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, 11 December 2018 at 9.33am.

PRESENT

<table>
<thead>
<tr>
<th>Chairperson</th>
<th>Cr Ross Clow</th>
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<tr>
<td>Deputy Chairperson</td>
<td>Cr Desley Simpson, JP</td>
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<td>Members</td>
<td>Cr Josephine Bartley</td>
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<td>Cr Dr Cathy Casey</td>
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<td>Deputy Mayor Cr Bill Cashmore</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>Mayor Hon Phil Goff, CNZM, JP</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 Daniel Newman, JP</td>
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<td>Cr Greg Sayers</td>
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<td>Cr Sharon Stewart, QSM</td>
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<td>IMSB Chair David Taipari</td>
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<td>From 9.37am, Item 5.1</td>
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<td>From 9.41am, Item 5.1</td>
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<td></td>
<td>From 9.39am, Item 5.1</td>
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<td>Until 11.51pm, Item 8</td>
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<td>From 9.45am, Item 5.1</td>
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<td>Until 12.46pm, Item C1</td>
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ABSENT

| Member               | IMSB Member Terrence Hohneck |

IMSB Chair David Taipari
1 Apologies
Resolution number FIN/2018/174
MOVED by Chairperson R Clow, seconded by Cr E Collins:
That the Finance and Performance Committee:
a) accept the apology from IMBS Member T Hohneck for absence and Cr P Hulse for lateness on council business.
CARRIED

2 Declaration of Interest
There were no declarations of interest.

3 Confirmation of Minutes
Resolution number FIN/2018/175
MOVED by Deputy Chairperson D Simpson, seconded by Cr L Cooper:
That the Finance and Performance Committee:
a) confirm the ordinary minutes of its meeting, held on Tuesday, 20 November 2018, including the confidential section, and the extraordinary minutes of its meeting held on Thursday, 22 November 2018, as a true and correct record.
CARRIED

4 Petitions
There were no petitions.

5 Public Input
5.1 Public Input – Springs Speedway Residents Association regarding the proposed relocation of Speedway from Western Springs
Cr A Filipaina joined the meeting at 9.37am.
Cr P Hulse joined the meeting at 9.39am.
Cr C Fletcher joined the meeting at 9.41am.
IMSB Chair D Taipari joined the meeting at 9.45am.
Cr A Filipaina left the meeting at 10.00am.
Mr Simon Dew and Ms Ngaire Hartnett, Springs Speedway Residents Association were present and spoke to the item.
Resolution number FIN/2018/176
MOVED by Chairperson R Clow, seconded by Cr R Hills:
That the Finance and Performance Committee:
a) receive and thank Mr Simon Dew and Ms Ngaire Hartnett, Springs Speedway Residents Association for their presentation regarding the proposed relocation of Speedway from Western Springs.
CARRIED
6  Local Board Input

6.1  Local Board Input - Papakura Local Board regarding a proposed disposal of 36 Coles Crescent, Papakura and 26-32 O'Shanessey Street, Papakura

Mr Brent Catchpole, Chair of the Papakura Local Board; Ms Felicity Auva’a, Deputy Chair of the Papakura Local Board; Mr Bill McIntee, Papakura Local Board Member; and Mr Michael Turner, Papakura Local Board Member were present and spoke to the item.

Cr A Filipaina returned to the meeting at 10.08am.

Resolution number FIN/2018/177

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

That the Finance and Performance Committee:

a) receive and thank Papakura Local Board Chair, Brent Catchpole; Deputy Chair Felicity Auva’a; and local board members Mr Bill McIntee and Mr Michael Turner, for their presentation regarding a proposed disposal of 36 Coles Crescent, Papakura and 26-32 O’Shanessey Street, Papakura.

CARRIED

7  Extraordinary Business

There was no extraordinary business.

8  Disposal recommendations report - December 2018

Deputy Chairperson D Simpson left the meeting at 11.36am.
Cr G Sayers left the meeting at 11.36am.
Cr G Sayers returned to the meeting at 11.45am
Deputy Chairperson D Simpson returned to the meeting at 11.45 am

MOVED by Cr D Newman, seconded by Cr J Walker:

