

From: Sunny Kaushal, Chair
Ministerial Advisory Group - Retail Crime

To: Madison Babe, Commercial Leasing Manager
CC: Andrew Kibblewhite, Claire Sim, Erin Judge, Jerome Sheppard, Simone Thomson

Date: Wed, 28 August 2024

Kia Ora Madison,

Thanks for organising the site visit with Mark from the MOJ Property team this morning to the Kāinga Ora office at 626 Great South Road, Ellerslie, Auckland. Following my site visit today I would like to provide an analysis of the workspace in consideration for the Ministerial Advisory Group (MAG) on Retail Crime. Below are the key observations, highlighting both the positive aspects and the challenges associated with this location.

Pros:

1. Convenient Location:

- Situated in Ellerslie, the office is well-located with easy access to both the train station and motorway, making it convenient for staff and stakeholders to reach.

2. Well-Maintained Premises:

- The office floor on level 2 is neat, clean, and well-maintained, contributing to a professional work environment.

3. Reception and Security:

- Upon arrival, there is a reception window for visitor registration. While there is no designated waiting area, the presence of a reception provides basic visitor management.

4. Vibrant Work Environment:

- The office currently houses around 48-50 staff, creating a vibrant work environment. Another new tenant, "Tertiary Education," is expected to move in soon, adding to the numbers and dynamic atmosphere on the floor.

Cons/Challenges:

1. Lack of Privacy:

- The office layout is entirely open-plan, with shared spaces used by multiple teams. The space in offer to the MAG (approximately 2.5m x 5m) offers no privacy, which is unsuitable for the sensitive nature of our work.
- The open space suggested for MAG office is adjacent and facing the open kitchen, we were informed by the Kāinga Ora office manager that this is the busiest and noisiest areas of the floor, used by the staff throughout the day with no set timing, creating a further distraction.

2. Noisy and Distracting Environment:

- The vibrant environment, while lively, is noisy and un conducive to the quiet and focused workspace required for the MAG's operations. Background music coming from Kainga Ora staff worktables and general noise levels could impair concentration and productivity.

3. Restricted Access to Meeting Facilities:

- Kāinga Ora does not permit outsiders to access their boardrooms or meeting rooms. These bookable and unbookable rooms are shared internally and are not dedicatedly available unless booked in advance on first come first serve basis. This limitation would restrict the MAG from holding private and confidential discussions on-site.

4. High-Risk Clientele and Security Concerns:

- Kāinga Ora is frequently visited and serves high-risk clients, including offenders and individuals with criminal backgrounds. The manager informed me that approximately 10% of these clients can be aggressive.
- MAG's workplace will be potentially visited from time to time by the stakeholders that include victims of retail crime including the victims of aggravated robberies and violent assaults. There will be chances Kāinga Ora's high risk aggressive clients and MAG's stakeholders i.e. victims of crime those already undergoing trauma may come face to face in the elevator, or while waiting at the reception counter etc, it may create a volatile situation leading to risk of harm and safety of the individuals creating a serious situation beyond control.
- There are no dedicated security arrangements at the reception or premises, with shared lift access, reception, and standing waiting areas, increasing security risks.
- The lack of soundproof interview rooms and shared client access further exacerbates the risk of conflicts or volatile situations arising. The MAG's work involves victims of crime, retailers, advocacy groups, and experts. There is a potential for sensitive discussions to take place in a high-risk environment where offenders and victims could inadvertently come into contact.

5. Unsuitable for MAG's Work and Stakeholder Engagement:

- The nature of the MAG's work—developing proposals to reduce crime, engaging with stakeholders, and interacting with victims—requires a secure, private, and controlled environment. Hosting meetings with victims of crime in a space shared with aggressive offenders could pose serious safety risks and damage the integrity of our operations.

Conclusion:

While the Kāinga Ora office offers a convenient location and a well-maintained environment, it is not suitable for the sensitive and high-stakes work of the MAG on Retail Crime. The open-plan layout, lack of privacy, and high-risk clientele present significant challenges that could impede the Group's ability to operate effectively and safely. There are serious concerns about security, confidentiality, and the potential for conflicts arising between victims and offenders in shared spaces.

