
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, 23 March 2017 at 9.32am.

PRESENT

Mayor	Hon Phil Goff, JP	
Deputy Mayor	Cr Bill Cashmore	
Councillors	Cr Ross Clow	
	Cr Fa'anana Efeso Collins	
	Cr Linda Cooper, JP	
	Cr Chris Darby	
	Cr Alf Filipaina	
	Cr Christine Fletcher	
	Cr Richard Hills	
	Cr Penny Hulse	Until 10.38am, Item 12
	Cr Denise Lee	Until 1.09 pm, Item C3
	Cr Mike Lee	
	Cr Daniel Newman, JP	
	Cr Greg Sayers	
	Cr Desley Simpson, JP	
	Cr Sharon Stewart, QSM	
	Cr Sir John Walker, KNZM, CBE	From 9.52am, Item 11 Until 12.56pm, Item C2
	Cr Wayne Walker	
	Cr John Watson	From 9.45am, Item 8.1

ABSENT

Cr Cathy Casey
Cr Dick Quax

ALSO PRESENT

Angela Dalton, Manurewa Local Board Chair
Lemauga Lydia Sosene, Mangere-Ōtāhuhu Local Board Chair

1 Affirmation

His Worship the Mayor read the affirmation and reflected on the events at Westminster this morning and expressed the Governing Body's sympathy for the families of the deceased and its best wishes for the recovery of those who were injured.

2 Apologies

Resolution number GB/2017/18

MOVED by Mayor P Goff, seconded by Cr E Collins:

That the Governing Body:

- a) **accept the apologies from Cr C Casey and Cr D Quax for absence, and from Cr P Hulse for early departure on council business.**

CARRIED

3 Declaration of Interest

Cr E Collins subsequently declared an interest at Item C1 - Recommendation for Appointments to the Demographic Advisory Panels for the 2016-2019 term.

4 Confirmation of Minutes

Resolution number GB/2017/19

MOVED by Mayor P Goff, seconded by Cr D Simpson:

That the Governing Body:

- a) **confirm the ordinary minutes of its meeting, held on Thursday, 23 February 2017, as a true and correct record.**

CARRIED

5 Acknowledgements

There was no acknowledgements section.

6 Petitions

6.1 Takapuna Action Group - Petition relating to the disposal of land in Anzac Street, Takapuna currently used by the Takapuna Sunday Market

Trish Deans and Graham Saxon of the Takapuna Action Group presented the petition and tabled supporting information. Copies have been placed on the official minutes and the supporting information is available on the Auckland Council website as a minutes attachment.

Petition Prayer:

"We the undersigned oppose Panuku Development's plans to sell the Anzac Street, Takapuna site that is currently used by The Takapuna Sunday Market."

Resolution number GB/2017/20

MOVED by Mayor P Goff, seconded by Cr C Darby:

That the Governing Body:

- a) thank Trish Deans and Graham Saxon of the Takapuna Action Group for their attendance.
- b) receive the petition in relation to the disposal of land in Anzac Street, Takapuna, currently being used by the Takapuna Sunday Market from the Takapuna Action Group.
- c) request that the petition be forwarded to the Chief Operating Officer of Auckland Council and Panuku Development Auckland for consideration as part of the ongoing planning activities in respect of the Takapuna town centre.
- d) note that any potential disposal of the relevant land would be subject to public consultation pursuant to the Local Government Act 2002.

CARRIED

Attachments

- A 23 March 2017 - Governing Body, Item 6.1 - Takapuna Action Group, Petition relating to the disposal of land in Anzac Street, Takapuna currently used by the Takapuna Sunday Market, Supporting information

7 Public Input

There was no public input.

8 Local Board Input

8.1 Local Board Input - Manurewa Local Board - Sunday Trading

Cr J Watson entered the meeting at 9.45 am.

Resolution number GB/2017/21

MOVED by Mayor P Goff, seconded by Cr E Collins:

That the Governing Body:

- a) thank Angela Dalton and Lemauga Lydia Sosene for their presentation regarding Sunday trading and for their attendance.

