
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 Wednesday, 25 May 2016 at 9.34am.

PRESENT

Mayor	Len Brown, JP	
Deputy Mayor	Penny Hulse	
Councillors	Cr Anae Arthur Anae	From 10.24am, Item 12
	Cr Cameron Brewer	From 9.41am, Item 5.1
	Cr Dr Cathy Casey	
	Cr Bill Cashmore	
	Cr Ross Clow	From 10.12, Item 12
	Cr Linda Cooper, JP	
	Cr Chris Darby	
	Cr Alf Filipaina	
	Cr Mike Lee	From 9.35am, Item 2
	Cr Calum Penrose	
	Cr Dick Quax	
	Cr Sir John Walker, KNZM, CBE	
	Cr Wayne Walker	From 9.36am, Item 5.1
	Cr John Watson	
	Cr Penny Webster	
	Cr George Wood, CNZM	

ABSENT

Cr Hon Christine Fletcher, QSO
Cr Denise Krum
Cr Sharon Stewart, QSM

IN ATTENDANCE

David Rankin	Director, Strategy and Engagement, Panuku Development Auckland
Jo Smaill	Audit Director, Audit New Zealand

1 Affirmation

His Worship the Mayor read the affirmation.

2 Apologies

Cr ME Lee entered the meeting at 9.35 am.

Resolution number GB/2016/35

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

That the Governing Body:

- a) **accept the apologies from Cr CE Fletcher for absence, from Cr DA Krum and Cr SL Stewart for lateness on council business, and from Cr WD Walker for lateness.**

CARRIED

3 Declaration of Interest

There were no declarations of interest.

4 Confirmation of Minutes

Resolution number GB/2016/36

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

That the Governing Body:

- a) **confirm the ordinary minutes of its meetings, held on Thursday, 28 April and Friday, 13 May 2016, as true and correct records.**

CARRIED

5 Acknowledgements and Achievements

5.1 Acknowledgements

Cr WD Walker entered the meeting at 9.36 am.

Cr C Brewer entered the meeting at 9.41 am.

His Worship the Mayor acknowledged the passing of Chris Parkinson and Penina Latu.

The text of the acknowledgements has been placed on the official minutes and is available on the Auckland Council website as a minutes attachment.

Deputy Mayor PA Hulse also acknowledged the passing of His Worship the Mayor's father, Tom Brown, MBE, "as an educationalist, as a principal and as a much-loved and respected member of the community of south Auckland".

A moment of silence was observed.

Achievements

A document noting Auckland Council's Group achievements for May 2016 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 May 2016 - Governing Body - Item 5.1 - Acknowledgements
- B 25 May 2016 - Governing Body - Item 5.1 - Auckland Council Group's Achievements May 2016

6 Petitions

There were no petitions.

7 Public Input

As Items 11 – SkyPath – Project Update, and C1 – Financing and Business Report for SkyPath, had been deferred to the 30 June 2016 Governing Body meeting, all related public input items were also deferred.

8 Local Board Input

As Items 11: SkyPath – Project Update, and C1 – Financing and Business Report for SkyPath had been deferred to the 30 June 2016 Governing Body meeting, all related Local Board input items were also deferred.

9 Extraordinary Business

There was no extraordinary business.

10 Notices of Motion

There were no notices of motion.

11 SkyPath - Project Update

This item was deferred to the 30 June 2016 Governing Body meeting.

His Worship the Mayor advised that Item 14 would be accorded precedence at this time.

14 Housing for Older People Partnering Proposal - Adoption of Consultation Document, Supporting Information, and consultation approach

David Rankin, Panuku Development Auckland, and Jo Smaill, Audit New Zealand, were present for this item.

The draft Independent Auditor's report 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/2016/37

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

That the Governing Body:

- a) **adopt the Supporting Information for the Housing for Older People Partnering Proposal to support the consultation process.**
- b) **adopt the Consultation Document for the Housing for Older People Partnering Proposal.**
- c) **delegate authority to the Deputy Mayor and the Group Chief Financial Officer to approve any editorial changes in finalising the Consultation Document and Supporting Information for printing and distribution.**
- d) **approve the public consultation approach for the Housing for Older People noting that:**
 - i) **public consultation will run from 1 June 2016 to 1 July 2016**
 - ii) **feedback can be provided through written feedback, in person and digital channels**
 - iii) **Have Your Say events to be held across the region to allow Aucklanders to provide feedback and have their views heard by decision makers (or their delegates)**
 - iv) **a summary of the final decisions made and how Aucklanders views were considered in the decision-making process will be made publicly available in September.**
- e) **delegate to the following elected members and staff the power and responsibility to hear from the public through "spoken interaction/NZ sign language interaction" at the Have Your Say events for consultation on the Housing for Older People Partnering Proposal:**
 - i) **Councillors**
 - ii) **Local board chairs and local board members**
 - iii) **Tier 1 - 4 staff and any additional staff selected by the Chief Executive**
- f) **delegate to the Deputy Mayor and the Group Chief Financial Officer, the power to make any required process decisions for the events, including Council representative attendance.**

CARRIED

Note: Pursuant to Standing Order 1.8.6, Cr ME Lee requested that his dissenting vote be recorded.

