## 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, 26 September 2019 at 9.34am.

### PRESENT

<table>
<thead>
<tr>
<th>Mayor</th>
<th>Hon Phil Goff, CNZM, JP</th>
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<tr>
<td>Deputy Mayor</td>
<td>Deputy Mayor Cr Bill Cashmore</td>
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<td>Councillors</td>
<td>Cr Josephine Bartley</td>
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<td></td>
<td>Cr Dr Cathy Casey</td>
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<td></td>
<td>Cr Ross Clow</td>
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<td>Cr Fa'anana Efeso Collins</td>
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<td>Cr Linda Cooper, JP</td>
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<td>Cr Chris Darby</td>
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<td>Cr Alf Filipaina</td>
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<td>Cr Hon Christine Fletcher, QSO</td>
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<td>Cr Richard Hills</td>
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<td>Cr Penny Hulse</td>
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<td>Cr Mike Lee</td>
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<td>Cr Daniel Newman, JP</td>
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<td>Cr Greg Sayers</td>
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<td>Cr Desley Simpson, JP</td>
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<td>Cr Sharon Stewart, QSM</td>
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<td>Cr Sir John Walker, KNZM, CBE</td>
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<td>Cr Wayne Walker</td>
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<td>Cr John Watson</td>
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<td>Cr Paul Young</td>
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*From 9.53am, Item 9
From 9.43am, Item 9 Until 11.43am
From 9.38am, Item 9 Until 11.43am
From 9.51am, Item 9
From 10.40am, Item 12
From 9.45am, Item 9 Until 11.43am
Until 11.43am*
1  Affirmation  
His Worship the Mayor read the affirmation.

2  Apologies  
Resolution number GB/2019/88  
MOVED by Cr W Walker, seconded by Cr P Young:  
That the Governing Body:  
a) accept the apology from Cr G Sayers and Cr Sir J Walker for lateness; and from Cr C Fletcher and Cr P Young early departure.  
CARRIED

3  Declaration of Interest  
There were no declarations of interest.

4  Confirmation of Minutes  
Resolution number GB/2019/89  
MOVED by Mayor P Goff, seconded by Cr A Filipaina:  
That the Governing Body:  
a) confirm the ordinary minutes of its meeting, held on Thursday, 22 August 2019, including the confidential section, as a true and correct record.  
CARRIED

5  Petitions  
There were no petitions.

6  Public Input  
There was no public input.

7  Local Board Input  
There was no local board input.

8  Extraordinary Business  
There was no extraordinary business.
9 Referred from the Audit and Risk Committee - Health, Safety and Wellbeing Update - September 2019

Cr M Lee joined the meeting at 9.38am.
Cr P Hulse joined the meeting at 9.43am.
Cr J Walker joined the meeting at 9.45am.
Cr D Newman joined the meeting at 9.51am.
Cr E Collins joined the meeting at 9.53am.

Resolution number GB/2019/90

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

That the Governing Body:

a) note the report and the responsibility of elected members with regards to their duties under the Health and Safety at Work Act 2015
b) note that the report will be provided to all local boards for their information.

CARRIED

10 Auckland Unitary Plan (Operative in Part) – Request to make provisions at Okura operative

Resolution number GB/2019/91

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

That the Governing Body:

a) note that section 152 of the Local Government (Auckland Transitional Provisions) Act 2010 deems those parts of the Proposed Auckland Unitary Plan no longer under appeal to have been approved by the council under clause 17(1) of Schedule 1 of the Resource Management Act 1991.
b) request staff to publicly notify the provisions for the land at Okura covered by Environment Court appeals ENV-2016-AKL-000196 and ENV-2016-AKL-000211 as operative in accordance with clause 20(1) of Schedule 1 of the Resource Management Act.

CARRIED

11 Recommendation from Appointments, Performance Review and Value for Money Committee - Legal and Risk Review

Cr W Walker left the meeting at 10.18am.

Resolution number GB/2019/92

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

That the Governing Body:

a) agree that the council’s chief executive collaborates with the chief executives of the council-controlled organisations to:
   i) develop and implement a group assessment of risk by:
      A) developing a framework for combining the same or similar risks identified by each organisation into a cumulative group risk
B) determining the most effective way to treat cumulative risk – either as a group or as individual organisations – and whether a portion of the risk should be insured

C) reporting the cumulative group risk to the Audit and Risk Committee on a quarterly basis

ii) build a business case to improve legal operational efficiency

A) determining and understanding the current gaps impacting efficiency

B) identifying and evaluating a range of options (largely technology) which will close the identified gaps and complete the approved business case

iii) adopt a more strategic approach to insurance

A) understanding the risks the group faces and the strength of the group balance sheet to manage that risk

B) assessing current insurance cover against our risk profile to:
   1) purchase insurance only when events have potential to materially and adversely impact council’s credit rating
   2) insure key assets that materially affect service delivery and the group balance sheet
   3) apply meaningful deductibles consistent with balance sheet capacity ($52 billion in assets) and risk appetite.

