

## Komiti ā Pūtea, ā Mahi Hoki / 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, 20 November 2018 at 9.36am.

#### PRESENT

<b>Chairperson</b>	Cr Ross Clow	
<b>Deputy Chairperson</b>	Cr Desley Simpson, JP	
<b>Members</b>	Cr Dr Cathy Casey	
	Deputy Mayor Cr Bill Cashmore	
	Cr Fa'anana Efeso Collins	
	Cr Linda Cooper, JP	From 9.39am, Item 3
	Cr Chris Darby	From 9.39am, Item 3
	Cr Alf Filipaina	
	Cr Hon Christine Fletcher, QSO	
	Mayor Hon Phil Goff, CNZM, JP	Until 6.00pm, Item 12
	Cr Richard Hills	
	IMSB Member Terrence Hohneck	Until 6.02pm, Item 12
	Cr Penny Hulse	
	Cr Mike Lee	From 9.56am, Item 5.1 Until 8.41pm, Item C1
	Cr Daniel Newman, JP	
	Cr Greg Sayers	
	Cr Sharon Stewart, QSM	
	IMSB Chair David Taipari	From 9.52am, Item 5.1 Until 6.02pm, Item 12
	Cr Sir John Walker, KNZM, CBE	From 9.40am, Item 3 Until 12.59pm, Item 8
	Cr Wayne Walker	From 9.38am, Item 3
	Cr John Watson	
	Cr Paul Young	

#### ABSENT

Cr Josephine Bartley



## 1 Apologies

Resolution number FIN/2018/171

MOVED by Chairperson R Clow, seconded by Cr C Fletcher:

**That the Finance and Performance Committee:**

- a) **accept the apology from Cr J Bartley for absence on council business.**

**CARRIED**

## 2 Declaration of Interest

There were no declarations of interest.

## 3 Confirmation of Minutes

Resolution number FIN/2018/172

MOVED by Deputy Chairperson D Simpson, seconded by Chairperson R Clow:

**That the Finance and Performance Committee:**

- a) **confirm the ordinary minutes of its meeting, held on Wednesday, 14 November 2018 as a true and correct record.**

**CARRIED**

*Cr W Walker entered the meeting at 9.38am.*

*Cr C Darby entered the meeting at 9.39am.*

*Cr L Cooper entered the meeting at 9.39am.*

*Cr J Walker entered the meeting at 9.40am.*

## 4 Petitions

There were no petitions.

## 5 Public Input

*IMSB Chair D Taipari entered the meeting at 9.52am.  
Cr M Lee entered the meeting at 9.56am.*

Note: Items 5.1, 5.2, 5.3, 5.4 and 5.5 were taken together.

- 5.1 **Public Input - Ōrākei Baptist Church regarding the rating of church properties**
- 5.2 **Public Input - Elim Church of New Zealand regarding the rating of church properties**
- 5.3 **Public Input - Anglican Diocese of Auckland regarding the rating of church properties**
- 5.4 **Public Input - St Heliers Presbyterian Church and Community Centre regarding the rating of church properties**
- 5.5 **Public Input - Presbyterian Churches in the Auckland Region regarding the rating of church properties**

Ms Diane Robinson, Volunteer Treasurer for the Ōrākei Baptist Church; Mr John Roberts for the Elim Church of New Zealand; The Right Reverend Ross Bay, Bishop of Auckland for the Anglican Diocese of Auckland; Rev Pauline Stewart for the St Heliers Presbyterian Church and Community Centre; and Mr Geoff Foster for the Northern Presbytery addressed the Committee.

