

**Northland Regional Council  
Property Working Party**

**Tuesday, 5 September 2017 at 1pm  
Kaipara Room, Northland Regional Council  
36 Water Street, Whangarei**

**NORTHLAND REGIONAL COUNCIL**

**Property Subcommittee Agenda**

For meeting to be held in the Kaipara Room,  
36 Water Street, Whangārei, on Tuesday 5 September 2017,  
commencing at 1.00 pm.

**MEMBERSHIP OF THE SUBCOMMITTEE**

Cr Penny Smart      Cr David Sinclair      Cr John Bain      Cr Bill Shepherd  
(ex officio)

**Recommendations contained in the agenda are NOT subcommittee decisions.  
Please refer to subcommittee minutes for resolutions.**

**OPEN MEETING**

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**TITLE:** Confirmation of Property Subcommittee Minutes  
12 July 2017

**ID:** A979252

**To:** Property Subcommittee, 5 September 2017

**From:** Maxine Bailey, Property Officer

**Date:** 29 August 2017

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### **Executive summary**

The purpose of this report is to present for confirmation the minutes of the property subcommittee meeting held on 12 July 2017.

Councils are required to keep minutes of proceedings in accordance with the Local Government Act 2002.

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### **Recommendation**

1. That the minutes of the property subcommittee meeting held on 12 July 2017 be confirmed as a true and correct record.

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### **Attachments:**

- Ordinary Property Subcommittee Minutes – 12 July 2017

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### **Authorised by Group Manager:**

**Name:** Phil Heatley

**Title:** Manager, Strategic Projects

**Date:** 29 August 2017

## **NORTHLAND REGIONAL COUNCIL PROPERTY SUBCOMMITTEE**

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Minutes of meeting of the Property Subcommittee  
held in the Committee Room, Northland Regional Council, 36 Water Street, Whangārei,  
on Wednesday, 12 July 2017 commencing at 9 am

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**Present:**

- Cr Penny Smart (Chair)
- Cr David Sinclair
- Cr John Bain
- Cr Bill Shepherd (ex officio)

**In Attendance:**

**Full Meeting**  
Chief Executive Officer  
Strategic Projects Manager  
Property Officer

**Part Meeting**  
GM – Strategy and Governance

*The Chair declared the meeting open at 9.00 am.*

**Apologies (Item 1.0)**

There were no apologies

**Declarations of Conflict of Interest (Item 2)**

It was advised that councillors should make declarations item-by-item as the meeting progressed.

**Confirmation of Property Subcommittee Minutes – 12 June 2017  
(Item 3.1)**

**ID: A961763**

**Report from Property Officer, Maxine Bailey**

**Moved (Bain/Shepherd)**

That the minutes of the property subcommittee meeting held on 12 June 2017,  
be confirmed as a true and correct record.

**Carried**

## **Efficient and Effective Operation of the Property Subcommittee (Item 4.1)**

**ID: A961724**

**Report from Group Manager Strategy and Governance, Jonathan Gibbard**

### **Moved (Sinclair/Bain)**

1. That the report 'Efficient and Effective Operation of the Property Subcommittee by Jonathan Gibbard, Group Manager Strategy and Governance and dated 4 July 2017, be received.
2. That the Property Subcommittee establish a Property Working Party, comprising all members of the Property Subcommittee.
3. That the Property Subcommittee be reviewed, as part of the wider governance structure review at the end of the year, to ensure the most effective and efficient governance structure to oversee council's property portfolio

### **Carried**

#### **Secretarial note**

*With regard to the paragraph below the CEO requested clarification be provided to the next meeting, specifically with regard to the sale of endowment land.*

*"For clarity, section 32(1)(c) of the Local Government Act 2002 prohibits the council from delegating the responsibility to purchase or dispose of assets, other than in accordance with the Long Term Plan (LTP). Use of the LTP in property transactions would normally have to do with the sale or purchase of strategic assets or disposal of endowment land – not commercial / investment property transactions. What this means is that all decisions relating to the actual purchase or disposal of investment property or leases can only be made by council resolution.*

#### **Strategic Projects Manager response**

*Council's Treasury Risk Management Policy, adopted at council's Audit and Risk Committee meeting in August 2014, clearly states that any purchase or sale of any property investment requires council approval. Property investments are further defined, but are not limited to; ground leases, undeveloped land, forestry, commercial and industrial investments, grounds leases, land held for development, land buildings held or acquired for strategic purposes and endowment land.*

*Any endowment land sale is also subject to the approval required under s140 and 141 of the Local Government Act 2002.*

*Council's 'hold' and 'sales' policy for endowment land has been outlined in successive Long Term Plans and/or Annual Plans and has been iterative. Council officers and the public may benefit from a 'general' or 'summary position' policy statement in the 2018-28 LTP on Council's 'hold' and 'sales' policy for endowment land.*

**ID: A969290**

Property Subcommittee Meeting  
12 July 2017

## Mount Tiger Forest Quarterly Report April to June 2017

(Item 5.1)

ID: A961793

Report from Strategic Projects Manager, Phil Heatley

### Moved (Shepherd/Sinclair)

That the report Mount Tiger Forest Quarterly Report April to June 2017 by Phil Heatley, Strategic Projects Manager and dated 6 July 2017 be received.