AIDE MEMOIRE

JUSTICE
SECTOR
DIRECTORATE

Inaugural meeting of the Victims of Retail Crime Ministerial Advisory Group

Other matters that may be raised by the Chair

11. The first matter is regarding finding suitable property for Mr Kaushal and the staff he intends to contract to be based. The Ministry of Justice property team have been working to identify suitable options that meet the particular requirements Mr Kaushal is requiring.
12. The Property team is currently undertaking due diligence on a large high-spec space Mr Kaushal has identified. Whilst the team is moving at pace, there are a number of steps they are required to take to ensure the Ministry of Justice can appropriately enter the private lease.

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Memorandum

To	Andrew Kibblewhite, Chief Executive and Secretary for Justice	File reference
From	Jerome Sheppard, General Manager Property	
CC	Erin Judge, Executive Director, Sector Directorate Eve Padgett, Acting Deputy Secretary Corporate Services Rajesh Chhana, Deputy Secretary Policy	
Date	03 October 2024	
Subject	Approval to lease – s9(2)(a) Street, Grafton, Auckland	Symonds Attachment 1
For	<input checked="" type="radio"/> Approval <input type="radio"/> Review Comment <input type="radio"/> Action <input type="radio"/> Noting	

Purpose

1. The purpose of this memo is to seek your approval to enter a new lease for s9(2)(a) s9(2)(a) Symonds Street, Grafton, Auckland as the leased office accommodation for the Ministerial Advisory Group on Retail Crime.

Background

2. On 19 June 2024, Cabinet agreed to establish a Ministerial Advisory Group: Victims of Retail Crime group to provide high quality, independent advice, and recommendations on combatting retail crime to the Minister of Justice and the Associate Minister of Justice [SOU-24-MIN-0058]. Funding of \$3.600M was provided by Cabinet over three financial years.
3. In July 2024, Property was contacted to find property options in Auckland, for the Ministerial Advisory Group that could serve as office space and host meetings, that wasn't a courthouse or a call centre.
4. Following this request, Property investigated all Ministry leased and owned sites in Auckland as well as other Crown leased sites and sites available for lease. After site visits by the Chairman we have put forward the top three options.

Discussion

5. The Ministry Property leasing team has assessed the office accommodation requirements to support the operational needs of the Ministerial Advisory Group (MAG). The current office accommodation leasing proposal is to serve as the Chair's primary workplace, along with two support staff and is capable of holding member days, and stakeholder engagement sessions.
6. The Chairman of the MAG has viewed around 26 sites since his appointment, these have been narrowed down to 3 sites and is shown in a table below.

Options Table:

	s9(2)(a) Symonds Street, Grafton, Auckland	s9(2)(a) Parnell Road, Parnell, Auckland	Kāinga Ora office at 626 Great South Road, Ellerslie, Auckland
Benefits	<ul style="list-style-type: none"> No fitout cost required as the premises contains a large open plan office with three sizeable separate offices, a smaller break-out room and a larger board or conference room and is fully furnished. The landlord has agreed to a 3-month break clause being added after the first 6 months of occupancy. With no other business units being in the office there the risk of private conversations being overheard is minimal. Any additional furniture requested will have associated costs. On site security as each tenancy has separate secure swipe card access, so access is by invitation only. Office is in a good location. Two secure carparks are included. The premises is the Chairman's preferred option. 	<ul style="list-style-type: none"> No fitout cost required. The Chairman's second preferred option. With no other business units being in the office the risk of private conversations being overheard is minimal. 6 Star Green star rates building. Office is in a good location. Secure parking included in rent. 	<ul style="list-style-type: none"> This building is already leased by the Crown by Kāinga Ora creating a collaborative Crown space. This office is secure with no members of the public being given access to the back office. This is the most cost-effective option, cleaning, electricity, and all associated leasing costs are included in the OPEX. We anticipate that Kāinga Ora would provide the Ministry with a break clause.