Resolution number FIN/2018/173

MOVED by Deputy Chairperson D Simpson, seconded by Chairperson R Clow:

**That the Finance and Performance Committee:**

- a) **receive and thank the following presenters for their presentations on the rating of church properties: Ms Diane Robinson, Volunteer Treasurer for the Ōrākei Baptist Church; Mr John Roberts on behalf of the Elim Church of New Zealand; Right Reverend Ross Bay, Bishop of Auckland on behalf of the Anglican Diocese of Auckland; Rev Pauline Stewart on behalf of the St Heliers Presbyterian Church and Community Centre; and Mr Geoff Foster on behalf of Presbyterian Churches in the Auckland Region.**

**CARRIED**

## 5.6 **Public Input - New Zealand Association of Rationalists and Humanists regarding the rating of church properties**

*IMSB Chair D Taipari left the meeting at 10.40am.*

Mr Peter Harrison – President of the New Zealand Association of Rationalists and Humanists addressed the Committee

Resolution number FIN/2018/174

MOVED by Chairperson R Clow, seconded by Deputy Mayor BC Cashmore:

**That the Finance and Performance Committee:**

- a) **receive and thank Mr Harrison – President of the New Zealand Association of Rationalists and Humanists for his presentation regarding the rating of church properties on behalf of the New Zealand Association of Rationalists and Humanists.**

**CARRIED**

## 6 Local Board Input

### 6.1 Local Board Input - Howick Local Board regarding a proposed disposal of 34 Moore Street, Howick

Mr David Collings, Chair of the Howick Local Board spoke at Item 10 – Disposal recommendations report – 34 Moore Street, Howick.

## 7 Extraordinary Business

There was no extraordinary business.

## 8 Rating of religious use properties

*IMSB Chair D Taipari returned to the meeting at 10.55am.*

*IMSB Chair D Taipari left the meeting at 11.28am.*

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.

MOVED by Deputy Mayor BC Cashmore, seconded by Chairperson R Clow:

That the Finance and Performance Committee:

- a) agree to transition rates increases for religious use properties by deferring rates increases to 2019/2020 through the direct application of a grant to rates accounts for 2018/2019 to hold rates at 2017/2018 levels except for rates increases caused by the identification of commercial activity.
- b) agree that the rating approaches set out in the following table be used for parts of religious use land not used for religious worship, religious education, or as a cemetery.

Land use	Rating approach
Retail, commercial or industrial	Business
Residential	Residential
Farm or lifestyle	Farm/lifestyle
Vacant/unused	Value based on highest and best use as determined by their underlying zone and rate accordingly
Car parks	Car parks only serving the religious worship land will be considered part of the non-rateable activity Car parks serving multiple land uses will be apportioned based on the proportional ratio of rating treatment of the other parts of the land Business where paid parking is in place

Land use	Rating approach
Halls and gymnasiums	Officers will work with affected ratepayers to clarify the use of halls to ensure those primarily being used for religious purposes are treated as non-rateable Other halls and gymnasiums used for community purposes will be rated residential
Cafés	Cafés not operating commercially will be considered part of the non-rateable activity Cafés operating commercially will be rated business
Childcare	Not-for-profit childcare provided under the Education Act is non-rateable Childcare providing a community service for the benefit of the community will continue to be classified as residential Childcare operating for profit or not open to the general public will continue to be classified as business
Op Shops	Op Shops not operating in a commercial like manner (such as those only open for a small number of hours each week) will be considered part of the non-rateable activity Op Shops operating commercially or operating from a separate title will continue to be classified as business
Libraries	Libraries will be zero-rated
Offices	Small offices will be considered part of the principle use of the property and will be non-rateable Large offices will be rated as business

- c) agree to consult on amending the Funding Impact Statement to provide for zero rating of libraries as part of the Annual Budget 2019/2020.
- d) direct officers to work with the owners of religious properties to clarify the use of halls and land not needed for religious worship.
- e) direct officers to communicate these decisions to the affected ratepayers.

*IMSB Chair D Taipari returned to the meeting at 11.38am.  
Mayor P Goff left the meeting at 11.45am.*

The meeting adjourned at 11.53am and reconvened at 12.02pm.

Cr C Darby, IMSB Member T Hohneck, Cr G Sayers, and IMSB Member D Taipari were not present.

