

**MINUTES OF AN ORDINARY MEETING OF THE FINANCE AND OPERATIONAL  
PERFORMANCE COMMITTEE HELD IN THE CIVIC CENTRE,  
6 WAIPAREIRA AVENUE, LINCOLN, WAITAKERE CITY,  
ON THURSDAY, 12 SEPTEMBER 2002,  
COMMENCING AT 9.37 AM.**

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**PRESENT:**

Councillors	BA	Brady, JP (Deputy Chairperson) (Presiding)
	DQ	Battersby, JP (until 11.00 am)
	AC	Fenton (until 12.15 pm)
	PA	Hulse (from 9.43 am)
	JP	Lawley
	GE	Nash, JP
	VS	Neeson, JP
	GB	Presland (until 11.00 am)
	GW	Russell
	CA	Stone (from 9.43 am)
	DA	Yates, JP

**IN ATTENDANCE:**

Director: Finance  
Director: Corporate and Civic Services  
Manager: EcoWater  
Manager: Group Performance and Business Delivery  
Manager: Democracy and Support Services  
Chief Management Accountant  
Service Manager: Aftercare/Special Projects  
Acting Revenue Services Manager  
Operations Team Leader, Waitakere Libraries and Information Services  
Partnerships and Advocacy Leader: Governance and Infrastructure  
Senior Leisure Projects Leader  
Property Officer, Consultancy Services  
Community Assistance Administrator  
Funds Accountant  
Revenue Accountant  
Editor/Writer: Public Affairs  
Committee Secretary: S Simiona

Mrs Betty Richards, Acting Chairperson - Waitakere Citizens Advice  
Bureaux Incorporated Committee

**1 APOLOGIES**

2829/2002

MOVED by Cr Neeson, seconded Cr Presland:

That apologies from Crs Clews, Dallow and Hoskin for absence be received and sustained.

**CARRIED**

**2 URGENT BUSINESS**

There was no Urgent Business.

**3 CONFIRMATION OF MINUTES**

2830/2002

MOVED by Cr Lawley, seconded Cr Nash:

That the minutes of the Special Meeting of the Finance and Operational Performance Committee held on Monday, 8 July 2002, as circulated, and the Ordinary Meeting of the Finance and Operational Performance Committee held on Thursday, 15 August 2002, with the following amendment - on page 4, resolution 2584/2002 to read "That *Item 6 - Portage and Waitakere Licensing Trusts Competition Poll* be deferred at this time", are taken as read and now confirmed.

**CARRIED**

**DEPUTATION**

2831/2002

MOVED by Cr Fenton, seconded Cr Presland:

That Nick and Peter Mawhinney be accorded time to address the Committee in relation to Item 20 - Rate Account 2897 - RE and NJ Mawhinney.

**CARRIED**

9.43 am Crs Hulse and Stone entered the meeting.

9.44 am Nick and Peter Mawhinney addressed the Committee.

**PART I - PROPERTY**

**4 LEASE OF UNIT G, 4 WAIPAREIRA AVENUE, HENDERSON**

2832/2002

MOVED by Cr Fenton, seconded Cr Nash:

1. That the information be received.
2. That the Chief Executive be authorised to negotiate a new lease of the premises at Unit G, 4 Waipareira Avenue, Henderson.
3. That the lease, as negotiated, be executed under seal by Council.

**CARRIED**

**PART II - LEGAL AND CONSTITUTIONAL**

**5 AFFIXATION OF COMMON SEAL**

2833/2002

MOVED by Cr Neeson, seconded Cr Nash:

1. That the information be received.
2. That the action taken in affixing the Common Seal on the documents as set out in the agenda report be adopted.

**CARRIED**

### **PART III - FINANCE**

#### **6 SCHOOL HOLIDAY PROGRAMME FUND 2002**

2834/2002

MOVED by Cr Russell, seconded Cr Yates:

1. That the information be received.
2. That the allocation of the School Holiday Programme Fund for the September 2002 round as outlined in the agenda report is approved.

