

1 Apologies

Resolution number FIN/2016/71

MOVED by Chairperson MP Webster, seconded by Cr W Cashmore:

That the Finance and Performance Committee:

- a) **accept the apologies from Mayor LCM Brown, Deputy Mayor PA Hulse and Cr D Quax for absence, from Cr W Cashmore for early departure, and from Cr WD Walker for lateness.**

CARRIED

2 Declaration of Interest

There were no declarations of interest.

3 Confirmation of Minutes

Resolution number FIN/2016/72

MOVED by Cr C Casey, seconded by Cr CM Penrose:

That the Finance and Performance Committee:

- a) **confirm the ordinary minutes of its meeting held on Friday, 13 May 2016 as a true and correct record.**

CARRIED

4 Petitions

There were no petitions.

5 Public Input

5.1 Public Input - Lesley Going - Woodhill Sands Trust

Cr C Darby entered the meeting at 9.32am.

Cr ME Lee entered the meeting at 9.33am.

Deputy Chairperson R Clow entered the meeting at 9.34am.

Cr GS Wood entered the meeting at 9.34am.

Cr J Watson entered the meeting at 9.35am.

Cr JG Walker entered the meeting at 9.35am.

Woodhill Sands Trustees Lesley Going, Cindy Mitchener, Glen Beale, and Neil McKenzie–Hall were in attendance for this item.

Emma Buckingham (president) and Tony Bult, Waitemata Show Jumping; Robin Potter, Waitemata Dressage; Vicki Glynn (CEO), Equestrian Sport NZ; and Astrid Lambert, Puhinui Trust, were also in attendance to support.

A PowerPoint presentation and letters of support were provided. Copies have been placed on the official minutes and are available on the Auckland Council website as minutes attachments.

Resolution number FIN/2016/73

MOVED by Cr CE Fletcher, seconded by Chairperson MP Webster:

That the Finance and Performance Committee:

- a) **receive the presentation, and thank Lesley Going and the Woodhill Sands Trustees for their attendance.**

CARRIED

Attachments

- A 19 May 2016, Finance and Performance Committee, Item 5.1, Public Input - Lesley Going - Woodhill Sands Trust - PowerPoint presentation
- B 19 May 2016, Finance and Performance Committee, Item 5.1, Public Input - Lesley Going - Woodhill Sands Trust - Letters of support

6 Local Board Input

Brenda Steele, Rodney Local Board Chair, was heard at Item C1 - Woodhill Sands Trust - Request for Loan Guarantee.

7 Extraordinary Business

There was no extraordinary business.

8 Notices of Motion

There were no notices of motion.

9 Disposals recommendation report

Cr LA Cooper left the meeting at 10.03am.

Resolution number FIN/2016/74

MOVED by Chairperson MP Webster, seconded by Deputy Chairperson R Clow:

That the Finance and Performance Committee:

- a) **approve, subject to the satisfactory conclusion of any required statutory processes, the disposal of the land at:**
 - i) **part of 15 Austen Place, Pukekohe comprised of an estate in fee simple more or less being part Lot 1 Deposited Plan 456707 comprising approximately 720m² (subject to survey) contained in freehold title CFR 591003; and**
 - ii) **601 Beach Road, Rothesay Bay comprised of an estate in fee simple comprising approximately 334m² more or less being Lot 1 Deposited Plan 52743 contained in certificate of title NA3D/1428;**
- b) **agree that final terms and conditions be approved under the appropriate delegations.**

CARRIED

10 Te Toa Takitini - Quarter three Māori responsiveness portfolio report

Cr LA Cooper returned to the meeting at 10.10am.

Resolution number FIN/2016/75

MOVED by Chairperson MP Webster, seconded by Member DE Taipari:

That the Finance and Performance Committee:

- a) **receive the Te Toa Takitini - quarter three Māori responsiveness portfolio report.**

CARRIED

11 Quarterly Report on Non-Rateable property rating treatment

Resolution number FIN/2016/76

MOVED by Cr C Darby, seconded by Chairperson MP Webster:

That the Finance and Performance Committee:

- a) **receive the report on the progress of the review of non-rateable land rating treatment**
- b) **request that the report be forwarded to all local boards for information, requesting their support in identifying non-rateable properties for review.**

CARRIED

12 Auckland Council Investments Limited debt to equity conversion

Resolution number FIN/2016/77

MOVED by Deputy Chairperson R Clow, seconded by Cr GS Wood:

That the Finance and Performance Committee:

- a) **note that Airport Shares (Auckland) Limited and Airport Shares (Manukau) Limited will be amalgamated into Auckland Council Investments Limited (ACIL) and that the amalgamation does not require any consultation by Auckland Council, nor any Governing Body decision**
- b) **approve the conversion of the \$299 million owed to council by ACIL (debt) into ACIL equity and accept the resulting issue of shares from ACIL**
- c) **provide the shareholder approvals required under the Companies Act 1993 to enable ACIL to convert the debt to equity and issue the resulting shares to Auckland Council**
- d) **authorise the Chief Executive to sign all documentation and take any other actions on behalf of council in the Chief Executive's discretion required to facilitate and effect the above amalgamation and debt capitalisation transactions.**

CARRIED

13 Auckland Council Performance Report for the period 1 July 2015 to 31 March 2016

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

Member DE Taipari left the meeting at 10.24am.

Member J Tamihere entered the meeting at 10.34am.

Cr WD Walker entered the meeting at 10.36am.

Member DE Taipari returned to the meeting at 10.38am.

Deputy Chairperson R Clow left the meeting at 10.40am.

Cr J Watson left the meeting at 10.56am.

Deputy Chairperson R Clow returned to the meeting at 11.02am.