*Cr C Darby returned to the meeting at 12.04pm.  
IMSB Chair D Taipari returned to the meeting at 12.17pm.  
Cr G Sayers returned to the meeting at 12.18pm.  
Cr R Hills left the meeting at 12.46pm.*

Resolution number FIN/2018/175

MOVED by Deputy Chairperson D Simpson, seconded by Cr D Newman: an amendment by way of replacement:

That the Finance and Performance Committee:

- a) agree to transition rates increases for religious use properties by deferring rates increases to 2019/2020 through the direct application of a grant to rates accounts for 2018/2019 to hold rates at 2017/2018 levels except for rates increases caused by the identification of commercial activity.
- b) agree that the rating approaches set out in the following table be used for parts of religious use land not used for religious worship, religious education, or as a cemetery.

Land use	Rating approach
Retail, commercial or industrial	Business
Residential	Presbytery/Manse (onsite or adjacent to the place of religious worship) used to house clergy will be considered part of the non-rateable activity All other residential property will be rated residential
Farm or lifestyle	Farm/lifestyle
Vacant/unused	Value based on highest and best use as determined by their underlying zone and rate accordingly
Car parks	Car parks only serving the religious worship land will be considered part of the non-rateable activity Car parks serving multiple land uses but for which the primary purpose is to accommodate religious worship is considered part of the non-rateable activity Where paid parking is in place and rented or leased on commercial terms, business rates will apply
Halls and gymnasiums	Halls primarily used for religious purposes will be treated as non-rateable Halls primarily used for community not-for-profit purposes outside of religious purposes will be treated as non-rateable Commercial gymnasiums will be rated business Gymnasiums used primarily for community not-for-profit purposes will be treated as non-rateable
Cafés	Cafés not operating commercially will be considered part of the non-rateable activity Cafés operating commercially will be rated business
Childcare	Not-for-profit childcare provided under the Education Act is non-rateable Childcare providing a not-for-profit service for the benefit of the community will continue to be classified as non-rateable Childcare operating for profit or not open to the general public will continue to be classified as business

Land use	Rating approach
Op Shops	Op Shops not operating in a commercial like manner (such as those only open for a small number of hours each week) and/or operating to fund the not-for-profit religious mission of the church will be considered part of the non-rateable activity Op Shops operating commercially or operating from a separate title will continue to be classified as business
Libraries	Libraries will be zero-rated
Offices	Offices onsite and which exist for religious purpose will be non-rateable

- c) agree to consult on amending the Funding Impact Statement to provide for zero rating of libraries as part of the Annual Budget 2019/2020.
- d) direct officers to communicate these decisions to the affected ratepayers.

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

<u>For</u>	<u>Against</u>	<u>Abstained</u>
Cr C Casey	Deputy Mayor BC	
Cr E Collins	Cashmore	
Cr C Fletcher	Chairperson R Clow	
Cr M Lee	Cr L Cooper	
Cr D Newman	Cr C Darby	
Cr G Sayers	Cr A Filipaina	
Deputy Chairperson D Simpson	Cr P Hulse	
Cr S Stewart	IMSB Chair D Taipari	
Cr J Walker		
Cr W Walker		
Cr J Watson		
Cr P Young		

The amendment was declared CARRIED by 12 votes to 7.

**CARRIED**

Resolution number FIN/2018/176

MOVED by Cr W Walker, seconded by Chairperson R Clow: an amendment by way of addition:

That the Finance and Performance Committee:

- e) note the apology of Auckland Council and staff who acknowledge that the engagement with religious organisations on this matter has been unsatisfactory. Staff will ensure that the future engagement required to give effect to these recommendations is significantly improved.

**CARRIED**

Note: Pursuant to Standing Order 1.8.3, IMSB Chair D Taipari requested that his abstention be recorded.

Note: With the agreement of the meeting, clause c) was further amended and the substantive motion was put.



Resolution number FIN/2018/177

MOVED by Deputy Chairperson D Simpson, seconded by Cr D Newman:

**That the Finance and Performance Committee:**

- a) agree to transition rates increases for religious use properties by deferring rates increases to 2019/2020 through the direct application of a grant to rates accounts for 2018/2019 to hold rates at 2017/2018 levels except for rates increases caused by the identification of commercial activity.
- b) agree that the rating approaches set out in the following table be used for parts of religious use land not used for religious worship, religious education, or as a cemetery.

