
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, 23 May 2017 at 9.34am.

PRESENT

Chairperson	Cr Ross Clow	
Deputy Chairperson	Cr Desley Simpson, JP	
Members	Cr Fa'anana Efeso Collins	
	Cr Linda Cooper, JP	
	Cr Chris Darby	Until 1.08pm, Item 17
	Cr Alf Filipaina	
	Mayor Hon Phil Goff, CNZM, JP	
	IMSB Member Hon Tau Henare (Alt)	
	Cr Richard Hills	
	Cr Penny Hulse	From 9.42am, Item 5.2
	IMSB Member Tony Kake (Alt)	From 9.39am, Item 5.2
	Cr Denise Lee	Until 1.08pm, Item 17
	Cr Mike Lee	
	Cr Daniel Newman, JP	From 10.25am, Item 6.1
		Until 12.39pm, Item 16
	Cr Dick Quax	From 10.43am, Item 10
	Cr Greg Sayers	
	Cr Sharon Stewart, QSM	
	Cr Sir John Walker, KNZM, CBE	
	Cr Wayne Walker	From 9.43am, Item 5.2
	Cr John Watson	From 9.43am, Item 5.2

ABSENT

Deputy Mayor Bill Cashmore
Cr Cathy Casey
Cr Christine Fletcher

ALSO PRESENT

Tracy Mulholland, Chair Whau Local Board
Margi Watson, Albert-Eden Local Board

1 Apologies

Resolution number FIN/2017/52

MOVED by Chairperson R Clow, seconded by Cr R Hills:

That the Finance and Performance Committee:

- a) **accept the apologies from Deputy Mayor B Cashmore for absence on Council business, Cr C Casey, Cr C Fletcher for absence, Cr D Quax for lateness and Cr D Newman for lateness on council business.**

CARRIED

2 Declaration of Interest

Mayor P Goff declared an interest in Item 5.1 – Sir Noel Robinson and Richard Jeffery - Second Nature Charitable Trust - History and Performance and Item 10 – Proposed reserve revocation of part of 770R Great South Road, Manukau.

Cr J Walker declared an interest in Item 5.1 – Sir Noel Robinson and Richard Jeffery - Second Nature Charitable Trust - History and Performance and Item 10 – Proposed reserve revocation of part of 770R Great South Road, Manukau.

3 Confirmation of Minutes

Resolution number FIN/2017/53

MOVED by Deputy Chairperson D Simpson, seconded by Cr C Darby:

That the Finance and Performance Committee:

- a) **confirm the ordinary minutes of its meeting, held on Tuesday, 11 April 2017, as a true and correct record.**

CARRIED

4 Petitions

There were no petitions.

5 Public Input

Note: Item 5.2 – Penny Bright - CCOs to open the books, provide details of all contracts that have been sub-contracted and all public officials to be prohibited from having business interests in private companies was considered prior to Item 5.1 – Sir Noel Robinson and Richard Jeffery - Second Nature Charitable Trust - History and Performance.

5.2 Penny Bright - CCOs to open the books, provide details of all contracts that have been sub-contracted and all public officials to be prohibited from having business interests in private companies

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

IMSB Member T Kake entered the meeting at 9.39 am.

Cr P Hulse entered the meeting at 9.42 am.

Cr W Walker entered the meeting at 9.43 am.

Cr J Watson entered the meeting at 9.43 am.

Resolution number FIN/2017/54

MOVED by Chairperson R Clow, seconded by Cr G Sayers:

That the Finance and Performance Committee:

- a) **receive the presentation from Penny Bright and thank her for her attendance.**

CARRIED

Attachments

- A 23 May 2017, Finance and Performance Committee - Item 5.2 - Penny Bright - tabled document

5.1 Sir Noel Robinson and Richard Jeffery - Second Nature Charitable Trust - History and Performance

A PowerPoint presentation was provided in support of the item. The presentation has been placed on the official minutes and is available on the Auckland Council website as minutes attachments.

Mayor P Goff and Cr J Walker had declared an interest in this item and were not present during discussion and voting.

Mayor P Goff left the meeting at 9.48 am.

Cr J Walker left the meeting at 9.48 am.

IMSB Member T Henare left the meeting at 10.10 am.

IMSB Member T Henare returned to the meeting at 10.16 am.

