

## Commercial Property Committee Agenda

**Date:** 23 June, 2021

**Time:** 1:00 pm

**Location:** Council Chamber  
Forum North, Rust Avenue  
Whangarei

**Elected Members:** Cr Greg Innes (Chairperson)  
Cr Gavin Benney  
Cr Ken Couper  
Cr Shelley Deeming  
Cr Phil Halse

For any queries regarding this meeting please contact  
the Whangarei District Council on (09) 430-4200.

**1. Declarations of Interest**

**2. Apologies**

**3. Confirmation of Minutes of Previous Commercial Property Committee Meeting**

- 3.1. Minutes Commercial Property Committee Meeting 23 February 2021 3

**4. Information Reports**

- 4.1. Working Draft Commercial Property Guidelines 2021 7

**5. Public Excluded Business**

- 5.1. Confidential Minutes Commercial Property Committee 23 February 2021

- 5.2. Commercial Property Committee Report June 2021

**6. Closure of Meeting**

Recommendations contained in the agenda are not the decisions of the meeting.

Please refer to minutes for resolutions.

## ***Commercial Property Committee – Terms of Reference***

### **Membership**

<b>Chairperson</b>	Deputy Mayor Greg Innes
<b>Members</b>	Councillors Gavin Benney, Ken Couper, Shelley Deeming, Phil Halse
<b>Independent Advisors</b>	Graeme Kerr, Stuart Bagley
<b>Meetings</b>	As required
<b>Quorum</b>	<b>3</b>

### **Purpose**

- To manage disposal of individual properties within Council's commercial property portfolio, and;
- To manage purchase of individual properties for Council's commercial property portfolio

### **Key responsibilities**

- The purchase and disposal of commercial properties specifically identified in Council's Long Term Plan (LTP)
- The purchase and disposal of commercial properties as authorised by Council, where these are not specifically identified in the LTP

To undertake these responsibilities:

- in accordance with the delegations and parameters set by Council for each individual property transaction.
- in accordance with Council's Policies including, but not limited to, the Property Policy, Procurement Policy, and the Significance and Engagement Policy.
- in accordance with Council's strategies and plans, including but not limited to, the City Centre Plan, to achieve the desired outcomes.
- Ensuring the interests of Maori under the Treaty of Waitangi are considered in accordance with Parts 2 and 6 of the Local Government Act 2002.

### **Delegations**

- (i) All powers necessary to perform the committee's responsibilities, including:
  - (a) establishment of working parties or steering groups.



## Item 3.1

### Commercial Property Committee Meeting Minutes

**Date:** Tuesday, 23 February, 2021  
**Time:** 1:00 p.m.  
**Location:** Council Chamber  
 Forum North, Rust Avenue  
 Whangarei

**In Attendance**
  
 Cr Greg Innes (Chairperson)  
 Her Worship the Mayor Sheryl Mai  
 Cr Gavin Benney  
 Cr Ken Couper  
 Cr Shelley Deeming  
 Cr Phil Halse  
 Stuart Bagley (Independent Adviser)  
 Graeme Kerr (Independent Adviser)

**Also present**
  
 Cr Vince Cocurullo  
 Cr Nicholas Connop  
 Cr Anna Murphy  
 Cr Simon Reid

**Scribe**
  
 C Brindle (Senior Democracy Adviser)

#### 1. Declarations of Interest

There were no interests declared in the open section of the meeting.

#### 2. Apologies

There were no apologies.

#### Extra ordinary business

Subsequent to the agenda being circulated additional information to Item 1.2 was distributed separately but not within the timeframes specified in LGOIMA.

This information was recently requested to assist decision making.

**Moved By** Cr Phil Halse

**Seconded By** Cr Nicholas Connop

That the Committee accept the report supplementary Action sheet for consideration at today's meeting.

