

**MINUTES OF A MEETING OF THE FINANCE AND OPERATIONAL PERFORMANCE  
COMMITTEE HELD AT WAITAKERE CENTRAL, 6 HENDERSON VALLEY ROAD,  
HENDERSON, WAITAKERE, ON MONDAY, 10 MARCH 2008  
COMMENCING AT 9.32 AM**

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**PRESENT:**

Councillors RI Clow (Chairman)  
JM Clews, QSO, JP (Deputy Chairman)  
DQ Battersby, JP  
BA Brady, JP  
MFP Chan, JP  
LA Cooper, JP  
AK Corban, OBE, JP  
RP Dallow, QPM, JP (from 9.39 am)  
WW Flaunty, QSM, JP  
PA Hulse (until 1.09 pm)  
MM Jolley (from 12.23 pm)  
JP Lawley, JP  
PG Mitchell  
VS Neeson, JP

Mayor RA Harvey, QSO, JP (ex officio)

**OBSERVERS:**

Warahi Paki, JP	Chairman, Te Taumata Runanga
M Te Huia	Deputy Chairman, Te Taumata Runanga
EAG Grimmer, MNZM	Chairman, Henderson Community Board
GPJ Marshall	Chairman, New Lynn Community Board

**IN ATTENDANCE:**

Director: Finance  
Acting Director: Corporate and Civic Services  
Director: Strategic Performance  
Group Manager: Financial Operations  
Group Manager: Asset Management  
Group Manager: Financial Management  
Group Manager: Rates  
Group Manager: Customer Services  
Treasury Manager  
Economic Development Manager  
Library and Information Services Manager  
Manager: Quality Assurance  
Manager: Transport Strategy  
Manager: Arts  
Manager: Strategic Projects  
Manager: Public Affairs  
Maori Issues Manager  
Manager: Government Relations  
Business Solutions Manager  
Project Manager: Information Management  
Team Leader: Legal Services  
Team Leader - Road Safety and Travel Plans  
Leisure Facility Project and Contracts Officer  
Principal Advisor - Town Centre Liaison  
Principal Advisor: Heritage  
Senior Transport Engineer  
Senior Analyst: Maori Policy  
Mayoral Executive  
Committee Secretary: A Chan

**ALSO IN  
ATTENDANCE:**

John Wadsworth, CEO: Waitakere Enterprise  
Greg Parker, CEO: Waitakere Properties Ltd  
Bryan Taylor, Chairperson, Waitakere Properties Ltd  
Ross Jewell, Director: Waitakere City Holdings Ltd and Waitakere  
Properties Limited  
Pita Sharples, Hoani Waititi Marae

**PART A - OPENING OF MEETING**

**1 APOLOGIES**

284/2008

MOVED by Cr Flaunty, seconded Cr Neeson:

That an apology from Cr Jolley 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**

285/2008

MOVED by Cr Clews, seconded Cr Mitchell:

That the minutes of the Meeting of the Finance and Operational Performance Committee held on Monday, 11 February 2008, as circulated, be taken as read and now be confirmed.

**CARRIED**

**PART B - LEGAL AND CONSTITUTIONAL**

**5 AFFIXATION OF COMMON SEAL**

286/2008

MOVED by Cr Clews, seconded Cr Neeson:

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 OPERATING AND CAPITAL EXPENDITURE SUMMARIES**

287/2008

MOVED by Cr Mitchell, seconded Cr Chan:

That the Operating and Capital Expenditure Summaries report be received.

**CARRIED**

**7 STATUS OF SPECIAL FUNDS**

288/2008

MOVED by Cr Clews, seconded Cr Mitchell:

That the Status of Special Funds report be received.

**CARRIED**

**8 BORROWING AND INVESTMENT REPORT**

9.39 am Cr Dallow entered the meeting.

289/2008

MOVED by Cr Cooper, seconded Cr Mitchell:

That the Borrowing and Investment Report be received.

**CARRIED**

**9 PAYMENTS FOR APPROVAL**

290/2008

MOVED by Cr Dallow, seconded Cr Neeson:

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

**CARRIED**

**PART D - GENERAL**

**10 WAITAKERE CITY HOLDING LIMITED AND SUBSIDIARIES – HALF YEARLY REPORT**

291/2008

MOVED by Cr Clews, seconded Cr Dallow:

That the Waitakere City Holdings Limited and Subsidiaries - Half Yearly report be received.

**CARRIED**

### **DECLARATION OF INTEREST**

10.52 am Cr Hulse declared an interest and left the room taking no part in the discussion or voting on Item 11: Deferment of Loan Repayment for Earthsong Centre.

### **11 DEFERMENT OF LOAN REPAYMENT FOR EARTHSONG CENTRE**

10.58 am Cr Neeson left the meeting.

11.12 am Cr Lawley left the meeting.