### Carried

#### **Secretarial Note**

*The Property Subcommittee noted their general support of the proposal to reopen the Waikaraka Walkway as it follows the unformed paper road to the public with Whangarei District Council assuming primary responsibility to administer the walkway. The paramount concerns being Health and Safety and the impact on commercial forest activity.*

## Business with the Public Excluded (Item 6.0))

ID: A961865

Report from Strategic Projects Manager, Phil Heatley

### Moved (Smart/Bain)

1. That the public be excluded from the proceedings of this meeting to consider confidential matters.
2. That the general subject of the matters to be considered whilst the public is excluded, the reasons for passing this resolution in relation to this matter, and the specific grounds under the Local Government Official Information and Meetings Act 1987 for the passing of this resolution, are as follows:

| Item No. | Item Issue   | Reason\Grounds   |
|----------|--|--|
| 6.1      | Confirmation of Confidential Minutes of the Council Meeting – 12 June 2017 | The reasons for excluding the public are as stated in the minutes of the open section of the meeting.  |
| 6.2      | Farm Lease Renewal   | The public conduct of the proceedings would be likely to result in disclosure of information, the withholding of which is necessary to carry on, without prejudice or disadvantage, commercial activities 7(2)(h). |
| 6.3      | Kaikohe Dairy Farm   | The public conduct of the proceedings would be likely to result in disclosure of information, the withholding of which is necessary to carry on, without   |

ID: A969290

Property Subcommittee Meeting  
12 July 2017

|     |   |  |
|-----|---|--|
|     |   | prejudice or disadvantage, commercial activities 7(2)(h).  |
| 6.4 | Recent Arbitration Ruling               | The public conduct of the proceedings would be likely to result in disclosure of information, the withholding of which is necessary to carry on, without prejudice or disadvantage, commercial activities 7(2)(h). |
| 6.5 | Property Subcommittee 2017 Action Notes | The public conduct of the proceedings would be likely to result in disclosure of information, the withholding of which is necessary to carry on, without prejudice or disadvantage, commercial activities 7(2)(h). |

**Carried**  
**Open Meeting**  
**Moved (Smart/Bain))**

That the committee resumes in open meeting.

**Carried**

## **CONCLUSION**

There was general discussion on the strategic value of properties in the Hihiaua Precinct.

The meeting concluded at 11.10 am.

**TITLE: Business with the Public Excluded**

**ID:** A979253

**To:** Property Subcommittee, 5 September 2017

**From:** Phil Heatley, Strategic Projects Manager

**Date:** 29 August 2017

### Executive summary

The purpose of this report is to recommend that the public be excluded from the proceedings of this meeting to consider the confidential matters detailed below for the reasons given.

### Recommendations

1. That the public be excluded from the proceedings of this meeting to consider confidential matters.
2. That the general subject of the matters to be considered whilst the public is excluded, the reasons for passing this resolution in relation to this matter, and the specific grounds under the Local Government Official Information and Meetings Act 1987 for the passing of this resolution, are as follows:

| Item No. | Item Issue   | Reason\Grounds   |
|----------|--|--|
| 4.1      | Confirmation of Confidential Minutes of the Council Meeting – 12 July 2017 | The reasons for excluding the public are as stated in the minutes of the open section of the meeting.  |
| 4.2      | Council's Dargaville Office  | The public conduct of the proceedings would be likely to result in disclosure of information, the withholding of which is necessary to carry on, without prejudice or disadvantage, commercial activities 7(2)(h). |
| 4.3      | Report on Joint Venture Annual Meeting                                     | The public conduct of the proceedings would be likely to result in disclosure of information, the withholding of which is necessary to carry on, without prejudice or disadvantage, commercial activities 7(2)(h). |
| 4.4      | Update: Property Subcommittee 2017 Action Notes                            | The public conduct of the proceedings would be likely to result in disclosure of information, the withholding of which is necessary to carry on, without prejudice or disadvantage, commercial activities 7(2)(h). |



**Considerations:**

**1. Options**

Not applicable. This is an administrative procedure.

**2. Significance and Engagement**

This is a procedural matter required by law. Hence when assessed against council policy is deemed to be of low significance.

**3. Policy and Legislative Compliance**

The report complies with the provisions to exclude the public from the whole or any part of the proceedings of any meeting as detailed in sections 47 and 48 of the Local Government Official Information Act 1987.

**4. Other Considerations**

Being a purely administrative matter; Community Views, Māori Impact Statement, Financial Implications, and Implementation Issues are not applicable.

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**Authorised by:**

**Name:** Malcolm Nicolson

**Title:** Chief Executive Officer

**Date:** 29 August 2017