Risks	<ul style="list-style-type: none"> • If the Minister abandons the MAG, then there is a minimum liability for minimum 9 months rental to be incurred against the funding before being able to exit the lease. • Other building costs that are excluded from the financial below include cleaning, electricity, consumables, maintenance call outs, annual fixed increase (estimated at approximately \$41,260 per annum). • Highest cost option. • Sizeable area for three staff members. 	<ul style="list-style-type: none"> • The landlord has not agreed to add a break clause making this lease a two-year financial commitment. • This is the only property where furniture is not supplied. • Other building costs that are excluded from the financials below include cleaning, electricity, consumables, maintenance call outs, annual fixed increase. estimated at approximately \$40,000 per annum • Property has not visited this site as part of due diligence, due to it being option two with no break clause. 	<ul style="list-style-type: none"> • This is an open plan office which isn't appropriate for confidential conversations. • Members of the public and other members of the advisory group outside the Chairman and two administrative staff would not be able to use this space due to Kāinga Ora security requirements. • During the Kāinga Ora site visit the Chairman was advised by a staff member that approximately 10% of these clients can be aggressive, raising safety concerns.
Financials	<p>Area: 389.48sqm Rent and Carparking: \$57,157 OPEX: \$42,843 Total Annual Lease Agreement Cost for first year: \$100,000 With an agreed 2% increase on 01/10/2025. Other Annual Building Costs: \$41,260</p>	<p>Area: 162sqm Rent and Carparking: \$62,400 OPEX: \$23,957 Total Annual Lease Agreement Cost: \$86,637 Other annual Building costs: estimated at \$40,000</p>	<p>Area: 3 Desks in shared space Rent and Carparking: \$31,140 OPEX: \$7,200 Total Annual Lease Agreement Cost: \$38,340</p>
Recommendation	<ul style="list-style-type: none"> • While this option is not the most cost effective it is the recommended option due to the property being secure, minimal risk of individuals breach of privacy and furniture is supplied making the move in more seamless as well as benefiting the environment. 	<ul style="list-style-type: none"> • While this option is appearing to be the most cost-effective private leasing option, since the landlord is not willing to add a break clause, we don't anticipate for it to be cost effective and therefore it is not recommend. 	<ul style="list-style-type: none"> • This option was originally our recommendation however the Chairman has advised this doesn't meet his requirements due to the privacy concerns.

7. Summary of the lease terms of preferred Option 1:
- Two-year term commencing 01 October 2024
 - 2 x 6-month renewals available
 - Final expiry is 30 September 2027 if both rights are renewed
 - Two carparks are included
 - There is a three-month break clause after the first six months

Financials

8. Recommended Option 1 leasing costs and those costs associated with the office operation such as power, cleaning and consumables will be paid from the budget for the Ministerial Advisory Group: Victims of Retail Crime in the Non-Departmental Output Expense appropriation: Independent Advice to Ministers. Funding of \$3.600M was allocated from the Proceeds of Crime Fund (PoCF) under SOU-24-MIN-0058.
9. The following table shows the approved funding from SOU-24-MIN-0058:

Funding Approved	FY 2024/25	FY 2025/26	FY 2026/27
Vote Justice Non-Department Other Expense: Independent Advice to Ministers	\$1,350,000	\$1,800,000	\$450,000

10. The following table shows the original lease costs as per the Chair's memorandum to Minister's on Monday 30th September 2024.

	FY 2024/25	FY 2025/26	FY 2026/27
Leasing Costs	\$98,000	\$130,000	\$65,000

11. The current funding and budget breakdown is shown below with the updated costs for Option 1: ^{S9(2)(a)} Symonds Street, Grafton:

Funding Breakdown	FY 2024/25	FY 2025/26	FY2026/27	Total
Available Non-Department Operating Funding	\$1,350,000	\$1,800,000	\$450,000	\$3,600,000
Chair Fees	\$230,000	\$230,000	\$58,000	\$518,000
Committee Costs	\$83,000	\$99,000	\$17,000	\$199,000
Leasing Costs	\$105,945*	\$157,549**	\$38,815	\$299,309

ICT Costs***	\$22,800	\$15,400	\$7,600	\$45,800
Research, consultancy costs, contractor fees, travel costs, event costs and miscellaneous expenditure	\$862,000	\$1,248,000	\$294,000	\$2,404,000
Funding Variance	\$46,255	\$50,051	\$34,585	\$130,891

* Based on an October 2024 start date; therefore, the budget has been pro-rated.

** Includes a 2% lease increase on 01/10/2025, therefore 3 months at the original lease amount and 9 months at the new lease amount.

*** Approved ICT Option 3, currently phased as per the lease.

12. The Chair is yet to finalise the budget subject for confirmation of fixed costs.

Consultation

13. The Chairman of the advisory group and Minister Goldsmith have been consulted and are in support of this lease for the advisory group.