Resolution number FIN/2017/55

MOVED by Cr A Filipaina, seconded by Cr E Collins:

That the Finance and Performance Committee:

- a) **receive the presentation regarding the History and Performance of Second Nature Charitable Trust and thank Richard Jeffery, Sir Noel Robinson and the Trustees for their attendance.**

CARRIED

Attachments

- A 23 May 2017, Finance and Performance Committee - Item 5.1 - Second Nature Charitable Trust - PowerPoint presentation

6 Local Board Input

6.1 Local Board Input - Whau Local Board - 3 Memorial Drive, New Lynn

*Cr A Filipaina left the meeting at 10.23 am.
Mayor P Goff returned to the meeting at 10.23 am.
Cr J Walker returned to the meeting at 10.23 am.
Cr D Newman entered the meeting at 10.25 am.
Cr A Filipaina returned to the meeting at 10.28 am.*

Resolution number FIN/2017/56

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

That the Finance and Performance Committee:

- a) **receive the presentation regarding 3 Memorial Drive, New Lynn and thank Tracy Mulholland for her attendance.**

CARRIED

7 Extraordinary Business

There was no extraordinary business.

8 Notices of Motion

There were no notices of motion.

9 Disposals recommendation report

Note: Changes to the original recommendation were incorporated by way of the addition of clause c), with the agreement of the meeting.

Resolution number FIN/2017/57

MOVED by Chairperson R Clow, seconded by Cr L Cooper:

That the Finance and Performance Committee:

- a) **approve, subject to the satisfactory conclusion of any required statutory processes, the disposal of the land at Area C, 3 Memorial Drive, New Lynn comprising approximately 1,034m² and Area D, 3 Memorial Drive, New Lynn comprising approximately 2,350m² comprised of an estate in fee simple more or less being Section 1 SO 440190 and Section 2 SO 440190 contained in computer freehold register CFR 616014; and**
- b) **agree that final terms and conditions be approved under the appropriate delegations.**
- c) **note the Whau Local Board's disposal recommendation resolutions of 22 March 2017.**

CARRIED

10 Proposed reserve revocation of part of 770R Great South Road, Manukau

Mayor P Goff and Cr J Walker had declared an interest in this item and were not present during discussion and voting.

*Cr J Walker left the meeting at 10.39 am.
Mayor P Goff left the meeting at 10.39 am.
Cr D Quax entered the meeting at 10.43 am.
Cr D Lee left the meeting at 10.47 am.*

Resolution number FIN/2017/58

MOVED by Cr D Newman, seconded by Cr A Filipaina:

That the Finance and Performance Committee:

- a) **approve the revocation of the reserve status of approximately 4,594m² of 770R Great South Road, Manukau comprised of an estate in fee simple more or less being Section 1 SO 361058 contained in computer freehold register 440697 as it is no longer required by Auckland Council for reserve purposes.**

CARRIED

11 Car Park Strategy Report from Auckland Transport (incorporating 19 Anzac Road, Browns Bay Car Park Disposal)

*Mayor P Goff returned to the meeting at 10.51 am.
Cr J Walker returned to the meeting at 10.52 am.
Cr S Stewart left the meeting at 11.01 am.
Cr D Lee returned to the meeting at 11.05 am.
Cr S Stewart returned to the meeting at 11.08 am.*

Note: Changes to the original motion were incorporated by way of the addition of clauses b) and c), with the agreement of the meeting.

Resolution number FIN/2017/59

MOVED by Cr L Cooper, seconded by Cr J Walker:

That the Finance and Performance Committee:

- a) **receive the car park strategy report from Auckland Transport (incorporating 19 Anzac Road, Browns Bay car park disposal).**
- b) **request that Auckland Transport report back to the Finance and Performance Committee no later than 30 June 2017 fully assessing the carpark located at Baxter Street, Warkworth against Policy 2D of the Auckland Transport Parking Strategy sub-points (a) to (i).**
- c) **note that Auckland Transport and Panuku Development Auckland will undertake further consultation with the Hibiscus and Bays Local Board regarding the disposal of the carpark at 19 Anzac Road, Browns Bay.**

CARRIED

Note: Pursuant to Standing Order 1.8.6 Cr W Walker and Cr J Watson requested that their dissenting votes be recorded.

MOVED by Cr G Sayers, seconded by Cr J Watson, an amendment by way of addition:

That the Finance and Performance Committee:

- d) note that Auckland Transport and Panuku Development Auckland will undertake further consultation with the Rodney Local Board regarding the disposal of the carpark at Baxter Street, Warkworth.