292/2008

MOVED by Cr Clews, seconded Cr Battersby:

1. That the Deferment of Loan Repayment For Earthsong Centre report be received.
2. That the loan to Earthsong Eco-neighbourhood of \$300,000 be extended to 30 June 2009 subject to ongoing property security.
3. That the charging of interest, if any, for the extended loan period from 16 June 2008 to 30 June 2009 for the repayment of the Earthsong Eco-neighbourhood loan of \$300,000 be referred to the Long Term Council Community Plan and Annual Plan Committee for consideration during the current deliberations on the draft 2008/2009 Annual Plan.

**CARRIED**

### **ADJOURNMENT**

293/2008

MOVED by Cr Clow, seconded Cr Clews:

That the meeting stand adjourned until 11.30 am.

**CARRIED**

11.18 am The meeting adjourned.

11.38 am The meeting reconvened. Crs Brady, Dallow and Lawley were not present.

### **PRECEDENCE OF BUSINESS**

294/2008

MOVED by Mayor Harvey, seconded Cr Neeson:

That Item 16: Hoani Waititi Marae Caretaker Request be accorded precedence at this time.

**CARRIED**

11.39 am Cr Dallow returned to the meeting.

11.40 am Cr Brady returned to the meeting.

11.42 am Cr Lawley returned to the meeting.

**16**     **HOANI WAITITI MARAE CARETAKER REQUEST**

12.23 pm       Cr Jolley entered the meeting.

295/2008

MOVED by Mayor Harvey, seconded Cr Cooper:

That the Hoani Waititi Marae Caretaker Request report be received.

**CARRIED**

296/2008

MOVED by Mayor Harvey, seconded Cr Cooper:

That it be recommended to the Council that a \$60,000 grant be provided to the Hoani Waititi Marae Trust for maintenance and caretaking of the Hoani Waititi Marae and co-ordination of the stream restoration and environmental issues.

**CARRIED**

**NOTE:**       Pursuant to Standing Order 32.12 Crs Battersby, Chan, Corban, Flaunty, and Mitchell requested that their vote against the motion be recorded.

297/2008

MOVED by Mayor Harvey, seconded Cooper:

That the Finance and Operational Performance Committee notes that a submission will be brought to the Long Term Council Community Plan and Annual Plan Committee to consider ongoing financial support for maintenance and caretaking of the Hoani Waititi Marae.

**CARRIED**

**PRECEDENCE OF BUSINESS**

298/2008

MOVED by Cr Neeson, seconded Cr Clews:

That Item 15: Waitakere History Project be accorded precedence at this time.

**CARRIED**

**DECLARATION OF INTEREST**

12.38 pm       Crs Clow and Flaunty declared an interest and withdrew from the table taking no part in the debate or decision on Item 15: Waitakere History Project.

12.38 pm       Cr Clow vacated the Chair. Cr Clews assumed the Chair.

15 **WAITAKERE HISTORY PROJECT**

12.40 pm Cr Hulse left the meeting.

12.42 pm Cr Neeson left the meeting.

12.48 pm Cr Hulse returned to the meeting.

12.52 pm Cr Neeson returned to the meeting.

299/2008

MOVED by Cr Corban, seconded Cr Chan:

That the Waitakere History Project report be received.

**CARRIED**

MOVED by Cr Corban, seconded Cr Chan:

That the Council makes a grant to the Waitakere History Project for the sum of \$60,000, funds to be resourced from the expected surplus in order to meet editing deadlines for a 2009 publication.

**LOST**

300/2008

MOVED by Cr Neeson, seconded Cr Brady:

That Council underwrites the Waitakere City History Project for a sum of \$60,000 in order to meet editing deadlines for a 2009 publication.

**CARRIED**

1.07 pm Cr Clow resumed the Chair.

**ADJOURNMENT**

301/2008

MOVED by Cr Lawley, seconded Mayor Harvey:

That the meeting stand adjourned until 1.30 pm.

**CARRIED**

1.09 pm The meeting adjourned.

1.38 pm The meeting reconvened. Crs Brady, Corban, Hulse and Lawley were not present.

The meeting resumed at Item 12: The Acceptance of Credit Cards for Various Fees and Charges.

## **12 THE ACCEPTANCE OF CREDIT CARDS FOR VARIOUS FEES AND CHARGES**

1.43 pm Crs Brady and Lawley returned to the meeting.

302/2008

MOVED by Cr Flaunty, seconded Cr Lawley:

1. That The Acceptance of Credit Cards for Various Fees and Charges report be received.
2. That payment for rates and water charges be accepted with a credit card through the convenience fee approach.
3. That credit card acceptance for Council services be approved and be implemented over a staged programme for both over the counter payments and online payment.
4. That the six services that can be paid by credit card over the counter be extended to online payments on a staged approach.