Resolution number FIN/2016/78

MOVED by Cr CM Penrose, seconded by Deputy Chairperson R Clow:

That the Finance and Performance Committee:

- a) receive the Auckland Council Performance report for the period 1 July 2015 to 31 March 2016.**

CARRIED

Attachments

- A 19 May 2016, Finance and Performance Committee, Item 13, Auckland Council Performance Report for the period 1 July 2015 to 31 March 2016 - PowerPoint presentation

14 Alternate Financing - Corporate Property

Cr J Watson returned to the meeting at 11.13am.

Resolution number FIN/2016/79

MOVED by Cr C Darby, seconded by Cr LA Cooper:

That the Finance and Performance Committee:

- a) approve delegation to the Auckland Council Chief Executive, Group Chief Financial Officer and Chair of the Finance and Performance Committee to bring a financing proposal in relation to 135 Albert Street and 35 Graham Street to the Finance and Performance Committee.**

CARRIED

15 Budget Update

Cr W Cashmore retired from the meeting at 11.33am.

Resolution number FIN/2016/80

MOVED by Deputy Chairperson R Clow, seconded by Member DE Taipari:

That the Finance and Performance Committee:

- a) agree to alter Resolution number FIN/2016/13 to read:**

“That the Finance and Performance Committee:

- a) approve capital funding (to be met by additional borrowing) of up to \$860,000 to Development Auckland Limited (Panuku) in the 2015/2016 financial year with any unspent portion to be returned to Auckland***

Council; this funding to be in addition to \$425,000 that has been re-allocated from Panuku's existing budget, recognising that the combined amount of up to \$1,285,000 is to be applied by Panuku to help meet New Zealand Maritime Museum's share of obligations arising under its lease from Panuku in respect of wharf works."

- b) approve the disposal of the following six properties within the Transform Manukau project area to contribute to achieving the outcomes in the High Level Project Plan, and with the objective of achieving urban regeneration, renewal and housing:
- i) 2 Clist Crescent car park (in front of Rainbow's End) - Lot 1 DP 87801
 - ii) 2 Davies Avenue (Ronwood car park) - CT 49758
 - iii) 8 Davies Avenue (car park) - CT NA62D 735
 - iv) 14 Davies Avenue (car park) - CT NA25B 679; CT NA62D 740
 - v) 9 Osterley Way (car park) - CT NA62D 733
 - vi) 50 Manukau Station Road (vacant land adjacent to Police Station) - residue land in CFR NA44C/3 and identified on SO 435724 as Section 17
- subject to:
- 1) the satisfactory conclusion of the required statutory processes
 - 2) agreement with Auckland Transport on the transport outcomes required for the sites (ii to v above)
 - 3) Panuku addressing car parking requirements with Rainbow's End
 - 4) engagement with mana whenua as per Panuku's usual property disposal process.
- c) inform the Auckland Development Committee of b) vi) above.
- d) agree to the reinvestment of proceeds from sales of development sites in the Transform project area, into projects and initiatives that progress the intent of the High Level Project Plan and Framework Plan, conditional upon a satisfactory review of a detailed business case for new investments within Transform Manukau.
- e) approve operating expenditure budget of \$1.9 million as part of the overall transform area costs, with funding to come from Panuku's budgets first where available utilising a reinvestment approach, and
- f) agree that the council's budgets be updated to reflect the financial implications of the above decisions.

CARRIED

16 Reports Pending Status Update - 19 May 2016

Resolution number FIN/2016/81

MOVED by Chairperson MP Webster, seconded by Deputy Chairperson R Clow:

That the Finance and Performance Committee:

- a) receive the Reports Pending Status Update report.

CARRIED

17 Consideration of Extraordinary Items

There was no consideration of extraordinary items.

18 Procedural motion to exclude the public

Resolution number FIN/2016/82

MOVED by Chairperson MP Webster, seconded by Cr CE Fletcher:

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 Woodhill Sands Trust - Request for Loan Guarantee

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
<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)(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> <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>s7(2)(j) - The withholding of the information is necessary to prevent the disclosure or use of official information for improper gain or improper advantage.</p> <p>In particular, the report contains information supplied by the proposed purchasers around their purchasing strategy and commercial position.</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 is made available to the public who are present at the meeting and form part of the minutes of the meeting.

CARRIED

11.36am The public was excluded.

12.11pm The public was re-admitted.

RESTATEMENTS

It was resolved while the public was excluded:

C1 Woodhill Sands Trust - Request for Loan Guarantee

Resolution number FIN/2016/ 83

MOVED by Chairperson MP Webster, seconded by Cr C Darby:

That the Finance and Performance Committee:

- a) **approve a loan guarantee facility of up to \$2.5 million in favour of the ASB Bank Ltd, to enable The Woodhill Sands Trust to purchase the property known as Woodhill Sands Equestrian Events Centre (Woodhill Sands), located at 24 James Mackie Rd, Kumeu, Auckland, subject to the Trust concluding successful negotiations to purchase the property.**
- b) **require the Woodhill Sands Trust to enter into a Guarantee Side Deed with Council recording the terms and conditions that must be met by the Trust prior to any successful negotiations to purchase Woodhill Sands being concluded and the loan guarantee between Council and the ASB Bank Ltd coming into effect.**
- c) **authorise the Group Chief Financial Officer (or delegate) to approve:**
 - **the final terms and conditions of the bank guarantee facility between Council and ASB Bank,**
 - **the final terms and conditions of the Guarantee Side Deed,**
 - **the final terms and conditions of any other agreement necessary to effect this transaction.**
- d) **agree that the report and attachments remain confidential but the decisions be restated in the open minutes.**

Note: Pursuant to standing order 1.8.6, Cr S Stewart and Cr GS Wood requested their dissenting votes be recorded.

12.12pm 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:.....