

**MINUTES OF A MEETING OF THE FINANCE AND OPERATIONAL PERFORMANCE
COMMITTEE HELD AT WAITAKERE CENTRAL, 6 HENDERSON VALLEY
ROAD, HENDERSON, WAITAKERE, ON MONDAY, 6 AUGUST 2007,
COMMENCING AT 9.30 AM**

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PRESENT:

Councillors JM Clews, QSO, JP (Chairman)
RI Clow (Deputy Chairman)
DQ Battersby, JP
LA Cooper
C Harding, JP
PA Hulse (from 9.49 am)
JP Lawley (from 11.34 am)
VS Neeson, JP (until 10.58 am)
CA Stone (from 10.13 am)

Mayor RA Harvey, QSO, JP (ex officio) (until 11.26 am)

IN ATTENDANCE:

Director: Finance
Director: Corporate and Civic Services
Director: Strategic Performance
Director: Quality Assurance
Group Manager: Financial Management
Group Manager: Service Management
Group Manager: Long Term, Urban and Environmental
Group Manager: Financial Operations
Treasury Manager
Manager: Arts
Service Manager: Solid Waste
Leisure Services and Projects and Contract Officer
Project Leader: Community Resources, Leisure Services
Project Manager: Strategic Property Project
Senior Community Liaison Officer
Team Leader - Road Safety and Travel Plans
Committee Secretary: N Delamere

PART A - OPENING OF MEETING

1 APOLOGIES

3185/2007

MOVED by Cr Neeson, seconded Cr Battersby:

That apologies from Crs Chan, Corban, Dallow and Flaunty for absence, and Crs Hulse and Lawley for lateness be received and sustained.

CARRIED

2 URGENT BUSINESS

There was no Urgent Business.

3 CONFLICTS OF INTEREST

Elected Members were reminded via the Agenda, the need to be vigilant to stand aside from decision making when a conflict arises between their role as a member of the council and any private or other external interest they might have.

4 CONFIRMATION OF MINUTES

3186/2007

MOVED by Cr Neeson, seconded Cr Battersby:

That the minutes of the Meeting of the Finance and Operational Performance Committee held on Monday, 9 July 2007, as circulated, be taken as read and now be confirmed.

CARRIED

PART B - LEGAL AND CONSTITUTIONAL

5 AFFIXATION OF COMMON SEAL

3187/2007

MOVED by Cr Neeson, seconded Cr Cooper:

1. That the Affixation of Common Seal report 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 C - FINANCE

6 BORROWING AND INVESTMENT REPORT

3188/2007

MOVED by Cr Harding, seconded Cr Battersby:

That the Borrowing and Investment Report be received.

CARRIED

7 PAYMENTS FOR APPROVAL

3189/2007

MOVED by Cr Cooper, seconded Cr Battersby:

1. That the Payments for Approval report be received.
2. That the contracts let and payments made be approved.

CARRIED

9.49 am Cr Hulse entered the meeting.

PART D - GENERAL

8 AUCKLAND REGIONAL AMENITIES FUNDING BILL

3190/2007

MOVED by Cr Hulse, seconded Cr Clow:

1. That the Auckland Regional Amenities Funding Bill report be received.
2. That the Chief Executive Officer write to the proponents' organisations of the Auckland Regional Amenities Funding Bill and any other parties identified as appropriate, advising that the Bill and the issues it attempts to address should be dealt with through discussions with the councils of the region, as agreed through the Auckland Regional Governance project, prior to its introduction to Parliament.
3. That Council note the concerns relating to the Auckland Regional Amenities Funding Bill set out in the Agenda report and instruct the Chief Executive Officer to commence work on a submission opposing the Bill in its current form for reporting back to Council, should the Bill be introduced to Parliament without reference to the process outlined in no. 2. above.
4. That Council authorise the Chief Executive Officer to communicate Council's concerns regarding the Auckland Regional Amenities Funding Bill to other parties as he considers appropriate.

CARRIED

PRECEDENCE OF BUSINESS

3191/2007

MOVED by Cr Clews, seconded Cr Neeson:

That Item 13: Shadbolt House - Auckland University of Technology Proposal be accorded precedence at this time.

CARRIED

10.13 am Cr Stone entered the meeting.

13 SHADBOLT HOUSE - AUCKLAND UNIVERSITY OF TECHNOLOGY PROPOSAL

3192/2007

MOVED by Cr Clow, seconded Cr Harding:

1. That the Shadbolt House - Auckland University of Technology Proposal report be received.
2. That the Auckland University of Technology be thanked for its interest and the proposal for the future use of Shadbolt House.
3. That Council officers be directed to continue to work with the Auckland University of Technology on further developing the proposal, including an acceptable financial partnership and the resolution of other outstanding planning issues.
4. That in conjunction with the work above, further work be done by Council officers on the original concept of a Writer in Residence Programme and bring back a report on which of the two options is preferred.

CARRIED

The order of business resumed at Item: 9, Interim Audit Report for the Year Ended 30 June 2007.

