
Tira Kāwana / 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, 27 September 2018 at 9.32am.

PRESENT

Mayor	Hon Phil Goff, CNZM, JP	
Deputy Mayor	Cr Bill Cashmore	
Councillors	Cr Josephine Bartley	
	Cr Dr Cathy Casey	
	Cr Ross Clow	
	Cr Fa'anana Efeso Collins	Until 12.41pm
	Cr Linda Cooper, JP	
	Cr Chris Darby	
	Cr Hon Christine Fletcher, QSO	Until 11.20am, Item 6.2
	Cr Richard Hills	
	Cr Penny Hulse	
	Cr Mike Lee	From 10.47am, Item 6.1
	Cr Greg Sayers	Until 2.55pm, Item C3
	Cr Desley Simpson, JP	Until 2.16pm, Item C2
	Cr Sharon Stewart, QSM	
	Cr Sir John Walker, KNZM, CBE	Until 12.41pm
	Cr Wayne Walker	
	Cr John Watson	
	Cr Paul Young	

ABSENT

Cr Alf Filipaina
Cr Daniel Newman

Karakia and Mihi

Dean Martin opened the meeting with a karakia and mihi.

1 Affirmation

His Worship the Mayor read the affirmation.

2 Apologies

Resolution number GB/2018/139

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

That the Governing Body:

- a) **accept the apologies from Cr D Newman, Cr A Filipaina and Cr M Lee for absence and Cr E Collins and Cr C Fletcher for early departure.**

CARRIED

Note: Cr M Lee subsequently entered at the meeting at 10.47am during Item 6.1: Public Input: National Urban Māori Authority - Social and affordable housing and Performance of Panuku Development Auckland.

Statutory Declaration - Councillor Paul Young

Councillor Paul Young made an oral declaration and signed a written declaration, which was attested by His Worship the Mayor.

The signed declaration has been attached to the official minutes and is available on the Auckland Council website as a minutes attachment.

Attachments

- A 27 September 2018, Governing Body: Statutory Declaration - Councillor Paul Young, Signed Declaration

Maiden Speech - Councillor Paul Young

Councillor Young was given the opportunity to address the Governing Body and delivered his maiden speech.

A copy is attached to the official minutes and is available on the Auckland Council website as a minutes attachment.

The meeting was adjourned at 9:51am and reconvened at 10.18am.

Resolution number GB/2018/140

MOVED by Mayor P Goff, seconded by Cr S Stewart:

That the Governing Body:

- a) **receive and acknowledge the maiden speech of Cr Paul Young.**

CARRIED UNANIMOUSLY

Attachments

- A 27 September 2018, Governing Body: Maiden Speech - Councillor Paul Young, Maiden Speech

3 Declaration of Interest

Cr D Simpson declared an interest in confidential Item C3: Shareholder approval for a Wynyard Quarter transaction.

4 Confirmation of Minutes

Resolution number GB/2018/141

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

That the Governing Body:

- a) **confirm the ordinary minutes of its meeting, held on Thursday, 23 August 2018, including the confidential section, as a true and correct record.**

CARRIED

5 Petitions

5.1 Keep the Auckland dockline tram running: Petition relating to keeping the tram running around Wynyard Quarter

Puneet Dhall from Keep the Auckland dockline tram running presented the petition and supporting information.

The supporting information has been attached to the official minutes and is available on the Auckland Council website as a minute attachment. The petition can be found online at: <https://www.change.org/p/auckland-transport-keep-the-auckland-dockline-tram-running>

Petition Prayer:

“The tram has not run a loop since May 2015. The earliest indication is the end of 2019, and this is only an indication. How do I explain this to my 2 1/2 year old son?

Children, Visitors, local workers and adults alike all love the 92 year old, lovingly restored Auckland Dockline Tram. It runs a 1.5 km loop round the Wynyard Quarter. You see their faces light up with the largest smiles as they enjoy this age old method of transport. The drivers double as exceptional tour guides pointing out both historical and contemporary facts about this local quarter.