That the Finance and Performance Committee:

a) approve subject to the satisfactory conclusion of any required statutory processes:
   i) the disposal of the land at 26-32 O’Shanessey Street, Papakura, comprised of an estate in fee simple being Lot 4 DP 41591, Lot 5 DP 41591, Lot 6 DP 41591 and Lot 7 DP 41591 contained in computer freehold register NA1395/45, subject to appropriate controls to ensure housing outcomes in line with the Panuku SOI development objectives;

   ii) the disposal of the land at 36 Coles Crescent, Papakura, comprised of an estate in fee simple being Part Lot 15 DP 38891, Lot 3 DP 71153, Lot 4 DP 71153, Lot 1 DP 65193, Lot 2 DP 65193, Lot 2 DP 60317 and Lot 4 DP 60317, as it is no longer required by Auckland Council for reserve purposes; subject to appropriate controls to ensure housing outcomes in line with the Panuku SOI development objectives;
iii) the revocation of the reserve status of the land at 36 Coles Crescent, Papakura, comprised of an estate in fee simple being Part Lot 15 DP 38891, Lot 3 DP 71153, Lot 4 DP 71153, Lot 1 DP 65193, Lot 2 DP 65193, Lot 2 DP 60317 and Lot 4 DP 60317, as it is no longer required by Auckland Council for reserve purposes;

iv) the disposal of the land at 22 Waipuna Road, Mt Wellington comprised of an estate in fee simple being Lot 21 DP 51781 contained in computer freehold register NA2C/782;

v) the disposal of the land at 28A Waipuna Road, Mt Wellington comprised of a half-share of an estate in fee simple being Lot 24 DP 51781 and a leasehold estate described as Flat 1 DP 151234 and Garage 1 DP 151234 contained in composite computer register NA90A/733;

vi) the revocation of the reserve status of the land at 5Z Butler Avenue, Papatoetoe, comprised of an estate in fee simple being Lot 2 DP 108054, service lane reserve vested on subdivision of DP 108054, as it is no longer required by Auckland Council for the purpose of a reserve; and

vii) the disposal of the land at 5Z Butler Avenue, Papatoetoe, comprised of an estate in fee simple being Lot 2 DP 108054, service lane reserve vested on subdivision of DP 108054, as it is no longer required by Auckland Council for the purpose of a reserve.

c) agrees that final terms and conditions be approved under the appropriate delegations.

MOVED by Cr L Cooper, seconded by Deputy Chairperson D Simpson:
That the Finance and Performance Committee:

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

Note: Two speakers had spoken for the motion and one speaker against the motion. The chairperson advised that further speakers had indicated their wish to speak and therefore continued with the speaking order.

MOVED by Cr C Darby, seconded by Cr A Filipaina an amendment by way of replacement to clauses a) i) and ii):
That the Finance and Performance Committee:

a) approve subject to the satisfactory conclusion of any required statutory processes:

i) the retention of the land at 26-32 O'Shanessey Street, Papakura, comprised of an estate in fee simple being Lot 4 DP 41591, Lot 5 DP 41591, Lot 6 DP 41591 and Lot 7 DP 41591 contained in computer freehold register NA 1395/45 for up to 18 months to inform strategic planning and a car parking review, and that the Papakura Local Board will pay the consequential operating cost associated with the retention of this land for short-stay parking.

ii) the retention of the land at 36 Coles Crescent, Papakura, comprised of an estate in fee simple being Part Lot 15 DP 38891, Lot 3 DP 71153, Lot 4 DP 71153, Lot 1 DP 65193, Lot 2 DP 65193, Lot 2 DP 60317 and Lot 4 DP 60317 for up to 18 months to inform strategic planning and a car parking review, and that the Papakura Local Board will pay the consequential operating cost associated with the retention of this land for short-stay parking.
A division was called for, voting on which was as follows:

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<tr>
<th>For</th>
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<th>Abstained</th>
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<tr>
<td>Deputy Mayor BC Cashmore</td>
<td>Cr J Bartley</td>
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<tr>
<td>Chairperson R Clow</td>
<td>Cr C Casey</td>
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<tr>
<td>Cr L Cooper</td>
<td>Cr E Collins</td>
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<td>Cr C Darby</td>
<td>Cr C Fletcher</td>
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<td>Cr A Filipaina</td>
<td>Cr R Hills</td>
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<td>Mayor P Goff</td>
<td>Cr M Lee</td>
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<td>Cr P Hulse</td>
<td>Cr D Newman</td>
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<tr>
<td>IMSB Chair D Taipari</td>
<td>Deputy Chairperson D Simpson</td>
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<td>Cr P Young</td>
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The motion was declared **LOST** by 8 votes to 14.

The substantive motion was put.

