - ii) Significant senior-level governance experience
  - iii) Ability to provide leadership and direction to a commercially focused entity in a complex strategic and public-policy environment
  - iv) Stakeholder management including working with Māori
  - v) Commercial and financial acumen
  - vi) Public sector knowledge and/ or experience.
- g) note that recommendations b) – f) will remain confidential until the directors have received notification.

Secretarial Note: Pursuant to Standing Order 1.8.6, Cr CE Brewer and Cr CM Casey requested that their dissenting votes be recorded.

11.43 am

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:**.....