Land use	Rating approach
Retail, commercial or industrial	Business
Residential	Presbytery/Manse (onsite or adjacent to the place of religious worship) used to house clergy will be considered part of the non-rateable activity All other residential property will be rated residential
Farm or lifestyle	Farm/lifestyle
Vacant/unused	Value based on highest and best use as determined by their underlying zone and rate accordingly
Car parks	Car parks only serving the religious worship land will be considered part of the non-rateable activity Car parks serving multiple land uses but for which the primary purpose is to accommodate religious worship is considered part of the non-rateable activity Where paid parking is in place and rented or leased on commercial terms, business rates will apply
Halls and gymnasiums	Halls primarily used for religious purposes will be treated as non-rateable Halls primarily used for community not-for-profit purposes outside of religious purposes will be treated as non-rateable Commercial gymnasiums will be rated business Gymnasiums used primarily for community not-for-profit purposes will be treated as non-rateable
Cafés	Cafés not operating commercially will be considered part of the non-rateable activity Cafés operating commercially will be rated business
Childcare	Not-for-profit childcare provided under the Education Act is non-rateable Childcare providing a not-for-profit service for the benefit of the community will continue to be classified as non-rateable Childcare operating for profit or not open to the general public will continue to be classified as business

Land use	Rating approach
Op Shops	<b>Op Shops not operating in a commercial like manner (such as those only open for a small number of hours each week) and/or operating to fund the not-for-profit religious mission of the church will be considered part of the non-rateable activity</b> <b>Op Shops operating commercially or operating from a separate title will continue to be classified as business</b>
Libraries	<b>Libraries will be zero-rated</b>
Offices	<b>Offices onsite and which exist for religious purpose will be non-rateable</b>

- c) agree to consult on amending the Funding Impact Statement to provide for the decisions in clause b) above as part of the Annual Budget 2019/2020.
- d) direct officers to communicate these decisions to the affected ratepayers.
- e) note the apology of Auckland Council and staff who acknowledge that the engagement with religious organisations on this matter has been unsatisfactory. Staff will ensure that the future engagement required to give effect to these recommendations is significantly improved.

**CARRIED**

Note: Pursuant to Standing Order 1.8.6, the following councillors requested their dissenting votes be recorded:

- Cr L Cooper
- IMSB Member D Taipari

Note: Pursuant to Standing Order 1.8.6, the following councillor requested their dissenting vote be recorded against clauses b), d), and e):

- Cr A Filipaina

#### **Attachments**

- A 20 November 2018, Finance and Performance Committee, Item 8 - Rating of Religious use properties - presentation

*Mayor P Goff returned to the meeting at 12.56pm.*

The meeting adjourned at 12.59pm and reconvened at 1.29pm.

Cr M Lee, Cr D Newman, Cr W Walker, and Cr Sir J Walker were not present when the meeting reconvened.

Note: The chairperson accorded precedence to a further session of Item 5 - Public Input at this time and Item 12 – Update on Speedway Relocation.

## 5 Public Input (Continued)

### 5.7 Public Input - Danny Lendich regarding the proposed relocation of Speedway to Colin Dale Park

Mr Danny Lendich addressed the Committee. Mr Bernie Allen and Mr Gary Roberts also addressed the Committee.

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

*Cr W Walker returned to the meeting at 1.32pm.*

*Cr M Lee returned to the meeting at 1.35pm.*

*Cr R Hills returned to the meeting at 1.35pm.*

*Cr D Newman returned to the meeting at 1.37pm.*

Resolution number FIN/2018/178

MOVED by IMSB Chair D Taipari, seconded by Cr L Cooper:

**That the Finance and Performance Committee:**

- a) **receive and thank Danny Lendich, Bernie Allen, and Gary Roberts for their presentation regarding the proposed relocation of Speedway to Colin Dale Park.**

**CARRIED**

#### **Attachments**

- A 20 November 2018, Finance and Performance Committee, Item 5.7 - Public Input - Danny Lendich regarding the proposed relocation of Speedway to Colin Dale Park

### 5.8 Public Input - Steve Deane regarding the proposed relocation of Speedway to Colin Dale Park

Mr Steve Deane addressed the Committee.

