
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, 17 December 2015 at 9.31am.

PRESENT

Mayor	Len Brown, JP	
Deputy Mayor	Penny Hulse	
Councillors	Cr Anae Arthur Anae	
	Cr Cameron Brewer	
	Cr Dr Cathy Casey	
	Cr Bill Cashmore	
	Cr Ross Clow	
	Cr Linda Cooper, JP	
	Cr Chris Darby	From 9.34am, Item 5.1
	Cr Alf Filipaina	From 9.43am, Item 5.1
	Cr Hon Christine Fletcher, QSO	From 9.33am, Item 5.1
	Cr Denise Krum	
	Cr Mike Lee	From 9.55am, Item 11
	Cr Calum Penrose	
	Cr Dick Quax	Until 9.48am, Item 10
	Cr Sharon Stewart, QSM	
	Cr Wayne Walker	
	Cr John Watson	
	Cr Penny Webster	Until 11.52am, Item C1
	Cr George Wood, CNZM	

ABSENT

Cr Sir John Walker, KNZM, CBE

1 Affirmation

His Worship the Mayor read the affirmation.

2 Apologies

Resolution number GB/2015/125

MOVED by Mayor LCM Brown, seconded by Cr CM Penrose:

That the Governing Body:

- a) **accept the apologies from Cr AM Filipaina for lateness, from Cr MP Webster for early departure, and from Cr JG Walker for absence.**

CARRIED

3 Declaration of Interest

Cr W Cashmore declared an interest in Item 13 d) – Annual Plan 2016/2017 - Mayoral Proposal.

4 Confirmation of Minutes

Resolution number GB/2015/126

MOVED by Mayor LCM Brown, seconded by Cr LA Cooper:

That the Governing Body:

- a) **confirm the ordinary minutes of its meeting, held on Thursday, 26 November 2015, including the confidential section, as a true and correct record.**

CARRIED

5 Acknowledgements and Achievements

5.1 Acknowledgements

Cr CE Fletcher entered the meeting at 9.33 am.

Cr C Darby entered the meeting at 9.34 am.

Cr AM Filipaina entered the meeting at 9.43 am.

His Worship the Mayor acknowledged the passing of Rudy Sunde and Anne Longuet-Higgins and a moment of silence was observed.

Achievements

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

His Worship the Mayor reflected on his attendance at the Climate Summit for Local Leaders in Paris.

Cr J Watson acknowledged the 100th birthday of Hibiscus Coast Resident, Alan Sayers, on 6 December 2015.

Attachments

- A 17 December 2015 - Governing Body - Item 5.1 - Auckland Council Group Achievements November / December 2015

6 Petitions

There were no petitions.

7 Public Input

There was no public input.

8 Local Board Input

There was no local board input.

9 Extraordinary Business

There was no extraordinary business.

10 Notices of Motion

There were no notices of motion agreed to for this meeting.

11 Annual Plan 2016/2017 - local board feedback on issues for consultation

Cr D Quax left the meeting at 9.48 am.

Cr CE Fletcher left the meeting at 9.50 am.

Cr ME Lee entered the meeting at 9.54 am.

Resolution number GB/2015/127

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

That the Governing Body:

- a) **consider the feedback from local boards on regional financial policy issues - that is, the Uniform Annual General Charge, Interim Transport Levy, Māori land rates and rural rates (summarised in Attachment A and set out in Attachment B to the agenda report) when agreeing consultation topics for the Annual Plan 2016/2017**
- b) **consider the feedback from local boards on key advocacy issues (summarised in Attachment A and set out in Attachment B to the agenda report) when agreeing consultation topics for the Annual Plan 2016/2017.**

CARRIED

12 On-site Wastewater Systems (septic tank) Upgrades – Proposed Financial Assistance Pilot

Cr CE Fletcher returned to the meeting at 10.03 am.

