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## Governing Body

# OPEN MINUTES

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Minutes of a meeting of the Governing Body held in the Reception Lounge, Auckland Town Hall, 301-305 Queen Street, Auckland on Thursday, 29 September 2016 at 9:30am.

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### PRESENT

<b>Mayor</b>	Len Brown, JP	
<b>Deputy Mayor</b>	Penny Hulse	From 10.15am, Item 14
<b>Councillors</b>	Cr Anae Arthur Anae	
	Cr Cameron Brewer	
	Cr Dr Cathy Casey	
	Cr Bill Cashmore	
	Cr Ross Clow	From 9.38am, Item 5
	Cr Linda Cooper, JP	From 10.28am, Item 14
	Cr Chris Darby	
	Cr Alf Filipaina	
	Cr Hon Christine Fletcher, QSO	
	Cr Denise Krum	
	Cr Mike Lee	
	Cr Calum Penrose	
	Cr Dick Quax	
	Cr Sharon Stewart, QSM	
	Cr Sir John Walker, KNZM, CBE	
	Cr Wayne Walker	From 10.42m, Item 15
	Cr John Watson	From 9.51am, Item 11
	Cr Penny Webster	
	Cr George Wood, CNZM	

### ALSO PRESENT

Desley Simpson, Chair Orakei Local Board  
Sandra Coney, Chair Waitakere Ranges Local Board

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**1 Affirmation**

His Worship the Mayor read the affirmation.

**2 Apologies**

Resolution number GB/2016/217

MOVED by Mayor LCM Brown, seconded by Cr JG Walker:

**That the Governing Body:**

- a) **accept the apologies from Deputy Mayor PA Hulse, Cr R Clow, Cr LA Cooper and Cr J Watson for lateness.**

**CARRIED**

Note: A subsequent apology for lateness was received from Cr WD Walker.

**3 Declaration of Interest**

The following declarations were received as follows when item 17 was taken:

- Cr Clow declared a conflict of interest in relation to item 17 numbers 5 and 38 of the report.
- Cr Stewart declared a conflict of interest in relation to item 17 numbers 24 and 037 of the report.
- Cr Lee declared a conflict of interest in relation to item 17 Cr Lee declared a conflict of interest in relation to item 17 - The Straits Protection Society Incorporated HC JR Judicial Review.

**4 Confirmation of Minutes**

Resolution number GB/2016/218

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

**That the Governing Body:**

- a) **confirm the ordinary minutes of its meeting, held on Thursday, 25 August 2016 and the extraordinary minutes of its meeting, held on Wednesday, 14 September 2016, including the confidential section, as true and correct record.**

**CARRIED**

## 5 Acknowledgements and Achievements

### 5.1 Acknowledgement

His Worship the Mayor acknowledged the passing of Sir Graeme Douglas and John Waller and a moment of silence was observed.

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

Councillor D Quax also acknowledged the passing of Dr Lloyd Drake.

*Cr R Clow entered the meeting at 9.38 am.*

### Achievements

A document noting Auckland Council's Group achievements for June 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 29 September 2016 - Governing Body - Item 5.1 Acknowledgements
- B 29 September 2016 - Governing Body - Item 5.1 Auckland Council Group Achievements September 2016

## 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.

**11 Office of the Auditor-General briefing**

Lyn Provost, Auditor-General and Jo Smaill, Audit Director, Audit New Zealand were present for the item.

Auditor General Lyn Provost gave an update on recent audit work carried out by her office on the council's annual reporting documents. She also commented on particular areas in the audit including debt, weather tightness provision, Newcore and asset valuations. Ms Provost also complimented the council on improvements to its Long-term Plan that has resulted in the non-financial reporting in the annual report being shorter and easier to read.

*Cr J Watson entered the meeting at 9.51 am.*

Resolution number GB/2016/219

MOVED by Cr R Clow, seconded by Cr MP Webster:

**That the Governing Body:**

- a) receive the information provided by the Auditor-General.
- b) thank Lyn Provost, Auditor-General for her sterling service to New Zealand.

**CARRIED**

**12 Adoption of the 2015/2016 Annual Report and Summary Annual Report for Auckland Council and group**

Resolution number GB/2016/220

MOVED by Cr MP Webster, seconded by Cr R Clow:

**That the Governing Body:**

- a) adopt the 2015/2016 Annual Report for Auckland Council and group; and
- b) adopt the 2015/2016 Summary Annual Report for Auckland Council and Group.

