

**MINUTES OF A MEETING OF THE FINANCE AND OPERATIONAL PERFORMANCE  
COMMITTEE HELD IN THE COUNCIL CHAMBER AT WAITAKERE CENTRAL,  
6 HENDERSON VALLEY ROAD, HENDERSON, WAITAKERE, ON MONDAY,  
9 MARCH 2009, COMMENCING AT 9.38 AM**

---

**TABLE OF CONTENTS**

<b><u>ITEM</u></b>	<b><u>PAGE NO.</u></b>
<b><u>PART A - OPENING OF MEETING</u></b>	<b>2</b>
1 APOLOGIES	2
2 URGENT BUSINESS	2
3 CONFLICTS OF INTEREST	2
4 CONFIRMATION OF MINUTES	2
<b><u>PART B - PROPERTY</u></b>	<b>3</b>
5 RATING MATTERS FOR CONSIDERATION	3
<b><u>PART C - LEGAL AND CONSTITUTIONAL</u></b>	<b>6</b>
6 AFFIXATION OF COMMON SEAL	6
<b><u>PART D - FINANCE</u></b>	<b>6</b>
7 BORROWING AND INVESTMENT REPORT	6
8 DRAFT LIABILITY MANAGEMENT AND INVESTMENT POLICY	7
9 OPERATING AND CAPITAL EXPENDITURE SUMMARY	7
10 STATUS OF SPECIAL FUNDS	7
11 PERFORMANCE REPORT FOR THE SIX MONTHS ENDED 31 DECEMBER 2008	7
12 WAITAKERE PROPERTIES LIMITED AND WAITAKERE ENTERPRISE TRUST BOARD REPORTS FOR THE SIX MONTHS ENDED 31 DECEMBER 2008	7
<b><u>PART E - GENERAL</u></b>	<b>8</b>
13 ELECTED MEMBERS REMUNERATION - REMUNERATION AUTHORITY DETERMINATION 2009/2010	8
14 WAITAKERE NON STRATEGIC LAND DISPOSAL ISSUES AND OPPORTUNITIES	8
15 RECOMMENDATION FROM HENDERSON COMMUNITY BOARD	10
<b><u>PART F - REPORTS FROM THE SUBCOMMITTEES</u></b>	<b>10</b>
16 TENDERS SUBCOMMITTEE	10

**MINUTES OF A MEETING OF THE FINANCE AND OPERATIONAL PERFORMANCE  
COMMITTEE HELD IN THE COUNCIL CHAMBER AT WAITAKERE CENTRAL,  
6 HENDERSON VALLEY ROAD, HENDERSON, WAITAKERE, ON MONDAY,  
9 MARCH 2009, COMMENCING AT 9.38 AM**

---

**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  
WW Flaunty, QSM, JP  
PA Hulse  
PG Mitchell (until 12.35 pm)  
VS Neeson, JP (from 9.44 am until 12.50 pm)  
(from 1.09 pm)

Mayor RA Harvey, QSO, JP (ex officio) (from 10.29 am until 10.55 am)  
(from 11.32 am until 12.04 pm)

**ABSENT:** Councillor RP Dallow, QPM, JP

**OBSERVER:** EAG Grimmer, MNZM (Chairman, Henderson Community Board)

**IN ATTENDANCE:** Chief Executive Officer  
Director: Finance  
Director: Corporate and Business Services  
Director: Public Affairs  
Deputy Director: Finance  
Group Manager: Funds Management.  
Group Manager: Rates and Financial Transactions  
Group Manager: Service Management  
Group Manager: Democracy and Support Services  
Financial Analyst: Rates  
Manager: Strategic Projects  
Manager: Financial Processes  
Strategic Parks Planner  
Committee Secretary: C Fernandes

**ALSO IN  
ATTENDANCE:** B Mogridge, Chairman, Waitakere City Holdings Limited and  
Waitakere Enterprise  
G Parker, Chief Executive, Waitakere Properties Limited  
J Wadsworth, Chief Executive, Waitakere Enterprise  
R Jewell, Chairman, Prime West Limited

## **PART A - OPENING OF MEETING**

### **1 APOLOGIES**

327/2009

MOVED by Cr Clews, seconded Cr Mitchell:

That apologies from Crs Jolley and Lawley for absence, be received and sustained.

**CARRIED**

### **2 URGENT BUSINESS**

There was no Urgent Business.