Resolution number FIN/2018/178

MOVED by Cr D Newman, seconded by Cr J Walker:

**That the Finance and Performance Committee:**

a) approve subject to the satisfactory conclusion of any required statutory processes:

   i) the retention of the land at 26-32 O'Shannessey Street, Papakura, comprised of an estate in fee simple being Lot 4 DP 41591, Lot 5 DP 41591, Lot 6 DP 41591 and Lot 7 DP 41591 contained in computer freehold register NA 1395/45 for up to three years to inform strategic planning and a car parking review, and that the Papakura Local Board will pay the consequential operating cost associated with the retention of this land for short-stay parking.

   ii) the retention of the land at 36 Coles Crescent, Papakura, comprised of an estate in fee simple being Part Lot 15 DP 38891, Lot 3 DP 71153, Lot 4 DP 71153, Lot 1 DP 65193, Lot 2 DP 65193, Lot 2 DP 60317 and Lot 4 DP 60317 for up to three years to inform strategic planning and a car parking review, and that the Papakura Local Board will pay the consequential operating cost associated with the retention of this land for short-stay parking.

   iii) the revocation of the reserve status of the land at 36 Coles Crescent, Papakura, comprised of an estate in fee simple being Part Lot 15 DP 38891, Lot 3 DP 71153, Lot 4 DP 71153, Lot 1 DP 65193, Lot 2 DP 65193, Lot 2 DP 60317 and Lot 4 DP 60317, as it is no longer required by Auckland Council for reserve purposes;

   iv) the disposal of the land at 22 Waipuna Road, Mt Wellington comprised of an estate in fee simple being Lot 21 DP 51781 contained in computer freehold register NA2C/782;

   v) the disposal of the land at 28A Waipuna Road, Mt Wellington comprised of a half-share of an estate in fee simple being Lot 24 DP 51781 and a leasehold estate described as Flat 1 DP 151234 and Garage 1 DP 151234 contained in composite computer register NA90A/733;
vi) the revocation of the reserve status of the land at 5Z Butler Avenue, Papatoetoe, comprised of an estate in fee simple being Lot 2 DP 108054, service lane reserve vested on subdivision of DP 108054, as it is no longer required by Auckland Council for the purpose of a reserve; and

vii) the disposal of the land at 5Z Butler Avenue, Papatoetoe, comprised of an estate in fee simple being Lot 2 DP 108054, service lane reserve vested on subdivision of DP 108054, as it is no longer required by Auckland Council for the purpose of a reserve.

c) agree that final terms and conditions be approved under the appropriate delegations.

CARRIED

Note: Pursuant to Standing Order 1.8.6, Cr A Filipaina requested that his dissenting vote be recorded against clauses a) i) and ii).

Cr M Lee retired from the meeting at 11.51am.

The meeting adjourned at 11.51am and reconvened at 12.02pm.

Cr L Cooper, Cr G Sayers, and Cr J Watson were not present when the meeting reconvened.

9 Auckland Regional Amenities Funding Board: delegate approval of Auckland Council’s submission to the 2019/2020 Levy

Resolution number FIN/2018/179

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

That the Finance and Performance Committee:

a) delegate approval of the Auckland Council submission to the Auckland Regional Amenities Funding Board Draft Funding Plan 2019/2020 to the chair and/or deputy chair Finance and Performance Committee.

CARRIED

10 Update on Rawene landslide remediation works

Cr L Cooper returned to the meeting at 12.05pm.
Cr G Sayers returned to the meeting at 12.05pm.
Cr J Watson returned to the meeting at 12.06pm.

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.
Resolution number FIN/2018/180

MOVED by IMSB Chair D Taipari, seconded by Cr R Hills:

That the Finance and Performance Committee:

a) note the information contained in this report, on the Rawene remediation works, enables transparency on the topic due for discussion in the public excluded part of the meeting.

b) note that the confidential report contains information that could prejudice council's position in negotiations with other parties.

CARRIED

Attachments

A 11 December 2018, Finance and Performance Committee, Item 10 - Update on Rawene landslide remediation works - Presentation

11 Finance and Performance Committee - Information Report - 11 December 2018

Resolution number FIN/2018/181

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

That the Finance and Performance Committee:

a) receive the information report – 11 December 2018.

CARRIED

12 Consideration of Extraordinary Items

There was no consideration of extraordinary items.

13 Procedural motion to exclude the public

Resolution number FIN/2018/182

MOVED by Cr C Fletcher, 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 Budget Update - December 2018

<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>
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| 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.  
    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).  
    In particular, the report contains commercially sensitive financial information and the report contains information which may prejudice council’s position in negotiations with construction providers and land owners. | 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

12.15pm 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.

12.50pm The public was re-admitted.

**RESTATEMENTS**

It was resolved while the public was excluded:

**C1 Budget Update - December 2018**

Resolution number FIN/2018/183

MOVED by Cr C Darby, seconded by Cr R Hills:

That the Finance and Performance Committee:

c) agree that the resolutions, report and attachments remain confidential until reasons for confidentiality no longer exists.
Resolution number FIN/2018/184

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

That the Finance and Performance Committee:

e) agree that the resolutions, report and attachments remain confidential until reasons for confidentiality no longer exists.

12.50pm 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:.........................................................................................................................................................