**CARRIED**

**13 Annual Report on the Activity of the Audit and Risk Committee**

Resolution number GB/2016/221

MOVED by Cr W Cashmore, seconded by Cr R Clow:

**That the Governing Body:**

- a) receive the annual report on the performance of the Audit and Risk Committee.

**CARRIED**

**14 Achievements of the Seniors Advisory Panel, Rainbow Communities Advisory Panel and Youth Advisory Panel in the 2013-2016 term**

Margaret Devlin, Chair, and Seniors Advisory Panel members Richard Northey ONZM, Janet Clews, CNZM, QSO, JP, Russell Rigby and Dr Judy Blakey presented a powerpoint presentation of their achievements during this term. There was also some changes to the Attachment B of the report and a new copy was tabled. Copies of both documents have been placed on the official minutes and are available on the Auckland Council website as minutes attachments.

Julie Radford-Poupard and Jordon Harris, Co-Chairs of the Rainbow Communities Advisory Panel and member Lexie Matheson spoke in support of the council and the Panel had undertaken since its inception in 2016.

Flora Apulu, Chair and Alex Johnston Deputy Chair of the Youth Advisory Panel were spoke in support of the work council and the Panel had undertaken during this term of council.

*Deputy Mayor PA Hulse joined the meeting at 10.15 am.*

*Cr LA Cooper joined the meeting at 10.28 am.*

*Cr GS Wood left the meeting at 10.34 am.*

Resolution number GB/2016/222

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

**That the Governing Body:**

- a) **note the achievements of the Seniors Advisory Panel, Rainbow Communities Advisory Panel and Youth Advisory Panel during the 2013-2016 term and thank them for their contribution.**
- b) **thank the chairs, co-chairs and members of the panels for their attendance and presentations.**

**CARRIED**

**Attachments**

- A 29 September 2016 - Governing Body - Item 14 - Achievements of the Rainbow Communities Advisory Panel, Seniors Advisory Panel and Youth Advisory Panel in the 2013-2016 term - Seniors Advisory Panel presentation
- B 29 September 2016 - Governing Body - Item 14 - Achievements of the Rainbow Communities Advisory Panel, Seniors Advisory Panel and Youth Advisory Panel in the 2013-2016 term - Collaborative Accomplishments - Seniors Advisory Panel

**15 WWI Centenary Memorial, Auckland Domain: Project Update and Funding Proposal**

Working Party members Cr M Lee and Cr C Fletcher, along with Sandra Coney, Chair of the WW1 Steering Group spoke in support of the work undertaken for the project and sought support for the report.

*Cr GS Wood returned to the meeting at 10.37 am.*

*Cr MP Webster left the meeting at 10.37 am.*

*Deputy Mayor PA Hulse left the meeting at 10.37 am.*

*Cr AM Filipaina left the meeting at 10.37 am.*

*Cr WD Walker joined the meeting at 10.42 am.*

*Cr MP Webster returned to the meeting at 10.42 am.*

*Cr AM Filipaina returned to the meeting at 10.42 am.*

*Deputy Mayor PA Hulse returned to the meeting at 10.42 am.*

*Cr CM Penrose left the meeting at 10.52 am.*

Resolution number GB/2016/223

MOVED by Cr ME Lee, seconded by Cr CE Fletcher:

**That the Governing Body:**

a) **note:**

- i. **the World War One Centenary Memorial Working Party was established by the Governing Body in October 2014 to identify a suitable World War One centenary memorial for all Aucklanders, to be completed by November 2018**
  - ii. **the World War One Centenary Memorial project was estimated to cost up to \$3 million**
  - iii. **as part of the development of the Long-term Plan, council agreed to contribute \$1 million towards a World War One Centenary Memorial to be developed at Auckland Domain**
  - iv. **after inviting five designers to submit concept designs, “Te Takuahi – The Hearth” was approved by the Governing Body in February 2016**
  - v. **in July 2016, NZ Lotteries granted \$655,000 to the World War One Centenary Memorial project.**
- b) **approve a capital funding campaign for the World War One Centenary Memorial, based on the design for “Te Takuahi – The Hearth”, and in accordance with the design brief, include a suitable and subtle way of connecting the feature with the Auckland War Memorial Museum and Court of Honour.**
- c) **delegate to the Chief Executive authority to explore and enable all suitable mechanisms for funding the completion of the World War One Centenary Memorial project and in consultation with the Urban Design Panel.**

**CARRIED**

Resolution number GB/2016/224

MOVED by Mayor LCM Brown, seconded by Cr ME Lee:

**That the Governing Body:**

- a) **recognise and thank Roy Clare for the wonderful job he has done leading the Auckland War Memorial Museum.**