Resolution number FIN/2018/179

MOVED by Deputy Chairperson D Simpson, seconded by Chairperson R Clow:

**That the Finance and Performance Committee:**

- a) **receive and thank Steve Deane for his presentation regarding the proposed relocation of Speedway to Colin Dale Park.**

**CARRIED**

### 5.9 Public Input - Western Springs Drivers Club regarding the proposed relocation of Speedway to Colin Dale Park

*Cr C Darby left the meeting at 2.25pm  
Cr C Darby returned to the meeting at 2.34pm.*

Mr Graham Standing, President of the Western Springs Drivers Club addressed the Committee.

Resolution number FIN/2018/180

MOVED by IMSB Chair D Taipari, seconded by Cr J Watson:

**That the Finance and Performance Committee:**

- a) **receive and thank Graham Standing for his presentation regarding the proposed relocation of Speedway to Colin Dale Park.**

**CARRIED**

At 3.37pm, it was”

### Extension of Meeting Time

Resolution number FIN/2018/181

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

**That the Finance and Performance Committee:**

- a) **agree pursuant to Standing Order 1.1.3 an extension of time until the business of the agenda is complete, be granted.**

**CARRIED**

The meeting adjourned at 3.37pm and reconvened at 3.51pm.

Mayor P Goff, Cr P Hulse and IMSB Member D Taipari were not present when the meeting reconvened.

## 12 Update on Speedway Relocation

*Mayor P Goff returned to the meeting at 3.53pm.  
IMSB Chair D Taipari returned to the meeting at 3.53pm.*

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.

MOVED by Chairperson R Clow, seconded by Mayor P Goff as a Chair’s recommendation:

That the Finance and Performance Committee:

### Landlord works at Colin Dale Park

- a) note that Colin Dale Park has always required wider park facilities (enabling landlord works) to satisfy current lease obligations and make provision for future tenants.
- b) agree an additional capital budget of up to \$8.9 million for wider park facilities (enabling landlord works) at Colin Dale Park subject to the 2019/2020 Annual Plan process.

Speedway at Colin Dale Park

- c) direct officers to report back to this committee following an Expression of Interest process for the construction and operation of speedway facilities at Colin Dale Park.
- d) agree that council's contribution to the construction of a speedway track and basic amenities be capped at \$10 million, of which \$5 million will be transferred to council from the existing budget of Regional Facilities Auckland and \$5 million is subject to the 2019/2020 Annual Plan process.

*Cr P Hulse returned to the meeting at 3.57pm.*

*Cr G Sayers left the meeting at 4.01pm.*

*Cr G Sayers returned to the meeting at 4.10pm.*

*IMSB Member T Hohneck returned to the meeting at 4.48pm.*

Resolution number FIN/2018/182

MOVED by Cr C Casey, seconded by Cr M Lee: an amendment by way replacement to clauses c) and d):

- c) defer the decision on the relocation of Western Springs Speedway until the Finance and Performance Committee and Planning Committee have:
  - had a political discussion about the future of all our stadia
  - had a discussion with the Eden Park Trust Board and the government regarding the future of Eden Park Stadium, and
  - discussed whether Auckland needs a new stadium.

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

**For**

Cr C Casey  
Cr E Collins  
Cr C Fletcher  
Cr M Lee  
Cr D Newman  
Cr G Sayers  
Deputy Chairperson D Simpson  
Cr S Stewart  
Cr W Walker  
Cr J Watson  
Cr P Young

**Against**

Deputy Mayor BC Cashmore  
Chairperson R Clow  
Cr L Cooper  
Cr C Darby  
Cr A Filipaina  
Mayor P Goff  
Cr R Hills  
IMSB Member T Hohneck  
Cr P Hulse  
IMSB Chair D Taipari

**Abstained**

The amendment was declared **CARRIED** by 11 votes to 10.