9 INTERIM AUDIT REPORT FOR THE YEAR ENDED 30 JUNE 2007

3193/2007

MOVED by Cr Clow, seconded Cr Cooper:

That the Interim Audit Report for the Year Ended 30 June 2007 be received.

CARRIED

10.58 am Cr Neeson left the meeting.

10 FINAL VERSION OF THE COMMUNITY HALLS REFERENCE DOCUMENT

3194/2007

MOVED by Cr Clow, seconded Mayor Bob Harvey:

1. That the Final Version of the Community Halls Reference Document report be received.
2. That the final version of the Waitakere City Community Halls Reference Document (December 2006) be approved.

CARRIED

11 WASTE-NOT FUND

3195/2007

MOVED by Cr Battersby, seconded Cr Hulse:

1. That the Waste-Not Fund report be received.
2. That the Finance and Operational Performance Committee approves the establishment of a Waste-Not Fund to be subsidised by the additional five cent rubbish bag charge.
3. That three Councillors be delegated the authority to approve fund applications up to the sum of \$100,000 in any one financial year, according to the criteria attached at page A98 to the Agenda report, and these Councillors be appointed by the incoming Council.
4. That a report be brought back to the Finance and Operational Performance Committee with an update on the cloth nappy programme and the possibility of working with the disposable nappy industry on the composting of disposable nappies.

CARRIED

11.26 am Mayor Bob Harvey and Cr Stone left the meeting.

12 LEISURE FACILITY PARTNERSHIP FUND 2006/2007 STAGE ONE APPLICATIONS

3196/2007

MOVED by Cr Cooper, seconded Cr Harding:

1. That the Leisure Facility Partnership Fund 2006/2007 Stage One Applications report be received.
2. That the applications received from:
 - Marina View School,
 - Waitakere College,
 - Starling Park Sports Club Inc,
 - Oratia United AFC, and
 - Waitakere Badminton Association

be approved for the stage two round of the Leisure Facility Partnership Fund 2007/2008.

CARRIED

13 SHADBOLT HOUSE - AUCKLAND UNIVERSITY OF TECHNOLOGY PROPOSAL

This item was considered after Item 8: Auckland Regional Amenities Funding Bill.

14 DEBT OVERVIEW

3197/2007

MOVED by Cr Battersby, seconded Cr Hulse:

1. That the Debt Overview report be received.
2. That the Debt Overview report be referred to the Council Budget Working Group for consideration.

CARRIED

15 WASTE MINIMISATION (SOLIDS) BILL - SUPPLEMENTARY SUBMISSION

11.34 am Cr Lawley entered the meeting.

11.36 am Cr Stone returned to the meeting.

3198/2007

MOVED by Cr Cooper, seconded Cr Hulse:

1. That the Waste Minimisation (Solids) Bill - Supplementary Submission report be received.
2. That the supplementary submission to the Environmental Select Committee considering the Waste Minimisation (Solids) Bill be approved and submitted.

3. That upon release of the Supplementary Order Paper on the Waste Minimisation (Solids) Bill, Council officers make reference to this in the supplementary submission to the Environmental Select Committee and that authorisation to sign-off on these amendments be delegated to the Chief Executive Officer.

CARRIED

PART E - REPORTS FROM THE SUBCOMMITTEES

16 TENDERS SUBCOMMITTEE

3199/2007

MOVED by Cr Clews, seconded Cr Clow:

That the Meeting reports of the Tenders Subcommittee held on Friday, 6 July 2007 and Friday, 20 July 2007, be received.

CARRIED

PART F - PUBLIC EXCLUDED MATTER

17 WILSHER VILLAGE: PROGRESS ON LAND ACQUISITIONS

PROCEDURAL MOTION TO EXCLUDE THE PUBLIC

3200/2007

MOVED by Cr Cooper, seconded Cr Hulse:

That the public be excluded from the following part of the proceedings of this meeting, namely, Wilsher Village: Progress on Land Acquisitions.

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 is 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.
Wilsher Village: Progress on Land Acquisitions	The withholding of information is necessary in order to: <ul style="list-style-type: none">• Enable any local authority holding the information to carry on without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)	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)(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 could affect the Council's negotiations.*

CARRIED

11.41 am The public were excluded.

Minute Number 3201/2007 is recorded in the Confidential Section of these Minutes.

11.42 am The public were readmitted.

RESTATEMENT

The Finance and Operational Performance Committee resolved while the public were excluded:

Wilsher Village: Progress on Land Acquisitions

(MOVED by Cr Clow, seconded Cr Battersby) (resolution 3201/2007 no. 2) *“That the Wilsher Village: Progress on Land Acquisitions report remain confidential until such time as the reasons for confidentiality no longer exist, but the associated resolution be made available in the public arena.”*

3201/2007

MOVED by Cr Clow, seconded Cr Battersby:

1. That the Wilsher Village: Progress on Land Acquisitions report be received.

CARRIED

11.43 am

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

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

DATE:.....

CHAIRMAN:.....