**Carried**

## Public excluded business

**Moved By** Cr Shelley Deeming

**Seconded By** Cr Ken Couper

That the public be excluded from the following parts of 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 are as follows:

General subject of each matter to be considered		Reason for passing this resolution in relation to each matter	Ground(s) under Section 48(1) for passing this resolution
1.1	Commercial Property Report	Good reason to withhold information exists under Section 7 of the Local Government Official Information Act	Section 48(1)(a)

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 the relevant part of the proceedings of the meeting in public, are as follows:

Item	Grounds	Section
1.1	To enable the Council to carry on without prejudice or disadvantage negotiations (including commercial and industrial negotiations)  To enable Council to carry on without prejudice or disadvantage commercial activities	Section 7(2)(i)  Section 7(2)(h)

**Carried**

*Item 3.1 was taken after public excluded business.*

## 3. Information Reports

### 3.1 City Core Inner-city Working Party Report

**Moved By** Cr Shelley Deeming

**Seconded By** Cr Gavin Benney

That the Committee note the report on the work undertaken by the City Core Inner-city Working Party.

**Carried**

**5. Closure of Meeting**

The meeting concluded at 3pm.

Confirmed this 23<sup>rd</sup> day of June 2021

Councillor Greg Innes





## 4.1 Working Draft Commercial Property Guideline

<b>Meeting:</b>	Commercial Property Committee
<b>Date of meeting:</b>	23 June 2021
<b>Reporting officer:</b>	Mike Hibbert (Commercial Portfolio Manager)

### 1 Purpose

To endorse the working draft Commercial Property Guideline and provide feedback in preparation to finalise the strategy for adoption by Council.

### 2 Recommendations

1. That the Commercial Property Committee under delegation endorse the draft Commercial Property Guideline.
2. That the Commercial Property Committee notes and provides feedback on the draft Commercial Property Guideline.

### 3 Background

Council owns a diverse range of properties in freehold and perpetual leasehold tenure, with the aim “to promote the social, economic, environmental, and cultural well-being of communities in the present and for the future”.

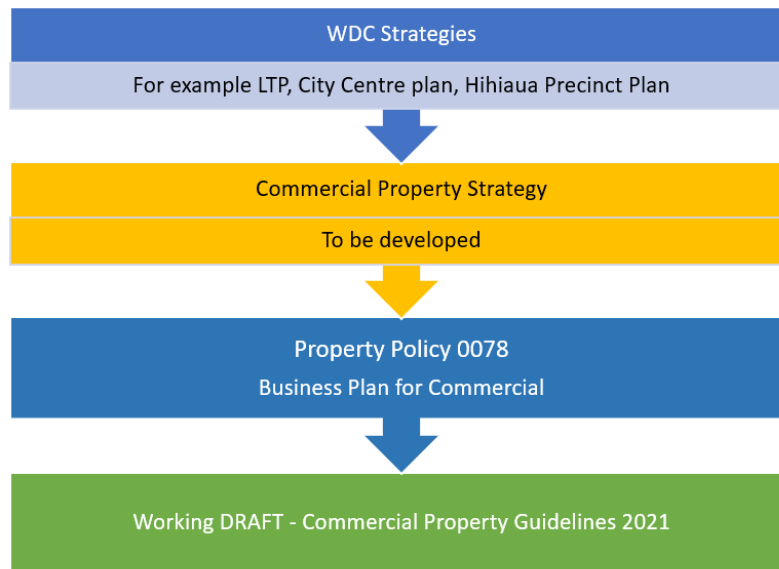
In December 2020 the Commercial Property Committee, requested District Development to develop a Commercial Property Strategy. This was to support Councils aim in the future of launching a Commercial Property Prospectus. As part of this there needs to be a decision-making framework or guideline that provide a consistent defensible process for the acquisition and disposal of Council Commercial property or properties identified as future purpose.

### 4 Discussion

The Commercial Property Portfolio plays an important part to support and influence the delivery of outcomes identified in Councils broader strategies. In the absence of a coordinated approach Council would be reliant on the private sector to deliver such vision.

The current hierarchy of documentation as illustrated includes a proposed Commercial Property Strategy and a draft working Commercial Property Guideline.