CARRIED

12 Value for Money Programme - Observations from Independent Reference Panel

Cr W Walker returned to the meeting at 10.21am.
Cr G Sayers joined the meeting at 10.40am.
Cr A Filipaina left the meeting at 10.51am.

Resolution number GB/2019/93

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

That the Governing Body:

a) note the memorandum from the Value for Money (S17A) Independence Reference Panel and thank Miriam Dean, Doug Martin and John Leuchars for their work over the last two years.

CARRIED

Cr A Filipaina returned to the meeting at 10.57am.

Resolution number GB/2019/94

MOVED by Cr R Clow, seconded by Cr C Casey:

That the Governing Body:

a) note the confirmation by the Audit and Risk Committee that the audit process in respect of the draft Auckland Council Annual Report 2018/2019 and the draft Auckland Council Summary Annual Report 2018/2019 has been completed satisfactorily

b) note the draft Auckland Council Annual Report 2018/2019 and the draft Auckland Council Summary Annual Report 2018/2019 will be discussed in the confidential section of this meeting.

CARRIED

14 Summary of Governing Body and Committee information memoranda and briefings - 26 September 2019 including the Governing Body Forward Work Programme

Resolution number GB/2019/95

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

That the Governing Body:

a) note the progress on the forward work programme appended as Attachment A of the agenda report

b) receive the Summary of Governing Body and other committee information memoranda and briefings – 26 September 2019.

CARRIED

15 Valedictory Speeches

Councillors Penny Hulse and Sir John Walker gave their valedictory speeches. Copies have been placed on the official minutes and are available on the Auckland Council website as minutes attachments.

Resolution number GB/2019/96

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

That the Governing Body:

a) receive the valedictory speeches from Councillors Penny Hulse and Sir John Walker, wish them all the best for their future endeavours and thank them for their hard work and contribution to local government in Auckland and in particular to the 2010 – 2019 terms of Auckland Council.

CARRIED

Attachments

A 26 September 2019, Governing Body: Item 15 - Valedictory Speeches, Councillor Penny Hulse

B 26 September 2019, Governing Body: Item 15 - Valedictory Speeches, Councillor Sir John Walker
16 Consideration of Extraordinary Items

There was no consideration of extraordinary items.

17 Procedural motion to exclude the public

Resolution number GB/2019/97

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 Smaill, Audit Director, Audit New Zealand be permitted to remain for Confidential Item C1: Adoption of the Auckland Council Annual Report 2018/2019 and Auckland Council Summary Annual Report 2018/2019 and C2: Office of the Auditor-General briefing 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:


<table>
<thead>
<tr>
<th>Reason for passing this resolution in relation to each matter</th>
<th>Particular interest(s) protected (where applicable)</th>
<th>Ground(s) under section 48(1) for the passing of this resolution</th>
</tr>
</thead>
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<tr>
<td>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.</td>
<td>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 information that relates to the Auckland Council Group Annual Report 2018/2019 which may only be made public following its release to the New Zealand Exchange.</td>
<td>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.</td>
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C2 Office of the Auditor-General briefing

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<td>s7(2)(h) - The withholding of the information is necessary to enable the local authority to carry out, without prejudice or disadvantage, commercial activities.&lt;br&gt;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 2019 that require final Audit New Zealand sign-off and released to the New Zealand Exchange.</td>
<td>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.</td>
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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

11.43am 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.

1.17pm The public was re-admitted.

RESTATEMENTS

It was resolved while the public was excluded:


Resolution number GB/2019/98

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

That the Governing Body:

a) receive the information provided by the Auditor-General’s representatives and thank them for their attendance

b) agree that the information provided by the Auditor-General’s representatives will remain confidential until the release of the Auckland Council Annual Report 2018/2019 and Auckland Council Summary Annual Report 2018/2019 to the New Zealand Exchange and the public on 27 September 2019

c) agree that only the decisions will be restated in the open minutes.
Note: Following the meeting, the 2018/2019 Annual Report for the Auckland Council group and the 2018/2019 Summary Annual Report for the Auckland Council group were made available on the Auckland Council website at the following link:


C2 Office of the Auditor-General briefing

Resolution number GB/2019/99

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

That the Governing Body:

a) note that all matters raised by the Audit and Risk Committee and the Finance and Performance Committee, in relation to the annual report content, have been resolved

b) adopt the Auckland Council Annual Report 2018/2019

c) adopt the Auckland Council Summary Annual Report 2018/2019


e) agree that the decisions will be restated in the open minutes.

1.17pm

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

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

DATE:..........................................................................................................

CHIEF EXECUTIVE

OR

CHIEF EXECUTIVE

CHIEF EXECUTIVE

OR

NOMINEE:............................................................................................