Resolution number GB/2015/128

MOVED by Deputy Mayor PA Hulse, seconded by Cr LA Cooper:

That the Governing Body:

- a) **approve a two year pilot on-site waste water financial assistance programme focused on the west coast lagoons and Little Oneroa catchments to address issues with waterway contamination in these areas.**
- b) **approve the use of up to \$600,000 per annum of the financial assistance debt facility approved in the Long-term Plan 2015-2025 for the existing Retrofit Your Home programme for the pilot on-site wastewater financial assistance programme.**
- c) **approve the inclusion of this pilot on-site wastewater financial assistance programme, repaid via a voluntary targeted rate, in the consultation process for the 2016/2017 Annual Plan.**

CARRIED

13 Annual Plan 2016/2017 - Mayoral Proposal

The motion was taken in parts:

Resolution number GB/2015/129

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

That the Governing Body agree that the 2016/17 Annual Plan consultation document include:

- a) **consultation on the quantum of the Uniform Annual General Charge over the range of \$350 to \$650.**
- c) **consultation on the following amendment to the:**
 - i) **Māori freehold land rates remission and postponement policy to:**
 - a) **remit rates for marae and urupa that exceed the two hectare limit for non-rateability**
 - b) **increase the adjustment for the number of owners up to the ten per cent maximum, where properties have significant barriers to development such as owners being deceased or not succeeded to**
 - c) **adjust rates to the equivalent of those that would have been charged, had the property been valued excluding any potential use that is unlikely to be achieved within Māori ownership**
 - ii) **rates remission and postponement policy (remission scheme for fixed charges) to remit fixed rates for Māori land, including non-contiguous properties, that are managed as a single property that would not be levied if they were in single ownership**
 - iii) **policies referred to in c) i) and c) ii) above and that further detailed and specific policy changes be sought from Māori (including Māori landowners and the Independent Māori Statutory Board) as part of the consultation process and that these be assessed by officers and be reported back to**

the committee for consideration in the post review policies and/or to initiate other actions and responses by Council.

CARRIED

Resolution number GB/2015/130

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

That the Governing Body agree that the 2016/17 Annual Plan consultation document include:

b) consultation on the following additional option:

- i) an increase in the share of the interim transport levy met by businesses from 14.7 per cent to 32.7 per cent for 2016/2017 and 32.3 per cent for 2017/2018**
- ii) share the business interim transport levy amongst business ratepayers on the basis of capital value rather than via a fixed charge.**

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

<u>For</u>	<u>Against</u>	<u>Abstained</u>
Cr AJ Anae	Cr C Brewer	
Mayor LCM Brown	Cr W Cashmore	
Cr C Casey	Cr CE Fletcher	
Cr R Clow	Cr DA Krum	
Cr LA Cooper	Cr CM Penrose	
Cr C Darby	Cr SL Stewart	
Cr AM Filipaina	Cr MP Webster	
Deputy Mayor PA Hulse	Cr GS Wood	
Cr ME Lee		
Cr WD Walker		
Cr J Watson		

The motion was declared **CARRIED** by 11 votes to 8.

CARRIED

Cr W Cashmore declared an interest in the matters under consideration in d), below, and neither spoke nor voted on this issue.

Resolution number GB/2015/131

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

That the Governing Body agree that the 2016/17 Annual Plan consultation document include:

d) consultation on the following option to:

- i) reduce the differential for large farm/lifestyle properties(over 50 ha) from 80 per cent to 60 per cent of the urban residential general rate and recover the lost revenue from the entire rating base**
- ii) amend the rates remission and postponement policy to remit the difference in rates between what a property is charged for its smaller individual blocks, and what it would be charged if it was rated as a single combined property.**

CARRIED

Note: Pursuant to Standing Order 1.8.6, Crs C Casey and C Darby requested that their dissenting votes against d) be recorded.

Note: Recommendation e) was incorporated with the agreement of the meeting.

Resolution number GB/2015/132

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

That the Governing Body:

- e) **note and convey to the people of Auckland that council will be considering the options set out in the EY and Cameron Partners reports on Alternative Sources of Financing options, during the period of the 2016/17 Annual Plan, and the period of the 2017/18 Long-term Plan.**

CARRIED

Note: Pursuant to Standing Order 1.8.6, Cr C Casey requested that her dissenting vote against e) be recorded.