**CARRIED**

## **13 AUCKLAND REGIONAL TRANSPORT NETWORK LIMITED UPDATE**

303/2008

MOVED by Cr Neeson, seconded Cr Cooper:

1. That the Auckland Regional Transport Network Limited Update report be received.
2. That Auckland Regional Transport Network Limited's 2007 annual report be received, noting that Auckland Regional Transport Network Limited made an earnings (before interest, tax, depreciation and amortisation) surplus of \$735,000.
3. That it be recommended to Auckland Regional Transport Network Limited's directors that the Auckland Regional Transport Network Limited's 2007 annual report be adopted.
4. That Waitakere City Council votes in favour of the following resolutions for Auckland Regional Transport Network Limited's 2007 annual shareholders meeting, to be held by way of written resolution in lieu of a physical meeting:
  - i) to receive, consider and adopt the financial statements and reports for the year ended 30 June 2007;
  - ii) to re-appoint the Controller and Auditor-General as the auditor and authorise the directors to fix the auditors fees.
5. That the Finance and Operational Performance Committee Chairman, with its Deputy Chairman as the alternate, be delegated authority to vote on behalf of Waitakere City Council and sign documents required to give effect to the proposed resolutions of Auckland Regional Transport Network Limited's annual shareholders meeting.

**CARRIED**

**14 TOWN CENTRE STRATEGIC PARTNERSHIP PROGRAMME: TE ATATU PENINSULA BUSINESS IMPROVEMENT DISTRICT POLL RESULT**

1.59 pm Cr Corban returned to the meeting.

304/2008

MOVED by Cr Battersby, seconded Cr Clews:

1. That the Town Centre Strategic Partnership Programme: Te Atatu Peninsula Business Improvement District Poll Result report be received.
2. That it be recommended to the Long Term Council Community Plan and Annual Plan Committee that a targeted rate be set as a rate in the dollar on the land value on the business sector properties situated in the Te Atatu Peninsula town centre that will yield \$70,000 in the 2008/2009 rating year, and that this be included in the draft Annual Plan 2008/2009 for consultation.
3. That it be recommended to Council that the Council's Revenue and Financing Policy be amended to permit the raising of a targeted rate to fund the budget requirements of Business Improvement Districts within the City and that a Statement of Proposal be prepared for Council's consideration.

**CARRIED**

**15 WAITAKERE HISTORY PROJECT**

This item was considered following Item 16: Hoani Waititi Marae Caretaker Request.

**16 HOANI WAITITI MARAE CARETAKER REQUEST**

This item was considered following Item 11: Deferment of Loan Repayment for Earthsong Centre.

**17 PROPOSAL FOR THE GUARANTEE OF WATERCARE SERVICES LIMITED'S DEBT**

305/2008

MOVED by Cr Clews, seconded Cr Clow:

1. That the Proposal for the Guarantee of Watercare Services Limited's Debt report be received.
2. That the Finance and Operational Performance Committee provides final approval of the proposal by the Watercare Shareholder Representative Group for Auckland City Council to guarantee the debt of Watercare Services Limited and that Waitakere City Council indemnifies Auckland City Council for its share of the Watercare Services Limited guarantee, subject to acceptance of the proposal by shareholding Councils.
3. That the Chief Executive Officer be delegated authority to sign the relevant documentation to give effect to the above.
4. That a further report be brought to the Finance and Operational Performance Committee once the arrangement has been entered into.

**CARRIED**

**PART E - REPORTS FROM THE SUBCOMMITTEES**

**18 TENDERS SUBCOMMITTEE**

**CONTRACT NO. PK07030A – PIHA DOMAIN FOOTBRIDGE CONSTRUCTION**

306/2008

MOVED by Cr Clow, seconded Cr Clews:

That funding of \$162,522.00 from the Waitakere River Protection Measure Budget be allocated to Contract No. PK07030A – Piha Domain Footbridge Construction to fund the budget shortfall.

**CARRIED**

**OTHER MATTERS CONSIDERED**

307/2008

MOVED by Cr Clow, seconded Cr Clews:

That the Meeting reports of the Tenders Subcommittee held on Friday, 8 February 2008 and Friday, 22 February 2008 be received.

**CARRIED**

**PART F - PUBLIC EXCLUDED MATTER**

**19 PROPOSED ACQUISITION OF LAND FOR ROADING PURPOSES – 22 AND 26 EDMONTON ROAD, HENDERSON**

308/2008

MOVED by Cr Dallow, seconded Cr Neeson:

That the public be excluded from the following part of the proceedings of this meeting, namely, Proposed Acquisition of Land for Roading Purposes – 22 and 26 Edmonton Road, Henderson.

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 under Section 48(1)(a) for the passing of this resolution.
Proposed Acquisition of Land for Roading Purposes – 22 and 26 Edmonton Road, Henderson	The withholding of information is necessary in order to: <ul style="list-style-type: none"><li>enable any local authority holding the information to carry on without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).</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) (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**

2.07 pm           The public were excluded.

2.09 pm           The public were re-admitted.

**RESTATEMENT**

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

**Proposed Acquisition of Land For Roading Purposes – 22 and 26 Edmonton Road, Henderson**

(Moved by Cr Dallow, seconded Cr Mitchell) (resolution 309/2008 no. 5) *"That the Proposed Acquisition of Land for Roading Purposes Agenda report and associated resolutions remain confidential until such time as the reasons for confidentiality no longer exist."*

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

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

**DATE:**.....

**CHAIRMAN:**.....