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## Kōmiti ā Pūtea, ā Mahi Hoki / Finance and Performance Committee

### OPEN MINUTES

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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, 26 July 2022 at 10.02am.

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#### PRESENT

<b>Deputy Chairperson</b>	Cr Shane Henderson	Presiding
<b>Members</b>	Cr Josephine Bartley	Via electronic attendance
	Deputy Mayor Cr Bill Cashmore	Via electronic attendance
	Cr Fa'anana Efeso Collins	Via electronic attendance
	Cr Dr Cathy Casey	Via electronic attendance until 1.24pm, Item 10
	Cr Pippa Coom	
	Cr Linda Cooper, JP	Via electronic attendance
	Cr Angela Dalton	
	Cr Chris Darby	Via electronic attendance
	Cr Alf Filipaina, MNZM	Via electronic attendance
	Cr Christine Fletcher, QSO	Via electronic attendance until 1.18pm, item 9
	Mayor Hon Phil Goff, CNZM, JP	
	Cr Richard Hills	Via electronic attendance From 10.17am, Item 4
	Cr Tracy Mulholland	Via electronic attendance until 1.19pm, Item 9
	Cr Daniel Newman, JP	Via electronic attendance
	Cr Greg Sayers	Via electronic attendance
	Cr Sharon Stewart, QSM	
	IMSB Chair David Taipari	Via electronic attendance
	Cr Wayne Walker	In person and via electronic link From 10.17am, Item 5 until 1.37pm, Item 15
	Cr John Watson	From 10.17am, Item 5
	Cr Paul Young	

#### ABSENT

<b>Chairperson</b>	Cr Desley Simpson, JP
<b>Members</b>	IMSB Member Renata Blair

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In the absence of Chairperson Cr Desley Simpson, Deputy Chairperson, Cr S Henderson presided.

Note: a roll-call was conducted that ascertained the following members were in attendance at the commencement of the meeting:

Member		Member	
Cr D Simpson - apology		Cr C Fletcher	✓
Mayor P Goff	✓	Cr S Henderson	✓
Deputy Mayor BC Cashmore	✓	Cr R Hills	
Cr J Bartley	✓	Cr T Mulholland	✓
IMSB Member R Blair - apology		Cr D Newman	✓
Cr C Casey	✓	Cr G Sayers	✓
Cr E Collins	✓	Cr S Stewart	✓
Cr P Coom	✓	Cr W Walker	
Cr L Cooper	✓	Cr J Watson	
Cr A Dalton	✓	IMSB Chair D Taipari	✓
Cr C Darby	✓	Cr P Young	✓
Cr A Filipaina	✓		

## 1 Apologies

Resolution number FIN/2022/40

MOVED by Cr S Henderson, seconded by Cr A Dalton:

**That the Finance and Performance Committee:**

a) **accept the apologies from:**

**Absence**

**IMSB Member Blair  
Cr D Simpson**

**Lateness**

**Cr W Walker  
Cr J Watson**

**Early departure**

**Cr C Fletcher**

**CARRIED**

## 2 Declaration of Interest

Cr T Mulholland declared an interest in Item 10 – Auckland Council Business Improvement District (BID) Policy Kaupapa Here ā-Rohe Whakapiki Pakihi.

## 3 Confirmation of Minutes

Resolution number FIN/2022/41

MOVED by Cr S Henderson, seconded by Cr A Dalton:

**That the Finance and Performance Committee:**

- a) **confirm the ordinary minutes of its meeting, held on Thursday, 19 May 2022, including the confidential section, and the extraordinary minutes of its meeting, held on Tuesday, 7 June 2022 as a true and correct record.**

**CARRIED**

## 4 Petitions

There were no petitions.

The meeting adjourned at 10.07am and reconvened at 10.17am.

*Cr R Hills joined the meeting at 10.17am.*

*Cr W Walker entered the meeting at 10.17am.*

*Cr J Watson entered the meeting at 10.17am.*

## 5 Public Input

### 5.1 Public Input - Frank Lombard - Notice of Motion from Cr Stewart - 9R Fortyfoot Lane, Sunnyhills

Frank Lombard addressed the Finance and Performance Committee regarding Item 9 - Notice of motion to revoke or alter a previous resolution - Cr Sharon Stewart - 9R Fortyfoot Lane, Sunnyhills.

A PowerPoint presentation was provided. A copy has been placed on the official minutes and is available on the Auckland Council website.

Resolution number FIN/2022/42

MOVED by Cr S Stewart, seconded by Cr P Young:

**That the Finance and Performance Committee:**

- a) **whakamihi / thank Frank Lombard for his presentation regarding regarding Item 9 - Notice of motion to revoke or alter a previous resolution - Cr Sharon Stewart - 9R Fortyfoot Lane, Sunnyhills.**

**CARRIED**

### Attachments

- A 26 July 2022, Finance and Performance Committee - Item 5.1 - Public Input - Frank Lombard - Notice of Motion from Cr Stewart - 9R Fortyfoot Lane, Sunnyhills - Presentation

## 5.2 Public Input - Steve and Louise Stickland - Notice of Motion from Cr Stewart - 9R Fortyfoot Lane, Sunnyhills

Steve and Louise Stickland addressed the Finance and Performance Committee regarding Item 9 - Notice of motion to revoke or alter a previous resolution - Cr Sharon Stewart - 9R Fortyfoot Lane, Sunnyhills.