ALL OF THIS IS BEING LOST

Local Kiwis' love the tram - and it has only operated the loop for 6 months since 2013. Local commuters, children and tourists are missing out on this wonderful asset which is lying almost dormant.

ENOUGH IS ENOUGH

This does not have to be the case. With your help we can lobby Auckland transport to Keep the Auckland Dockline Tram Running its full loop as of today.”

Resolution number GB/2018/142

MOVED by Mayor P Goff, seconded by Cr P Hulse:

That the Governing Body:

- a) **thank Puneet Dhall from Keep the Auckland dockline tram running for his attendance**
- b) **receive the petition in relation to keeping the train running around Wynyard Quarter**
- c) **refer the petition to Auckland Transport and Panuku Development Auckland for consideration and request a report to the November Governing Body meeting on the matter.**

CARRIED

Attachments

- A 27 September 2018, Governing Body: Item 5.1 - Keep the Auckland dockline tram running: Petition relating to keeping the tram running around Wynyard Quarter, Supporting Information

6 Public Input

6.1 Public Input: National Urban Māori Authority - Social and affordable housing and Performance of Panuku Development Auckland

A presentation was given. A copy has been attached to the official minutes and is available on the Auckland Council website as a minutes attachment.

Bill Rayner, President Grey Power also spoke in support of the item.

Cr M Lee entered the meeting at 10.47 am.

Acknowledgement

During the item, His Worship the Mayor and Cr L Cooper acknowledged the recent passing of the former Waitakere Mayor, Assid Corban who had been involved in local government for 60 years.

The meeting observed a moment silence in memory of Assid Corban.

Resolution number GB/2018/143

MOVED by Cr E Collins, seconded by Cr L Cooper:

That the Governing Body:

- a) **receive and note the public input presentation from Hon John Tamihere, Chief Executive of National Urban Māori Authority (NUMA) and Bill Rayner, President Grey Power regarding:**
 - i) **social and affordable housing**
 - ii) **performance of Panuku Development Auckland****and thank them for their attendance.**

CARRIED

Attachments

- A 27 September 2018, Governing Body: Item 6.1 - Public Input: National Urban Māori Authority - Social and affordable housing and Performance of Panuku Development Auckland, Presentation

Cr C Fletcher retired from the meeting at 11.20 am.

6.2 Public Input: Housing Foundation - Affordable Housing and the role of Council

A document was tabled in support of the item. A copy has been attached to the official minutes and is available on the Auckland Council website as a minutes attachment.

Resolution number GB/2018/144

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

That the Governing Body:

- a) **receive and note the public input presentation from Dominic Foote on behalf of the Housing Foundation with regards to affordable housing and the role of council and thank him for his attendance.**

CARRIED

Attachments

- A 27 September 2018, Governing Body: Item 6.2 - Public Input: Housing Foundation - Affordable Housing and the role of Council, Supporting information

7 Local Board Input

There was no local board input.

8 Extraordinary Business

There was no extraordinary business.

9 Notices of Motion

Under Standing Order 2.5.1 a Notice of Motion has been received from Cr C Casey for consideration under item 10.

10 Notice of Motion - Councillor Cathy Casey - Affordable Housing

Supporting information was tabled. A copy has been placed on the official minutes and is available on the Auckland Council website as a minutes attachment.

Mayor P Goff vacated the chair in favour of the Deputy Mayor B Cashmore and left the meeting at 12.27pm.

