
Komiti ā Pūtea, ā Mahi Hoki / Finance and Performance Committee

OPEN MINUTES

Minutes of a meeting of the Finance and Performance Committee held in the Reception Lounge, Auckland Town Hall, 301-305 Queen Street, Auckland on Tuesday, 21 August 2018 at 9.36am.

PRESENT

Deputy Chairperson Members	Cr Desley Simpson, JP	
	Cr Josephine Bartley	From 9.51am, item 8
	Cr Dr Cathy Casey	
	Deputy Mayor Cr Bill Cashmore	
	Cr Fa'anana Efeso Collins	
	Cr Linda Cooper, JP	
	Cr Chris Darby	
	Cr Hon Christine Fletcher, QSO	
	Cr Richard Hills	
	Cr Penny Hulse	From 10.15am, item 8
	Cr Greg Sayers	
	Cr Sharon Stewart, QSM	From 9.38am, item 8
IMSB Chair David Taipari		
Cr Sir John Walker, KNZM, CBE	From 10.04am, item 8	
Cr Wayne Walker		
Cr John Watson	From 9.46am item 8	

ABSENT

Chairperson	Cr Ross Clow	For leave of absence
	Cr Alf Filipaina	
	Mayor Hon Phil Goff, CNZM, JP	
	Cr Mike Lee	
	Cr Daniel Newman, JP	

Acknowledgement

Chairperson D Simpson acknowledged the passing of Senior Governance Advisor Sandra Gordon's mother on 14 August 2018, and that the funeral is being held today.

1 Apologies

Resolution number FIN/2018/116

MOVED by Cr W Walker, seconded by Cr C Casey:

That the Finance and Performance Committee:

- a) **accept the apologies from Cr J Bartley and P Hulse for lateness, Cr S Stewart for lateness on council business, Cr A Filipaina, Mayor P Goff, IMSB Member Terrence Hohneck and Cr M Lee for absence, and Cr D Newman for absence on council business.**

CARRIED

2 Declaration of Interest

There were no declarations of interest.

3 Confirmation of Minutes

Resolution number FIN/2018/117

MOVED by Deputy Chairperson D Simpson, seconded by Cr E Collins:

That the Finance and Performance Committee:

- a) **confirm the ordinary minutes of its meeting, held on Tuesday, 24 July 2018 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 Council-controlled Organisations - Approval of 2018-2021 Statements of Intent

Cr S Stewart joined the meeting at 9.38am.

Cr J Watson joined the meeting at 9.46am.

Cr J Bartley joined the meeting at 9.51am.

Cr J Walker joined the meeting at 10.04am.

Cr E Collins left the meeting at 10.07am

Cr E Collins returned to the meeting at 10.25am.

IMSB Member D Taipari left the meeting at 10.07am

IMSB Member D Taipari returned to the meeting at 10.25am.

Cr P Hulse joined the meeting at 10.15am.

Cr P Hulse left the meeting at 10.17am

Cr P Hulse returned to the meeting at 10.23am.

Note: changes to the original motion were incorporated under clause b) and the addition of clause f), with the agreement of the meeting.

Resolution number FIN/2018/118

MOVED by Deputy Chairperson D Simpson, seconded by Cr L Cooper:

That the Finance and Performance Committee:

- a) **approve the statements of intent for Auckland Transport, Watercare Services Limited, Auckland Tourism, Events and Economic Development Limited, Regional Facilities Auckland and Panuku Development Auckland Limited for 2018-2021.**
- b) **agree that a letter be sent to Auckland Transport outlining the concerns of the Finance and Performance Committee regarding Auckland Transport's statement of intent and that the content of this letter be agreed by the Mayor and the Chair and Deputy Chair of the committee.**
- c) **approve the statements of intent for the Community Education Trust Auckland and the Contemporary Art Foundation for 2018-2021.**
- d) **note that the statement of intent for the Māngere Mountain Education Trust for 2018-2021 will be provided to this committee for its approval in October 2018.**
- e) **note that the Minister of Housing and Urban Development has approved an extension of the deadline for the Tamaki Regeneration Company to submit its statement of intent to Auckland Council and the Crown, using his power under the Crown Entities Act 2004.**
- f) **request that staff undertake a review of the Statement of Intent process for substantive Council-controlled Organisations.**

CARRIED

Note: Pursuant to Standing Order 1.8.6 the following councillors requested that their dissenting votes be recorded against the approval of the statement of intent for Auckland Transport in clause a):

- Cr J Bartley
- Cr C Darby
- Cr C Fletcher
- Cr R Hills
- Cr G Sayers
- Cr W Walker

9 Ports of Auckland Limited - proposed shareholder feedback on the draft Statement of Corporate Intent

Note: clause c) of staff's recommendations was removed with the agreement of the meeting.

Resolution number FIN/2018/119

MOVED by Deputy Chairperson D Simpson, seconded by IMSB Member D Taipari:

That the Finance and Performance Committee:

- a) **approve the shareholder feedback on the draft Statement of Corporate Intent 2018–2021 for Ports of Auckland Limited.**
- b) **delegate authority to the Mayor to:**
 - i) **finalise a letter to Ports of Auckland Limited setting out the shareholder feedback on the draft Statement of Corporate Intent 2018–2021 in line with the direction set by today's committee.**
 - ii) **approve any minor amendments to the shareholder feedback, if required.**

CARRIED

10 Land acquisition in North Takanini

Resolution number FIN/2018/120

MOVED by Cr C Fletcher, seconded by Cr G Sayers:

That the Finance and Performance Committee:

- a) **note the information contained in this report, on land acquisition in North Takanini, enables transparency on the topic due for discussion in the public excluded part of the meeting.**

CARRIED

11 Finance and Performance Committee - Information Report - 21 August 2018

Resolution number FIN/2018/121

MOVED by Deputy Chairperson D Simpson, seconded by Cr E Collins:

That the Finance and Performance Committee:

- a) **receive the information report – 21 August 2018.**

CARRIED

12 Consideration of Extraordinary Items

There were no consideration extraordinary items.

13 Procedural motion to exclude the public

Resolution number FIN/2018/122

MOVED by Deputy Chairperson D Simpson, seconded by Cr E Collins:

That the Finance and Performance Committee:

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 **CONFIDENTIAL: Land acquisition in North Takanini**

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)(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 commercially sensitive information relating to land acquisition for stormwater purposes which could impact on the council's position in negotiations. It is also considered legally privileged due to the current court case <i>Sabatier vs Auckland Council</i>.</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 was made available to the public who were present at the meeting and formed part of the minutes of the meeting.

CARRIED

10.55am 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.

11.14am The public was re-admitted.

RESTATEMENTS

It was resolved while the public was excluded:

C1 CONFIDENTIAL: Land acquisition in North Takanini

Resolution number FIN/2018/123

MOVED by Cr L Cooper, seconded by Cr P Hulse:

That the Finance and Performance Committee:

- d) agree that there be no restatement of the report, the attachments or the resolutions until the transactions listed in clauses a) to c) have been completed.

11.14am

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 FINANCE AND
PERFORMANCE COMMITTEE HELD ON

DATE:.....

CHAIRPERSON:.....