LOST

12 Unlock Henderson

Cr W Walker left the meeting at 11.32 am.

Cr W Walker returned to the meeting at 11.42 am.

Note: Changes to the original motion were incorporated with the agreement of the meeting.

Resolution number FIN/2017/60

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

That the Finance and Performance Committee:

- a) **approve, subject to the satisfactory conclusion of any required statutory processes, the disposal of the following properties, with the objective of contributing including financially to the outcomes of the Henderson High Level Project Plan of urban renewal and housing:**

1. **Central One building (associated parking and casual staff car park):**
 - i. 2-4 Henderson Valley Road, Henderson - (CFR) 284767
2. **The Alderman car park:**
 - ii. 4 Edmonton Road, Henderson - NA625/22
 - iii. 6 Edmonton Road, Henderson - NA625/23 (part-cancelled)
 - iv. 8 Edmonton Road, Henderson - NA1040/14
 - v. 10 Edmonton Road, Henderson - NA1106/257
 - vi. 22 Alderman Drive, Henderson - NA91/77 (part-cancelled)
3. **The Falls car park:**
 - i. 14 Edmonton Road, Henderson - NA693/359
 - ii. 16 Edmonton Road, Henderson - NA810/244
 - iii. 18 Edmonton Road, Henderson - NA1656/50
 - iv. 20 Edmonton Road, Henderson - NA1656/51
4. **5 Trading Place, Henderson (car park leading to the footbridge) - NA11A/1335**
5. **1 Ratanui Street, Henderson (car park adjacent to the Library) –CFR 95624**
6. **Corban’s Hill, Henderson car park – road reserve aka 430 Great North Road- N/A (vested as Legal Road)**
7. **Auckland Film Studios site:**
 - i. 2 Hickory Avenue, Henderson – CFR 493255
 - ii. 10-14 Hickory Avenue, Henderson – CFR 493254

subject to:

- **Satisfactory conclusion of required statutory processes, and**
- **Auckland Transport satisfaction regarding transport requirements for the Corban’s Hill, Falls and Alderman car parks;**

- cessation of film activity on the Auckland Film Studios site at some future point or once it transitions elsewhere.
- b) agree that final terms and conditions be approved under the appropriate delegations.

CARRIED

13 Transform Onehunga

Cr P Hulse left the meeting at 11.44 am.

Cr P Hulse returned to the meeting at 11.49 am.

Note: Changes to the original motion were incorporated with the agreement of the meeting.

Resolution number FIN/2017/61

MOVED by Cr D Lee, seconded by Cr E Collins:

That the Finance and Performance Committee:

- a) **approve, subject to the satisfactory conclusion of any required statutory processes, the disposal of the following properties, with the objective of contributing including financially to the outcomes of the Onehunga High Level Project Plan objectives of urban regeneration, urban renewal and housing:**
 - i) **3 Paynes Lane, Onehunga (NA43B/710, NA717716);**
 - ii) **45 Waller Street, Onehunga (NA717717);**
 - iii) **61-65 Selwyn Street, Onehunga (NA320/187, NA349/112, NA51B/525);**
 - iv) **Lots 3 and 4, DP 60645 Waiapu Lane, Onehunga (NA20A/51, NA20A/52);**
 - v) **230 Onehunga Mall, Onehunga (NA714641);**
 - vi) **1 Waiapu Lane, Onehunga (NA43D/1068, NA679/89, NA591/224, NA591/221, NA591/222, NA43D/1066, NA320/70); and**
 - vii) **9-21 Waller Street, Onehunga (NA394690, NA928/267, NA271015);**

subject to the satisfactory conclusion of the required statutory processes;
subject to agreement with Auckland Transport on the transport outcomes required for the sites listed in vi) and vii).
- b) **agree that final terms and conditions be approved under the appropriate delegations; and**
- c) **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 Onehunga.**

CARRIED

14 Review of Fees Framework and Expenses Policy for Appointed Members

*IMSB Member T Henare left the meeting at 11.55 am.
IMSB Member T Henare returned to the meeting at 12.03 pm.
Cr C Darby left the meeting at 12.04 pm.*

Resolution number FIN/2017/62

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

That the Finance and Performance Committee:

- a) **approve a 10 per cent increase to independent hearings commissioner fees from 1 July 2017, in accordance with paragraph 36 of the Fees Framework and Expenses Policy for Appointed Members in attachment A**
- b) **adopt the updated Fees Framework and Expenses Policy for Appointed Members, noting that Recommendation (a) is reflected in paragraph 37**
- c) **authorise the General Manager Democracy Services to amend the Fees Framework and Expenses Policy for Appointed Members to reflect subsequent decisions or make amendments of a minor nature.**

CARRIED

The meeting adjourned at 12.06pm.