**CARRIED**

*Mayor P Goff left the meeting at 6.00pm.*

The substantive motion was put.

Resolution number FIN/2018/183

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

**That the Finance and Performance Committee:**

**Landlord works at Colin Dale Park**

- a) **note that Colin Dale Park has always required wider park facilities (enabling landlord works) to satisfy current lease obligations and make provision for future tenants.**

- b) **agree an additional capital budget of up to \$8.9 million for wider park facilities (enabling landlord works) at Colin Dale Park subject to the 2019/2020 Annual Plan process.**

**CARRIED**

Resolution number FIN/2018/184

MOVED by Cr A Filipaina, seconded by Cr C Fletcher:

**That the Finance and Performance Committee:**

- c) **defer the decision on the relocation of Western Springs Speedway until the Finance and Performance Committee and Planning Committee have:**
- **had a political discussion about the future of all our stadia**
  - **had a discussion with the Eden Park Trust Board and the government regarding the future of Eden Park Stadium, and**
  - **discussed whether Auckland needs a new stadium.**

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

**For**

Cr C Casey  
Cr E Collins  
Cr C Fletcher  
Cr M Lee  
Cr D Newman  
Cr G Sayers  
Deputy Chairperson D Simpson  
Cr S Stewart  
Cr W Walker  
Cr J Watson  
Cr P Young

**Against**

Deputy Mayor BC Cashmore  
Chairperson R Clow  
Cr L Cooper  
Cr C Darby  
Cr A Filipaina  
Cr R Hills  
IMSB Member T Hohneck  
Cr P Hulse  
IMSB Chair D Taipari

**Abstained**

The motion was declared **CARRIED** by 11 votes to 9.

**CARRIED**

**Attachments**

- A 20 November 2018, Finance and Performance Committee, Item 12 - Update on Speedway Relocation - Presentation

The meeting adjourned at 6.02pm and reconvened at 6.15pm.

IMSB Member T Hohneck, Cr G Sayers, and IMSB Chair D Taipari were not present.

Note: From this point forward, agenda items were taken in the following order:

**Item**

- 10 Disposal recommendations report - 34 Moore Street, Howick  
11 Disposal of Corporate Accommodation, Corporate Property Portfolio Strategy  
9 Proposed priorities for the 2019 letters of expectations to substantive council-controlled organisations  
13 Transfers of land within the Council Group  
14 Finance and Performance Committee Information Report  
15 Consideration of Extraordinary Items  
16 Procedural Motion to Exclude the Public  
C1 Delegations for weathertightness claim

**10 Disposal recommendations report - 34 Moore Street, Howick**

Mr David Collings, Chair of the Howick local board, and local board members Mr Jim Donald, Mr John Spiller, Mr Mike Turinsky, Ms Adele White, and Mr Peter Young were present and spoke to the item.

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.

*Cr G Sayers returned to the meeting at 6.19pm*  
*Cr A Filipaina left the meeting at 6.54pm*  
*Cr A Filipaina returned to the meeting at 6.59pm.*  
*Cr E Collins left the meeting at 7.11pm*  
*Cr E Collins returned to the meeting at 7.16pm.*

Resolution number FIN/2018/185

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

**That the Finance and Performance Committee:**

- a) **receive and thank Howick Local Board Chair, David Collings, and local board members Mr Jim Donald, Mr John Spiller, Mr Mike Turinsky, Ms Adele White, and Mr Peter Young, for their presentation regarding a proposed disposal of 34 Moore Street, Howick.**

**CARRIED**

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

That the Finance and Performance Committee:

- a) agree to retain the property at 34 Moore Street, Howick, comprised of an estate in fee simple more or less being Lot 4 DP 91111, Lot 3 DP 91111 and Lot 2 DP 91111 contained in computer freehold registers NA48B/510, NA48B/509 and NA48B/508, for a period of 12 months, to allow the local board the opportunity to work on a development proposal.
- b) request that the Howick Local Board deliver the required work to be undertaken to ensure that the building is fit-for-purpose.
- c) request that the Howick Local Board report to the Finance and Performance Committee on the confirmed lease for 34 Moore Street, Howick, by the end of February 2019.