14. Finance have been consulted.

Recommendations

15. It is recommended that you:


- 1. **Agree** that you have no conflict of interest with this negotiation. Yes / No
- 2. **Note** that the funding for this lease will come from the Non-Departmental Output Expense appropriation: Independent Advice to Ministers. Yes / No
- 3. **Note** that the whole of life cost of \$330,254 is within your non-departmental financial delegation. Yes / No
- 4. **Approve** for the Ministry enter a two-year lease at S9(2)(a) Symonds Street, Grafton, Auckland Yes / No
- 5. **Action**, please execute the attached agreement to lease. Yes / No

Attachments

Attachment One: Agreement to lease

Recipient/s to complete

Comments: Deputy Secretary to execute the lease in accordance with the financial delegation policy.

Signature: 
Name: Andrew Kibblewhite
Date: 10 October 2024

From: [Thompson, Simone](#)
To: [@..](#); [Babe, Madison](#)
Subject: FW: Auckland MOJ space options
Date: Tuesday, 11 February 2025 12:09:02 pm
Attachments: [image001.png](#)
[image002.jpg](#)

This is the original request I got in

Simone

From: McGinn, Ciara
Sent: Thursday, 25 July 2024 9:08 am
To: Thompson, Simone <xxxxxx.xxxxxxx@xxxxxx.xx>
Subject: RE: Auckland MOJ space options

Kia ora Simone,

Thanks for getting in touch.

We would be looking for a space that:

- Can host at least 2 permanent staff members, potentially 3.
- Has the ability for the chair to hold meetings with members from the community in that space, so meeting rooms available and security that enables people to come and go easily (e.g. not a courthouse)
- Ideally not in the cbd but the suburbs close to it – Greenlane, Mt Wellington, Mt Eden. Easily accessible parking is ideal to make it easier for the members of the public who will meet with the advisor. Khyber pass might be okay if the parking situation isn't too bad?
- At this stage it is a 2-year appointment, so move in asap (at least by mid-September if possible) and until around September 2026.

Please let me know if you need any other info, or if you would prefer to meet in person and chat. I'm based on level 5 of national office and am in Mon/Wed/Fri

Thanks,

Ngā mihi,

Ciara McGinn | Business Advisor *(she/her)*

Sector Directorate

[Justice Sector](#)

Email [@..](#)

Phone s9(2)(a)

Justice Centre, 19 Aitken Street, Wellington

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From: Thompson, Simone <xxxxxx.xxxxxxx@xxxxxx.xx>
Sent: Wednesday, 24 July 2024 3:33 pm
To: McGinn, Ciara <xxxxxx.xxxxxxx@xxxxxx.xx>
Subject: FW: Auckland MOJ space options

Hi Ciara

Can you let me know exactly what the specs are and how many people you need space for – we may have space in Khyber Pass but not sure if Newmarket is the right location ie not in CBD. When do you need the accommodation from?

Regards

Simone



Simone Thompson
Business Manager | Office of the General Manager Property
Ministry of Justice | Tāhū o te Ture
Ms9(2)(a)
Level 4 Justice Centre | Aitken Street | Wellington
simone.thompson@justice.govt.nz | justice.govt.nz

From: OGMProperty@justice.govt.nz <OGMProperty@justice.govt.nz>
Sent: Tuesday, 23 July 2024 4:40 pm
To: OCE@justice.govt.nz; CSOffice <CSOffice@justice.govt.nz>; OGMProperty@justice.govt.nz
Cc: McGinn, Ciara <Ciara.McGinn@justice.govt.nz>
Subject: RE: Auckland MOJ space options

Thanks Sarah

Will contact Ciara directly.

Regards

Simone

<image001.jpg>

Simone Thompson
Business Manager | Office of the General Manager Property
Ministry of Justice | Tāhū o te Ture
Ms9(2)(a)
Level 4 Justice Centre | Aitken Street | Wellington
simone.thompson@justice.govt.nz | justice.govt.nz

From: OCE@justice.govt.nz <OCE@justice.govt.nz>
Sent: Tuesday, 23 July 2024 3:05 pm
To: CSOffice <CSOffice@justice.govt.nz>; OGMProperty@justice.govt.nz
Cc: McGinn, Ciara <Ciara.McGinn@justice.govt.nz>
Subject: FW: Auckland MOJ space options
Importance: High

Kia ora tima

Ruth asked me to follow up on the request from Sector Directorate below – they're looking for

some space in Auckland for the recently appointed chair of the new Ministerial Advisory Group, [Sunny Kaushel](#). This is a high priority issue and a high-profile appointment and they'll be looking to move quickly on getting his work underway.