Resolution number GB/2018/145

MOVED by Cr C Casey, seconded by Cr E Collins:

That the Governing Body:

- a) **support in principle the need to find ways of urgently enabling more affordable housing to be built for Auckland's workers**
 - i) **noting that the Mayor's Housing Taskforce has already initiated work on "investigating new tenure and ownership models for affordable housing" (recommendation # 6) and that a scope of that work and progress to date is to be reported to the Planning Committee at its 2 October meeting**

- ii) **requesting that the report also covers how the council will engage with developers, community housing groups, iwi and central government on affordable housing for workers.**

CARRIED UNANIMOUSLY

Attachments

- A 27 September 2018, Governing Body: Item 10 - Notice of Motion - Councillor Cathy Casey - Affordable Housing, Supporting Information

Cr E Collins retired from the meeting at 12.41 pm.

Cr J Walker retired from the meeting at 12.41 pm.

The meeting was adjourned at 12.41pm and reconvened at 1.15pm.

Mayor P Goff returned to the meeting at 1.15 pm and assumed the chair.

Cr M Lee was not present.

11 Recommendations from the Appointments, Performance Review and Value for Money Committee - Value for Money (s17A) - Group Financial Services

Resolution number GB/2018/146

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

That the Governing Body:

- a) **approve the terms of reference for the group financial services value for money review (included in Attachment A of the agenda report).**

CARRIED

12 Referred from the Audit and Risk Committee - Quarterly Health and Safety Performance Report

Cr M Lee returned to the meeting at 1.21 pm.

Cr C Darby left the meeting at 1.22 pm.

Resolution number GB/2018/147

MOVED by Cr W Walker, seconded by Mayor P Goff:

That the Governing Body:

- a) **receive the Quarterly Health and Safety Performance report**
b) **note its duties under the Health and Safety at Work Act 2015**
c) **note that the report will be referred to all local boards for their information.**

CARRIED

13 Recommendations from the Regulatory Committee - Public Safety and Nuisance Bylaw Statement of Proposal

Cr C Darby returned to the meeting at 1.27 pm.

Resolution number GB/2018/148

MOVED by Cr L Cooper, seconded by Deputy Mayor BC Cashmore:

That the Governing Body:

- a) **adopt the Public Safety and Nuisance Bylaw 2013 statement of proposal in Attachment A of the agenda report for public consultation**
- b) **confirm that the Public Safety and Nuisance Bylaw 2013 amendments contained in Attachment A of the agenda report:**
 - i) **are the most appropriate form of bylaw**
 - ii) **do not give rise to any implications and are not inconsistent with the New Zealand Bill of Rights Act 1990.**
- c) **agree to the Public Safety and Nuisance Bylaw 2013 amendments contained in Attachment A of the agenda report to local boards and advisory panels for their information and views**
- d) **note that authority is delegated through the Chief Executive to a manager responsible for bylaws to make any amendments to the statement of proposal in Attachment A of the agenda report to correct errors, omissions or to reflect decisions made by the Regulatory Committee or the Governing Body.**

CARRIED

14 Process for shareholder approval for a Wynyard Quarter transaction

Resolution number GB/2018/149

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

That the Governing Body:

- a) **note that there is a confidential report on the agenda to consider granting shareholder approval for Panuku Development Auckland Limited to undertake a major transaction in relation to a strategic asset.**

CARRIED

Note: Pursuant to Standing Order 1.8.3, Cr D Simpson requested that her abstention be recorded.

15 Summary of Governing Body information memos and briefings - 27 September 2018

Resolution number GB/2018/150

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

That the Governing Body:

- a) **note the progress on the forward work programme**
- b) **receive the Summary of Governing Body information memos and briefings – 27 September 2018.**

CARRIED

16 Consideration of Extraordinary Items

There were no extraordinary items.

17 Procedural motion to exclude the public

Resolution number GB/2018/151

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

That the Governing Body:

- a) exclude the public from the following part(s) of the proceedings of this meeting.
- b) agree that Greg Schollum, Deputy Auditor-General, Sarah Markley, Sector Manager – Local Government and Jo Smaitl, Audit Director, Audit New Zealand be permitted to remain for Confidential Item C1: Office of the Auditor-General briefing and C2: Adoption of the 2017/2018 Annual Report and Summary Annual Report for Auckland Council and group after the public has been excluded, because of their knowledge and role, which will help the Governing Body in its decision-making.