Resolution number FIN/2018/186

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

**That the Finance and Performance Committee:**

**agree that, pursuant to Standing Order 1.6.7, the motion under debate now be put to a vote.**

**CARRIED**

Resolution number FIN/2018/187

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

**That the Finance and Performance Committee:**

- a) **agree to retain the property at 34 Moore Street, Howick, comprised of an estate in fee simple more or less being Lot 4 DP 91111, Lot 3 DP 91111 and Lot 2 DP 91111 contained in computer freehold registers NA48B/510, NA48B/509 and NA48B/508, for a period of 12 months, to allow the local board the opportunity to work on a development proposal.**



- b) request that the Howick Local Board deliver the required work to be undertaken to ensure that the building is fit-for-purpose.
- c) request that the Howick Local Board report to the Finance and Performance Committee on the confirmed lease for 34 Moore Street, Howick, by the end of February 2019.

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

<u>For</u>	<u>Against</u>	<u>Abstained</u>
Cr C Casey	Chairperson R Clow	
Deputy Mayor BC Cashmore	Cr L Cooper	
Cr E Collins	Cr A Filipaina	
Cr C Darby		
Cr C Fletcher		
Cr R Hills		
Cr P Hulse		
Cr M Lee		
Cr D Newman		
Cr G Sayers		
Deputy Chairperson D Simpson		
Cr S Stewart		
Cr W Walker		
Cr J Watson		
Cr P Young		

The motion was declared CARRIED by 15 votes to 3.

CARRIED

#### Attachments

- A 20 November 2018, Finance and Performance Committee, Item 10 - Disposal recommendations report - 34 Moore Street, Howick - Howick Local Board presentation

## 11 Disposal of Corporate Accommodation, Corporate Property Portfolio Strategy

Resolution number FIN/2018/188

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

**That the Finance and Performance Committee:**

- a) amend resolution number FIN2018/73 by delegating authority to Panuku Development Auckland Limited to approve the final terms and conditions of sale, and to enter into the required sale documentation, for the following properties in accordance with Panuku Development Auckland Limited's internal delegations and subject to the satisfactory conclusion of any required statutory processes:
  - i) approximately 4,691m<sup>2</sup> (subject to survey) of land at 4-10 Mayoral Drive and the balance of 32-42 Wellesley Street West, Auckland which is not to be transferred to City Rail Link Limited, comprised of an estate in fee simple more or less being the following:
    - A) 4-8 Mayoral Drive, Auckland being Lot 15, Lot 18 and Lots 23-25 DP 21520 and Part Lot 21 DP 212520, contained in computer freehold register NA1589/36;
    - B) 10 Mayoral Drive, Auckland being Section 1 Survey Office Plan 54203, contained in computer freehold register NA75B/323;