The meeting reconvened at 12.13pm.

Cr E Collins, Cr D Lee, Cr G Sayers and Cr J Walker were not present.

15 Progress on Te Toa Takitini portfolio - third quarter of 2016/2017

*Cr G Sayers returned to the meeting at 12.15 pm.
Cr D Lee returned to the meeting at 12.18 pm.
Cr C Darby returned to the meeting at 12.21 pm.*

Resolution number FIN/2017/63

MOVED by Cr A Filipaina, seconded by Deputy Chairperson D Simpson:

That the Finance and Performance Committee:

- a) **note progress on key Te Toa Takitini portfolio projects included in this report for the third quarter of 2016/2017.**

CARRIED

16 Mount Albert Grammar School Community Swimming Pool Trust - Changes to Trust Deed

Margi Watson from the Albert-Eden Local Board was present.

*Cr E Collins returned to the meeting at 12.23 pm.
Cr J Walker returned to the meeting at 12.23 pm.
Cr D Newman left the meeting at 12.39 pm.*

Resolution number FIN/2017/64

MOVED by Cr J Watson, seconded by Cr D Quax, an amendment by way of replacement:

That the Finance and Performance Committee:

- a) **approve the Deed of Variation of Trust No.2 changing the Mount Albert Grammar School Community Swimming Pool Trust Deed with the following inclusions:**
- (i) **to reduce the number of trustees, by replacing the provision for a total of seven trustees (with the chair and three other trustees appointed by Auckland Council, and three trustees appointed by Mount Albert Grammar School), with a provision for a total of five trustees (with the chair and two other trustees appointed by Auckland Council, at least one of whom should be a member of the Albert-Eden Local Board, and two trustees appointed by Mount Albert Grammar School)**

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

<u>For</u>	<u>Against</u>	<u>Abstained</u>
Cr E Collins	Chairperson R Clow	
Cr A Filipaina	Cr L Cooper	
IMSB Member T Hohneck	Cr C Darby	
Cr M Lee	Mayor P Goff	
Cr D Quax	Cr R Hills	
Cr G Sayers	Cr P Hulse	
Deputy Chairperson D Simpson	Cr D Lee	
Cr S Stewart	Cr J Walker	
IMSB Member D Taipari		
Cr W Walker		
Cr J Watson		

The amendment was declared **CARRIED** by 11 votes to 8.

CARRIED

The Chairperson put the substantive motion.

Resolution number FIN/2017/65

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

That the Finance and Performance Committee:

- a) **approve the Deed of Variation of Trust No.2 changing the Mount Albert Grammar School Community Swimming Pool Trust Deed with the following inclusions:**
- (i) **to reduce the number of trustees, by replacing the provision for a total of seven trustees (with the chair and three other trustees appointed by Auckland Council, and three trustees appointed by Mount Albert Grammar School), with a provision for a total of five trustees (with the chair and two other trustees appointed by Auckland Council, at least one of whom should be a member of the Albert-Eden Local Board, and two trustees appointed by Mount Albert Grammar School)**
- (ii) **remove the limitation on the maximum number of continuous years serving as a trustee (currently six years), and leaving it to the discretion of the appointing parties**
- (iii) **to change the minimum composition of a quorum of the trust from four trustees to three**

- (iv) to change the minimum number of trustees needed to modify the terms of the trust deed from the current requirement of no less than five out of seven trustees, to no less than four out of five trustees, always subject to confirmation of the changes by both Auckland Council and the Mount Albert Grammar School Board of Trustees

CARRIED

17 Finance and Performance Committee - Information Report - 23 May 2017

Cr C Darby left the meeting at 1.08 pm.

Cr D Lee left the meeting at 1.08 pm.

Resolution number FIN/2017/66

MOVED by IMSB Member T Kake, seconded by IMSB Member T Henare:

That the Finance and Performance Committee:

- a) receive the information report – 23 May 2017.

CARRIED

18 Consideration of Extraordinary Items

There was no consideration of extraordinary items.

1.09 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 FINANCE AND
PERFORMANCE COMMITTEE HELD ON

DATE:.....

CHAIRPERSON:.....