### **3 CONFLICTS OF INTEREST**

Elected Members were reminded via the agenda, of 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**

328/2009

MOVED by Cr Cooper, seconded Cr Flaunty:

The Finance and Operational Performance Committee resolved to:

**Receive** the minutes of the meeting of the Finance and Operational Performance Committee held on Monday, 9 February 2009, as circulated, and that they be taken as read and now be confirmed.

**CARRIED**

## **PRECEDENCE OF BUSINESS**

329/2009

MOVED by Cr Cooper, seconded Cr Mitchell:

That Item 12: Waitakere Properties Limited And Waitakere Enterprise Trust Board Reports For The Six Months Ended 31 December 2008 be accorded precedence at this time.

**CARRIED**

9.44 pm Cr Neeson entered the meeting.

12 **WAITAKERE PROPERTIES LIMITED AND WAITAKERE ENTERPRISE TRUST  
BOARD REPORTS FOR THE SIX MONTHS ENDED 31 DECEMBER 2008**

330/2009

MOVED by Cr Mitchell, seconded Cr Hulse:

The Finance and Operational Performance Committee resolved to:

**Receive** the Waitakere Property Limited And Waitakere Enterprise Trust Board Reports For The Six Months Ended 31 December 2008.

**CARRIED**

**ADJOURNMENT**

331/2009

MOVED by Cr Mitchell, seconded Cr Clews:

That the meeting stand adjourned until 11.05 am.

**CARRIED**

10.55 am The meeting adjourned.

11.06 am The meeting reconvened. Mayor Bob Harvey was not present.

The Order of Business resumed at Item 5: Rating Matters For Consideration.

**PART B - PROPERTY**

5 **RATING MATTERS FOR CONSIDERATION**

332/2009

MOVED by Cr Clews, seconded Cr Flaunty:

The Finance and Operational Performance Committee resolved to:

1. **Receive** the Rating Matters For Consideration report.
2. **Agree** that the Finance and Operational Performance Committee recommend to Council that the Uniform Annual General Charge be \$730 per separately used or occupied part of a rating unit be included in the Funding Impact Statement and Other Rating Information for consultation in the draft Long Term Council Community Plan 2009-2019.
3. **Agree** to recommend to Council that for the 2009/2010 year 20% of the total rate requirement, excluding targeted rates for water supply, will be collected from business sector properties and that this be included in the Funding Impact Statement and Other Rating Information for consultation in the draft Long Term Council Community Plan 2009-2019.
4. **Agree** that, subject to Council approving funding for the Glen Eden Business Improvement District Association, it be recommended to Council that a targeted rate for the Glen Eden Business Improvement District Association should be set up as a rate in the dollar on land value for all business properties in the Glen Eden Town Centre and that this be included in the Funding Impact Statement and Other Rating Information for consultation in the draft Long Term Council Community Plan 2009-2019.

5. **Agree** to recommend to Council to collect the rate requirement pursuant to the Auckland Regional Amenities Funding Act 2008, in the same manner as it currently does for the Museum of Transport and Technology and Auckland War Memorial Museum, by including it in the general rate while also noting on the rates bill a break down of these component parts.
6. **Agree** to recommend to Council that a targeted rate of \$148 inclusive of GST, set as a fixed charge on a uniform basis under section 16 of the Local Government (Rating) Act 2002, be charged upon each on-site waste management system for all rating units in the Non-Drainage area of the City (as defined in the Description of the Differential Rating System and Method of Calculation of Rates) that are scheduled to be pumped out by Council within the three-yearly cycle, and that this be included in the Funding Impact Statement and Other Rating Information for consultation in the draft Long Term Council Community Plan 2009-2019.
7. **Agree** to recommend to Council that a targeted rate of \$40 inclusive of GST, set as a fixed charge on a uniform basis under Section 16 of the Local Government (Rating) Act 2002, be charged on all rating units in the Non-Drainage Area of the City (as defined in the Description of the Differential Rating System and Method of Calculation of Rates), and that this be included in the Funding Impact Statement and Other Rating Information for consultation in the draft Long Term Council Community Plan 2009-2019.
8. **Agree** to recommend to Council that a targeted rate of \$1.61 inclusive of GST per cubic metre of water provided as measured by meter, described as the Water Supply Charge, be set and charged according to a scale of charges under section 19 of the Local Government (Rating) Act 2002, and that this be included in the Funding Impact Statement and Other Rating Information for consultation in the draft Long Term Council Community Plan 2009-2019.
9. **Agree** to recommend to Council that a targeted rate of \$447 inclusive of GST, set as a fixed charge on a uniform basis under section 16 of the Local Government (Rating) Act 2002, be charged on each separately used or inhabited part of a rating unit in the Drainage Area of the City, excluding non-rateable properties and business sector properties, and that this be included in the Funding Impact Statement and Other Rating Information for consultation in the draft Long Term Council Community Plan 2009-2019.
10. **Agree** to recommend to Council that a targeted rate for wastewater set differentially on business sector properties on the same basis as the General Rate calculated on the rateable land value of business sector rating units in the Drainage Area of the City, excluding non-rateable properties, in the table below: Wastewater Targeted Rate – Draft Long Term Council Community Plan 2009-2019 Differential Rates including GST, and included in the Funding Impact Statement and Other Rating Information for consultation in the draft Long Term Council Community Plan 2009-2019.