- C) 10A Mayoral Drive, Auckland being Allotment 26-27 Section 31 City of Auckland, contained in computer freehold register NA1193/78; and
- D) the balance of 32-42 Wellesley Street West, Auckland being Lot 19 DP 21520 contained in computer freehold register NA485/235 which is not to be transferred to City Rail Link Limited;
- ii) approximately 4,841m<sup>2</sup> (subject to survey) of land and associated buildings at 35 Graham Street, Auckland, comprised of an estate in fee simple more or less being Lot 1 DP 47079 and Lot 1 DP 68194 and Part Allotment 9-10 Section 20 Suburbs of Auckland, contained in computer freehold register NA97B/101; and
- iii) an approximate 7,200m<sup>2</sup> (subject to survey) portion of the overall 16,164m<sup>2</sup> (subject to survey) of land and the associated “Admin” building at 6 Henderson Valley Road, Henderson, comprised of an estate in fee simple more or less being Lot 2 DP 370255, contained in computer freehold register 284768. Note that the residual land area is intended to be sub-divided for the purposes of CRL (approximately 2,100m<sup>2</sup>), retained ownership of the “Civic” building by council (approximately 1,100m<sup>2</sup>), roading and Japanese Gardens to be vested (approximately 5,764m<sup>2</sup>); and
- iv) approximately 910m<sup>2</sup> (subject to survey) of land and associated buildings at 4 Osterley Way, Manukau, comprised of an estate in fee simple more or less being Part Lot 47 DP 69242, contained in computer freehold register NA67C/986; and
- v) approximately 19,305m<sup>2</sup> (subject to survey) of land and associated buildings at 50 Centreway Road, Orewa, comprised of an estate in fee simple more or less being Lot 1 DP 147350, contained in computer freehold register NA87D/294; and
- vi) an approximate 2,550m<sup>2</sup> (subject to survey) portion of the overall approximately 5,059m<sup>2</sup> (subject to survey) of land and associated buildings at 35 Coles Crescent, Papakura, comprised of an estate in fee simple more or less being Allotment 3-4 and Allotment 4A Section 2 Village of Papakura, contained in computer freehold register NA521/186. Note that the residual land area is intended to be sub-divided for the purposes of a reserve containing the historic Centennial House, the time capsule and the playground; and
- vii) approximately 13,090m<sup>2</sup> (subject to survey) of land and associated buildings at 82 Manukau Road, Pukekohe, comprised of an estate in fee simple more or less being Lot 1 DP 99706, contained in computer freehold register NA54B/1241.

**CARRIED**

Note: Pursuant to Standing Order 1.8.6, the following councillors requested their dissenting votes be recorded:

- Cr C Fletcher
- Cr M Lee
- Cr D Newman
- Cr W Walker
- Cr J Watson

**9 Proposed priorities for the 2019 letters of expectations to substantive council-controlled organisations**

Resolution number FIN/2018/189

MOVED by Cr C Fletcher, seconded by Chairperson R Clow:

**That the Finance and Performance Committee:**

- a) **agree that item 9, Proposed priorities for the 2019 letters of expectations to substantive council-controlled organisations, be deferred until an extraordinary meeting of the Finance and Performance Committee, to be on Thursday 22 November 2018 at 1.00pm, or at the conclusion of the Governing Body meeting, whichever is later.**

**CARRIED**

**13 Transfers of land within the Council Group**

Resolution number FIN/2018/190

MOVED by Chairperson R Clow, seconded by Deputy Mayor BC Cashmore:

**That the Finance and Performance Committee:**

- a) **request that the boards of Panuku Development Auckland and Ports of Auckland consider the potential transfer of legal ownership of waterfront land and related assets to the council parent.**
- b) **request that staff include the respective positions of the Panuku Development Auckland and Ports of Auckland Boards in a final report back to council in December to enable a decision on whether to proceed to formal public consultation.**

**CARRIED**

Note: Pursuant to Standing Order 1.8.6, the following councillors requested their dissenting votes be recorded:

- Cr C Casey
- Cr M Lee
- Cr D Newman

**14 Finance and Performance Committee - Information Report - 20 November 2018**

Resolution number FIN/2018/191

MOVED by Chairperson R Clow, seconded by Cr C Darby:

**That the Finance and Performance Committee:**

- a) **receive the information report – 20 November 2018.**

**CARRIED**

## 15 Consideration of Extraordinary Items

There was no consideration of extraordinary items.

## 16 Procedural motion to exclude the public

Resolution number FIN/2018/192

MOVED by Chairperson R Clow, seconded by Cr E Collins:

**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 Delegations for weathertightness claim

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.	<p>s7(2)(g) - The withholding of the information is necessary to maintain legal professional privilege.</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>In particular, the report contains legal advice and information confidential to legal proceedings.</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**

8.37pm 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.

8.58pm The public was re-admitted.

**RESTATEMENTS**

It was resolved while the public was excluded:

**C1 Delegations for weathertightness claim**

Resolution number FIN/2018/193

MOVED by Cr C Fletcher, seconded by Cr C Casey:

- c) agree that the report and decision remain confidential at this time.

8.58pm

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:**.....