A PowerPoint presentation was provided. A copy has been placed on the official minutes and is available on the Auckland Council website.

Resolution number FIN/2022/43

MOVED by Cr P Young, seconded by Cr S Stewart:

**That the Finance and Performance Committee:**

- a) **whakamihi / thank Steve and Louise Stickland for their presentation regarding regarding Item 9 - Notice of motion to revoke or alter a previous resolution - Cr Sharon Stewart - 9R Fortyfoot Lane, Sunnyhills.**

**CARRIED**

### Attachments

- A 26 July 2022, Finance and Performance Committee, Item 5.2 - Public Input - Steve and Louise Stickland - Notice of Motion from Cr Stewart - 9R Fortyfoot Lane, Sunnyhills - Presentation

## 5.3 Public Input - Leon Goldwater - Notice of Motion from Cr Stewart - 9R Fortyfoot Lane, Sunnyhills

Leon Goldwater addressed the Finance and Performance Committee regarding regarding Item 9 - Notice of motion to revoke or alter a previous resolution - Cr Sharon Stewart - 9R Fortyfoot Lane, Sunnyhills.

Resolution number FIN/2022/44

MOVED by Cr S Stewart, seconded by Cr P Young:

**That the Finance and Performance Committee:**

- a) **whakamihi / thank Leon Goldwater for his presentation regarding regarding Item 9 - Notice of motion to revoke or alter a previous resolution - Cr Sharon Stewart - 9R Fortyfoot Lane, Sunnyhills.**

**CARRIED**

## 6 Local Board Input

### 6.1 Local Board Input: Howick Local Board - Notice of Motion from Cr Stewart - 9R Fortyfoot Lane, Sunnyhills

Chair Adele White addressed the Finance and Performance Committee regarding regarding Item 9 - Notice of motion to revoke or alter a previous resolution - Cr Sharon Stewart - 9R Fortyfoot Lane, Sunnyhills.

Chair White was supported by John Spiller, Deputy Chairperson and Members Bo Burns, David Collings, Bruce Kendall and Mike Turinsky.

A PowerPoint Presentation was given in support of the item. A copy has been placed on the official minutes and is available on the Auckland Council website.

Resolution number FIN/2022/45

MOVED by Cr P Young, seconded by Cr S Stewart:

**That the Finance and Performance Committee:**

- a) **whiwhi / receive the Howick Local Board input from Chair Adele White regarding regarding Item 9 - Notice of motion to revoke or alter a previous resolution - Cr Sharon Stewart - 9R Fortyfoot Lane, Sunnyhills and whakamihi / thank her for attending.**

**CARRIED**

#### **Attachments**

- A Local Board Input: Howick Local Board - Notice of Motion from Cr Stewart - 9R Fortyfoot Lane, Sunnyhills - presentation

## **7 Extraordinary Business**

There was no extraordinary business.

## **8 Notices of Motion**

Under Standing Order 1.9.1 a Notice of Motion had been received from Cr Stewart for consideration under item 9.

## **9 Notice of motion to revoke or alter a previous resolution - Cr Sharon Stewart - 9R Fortyfoot Lane, Sunnyhills**

Cr Sharon Stewart outlined the notice of motion.

A video was shown in support of the item. A link to the video can be found here - <https://www.1news.co.nz/2022/06/10/east-aucklanders-gutted-after-council-votes-to-sell-park/>

An additional information memorandum from the General Manager Value for Money had been circulated prior to the meeting. A copy has been placed on the official minutes and is available on the Auckland Council website as a minutes attachments.

MOVED by Cr S Stewart, seconded by Cr P Young:

**That the Finance and Performance Committee:**

- a) agree pursuant to Standing Order 1.9.1 and 1.9.2, to revoke the following part of the resolution of the Finance and Performance Committee, adopted at its ordinary meeting held on 17 September 2020:
  - c) *approve subject to the satisfactory conclusion of any required statutory processes (including mana whenua engagement) the disposal, and where appropriate any reserve revocation of the following properties (legal description detailed in Attachment A of the agenda report) with the final terms and conditions to be approved under the appropriate delegations:*
    - viii) 9R Fortyfoot Lane, Sunnyhills

The meeting adjourned at 12.06pm and reconvened at 12.38pm.

Note: debate on the motion commenced.