**Wastewater Targeted Rate - Draft Long Term Council Community Plan 2009-2019 Differential Rates including GST**

	<b>Wastewater Targeted rate</b>
	Cents in \$
Business Sector	0.4796

11. **Agree** to recommend to Council that a targeted rate for wastewater, set differentially on the same basis as the General Rate calculated on the rateable land value of non-rateable rating units in the Drainage Area of the City, where a wastewater service is provided, as shown in the table below: Wastewater Targeted Rate – Draft Long Term Council Community Plan 2009-2019 Differential Rates including GST, and that this be included in the Funding Impact Statement and Other Rating Information for consultation in the draft Long Term Council Community Plan 2009-2019.

**Wastewater Targeted Rate - Draft Long Term Council Community Plan 2009-2019 Differential Rates including GST**

	<b>Wastewater Targeted rate</b>
	Cents in \$
Non-Rateable Step 1	0.2110
Non-Rateable Step 2	0.1583
Non-Rateable Step 3	0.1055

12. **Agree** that a schedule describing the remaining different categories and types of the rates based upon the draft Long Term Council Community Plan 2009-2019 rate requirement, be prepared for the Council's approval.
13. **Agree** to recommend to Council that no changes be made to the Remission and Postponement Policies, and that the current policies be included for consultation in the draft Long Term Council Community Plan 2009-2019.
14. **Agree** to recommend to Council that the rates (other than the targeted rates for water supply) for the year 1 July 2009 to 30 June 2010 will be payable in four instalments on due dates as follows, and that this be included in the Funding Impact Statement and Other Rating Information for consultation in the draft Long Term Council Community Plan 2009-2019:

<b>Instalment Number</b>	<b>Due Date</b>
1	20 August 2009
2	20 November 2009
3	22 February 2010
4	20 May 2010

15. **Agree** to recommend to Council that the due date for the targeted rate for water supply shall be the "latest date for payment" set out in each rates invoice for water supply, shown on the respective assessment for such charge as delivered to the owner of the rating unit, which will be a date 30 days after the date of each rates invoice for water supply, and that this be included in the Funding Impact Statement and Other Rating Information for consultation in the draft Long Term Council Community Plan 2009-2019.
16. **Agree** to recommend to Council that pursuant to sections 57 and 58 of the Local Government (Rating) Act 2002, the following penalties for unpaid rates be included in the Funding Impact Statement and Other Rating Information for consultation in the draft Long Term Council Community Plan 2009-2019:
  - (i) A penalty of 10% of the amount of rates assessed under each instalment in the 2009/2010 financial year (other than targeted rates for water supply) that are unpaid after the due date of each instalment, will be added to such unpaid rates on the day following the due date of the instalment. Provided that where all rates (other than the targeted rate for water supply) payable to 30 June 2010 (together with any arrears of rates, other than targeted rate for water supply, but including penalties on arrears of rates) are paid in full by 20 November 2009, no instalment penalty will be payable in respect of the 2009/2010 year.
  - (ii) A further penalty calculated on rate arrears (other than the targeted rate for water supply) will be added on the day following 30 September 2009. This further penalty will be 10% of the amount of rates assessed in any prior financial year to the 2009/2010 year (other than the targeted rate for water supply), including any penalties added, that remain unpaid on 30 September 2009.

