

**MINUTES OF A SPECIAL MEETING OF THE FINANCE AND OPERATIONAL  
PERFORMANCE COMMITTEE HELD IN THE CIVIC CENTRE,  
6 WAIPAREIRA AVENUE, LINCOLN, WAITAKERE CITY,  
ON THURSDAY, 15 NOVEMBER 2001,  
COMMENCING AT 9.00 AM.**

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6 WAIPAREIRA AVENUE, LINCOLN, WAITAKERE CITY,  
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**PRESENT:**

Councillors JM Clews, QSO, JP (Chairperson)  
BA Brady, JP (Deputy Chairperson)  
DQ Battersby, JP (until 12.07 pm)  
AC Fenton (until 12.35 pm)  
PA Hulse (from 9.49 am)  
JP Lawley  
GE Nash, JP  
VS Neeson, JP  
GB Presland  
CA Stone  
DA Yates

Mayor, Bob Harvey, QSO, JP (ex officio) (until 10.15 am)

**OBSERVERS:**

Mr B Postlewaight (Henderson Community Board)  
Mr P van der Voort (New Lynn Community Board)

**IN ATTENDANCE:**

Director: Finance  
Director: City Enterprises  
Director: City Services  
Director: Strategic Projects  
Director: Strategic Group  
Manager: Legal Services  
Human Resources Manager  
Manager Policy Development  
Acting City Projects Manager  
Senior Projects Manager  
Project Manager  
Strategic Planner Monitoring  
Property Officer  
Human Resources Adviser  
Acting Funds Accountant  
Budget Accountant  
Chief Management Accountant  
Financial Accountant  
Editor - Writer: Public Affairs  
Acting Executive Assistant to the Chief Executive: C Davis

Mr Allan Frost, Director, Audit New Zealand

**1 APOLOGIES**

2606/2001

MOVED by Cr Neeson, seconded Cr Fenton:

That apologies from Crs Dallow, Hoskin and Russell for absence and Cr Hulse for lateness be received and sustained.

**CARRIED**

**2 CHAIRPERSON'S REPORT**

2607/2001

MOVED by Cr Neeson, seconded Cr Fenton:

That the Chairperson's Report be received.

**CARRIED**

**3 FIRST QUARTER REPORT**

2608/2001

MOVED by Cr Battersby, seconded Cr Nash:

That the information be received.

**CARRIED**

**4 ASSIGNMENT OF LEASE AT GLEN EDEN TO TYRE CITY LIMITED**

2609/2001

MOVED by Cr Nash, seconded Cr Yates:

1. That the information be received.
2. That consent be given to the assignment of a sub-lease for the business premises at 271 West Coast Road from R.J. and O.P. Bird to Tyre City Limited and that this consent be executed under seal.

**CARRIED**

**5 LEASE AT LOPDELL HOUSE TO LOPDELL HOUSE SOCIETY**

2610/2001

MOVED by Cr Nash, seconded Cr Lawley:

1. That the information be received.
2. That Room 1 on the first floor of Lopdell House be leased to the Lopdell House Society.
3. That the lease be incorporated into the renewal of the Lopdell House Society's existing lease at Lopdell House.
4. That the Deed of Lease of the total area to be leased to the Lopdell House Society be executed under seal.

**CARRIED**

2611/2001

MOVED by Mayor Bob Harvey, seconded Cr Brady:

That a report on the future use and potential of Lopdell House be considered as part of the Annual Plan deliberations.

**CARRIED**

**6 PROPOSED PURCHASE OF LAND, 71 TURANGA ROAD, WAIATARUA**

**DECLARATION OF INTEREST**

9.30 am Cr Presland declared an interest, withdrew from the table and left the room taking no part in the discussion or voting on Item 6: Proposed Purchase of Land, 71 Turanga Road, Waiaatarua.

2612/2001

MOVED by Cr Neeson, seconded Cr Battersby:

1. That the information be received.
2. That a decision on this matter be deferred to the next meeting of this Committee scheduled to be held on Thursday, 13 December 2001 pending a further report on the options.

**CARRIED**

9.45 am Cr Presland returned to the meeting.

2613/2001

MOVED by Cr Stone, seconded Cr Yates:

That Council form a working group to develop a strategic acquisition / funding and divestment policy and process, with the terms of reference to be brought back to the next meeting of the Finance and Operational Performance Committee scheduled to be held on Thursday, 13 December 2001.

**CARRIED**

**7 COUNCILLOR CONFERENCE ATTENDANCE**

2614/2001

MOVED by Cr Nash, seconded Cr Fenton:

1. That the information be received.
2. That it be recommended to Council that the attendance of Cr Hulse as Council's representative at the ICLEI Cities for Climate Protection Seminar in Melbourne be supported.

**CARRIED**

9.46 am Cr Brady left the meeting.

**8 AFFIXATION OF COMMON SEAL**

2615/2001

MOVED by Cr Fenton, seconded Cr Presland:

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**

**9 LEGAL CONTINGENCY - 2001/2002**

2616/2001

MOVED by Cr Nash, seconded Cr Fenton:

That the information be received.

**CARRIED**

9.49 am Cr Hulse entered the meeting.

**10 AMBRICO PLACE ISSUES - BACKGROUND AND UPDATE**

9.50 am Cr Brady returned to the meeting.

2617/2001

MOVED by Cr Battersby, seconded Cr Fenton:

1. That the information be received.
2. That the proposal to transfer 10 Ambrico Place (Lot 1 DP 124443) to Waitakere Properties Limited under Deed of Trust subject to a Letter of Direction as outlined be endorsed.
3. That the Chief Executive be given power to act in consultation with the City Solicitors in relation to any steps necessary to protect Council's interests in relation to Lot 3 DP 152489 and/or to have the land vested in Council, whether with or without completion of the subdivision outcome originally proposed.
4. That Council's land acquisition and subdivision processes be reviewed to prevent any similar situation arising in future.