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 Office of the Auditor-General briefing

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)(h) - The withholding of the information is necessary to enable the local authority to carry out, without prejudice or disadvantage, commercial activities. In particular, the report contains detailed financial adjustments, assumptions and judgements that have impact on the financial results of the Auckland Council group as at 30 June 2018 that require final Audit New Zealand sign-off and release to the New Zealand Stock Exchange	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.

C2 Adoption of the 2017/2018 Annual Report and Summary Annual Report for Auckland Council and group

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)(h) - The withholding of the information is necessary to enable the local authority to carry out, without prejudice or disadvantage, commercial activities. In particular, the report contains detailed financial adjustments, assumptions and judgements that have impact on the financial results of the Auckland Council group as at 30 June 2018 that require final Audit New Zealand sign-off and release to the New Zealand Stock Exchange.	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.

C3 CONFIDENTIAL: Shareholder approval for a Wynyard Quarter transaction

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)(h) - The withholding of the information is necessary to enable the local authority to carry out, without prejudice or disadvantage, commercial activities. In particular, the report contains sensitive information about a commercial transaction.	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.

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

1.33pm 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.

3.31pm The public was re-admitted.

RESTATEMENTS

It was resolved while the public was excluded:

C1 Office of the Auditor-General briefing

Resolution number GB/2018/152

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

That the Governing Body:

- a) note the information provided by Deputy Auditor-General Greg Schollum, Sector Manager - Local Government Sarah Markley, and Audit Director, Audit New Zealand Jo Small
- b) thank Deputy Auditor-General Greg Schollum, Sector Manager - Local Government Sarah Markley, and Audit Director, Audit New Zealand Jo Small for their attendance

Restatement

- c) agree that the information provided by the Deputy Auditor-General will remain confidential until the release of the 2017/2018 Annual Report and Summary Annual Report to the New Zealand Stock Exchange and the public on 28 September 2018
- d) agree that the decisions only will be released in the open minutes.

Attachments

- A 27 September 2018, Governing Body: C1 - Office of the Auditor-General briefing, Summary Audit Opinion
- B 27 September 2018, Governing Body: C1 - Office of the Auditor-General briefing, Final Opinion on the Annual Report

C2 Adoption of the 2017/2018 Annual Report and Summary Annual Report for Auckland Council and group

Resolution number GB/2018/152

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

That the Governing Body:

- a) adopt the 2017/2018 Annual Report for the Auckland Council group
- b) adopt the 2017/2018 Summary Annual Report for the Auckland Council group

Restatement

- c) agree that the adopted 2017/2018 Annual Report and Summary Annual Report provided as Attachments C - F will remain confidential. Following the release of the 2017/2018 Annual Report and Summary Annual Report by 28 September 2018 to the New Zealand Stock Exchange and the public, these reports will immediately be published on Auckland Council's website
- d) agree that the decisions will be restated in the open minutes.

Note: Following the meeting, the 2017/2018 Annual Report for the Auckland Council group and the 2017/2018 Summary Annual Report for the Auckland Council group were made available on the Auckland Council website at the following link:

<https://www.aucklandcouncil.govt.nz/plans-projects-policies-reports-bylaws/our-annual-reports/Pages/current-annual-report.aspx>

C3 CONFIDENTIAL: Shareholder approval for a Wynyard Quarter transaction

Resolution number GB/2018/153

MOVED by Mayor P Goff, seconded by Cr M Lee:

That the Governing Body:

- a) agree that Item C3: CONFIDENTIAL: Shareholder approval for a Wynyard Quarter transaction be deferred to the Governing Body meeting scheduled for 18 October 2018 at 9.30am pending a workshop to be held on Tuesday 2 October 2018.

3.31 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:.....