- (iii) A further penalty calculated on rate arrears (other than the targeted rate for water supply) will be added on the day following 31 March 2010. This further penalty will be 10% of the amount of rates assessed in any prior financial year to the 2009/2010 year (other than targeted rates for water supply), including any penalties added, that remain unpaid on 31 March 2010.
17. **Agree** to recommend that the Finance and Operational Performance Committee consider the introduction of a targeted rate known as the 'Rugby World Cup Levy' to be levied at the rate of \$4.50 (inclusive of GST) upon each separately used or inhabited part of a rating unit of all rateable land, and that this be included in the Funding Impact Statement and Other Rating Information for consultation in the draft Long Term Council Community Plan 2009-2019.

**CARRIED**

## **PART C - LEGAL AND CONSTITUTIONAL**

### **6 AFFIXATION OF COMMON SEAL**

333/2009

MOVED by Cr Neeson, seconded Cr Chan:

The Finance and Operational Performance Committee resolved to:

1. **Receive** the Affixation of Common Seal report.
2. **Agree** that the action taken in affixing the Common Seal on the documents as set out in the agenda report be adopted.

**CARRIED**

11.32 am Mayor Bob Harvey returned to the meeting.

## **PART D - FINANCE**

### **7 BORROWING AND INVESTMENT REPORT**

334/2009

MOVED by Cr Cooper, seconded Cr Clews:

The Finance and Operational Performance Committee resolved to:

1. **Receive** the Borrowing And Investment Report.
2. **Approve** the Borrowing And Investment Report.

**CARRIED**

**8 DRAFT LIABILITY MANAGEMENT AND INVESTMENT POLICY**

335/2009

MOVED by Cr Clews, seconded Cr Corban:

The Finance and Operational Performance Committee resolved to:

1. **Receive** the Draft Liability Management And Investment Policy Report.
2. **Agree** that it be recommended to the Council that the draft Liability Management and Investment Policy be included as part of the Long Term Council Community Plan 2009-2019.

12.04 pm Mayor Bob Harvey left the meeting.

**CARRIED**

**9 OPERATING AND CAPITAL EXPENDITURE SUMMARY**

336/2009

MOVED by Cr Cooper, seconded Cr Mitchell:

The Finance and Operational Performance Committee resolved to:

**Receive** the Operating And Capital Expenditure Summary report.

**CARRIED**

**10 STATUS OF SPECIAL FUNDS**

337/2009

MOVED by Cr Clews, seconded Cr Chan:

The Finance and Operational Performance Committee resolved to:

**Receive** the Status Of Special Funds report.

**CARRIED**

12.35 pm Cr Mitchell left the meeting.

**11 PERFORMANCE REPORT FOR THE SIX MONTHS ENDED 31 DECEMBER 2008**

338/2009

MOVED by Cr Clews, seconded Cr Flaunty:

The Finance and Operational Performance Committee resolved to:

**Receive** the Performance Report For The Six Months Ended 31 December 2008.

**CARRIED**

**12 WAITAKERE PROPERTIES LIMITED AND WAITAKERE ENTERPRISE TRUST BOARD REPORTS FOR THE SIX MONTHS ENDED 31 DECEMBER 2008**

This item was considered following Item 4: Confirmation of Minutes.

**PART E - GENERAL**

**13 ELECTED MEMBERS REMUNERATION - REMUNERATION AUTHORITY DETERMINATION 2009/2010**

339/2009

MOVED by Cr Hulse, seconded Cr Clews:

The Finance and Operational Performance Committee resolved to:

1. **Receive** the Elected Members Remuneration - Remuneration Authority Determination 2009/2010 report.
2. **Agree** that in recognising the current financial pressures on the community and the finances of the Council, that an application be made to the Remuneration Authority requesting that they review the decision on salary payable to the Mayor and the remuneration pool payable to Councillors and Community Board Members for Waitakere so that no increase applies for the 2009-2010 year.
3. **Agree** to retain the same method of apportionment of the remuneration pool for 2009/2010.
4. **Approve** that it be recommended to the Remuneration Authority that Councillors and Community Board Members receive a fortnightly allowance to cover reimbursement and expenses of the following costs incurred as appropriate:
  - Reimbursement of one domestic line rental and one domestic line maintenance charge related to telephone, fax and email operation and the call minder facility (currently \$21.23 based on the monthly charge to Council of \$46);
  - The provision of a cell phone or mobile device to Councillors and Community Board Members on the Council's plan under the same terms and conditions as cell phones are provided for business use for staff including the repayment of private calls, or, where a cell phone/mobile device is not provided but a private cell phone/mobile device is made available for Council use, an allowance on the basis of the Council's Call Plan including the call minder facility (currently \$13.85 based on the monthly charge to Council of a cell phone of \$35); and
  - Reimbursement of the best flat rate monthly fee available to the Council for a Broadband connection suitable for Council business operations (currently \$16.15 based on the monthly charge to Council of \$30) (available to Community Board Chairmen but not currently available to Community Board Members).
5. **Note** that the resource consent hearing fees will be paid in accordance with the determination of the Remuneration Authority (currently \$85 per hour of meeting time for the Chairman and \$68 per hour of meeting time for Elected Members).
6. **Approve** that Councillors and Community Board Members may claim reasonable business related call costs on telephone or cell phone on a monthly basis provided they are supported by presentation of an account detailing to whom the calls have been made.
7. **Approve** that Councillors and Community Board Chairmen be paid a flat fortnightly fee of \$9.23 (based on a monthly allowance of \$20) to cover all consumables (not currently available to Community Board Members) for computers including laptops, printers, facsimiles, etc.
8. **Approve** that Councillors and Community Board Chairmen will be supplied with either a personal computer at home or a laptop, if necessary, and that those Councillors who provide their own computer equipment be paid an additional fortnightly allowance of \$23.08 (based on an additional monthly allowance of \$50).