**CARRIED**

#### **PRECEDENCE OF BUSINESS**

2835/2002

MOVED by Cr Neeson, seconded Cr Fenton:

That Item 19: Refuse Transfer Station Tipping Floor Repairs and Item 17: Waitakere Citizens Advice Bureaux Final Report for 2001/2002 be accorded precedence at this time

**CARRIED**

### **PART IV - GENERAL**

#### **19 REFUSE TRANSFER STATION TIPPING FLOOR REPAIRS**

2836/2002

MOVED by Cr Battersby, seconded Cr Nash:

1. That the information be received.
2. That \$60,000 plus GST is approved for the repair of the tipping floor at the Refuse Transfer Station.
3. That the source of funding for the repair of the tipping floor at the Refuse Transfer Station be identified via the 2002/2003 Half-Year Financial Review.

**CARRIED**

#### **17 WAITAKERE CITIZENS ADVICE BUREAUX FINAL REPORT FOR 2001/2002**

The Acting Chairperson of Waitakere Citizens Advice Bureaux Incorporated Committee, Betty Richards outlined to the Finance and Operational Performance Committee the activities of the Bureaux over the past year.

2837/2002

MOVED by Cr Nash, seconded Cr Fenton:

1. That the information be received.
2. That Council acknowledge the dedicated service of Waitakere Citizens Advice Bureaux Incorporated Committee, especially the work of the Chair of the Committee, Gwen Hart.

**CARRIED**

The Order of Business resumed at Item 7: Operating and Capital Expenditure Summaries.

**PART III - FINANCE**

**7 OPERATING AND CAPITAL EXPENDITURE SUMMARIES**

2838/2002

MOVED by Cr Nash, seconded Cr Battersby:

That the information be received.

**CARRIED**

**8 BORROWING AND INVESTMENT REPORT**

2839/2002

MOVED by Cr Battersby, seconded Cr Lawley:

That the information be received.

**CARRIED**

**9 PROPOSED NEW TREASURY MANAGEMENT FACILITY**

2840/2002

MOVED by Cr Presland, seconded Cr Yates:

1. That the information be received.
2. That the Director: Finance is delegated authority to complete negotiations forming part of the said facilities documentation with the BNZ Bank.
3. That authority is given to execute under seal the proposed facility agreement for \$20 million with the BNZ, subject to the satisfactory review by Council's external Solicitors.

**CARRIED**

**10 PAYMENTS FOR APPROVAL**

2841/2002

MOVED by Cr Nash, seconded Cr Yates:

That the information be received and that the contracts let, and the payments made, are approved.

**CARRIED**

**11 INDICATIVE 2002/2003 RATES**

2842/2002

MOVED by Cr Fenton, seconded Cr Presland:

That the information be received.

**CARRIED**

**12 MODELLING OF CAPITAL VALUE RATING**

10.45 am Cr Fenton left the meeting.

2843/2002

MOVED by Cr Battersby, seconded Cr Presland:

That the information be received.

**CARRIED**

10.54 am Cr Neeson left the meeting.

**13 MULTI-UNIT DIFFERENTIALS 2002/2003**

2844/2002

MOVED by Cr Presland, seconded Cr Russell:

That the information be received.

**CARRIED**

10.59 am Cr Neeson returned to the meeting.

**ADJOURNMENT**

2845/2002

MOVED by Cr Lawley, seconded Cr Nash:

That the meeting stand adjourned until 11.15 am.

**CARRIED**

11.00 am The meeting adjourned.

11.22 am The meeting reconvened. Cr Fenton was present. Crs Battersby and Presland were not present.

**PART IV - GENERAL**

**14 WATERCARE ISSUES**

2846/2002

MOVED by Cr Stone, seconded Cr Fenton:

1. That the information be received.
2. That Council's Watercare Shareholder Representatives Group be requested to include the issues of Puketutu Island and Project Hobson for consideration at future meetings of the Shareholder Representatives Group.

**CARRIED**

**15 WASTEWATER AND CONTRACT NEGOTIATION BETWEEN WAITAKERE CITY COUNCIL AND WATERCARE SERVICES LIMITED**

2847/2002

MOVED by Cr Hulse, seconded Cr Russell:

1. That the information be received.
2. That the principles and process for the development of a contract for wastewater services with Watercare Services Limited as detailed in the agenda report are approved in principle as the basis for contract negotiations.
3. That the Manager: EcoWater is delegated authority to enter into negotiations with Watercare Services Limited for the supply of bulk wastewater services and that details of the negotiations be reported back to the Finance and Operational Performance Committee at an appropriate time.