CARRIED

9 Extraordinary Business

There was no extraordinary business.

10 Notices of Motion

There were no notices of motion.

11 Response to Easter Sunday trading legislation

*Cr J Walker entered the meeting at 9.52 am.
Cr R Clow left the meeting at 10.11 am.
Cr R Clow returned to the meeting at 10.17 am.*

Resolution number GB/2017/22

MOVED by Cr L Cooper, seconded by Mayor P Goff:

That the Governing Body:

Option one

- a) **approve community engagement on whether to:**
- i) **retain the status quo so that only shops currently able to trade on Easter Sunday will continue to be able to do so, or**
 - ii) **adopt a policy that will allow shops in all or parts of Auckland to trade on Easter Sunday from 2018.**

CARRIED

12 2017 LGNZ Conference and Annual General Meeting

Cr P Hulse retired from the meeting at 10.38 am.

Note: changes to the motion were incorporated with the agreement of the meeting.

The motion was put in parts.

Resolution number GB/2017/23

MOVED by Cr D Simpson, seconded by Cr W Walker:

That the Governing Body:

- a) **agree that one of the four delegates at the Local Government New Zealand Annual General Meeting be a local board member.**

The motion was put to the vote by a show of hands and was declared CARRIED by 10 votes to five.

CARRIED

Note: Pursuant to Standing Order 1.8.3, Cr M Lee requested that his abstention for clause a) be recorded.

Resolution number GB/2017/24

MOVED by Mayor P Goff, seconded by Cr E Collins:

That the Governing Body:

- b) **appoint the Mayor as the Auckland Council presiding delegate to the Local Government New Zealand Annual General Meeting.**

CARRIED

Resolution number GB/2017/25

MOVED by Mayor P Goff, seconded by Cr E Collins:

That the Governing Body:

- c) **appoint the following two delegates to the Local Government New Zealand Annual General Meeting:**

- i) **Cr P Hulse**
- ii) **Deputy Mayor B Cashmore.**

CARRIED

Resolution number GB/2017/26

MOVED by Mayor P Goff, seconded by Cr E Collins:

That the Governing Body:

- d) **invite local boards, through the chairs, to choose a delegate to the Local Government New Zealand Annual General Meeting.**

CARRIED

Resolution number GB/2017/27

MOVED by Mayor P Goff, seconded by Cr E Collins:

That the Governing Body:

- e) **approve attendance at the Local Government New Zealand conference of the Mayor and the Governing Body delegates appointed in recommendation b) above, and of other Governing Body members up to a total of eight attendees, those being:**
 - i) **Cr W Walker**
 - ii) **Cr A Filipaina**
 - iii) **Cr R Hills**
 - iv) **Cr L Cooper**
 - v) **Cr G Sayers.**
- f) **delegate authority to the Mayor to appoint a further councillor, should they wish to attend.**

CARRIED

Resolution number GB/2017/28

MOVED by Mayor P Goff, seconded by Cr E Collins:

That the Governing Body:

- g) **delegate to the Mayor, in the event he cannot attend the Annual General Meeting at short notice, the ability to appoint another Governing Body member to the role of presiding delegate.**
- h) **delegate to the Mayor, in the event an appointed member cannot attend the Local Government New Zealand Annual General Meeting or conference at short notice, the ability to approve the attendance of another member.**
- i) **agree that when exercising the Auckland Council's vote at the Local Government New Zealand Annual General Meeting, the delegates have the discretion to determine the Auckland Council's position on any matter on which the Auckland Council's position is not otherwise known.**
- j) **delegate to the Mayor the ability to act on the Auckland Council's behalf in nominating or seconding any candidate for president or vice-president of Local Government New Zealand.**
- k) **note that local board members and other Governing Body members can attend the Local Government New Zealand Annual General Meeting as observers, provided their names are included on the Local Government New Zealand Annual General Meeting registration form, which will be signed by the Mayor.**