9. **Note** that no other telephones, fax machines, cell phones etc., unless specifically provided for in this determination, will be provided to Elected Members.
10. **Approve** that all actual or related expenses incurred by an Elected Member when on approved Council business will be met by the Council.
11. **Approve** that the rate for reimbursing an Elected Member for travel, using their own motor vehicle on Council business, is the maximum set by the Remuneration Authority (currently \$0.70 per kilometre), and the Council will also pay the approved rate to appointed Members subject to the review of travel allowances to be undertaken. Any infringement fees e.g. parking and speeding infringements are by law the responsibility of the offender.
12. **Approve** that the Chairman of Te Taumata Runanga be paid the same salary as for the current year but that any movement required by the Remuneration Authority be applied.
13. **Approve** that the non-elected Te Taumata Runanga representative appointed to the Policy and Strategy Committee when acting as an alternate for the Chairman of Te Taumata Runanga be paid a meeting fee aligned with those fees payable for resource consent hearings members (refer to Clause 3 of this resolution) (currently \$68 per hour of meeting and workshop time).
14. **Approve** that meeting fees for non-Elected Members of Council Committees (except Te Taumata Runanga representative to the Policy and Strategy Committee) and Subcommittees, except the Hearings Committee, be paid the same meeting fee as for the current year but that any movement required by the Remuneration Authority be applied.

**CARRIED**

12.50 pm Cr Neeson left the meeting.

#### **14 WAITAKERE NON STRATEGIC LAND DISPOSAL ISSUES AND OPPORTUNITIES**

340/2009

MOVED by Cr Corban, seconded Cr Clews:

The Finance and Operational Performance Committee resolved to:

1. **Receive** the Waitakere Non Strategic Land Disposal Issues And Opportunities report.
2. **Agree** in principle that there may be benefit in implementing a programme of disposal of non strategic land holdings within the City.
3. **Agree** to propose that the principle of Council disposing of non strategic land to ensure a prudent ten year financial plan be added as a topic to the key issues section in the draft Long Term Council Community Plan 2009-2019 and Summary Statement of Proposal scheduled to be adopted by Council on 20 March 2009.
4. **Direct** the Chief Executive Officer to report back to the Long Term Council Community Plan and Annual Plan Committee in June 2009 with a further report outlining the response from the community to the proposal to dispose of non strategic land within Waitakere and with recommendations for implementation options for any disposal programme that might be considered appropriate based on that feedback.

**CARRIED**

**15     RECOMMENDATION FROM HENDERSON COMMUNITY BOARD**

341/2009

MOVED by Cr Clews, seconded Cr Clow:

The Finance and Operational Performance Committee resolved to:

**Agree** to receive the recommendation that McCormicks Cottage be given priority for any future funding from the Harbourview/Orangihina Park Fund.

**CARRIED**

1.09 pm       Cr Neeson returned to the meeting.

**PART F - REPORTS FROM THE SUBCOMMITTEES**

**16     TENDERS SUBCOMMITTEE**

342/2009

MOVED by Cr Clews, seconded Cr Flaunty:

The Finance and Operational Performance Committee resolved to:

**Receive** the meeting report of the Tenders Subcommittee held on Friday, 13 February 2009.

**CARRIED**

1.10 pm

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:**.....