Mr Kaushel is looking for a space somewhere like Greenlane or Mt Wellington – basically somewhere near the motorway with lots of parking. There's more information on what he needs below. Courts and contact centres wouldn't really be suitable. He'll need space to work in and also meeting space.

Ruth was wondering whether there are any government agencies that are currently shrinking – eg, Kainga Ora and Health. Apparently they used to be in business park along with Corrections in Greenlane, so perhaps they'd have a small area we could use?

Could someone please get back to Sector Directorate about how we might go about sorting out some options for Mr Kaushel?

Sarah

<image001.jpg>

Sarah Lynn | Chief Advisor – Office of the Chief Executive
Mob [s9\(2\)\(a\)](#)
www.justice.govt.nz

From: Judge, Erin <[xxxx.xxxxx@xxxxxxxx.xxxx.xx](#)>
Sent: Tuesday, 23 July 2024 8:28 am
To: Wilkie, Ruth <[xxxx.xxxxx@xxxxxxxx.xxxx.xx](#)>
Subject: Fwd: Auckland MOJ space options

Sent from my iPhone

Begin forwarded message:

From: "McGinn, Ciara" <[xxxxx.xxxxxx@xxxxxxxx.xxxx.xx](#)>
Date: 23 July 2024 at 8:27:02 AM NZST
To: "Judge, Erin" <[xxxx.xxxxx@xxxxxxxx.xxxx.xx](#)>
Subject: **FW: Auckland MOJ space options**

Ngā mihi,

Ciara McGinn | Business Advisor (*she/her*)
Sector Directorate
[Justice Sector](#)
Email [.@.](#)
Phone [s9\(2\)\(a\)](#)

Justice Centre, 19 Aitken Street, Wellington
<image002.png>

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From: McGinn, Ciara
Sent: Friday, 12 July 2024 10:13 am

To: xxxxxxxxxxx@xxxxxxxx.xx
Subject: Auckland MOJ space options

Kia ora Property team,

Hope you are having a good week!

We are trying to locate a space for a Ministerial advisor to work out of Auckland (where they reside) that could be fit for the purpose of work as well as hosting meetings etc.

Ideally, we would find a space for them that is away from easily accessible court information (e.g. not a courthouse or in the room with contact centre calls happening) as they aren't a contractor or MOJ staff member and are Ministerially appointed.

It is just one advisor at this stage, so it doesn't have to be a big space, but they may also need a space to hold meetings with members from the community that are feeding into their work.

Are there any buildings in Auckland that you think might fit this purpose? Understand this might be a bit of a big ask!

I'm in the office today if anyone is around and would like to have a chat in person about options

Thanks,

Ngā mihi,

Ciara McGinn | Business Advisor *(she/her)*

Sector Directorate

[Justice Sector](#)

Email ..@.

Phone s9(2)(a)

Justice Centre, 19 Aitken Street, Wellington

<image001.png>

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Victims of Retail Crime : Ministerial Advisory Group

Transition Document

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MINISTRY OF
JUSTICE
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Property

Key contacts

Contact	Position
Madison Babe	Commercial Leasing Manager
Simone Thompson	Business Manager Officer
Jerome Sheppard	General Manager – Property, Corporate Services

Immediate next steps

- The Property team has presented three options to the Chief Executive for approval, comprising a mix of private and government-owned leases. Property's preferred option is a government-owned lease. This isn't in alignment with the Chair's preferred option. The Chair has provided a detailed assessment to Ministers seeking endorsement for the private commercial lease.
- Confirmation is needed on whether the government-owned lease or the private commercial lease will be progressed. Once confirmed, the Property team will proceed with due diligence on the selected option.

Background

- The Chair of the Advisory Group detailed the specific office space requirements for up to three full-time staff members. This includes looking into available government-owned properties in Auckland suburbs such as Greenlane, Mt Wellington, and Manukau. If no suitable options are available, private commercial leases should be considered. The office must also have three parking spaces and meeting areas for discussions with stakeholders and victims of retail crime.
- Several properties have been presented, and the Chair's preferred option underwent due diligence in late August. The Ministers have indicated that their preference is for a government-owned lease.

Completed activities/actions

- Since early August, the Property team has been actively assessing several properties across the preferred Auckland locations, including both government-owned and private commercial leases, to meet the outlined requirements. So far, more than 19 properties have been reviewed.

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