CARRIED

Resolution number GB/2017/29

MOVED by Mayor P Goff, seconded by Cr E Collins:

That the Governing Body:

- j) **note that local board members are offered the opportunity to attend the Local Government New Zealand conference, using their professional development budget.**

CARRIED

13 Selection Process for the Demographic Advisory Panels 2016-2019

Resolution number GB/2017/30

MOVED by Cr A Filipaina, seconded by Cr R Hills:

That the Governing Body:

- a) **show its appreciation for the work that staff did during the selection process.**

CARRIED

Cr C Fletcher left the meeting at 11.36 am.

Cr M Lee left the meeting at 11.37 am.

Resolution number GB/2017/31

MOVED by Mayor P Goff, seconded by Cr R Clow:

That the Governing Body:

- a) **note the appointment process for the members of the demographic advisory panels for the 2016-2019 term.**
- b) **approve the updated Terms of Reference for the Auckland Council demographic advisory panels, subject to the addition of the word *Regional* to bullet point one in the Purpose.**

CARRIED

14 Consideration of Extraordinary Items

There was no consideration of extraordinary items.

15 Procedural motion to exclude the public

Resolution number GB/2017/32

MOVED by Deputy Mayor B Cashmore, seconded by Cr A Filipaina:

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 Recommendation for Appointments to the Demographic Advisory Panels for the 2016-2019 term

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)(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 the names of people recommended for the demographic advisory panels. This information should not be made public until the Governing Body adopts the recommendations and the successful applicants confirm their acceptance of the appointment.</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 Westgate/Massey Town Centre Development Update

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 information that could negatively influence commercial negotiations and outcomes.</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 Housing Infrastructure Fund

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)(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>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>

	<p>s7(2)(c)(ii) - 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 damage the public interest.</p> <p>s7(2)(g) - The withholding of the information is necessary to maintain legal professional privilege.</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 infrastructure costs and the development intentions of landowners in strategic growth areas, legally privileged information, and information that may prejudice the council in negotiations on infrastructure provision.</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

11.38pm 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.

1.27pm The public was re-admitted.

RESTATEMENTS

It was resolved while the public was excluded:

C1 Recommendation for Appointments to the Demographic Advisory Panels for the 2016-2019 term

Resolution number GB/2017/33

MOVED by Mayor P Goff, seconded by Cr L Cooper:

That the Governing Body:

Restatement

- g) agree that the appointments, confidential report and attachments regarding the Recommendation for Appointments to the Demographic Advisory Panels for the 2016-2019 term will be made public once successful candidates have been advised and confirmed acceptance of their appointment.

C2 Westgate/Massey Town Centre Development Update

Resolution number GB/2017/34

MOVED by Mayor P Goff, seconded by Deputy Mayor B Cashmore:

That the Governing Body:

- a) note the contents of the Westgate/Massey Town Centre Development Update report and the actions that will be undertaken to address the observations from Meredith Connell and the Office of the Auditor-General.
- b) refer the Westgate/Massey Town Centre Development Update report and its recommendations on the Westgate development to the Audit and Risk Committee for consideration and ongoing monitoring and oversight.
- c) note that a copy of the unredacted Meredith Connell report will be provided to Governing Body members who request a copy, on the basis that the confidentiality of the redacted information be respected.

Restatement

- d) agree that the decision and confidential report and attachments regarding Westgate/Massey Town Centre Development Update be restated in the open minutes, excluding commercially sensitive information.

Attachments

- A 23 March 2017, Governing Body - Item C2 - Westgate/Massey Town Centre Development Update, Decisions, Redacted report and attachments

C3 Housing Infrastructure Fund

Resolution number GB/2017/35

MOVED by Mayor P Goff, seconded by Deputy Mayor B Cashmore:

That the Governing Body:

Restatement

- d) agree that there be no restatement of the decision, confidential report and attachments for the Housing Infrastructure Fund.

1.27 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:.....