For clarity, the full resolutions are:

That the Governing Body agree that the 2016/17 Annual Plan consultation document include:

- a) **consultation on the quantum of the Uniform Annual General Charge over the range of \$350 to \$650.**
- b) **consultation on the following additional option:**
- i) **an increase in the share of the interim transport levy met by businesses from 14.7 per cent to 32.7 per cent for 2016/2017 and 32.3 per cent for 2017/2018**
- ii) **share the business interim transport levy amongst business ratepayers on the basis of capital value rather than via a fixed charge.**
- c) **consultation on the following amendment to the:**
- i) **Māori freehold land rates remission and postponement policy to:**
- a) **remit rates for marae and urupa that exceed the two hectare limit for non-rateability**
- b) **increase the adjustment for the number of owners up to the ten per cent maximum, where properties have significant barriers to development such as owners being deceased or not succeeded to**
- c) **adjust rates to the equivalent of those that would have been charged, had the property been valued excluding any potential use that is unlikely to be achieved within Māori ownership**
- ii) **rates remission and postponement policy (remission scheme for fixed charges) to remit fixed rates for Māori land, including non-contiguous properties, that are managed as a single property that would not be levied if they were in single ownership**
- iii) **policies referred to in c) i) and c) ii) above and that further detailed and specific policy changes be sought from Māori (including Māori landowners and the Independent Māori Statutory Board) as part of the consultation process and that these be assessed by officers and be reported back to the committee for consideration in the post review policies and/or to initiate other actions and responses by Council.**
- d) **consultation on the following option to:**
- i) **reduce the differential for large farm/lifestyle properties(over 50 ha) from**

80 per cent to 60 per cent of the urban residential general rate and recover the lost revenue from the entire rating base

- ii) amend the rates remission and postponement policy to remit the difference in rates between what a property is charged for its smaller individual blocks, and what it would be charged if it was rated as a single combined property.

That the Governing Body:

- e) note and convey to the people of Auckland that council will be considering the options set out in the EY and Cameron Partners reports on Alternative Sources of Financing options, during the period of the 2016/17 Annual Plan and the period of the 2017/18 Long-term Plan.

14 Annual Plan 2016/2017- Other consultation content

Resolution number GB/2015/133

MOVED by Cr CE Fletcher, seconded by Cr WD Walker:

That the Governing Body:

- a) agree that the following be included for consultation in the Annual Plan 2016/2017:
 - i) Maunga Authority Operational Plan
 - ii) local board priorities
 - iii) potential capital programme changes.

CARRIED

15 Consideration of Extraordinary Items

There was no consideration of extraordinary items.

16 Procedural motion to exclude the public

Resolution number GB/2015/134

MOVED by Mayor LCM Brown, seconded by Cr CM Penrose:

That the Governing Body:

a) **exclude the public from the following part 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 Chief Executive Objectives and Performance - Recommendations from the Chief Executive Officer Review 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
<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>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>s7(2)(i) - The withholding of the information is necessary to enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).</p> <p>In particular, the report contains information about salary negotiations with the Chief Executive and discussion on the Chief Executive's objectives. In addition, the report contains externally sourced documents which contain commercially sensitive information.</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

11.38am The public was excluded.

12.47pm The public was re-admitted.

RESTATEMENTS

It was resolved while the public was excluded:

C1 Chief Executive Objectives and Performance - Recommendations from the Chief Executive Officer Review Committee

The motion was taken in parts:

Resolution number GB/2015/135

MOVED by Cr CE Fletcher, seconded by Mayor LCM Brown:

That the Governing Body:

- a) approve the Chief Executive's performance objectives as per Attachment A of the agenda report (amended at the 16 December 2015 Chief Executive Officer Review Committee meeting), for a period of two years, commencing 1 January 2016 and expiring on 31 December 2017.
- c) agree that the decisions and Attachment A of the agenda report (Chief Executive Auckland Council Performance Objectives), be restated in the open minutes, but that the report and any other attachments remain confidential.

Resolution number GB/2015/136

MOVED by Cr CE Fletcher, seconded by Mayor LCM Brown:

That the Governing Body:

- b) approve the Chief Executive's total remuneration set at \$690,000 per year, fixed for a period of two years, effective from 14 January 2016.

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

<u>For</u>	<u>Against</u>	<u>Abstained</u>
Cr AJ Anae	Cr C Brewer	
Mayor LCM Brown	Cr C Casey	
Cr W Cashmore	Cr ME Lee	
Cr R Clow	Cr SL Stewart	
Cr LA Cooper	Cr WD Walker	
Cr C Darby	Cr J Watson	
Cr AM Filipaina		
Cr CE Fletcher		
Deputy Mayor PA Hulse		
Cr DA Krum		
Cr CM Penrose		
Cr GS Wood		

The motion was declared **CARRIED** by 12 votes to 6.

Attachments

- A 17 December 2015 - Governing Body - Item C1 Attachment A - Chief Executive Performance Objectives 2016 to 2018 post CEO Review Committee meeting 16 December 2015

12.47 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:.....