**CARRIED**

**16 WATERCARE SERVICES LIMITED DRAFT STATEMENT OF CORPORATE INTENT**

2848/2002

MOVED by Cr Nash, seconded Cr Russell:

1. That the information be received.
2. That the Finance and Operational Performance Committee approves the Statement of Corporate Intent as amended by the Shareholders Representatives Group meeting on Wednesday, 11 September 2002 between Regional Shareholders and Watercare Services Limited.

**CARRIED**

**NOTE:** Pursuant to Standing Order 2.24.6 Cr Russell requested that his vote against the motion be recorded.

2849/2002

MOVED by Cr Hulse, seconded Cr Stone:

That, subsequent to Council's own internal governance review process, a report be brought back to the Finance and Operational Performance Committee for consideration on the alignment of Council's strategic objectives, as set through the strategic review process, and the Watercare Shareholders Representative Group processes.

**CARRIED**

**17 WAITAKERE CITIZENS ADVICE BUREAUX FINAL REPORT FOR 2001/2002**

This item was considered following Item 17: Waitakere Citizens Advice Bureaux Final Report for 2001/2002.

**18 CONTRACT AND CONTRACTOR ISSUES AT ARCHIBALD PARK**

2850/2002

MOVED by Cr Fenton, seconded Cr Russell:

That the information be received.

**CARRIED**

12.15 pm Cr Fenton left the meeting.

**PRECEDENCE OF BUSINESS**

2851/2002

MOVED by Cr Nash, seconded Cr Yates:

That Item 21: Tenders Subcommittee be accorded precedence at this time.

**CARRIED**

**PART V - SUBCOMMITTEE REPORT**

**21 TENDERS SUBCOMMITTEE**

2852/2002

MOVED by Cr Nash, seconded Cr Yates:

That the Ordinary Meeting reports of the Tenders Subcommittee held on Friday, 16 August and Friday, 30 August 2002 be received.

**CARRIED**

The Order of Business resumed at Item 20: Rate Account 2897 - RE and NJ Mawhinney.

**PART IV - GENERAL**

**19 REFUSE TRANSFER STATION TIPPING FLOOR REPAIRS**

This item was considered following Item 6: School Holiday Programme Fund 2002.

**20 RATE ACCOUNT 2897 - RE AND NJ MAWHINNEY**

**PROCEDURAL MOTION TO EXCLUDE THE PUBLIC**

2853/2002

MOVED by Cr Stone, seconded Cr Yates:

That the public be excluded from the following part of the proceedings of this meeting, namely Rate Account 2897 - RE and NJ Mawhinney.

The general subject of the matter to be considered while the public is excluded, the reason for passing this resolution in relation of the 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 the matter to be considered.	Reason for passing this resolution in relation to the matter.	Ground(s) under Section 48(1)(a) for the passing of this resolution.
<ul style="list-style-type: none"><li>Rate Account 2897 - RE and NJ Mawhinney</li></ul>	The withholding of information is necessary in order to: <ul style="list-style-type: none"><li>Maintain legal professional privilege.</li></ul>	That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist.

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 7(2)(g) of that Act which would be prejudiced by the holding of the relevant part of the proceedings of the meeting in public as follows:

- The information relates to Councils legal position in relation to Rate Account 2897.*

**CARRIED**

12.17 pm The public were excluded.

Minute Number 2854/2002 is recorded in the confidential section of the Minutes.

12.50 pm The public were readmitted.

**PART V - SUBCOMMITTEE REPORT**

**21 TENDERS SUBCOMMITTEE**

This item was considered following Item 18: Contract and Contractor Issues at Archibald Park.

12.50 pm

The Chairperson thanked Members for their attendance and attention to business and declared the meeting closed.

CONFIRMED AT AN ORDINARY MEETING OF  
THE FINANCE AND OPERATIONAL  
PERFORMANCE COMMITTEE HELD ON

**DATE:**.....

**CHAIRPERSON:**.....