MOVED by Cr S Stewart, seconded by Cr P Young:

That the Finance and Performance Committee:

- a) agree pursuant to Standing Order 1.9.1 and 1.9.2, to revoke the following part of the resolution of the Finance and Performance Committee, adopted at its ordinary meeting held on 17 September 2020:
- c) *approve subject to the satisfactory conclusion of any required statutory processes (including mana whenua engagement) the disposal, and where appropriate any reserve revocation of the following properties (legal description detailed in Attachment A of the agenda report) with the final terms and conditions to be approved under the appropriate delegations:*
- viii) 9R Fortyfoot Lane, Sunnyhills

A division was called for, voting on which was as follows:

<u>For</u>	<u>Against</u>	<u>Abstained</u>
Cr C Fletcher	Cr J Bartley	
Cr T Mulholland	Cr C Casey	
Cr D Newman	Deputy Mayor BC Cashmore	
Cr G Sayers	Cr E Collins	
Cr S Stewart	Cr P Coom	
Cr W Walker	Cr L Cooper	
Cr J Watson	Cr A Dalton	
Cr P Young	Cr C Darby	
	Cr A Filipaina	
	Mayor P Goff	
	Cr S Henderson	
	Cr R Hills	
	IMSB Chair D Taipari	

The motion was declared LOST by 8 votes to 13.

#### **Attachments**

- A 26 July 2022, Finance and Performance Committee - Item 9, Notice of motion to revoke or alter a previous resolution - Cr Sharon Stewart - 9R Fortyfoot Lane, Sunnyhills - staff advice

*Cr S Stewart left the meeting at 1.18pm.*  
*Cr P Young left the meeting at 1.18pm.*  
*Cr C Fletcher retired from the meeting at 1.18pm*  
*Cr T Mulholland retired from the meeting at 1.19pm.*

## **10 Auckland Council Business Improvement District (BID) Policy Kaupapa Here ā-Rohe Whakapiki Pakihi**

*Cr P Young returned to the meeting at 1.20pm.*  
*Cr C Casey retired from the meeting at 1.24pm.*  
*Cr Stewart returned to the meeting at 1.27pm.*

Note: changes were made to the original recommendation adding new clause b), as a Chairperson's recommendation.

Resolution number FIN/2022/46

MOVED by Cr A Dalton, seconded by Cr S Henderson:

**That the Finance and Performance Committee:**

- a) approve the Business Improvement District (BID) Policy Kaupapa Here ā-Rohe Whakapiki Pakihi that is found at Attachment A of the agenda report.
- b) agree that the Business Improvement District (BID) Policy Kaupapa Here ā-Rohe Whakapiki Pakihi include a reference to the ability of BIDs to request mediation in section five (“Issue Resolution”), amend all references to the Incorporated Societies Act (2022) to read ‘Incorporated Societies Act 1908 (as amended or replaced from time to time)’ and delegate the Manager, CCO Governance and External Partnerships to make these amendments.

**CARRIED**

### 11 Insurance update July 2022

Resolution number FIN/2022/47

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

**That the Finance and Performance Committee:**

- a) note the update on the council group’s insurance renewal placement and the self insurance fund.
- b) note the insurance renewal placement and the self insurance fund will be further discussed in the confidential section of this meeting.

**CARRIED**

### 12 Summary of Finance and Performance Committee information memoranda and briefings, including the Forward Work Programme - 26 July 2022

Resolution number FIN/2022/48

MOVED by Cr P Coom, seconded by Cr A Dalton:

**That the Finance and Performance Committee:**

- a) tuhi ā-taipitopito / note the progress on the forward work programme for 2022 as appended in Attachment A of the agenda report.
- b) whiwhi / receive the Summary of Finance and Performance Committee information memorandum and briefings as at 26 July 2022.

**CARRIED**

### 13 Summary of Confidential Decisions and related information released into Open

Resolution number FIN/2022/49

MOVED by Cr P Young, seconded by Cr S Henderson:

**That the Finance and Performance Committee:**

- a) tuhi ā-taipitopito / note the confidential decisions and related information that are now publicly available.

**CARRIED**



## 14 Consideration of Extraordinary Items

There was no consideration of extraordinary items.

*Cr W Walker retired from the meeting at 1.37pm*

## 15 Procedural motion to exclude the public

Resolution number FIN/2022/50

MOVED by Cr S Henderson, seconded by Cr L Cooper:

**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: Insurance update July 2022

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 confidential information with respect to council's insurance arrangements, including premiums and cost benefits.	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 is made available to the public who are present at the meeting and form part of the minutes of the meeting.

**CARRIED**

1.39pm 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.

1.53pm The public was re-admitted.

**RESTATEMENTS**

It was resolved while the public was excluded:

**C1 CONFIDENTIAL: Insurance update July 2022**

Resolution number FIN/2022/51

MOVED by Cr S Henderson, seconded by Cr A Dalton:

That the Finance and Performance Committee:

- a) note the update on the council group’s insurance renewal placement and the self insurance fund.
- b) agree that the decision be transferred to the open minutes, but the report and any attachments remain confidential.

1.53pm

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:**.....