Attachments

- A 25 May 2016, Governing Body, Item 14 - Housing for Older People Partnering Proposal, Draft Independent Auditor's report

12 Proposed response to Local Government Commission's request for alternative applications in relation to the Northern Action Group re-organisation proposal

Cr R Clow entered the meeting at 10.12 am.

Cr C Darby left the meeting at 10.23 am.

Cr AJ Anae entered the meeting at 10.24 am.

Cr WD Walker left the meeting at 10.25 am.

Note: Clause c) was incorporated with the agreement of the meeting.

Resolution number GB/2016/38

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

That the Governing Body:

- a) **note that the Local Government Commission has called for alternative applications in relation to the Northern Action Group's proposal to create a unitary council.**
- b) **agree to advise the Local Government Commission that council is actively considering how best to support the local board/governing body relationship to function optimally and will consider relevant concerns as part of this work.**
- c) **request that the Chief Executive inform the Local Government Commission of the difficulty within the process to ascertain the views of the wider Rodney Local Board and community about this process.**

CARRIED

13 Independent Māori Statutory Board - proposed funding agreement for the 2016/17 financial year

Cr C Darby returned to the meeting at 10.26 am.

Cr WD Walker returned to the meeting at 10.27 am.

Note: Clause d) was incorporated with the agreement of the meeting.

Resolution number GB/2016/39

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

That the Governing Body:

- a) **approve the 2016/17 funding agreement between Auckland Council and the Independent Māori Statutory Board, which comprises a total direct funding of \$2,898,000 (opex).**
- b) **agree that variations to the 2016/17 funding agreement between Auckland Council and the Independent Māori Statutory Board of no more than \$50,000 in the financial year can be agreed between the chief executive of the Auckland Council and the chief executive of the Independent Māori Statutory Board, subject to budget being available to cover the variations.**
- c) **note that following approval of the proposed funding by the Governing Body, the 2016/17 funding agreement between Auckland Council and the Independent Māori Statutory Board will be prepared and signed by the Mayor and council's chief executive and the Independent Māori Statutory Board chair and chief executive.**
- d) **agree that the proposed 2016/17 budget shows \$397,749 for shared and support services, reflecting expenses covered by Auckland Council on behalf of the IMSB paid directly by council, amounting to total funding of \$3,295,749 (opex).**

<u>Support services provided by third parties through Auckland Council to the IMSB</u>	2015/16 Budget	2016/17 Proposed Budget
Property (rental, opex, car parks)	\$366,081	\$366,081
Insurance	\$15,000	\$15,000
Telecomms (mobile, landlines, internet)	\$36,500	\$16,668
Total	\$417,581	\$397,749

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

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

The motion was declared **CARRIED** by 14 votes to 4.

CARRIED

Note: Item 14 - Housing for Older People Partnering Proposal - Adoption of Consultation Document, Supporting Information, and consultation approach, was considered before Item 12 - Proposed response to Local Government Commission's request for alternative applications in relation to the Northern Action Group re-organisation proposal.

15 Consideration of Extraordinary Items

There was no consideration of extraordinary items.

16 Procedural motion to exclude the public

Cr C Casey left the meeting at 10.45 am.

Resolution number GB/2016/40

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

That the Governing Body:

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 Financing and business report for SkyPath

This item was deferred to the 30 June 2016 Governing Body meeting.

C2 EMU Loan - Early Repayment and Refinancing

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>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, this is to ensure negotiations can be concluded with the Crown and any other private parties.</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 Kingseat Landing Reserve and Te Toro Recreation Reserve - Ngati Tamaoho

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)(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>In particular, the report contains information provided by the Crown to council in confidence on the understanding the information is negotiation sensitive between Hapu / Iwi and the Crown. If confidential information is made available, it will prejudice both those negotiations and the provision of similar information to council in the future.</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

10.43am The public was excluded.

10.58am The public was re-admitted.

RESTATEMENTS

It was resolved while the public was excluded:

C1 Financing and business report for SkyPath

This item was deferred to the 30 June 2016 Governing Body meeting.

C2 Electric Multiple Unit (EMU) Loan - Early Repayment and Refinancing

Resolution number GB/2016/41

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

That the Governing Body:

- c) note that the agenda report and decisions remain confidential until negotiations are concluded.

C3 Kingseat Landing Reserve and Te Toro Recreation Reserve - Ngati Tamaoho

Resolution number GB/2016/42

MOVED by Cr W Cashmore, seconded by Cr CM Penrose:

That the Governing Body:

- c) agree that the agenda report, attachments, and decisions remain confidential until advised by the Crown that the obligation of confidentiality is removed.

10.58 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 GOVERNING BODY HELD
ON

DATE:.....

CHAIRPERSON:.....