### Hierarchy of documentation.



The Commercial Property Guideline is intended to provide a framework to assist in future decision making regarding the disposal and/or acquisition of commercial property assets. Although commercially focused it will compliment other areas of Council that have existing strategies relating to Council Services and Infrastructure portfolios ensuring cross organisation coordination.

The foundation of the Guideline is based on the property Policy (0078), and outlines governance, decision making and next steps for Council, Committee and Staff. In clarifying these roles, it will provide clear written guidelines to ensure effective disposal and/or acquisition of the Commercial Property Portfolio assets and/or defining future purpose properties.

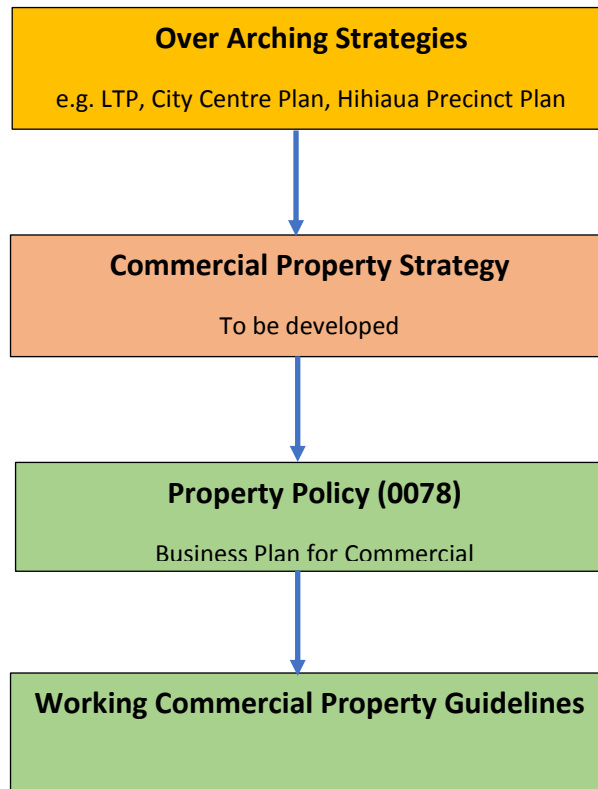
Feedback from the Commercial Property Committee will be used to finalise the draft documentation in preparation for adoption by Council. Changes where applicable will be reflected into the broader review of the Property Policy (0078) currently underway and the development of the Commercial Property Strategy.

## **5 Significance and engagement**

Having considered the Significance and Engagement Policy this matter is not considered significant and the public will be informed at an appropriate time without compromising such matters of confidentiality.

## **6 Attachment**

1. Working Draft Commercial Property Guideline





**RESOLUTION TO EXCLUDE THE PUBLIC****Move/Second**

That the public be excluded from the following parts of 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 are as follows:

<b>General subject of each matter to be considered</b>		<b>Reason for passing this resolution in relation to each matter</b>	<b>Ground(s) under Section 48(1) for passing this resolution</b>
1.1	Confidential Minutes Commercial Property Committee Meeting 23 February 2021		
1.2	Commercial Property Committee Update	Good reason to withhold information exists under Section 7 Local Government Official Information and Meetings Act 1987	Section 48(1)(a)

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 the relevant part of the proceedings of the meeting in public, are as follows:

<b>Item</b>	<b>Grounds</b>	<b>Section</b>
1.1	For the reasons as stated in the open minutes	
1.2	To prevent the disclosure or use of official information for improper gain or advantage  To enable Council to carry on without prejudice or disadvantage commercial activities	Section 7(2)(j)  Section 7(2)(h)

**Resolution to allow members of the public to remain**

If the council/committee wishes members of the public to remain during discussion of confidential items the following additional recommendation will need to be passed:

**Move/Second**

"That \_\_\_\_\_ be permitted to remain at this meeting, after the public has been excluded, because of his/her/their knowledge of Item \_\_\_\_\_.

This knowledge, which will be of assistance in relation to the matter to be discussed, is relevant to that matter because \_\_\_\_\_.

*Note: Every resolution to exclude the public shall be put at a time when the meeting is open to the public.*