**CARRIED**

## 16 **Amendments to policy and bylaw on dogs**

*Cr CM Penrose returned to the meeting at 11.09 am.*

Resolution number GB/2016/225

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

**That the Governing Body:**

- a) **adopt the amendments to the Auckland Council Dog Management Bylaw 2012 in Attachment A of the report – Amendments to dog access rules for the following local board areas:**
- **Great Barrier**
  - **Henderson-Massey**
  - **Howick (excluding the alternative summer times and season addressed in b) below)**
  - **Ōtara-Papatoetoe**
  - **Papakura**

- Puketāpapa
  - Whau
- b) adopt the Howick Local Board alternative summer times and season in the table below, and amend the Auckland Council Policy on Dogs 2012 and Auckland Council Dog Management Bylaw 2012 as shown in Attachment A of the agenda – Amendments to dog access rules:

Local Board	Summer period	Summer times
Howick	Daylight Saving	7pm

- c) delegate to the Manager Social Policies and Bylaws in consultation with the relevant chair of the local board, under delegation from the Chief Executive, to make any minor edits or amendments to Attachment A of the report to correct any identified errors or typographical edits.

**CARRIED**

The meeting adjourned at 11.14am and reconvened at 11.20am.

**17 Proposed Auckland Unitary Plan - Information on appeals and process for making the Proposed Auckland Unitary Plan "Operative in Part"**

Cr Clow declared a conflict of interest in relation to numbers 5 and 38 of the report.

Cr Stewart declared a conflict of interest in relation to numbers 24 and 37 of the report.

Cr Lee declared a conflict of interest in relation to The Straits Protection Society Incorporated HC JR Judicial Review.

Resolution number GB/2016/226

MOVED by Deputy Mayor PA Hulse, seconded by Cr AM Filipaina:

**That the Governing Body:**

- a) agree to make those parts of the Proposed Auckland Unitary Plan that are not subject to an appeal or other challenge “operative”
- b) request that the Chief Executive refers the Regional Coastal Plan provisions of the Proposed Auckland Unitary Plan that are not subject to challenge to the Minister of Conservation for approval
- c) delegate to Councillor Cashmore and the Chief Executive the authority, during the period between 3 October 2016 and the inaugural meeting of the newly reconvened Governing Body on 1 November 2016, the ability to make decisions on how to resolve matters if through discussion with appellants and/or other parties, matters can be resolved without recourse to a hearing; and
- d) request that the Chief Executive completes, as soon as practicable, the necessary statutory steps to public notify the Auckland Unitary Plan (Operative in Part).

**CARRIED**



## 18 Valedictory Speeches

Councillor Arthur Anae, Councillor Cameron Brewer, Councillor George Wood and His Worship the Mayor presented their valedictory speeches.

Resolution number GB/2016/227

MOVED by Cr MP Webster, seconded by Deputy Mayor PA Hulse:

**That the Governing Body:**

- a) receive the valedictory speeches from Mayor Len Brown and Councillors Arthur Anae, Cameron Brewer and George Wood, wish them all the best for their future endeavours and thank them for their hard work and contribution to the 2013 – 2016 term of the Auckland Council.

**CARRIED**

## 19 Consideration of Extraordinary Items

There were no extraordinary items.

## 20 Procedural motion to exclude the public

Resolution number GB/2016/228

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

**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 Claris Local Purpose Reserve - Ngāti Rehua-Ngātiwai ki Aotea

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)(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.	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.

	<p>In particular, the report contains information provided by the Crown to council in confidence on the understanding the information is negotiation sensitive between hapū / 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>	
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The text of these resolutions was made available to the public who were present at the meeting and formed part of the minutes of the meeting.

**CARRIED**

1.00pm 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.

1.04pm The public was re-admitted.

**RESTATEMENTS**

It was resolved while the public was excluded:

**C1 Claris Local Purpose Reserve - Ngāti Rehua-Ngātiwai ki Aotea**

Resolution number GB/2016/228

MOVED by Cr CE Fletcher, seconded by Cr ME Lee:

- h) agree the decisions and report will not be restated in the open section of the minutes until advised by the Crown the obligation of confidentiality is removed.

1.04 pm

The Chairperson thanked Members for their attendance and attention to business and declared the meeting closed.

CONFIRMED AS TRUE AND CORRECT BY THE CHAIRPERSON AND CHIEF EXECUTIVE UNDER STANDING ORDER 8.1.4 ON

**DATE:**.....

**CHAIRPERSON:**.....

**CHIEF EXECUTIVE:**.....