**CARRIED**

**11 STAFFING AND PAYROLL INFORMATION - 2000/2001 FINANCIAL YEAR**

10.15 am Mayor Bob Harvey left the meeting.

2618/2001

MOVED by Cr Stone, seconded Cr Yates:

1. That the information be received.
2. That in future, staffing and payroll information be reported quarterly to the Performance Review Committee.

**CARRIED**

**PRECEDENCE OF BUSINESS**

2619/2001

MOVED by Cr Fenton, seconded Cr Brady:

That Item 14: Audit New Zealand - Executive Summary Report for Year Ended 30 June 2001 be taken at this time.

**CARRIED**

14 **AUDIT NEW ZEALAND - EXECUTIVE SUMMARY REPORT FOR YEAR ENDED 30 JUNE 2001**

Mr Allan Frost, Audit New Zealand attended and made a presentation.

2620/2001

MOVED by Cr Nash, seconded Cr Presland:

That the information be received.

**CARRIED**

**ADJOURNMENT**

2621/2001

MOVED by Cr Fenton, seconded Cr Lawley:

That the meeting stand adjourned until 10.50 am.

**CARRIED**

10.33 am The meeting adjourned.

10.53 am The meeting reconvened. Cr Stone not present.

12 **BORROWING AND INVESTMENT REPORT**

11.02 am Cr Battersby left the meeting.

11.16 am Cr Battersby returned to the meeting.

11.29 am Cr Stone returned to the meeting.

2622/2001

MOVED by Cr Neeson, seconded Cr Presland:

That the information be received.

**CARRIED**

**13 PAYMENTS FOR APPROVAL**

**DECLARATION OF INTEREST**

11.32 am Cr Stone declared an interest, withdrew from the table and left the room taking no part in the discussion or voting on Item 13: Payments For Approval.

2623/2001  
MOVED by Cr Nash, seconded Cr Fenton:

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

**CARRIED**

**14 AUDIT NEW ZEALAND - EXECUTIVE SUMMARY REPORT FOR YEAR ENDED 30 JUNE 2001**

This item was taken before Item 12: Borrowing and Investment Report.

**15 FINANCE PRESENTATION MATERIAL - 25 OCTOBER 2001**

11.34 am Cr Stone returned to the meeting.

12.07 pm Cr Battersby left the meeting.

12.16 pm Cr Brady left the meeting.

2624/2001  
MOVED by Cr Fenton, seconded Cr Lawley:

That the information be received.

**CARRIED**

**16 2001/2002 FIRST QUARTER REVIEW (FINANCIAL)**

12.18 pm Cr Stone left the meeting.

12.20 pm Cr Brady returned to the meeting.

12.21 pm Cr Fenton left the meeting.

12.23 pm Cr Hulse left the meeting.

12.24 pm Cr Stone returned to the meeting.

12.26 pm Cr Fenton returned to the meeting.

12.28 pm Cr Hulse returned to the meeting.

2625/2001  
MOVED by Cr Nash, seconded Cr Presland:

That the information be received.

**CARRIED**

**ADJOURNMENT**

2626/2001  
MOVED by Cr Fenton, seconded Cr Yates

That the meeting stand adjourned until 1.15 pm.

**CARRIED**

12.35 pm      The meeting adjourned.

1.20 pm      The meeting reconvened. Crs Battersby and Fenton not present.

**17      2000/2001 ANNUAL COMMUNITY CENTRE REPORT**

2627/2001  
MOVED by Cr Nash, seconded Cr Hulse:

That the information be received.

**CARRIED**

**18      LOCAL GOVERNMENT NEW ZEALAND AND UNITED NATIONS ASSOCIATION OF  
NEW ZEALAND WORKSHOPS 2001**

2628/2001  
MOVED by Cr Nash, seconded Cr Presland:

1.      That the information be received.
2.      That it be recommended to Council:
  - (a)      That Council be represented at the following workshops and forums:
    - Biodiversity Management, 23 November 2001 by Cr Denise Yates, Deputy Chair, Environmental Management Committee;
    - Climate Change, 5 December 2001 by Cr Carolynne Stone, Chair, City Development Committee.
  - (b)      That Council supports an expression of interest by the Mayor to be part of the local government delegation to the World Summit on Sustainable Development as the Council's representative.
  - (c)      That Council supports the expression of interest by Cr Hulse (airfares at her own expense) with Cr Lawley as alternate at preliminary meetings, to be part of the local government delegation to the World Summit on Sustainable Development, subject to clarification of eligibility requirements.

**CARRIED**

**19 PARTNERSHIP AGREEMENT SOVEREIGN YACHTS**

**PROCEDURAL MOTION TO EXCLUDE THE PUBLIC**

2629/2001

MOVED by Cr Stone, seconded Cr Nash:

That the public be excluded from the following part of the proceedings of this meeting, namely Partnership Agreement Sovereign Yachts.

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>Partnership Agreement Sovereign Yachts</li></ul>	<p>The withholding of information is necessary in order to:</p> <ul style="list-style-type: none"><li>Enable the Council to carry on without prejudice or disadvantage negotiations (including commercial and industrial negotiations)</li></ul>	<p>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.</p>

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) (i) 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 report contains information which if released would affect the Council's negotiations.*

**CARRIED**

1.40 pm The public were excluded.

1.40 pm Cr Hulse left the meeting.

Minute Number 2630/2001 is recorded in the Confidential Section of these Minutes.

2.10 pm The public were readmitted.

2.11 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:**.....

