

**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, 6 APRIL 2009  
COMMENCING AT 9.37 AM**

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**PRESENT:**

Councillors	RI	Clow (Chairman)
	JM	Clews, QSO, JP (Deputy Chairman)
	BA	Brady, JP
	MFP	Chan, JP (until 11.30 am)
	LA	Cooper, JP (until 10.20 am)
	AK	Corban, OBE, JP
	RP	Dallow, QPM, JP (from 10.04 am)
	WW	Flaunty, QSM, JP
	JP	Lawley, JP
	PG	Mitchell
	VS	Neeson, JP

**IN ATTENDANCE:**

Director: Finance  
Director: Strategic Planning  
Director: Corporate and Business Services  
Deputy Director: City Services  
Deputy Director: Finance  
Group Manager: Democracy and Support Services  
Group Manager: Service Management  
Group Manager: Funds Management  
Group Manager: Strategic Governance  
Assurance Services Manager  
Manager: Economic Development Strategy  
Manager: Strategic Projects  
Manager: Financial Processes  
Executive Officer: Legal Services  
Manager: Financial Planning & Reporting  
Democracy and Governance Manager  
Community Grants Officer  
Committee Secretary: C Fernandes

**ALSO IN ATTENDANCE:**

B Mogridge, Chairman, Waitakere City Holdings Limited and  
Waitakere Enterprise  
J Wadsworth, Chief Executive, Waitakere Enterprise

**PART A - OPENING OF MEETING**

**1 APOLOGIES**

467/2009

MOVED by Cr Neeson, seconded Cr Clow:

That apologies from Crs Battersby, Hulse and Jolley for absence, Cr Dallow for lateness, and Crs Cooper and Chan for early departure, be received and sustained.

**CARRIED**

**2 URGENT BUSINESS**

468/2009

MOVED by Cr Clews, seconded Cr Neeson:

**Agree** that the Report Of The Royal Commission On Auckland Governance Reforms (27 March 2009) - Transition Costs be considered as an item of Urgent Business so that necessary action can be taken to inform Waitakere city ratepayers during the current submission period on the draft Long Term Council Community Plan 2009-2019 of those costs and inclusion of those indicative costs in the final Long Term Council Community Plan 2009-2019.

**CARRIED**

**2A REPORT OF THE ROYAL COMMISSION ON AUCKLAND GOVERNANCE REFORMS (27 MARCH 2009) - TRANSITION COSTS**

**DEFERRED**

The Chairman with the consent of the meeting deferred this item to be considered after Item 18: Tenders Subcommittee.

**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**

469/2009

MOVED by Cr Mitchell, seconded Cr Clews:

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 March 2009, as circulated, and that they be taken as read and now be confirmed.

**CARRIED**

**PART B - LEGAL AND CONSTITUTIONAL**

**5 AFFIXATION OF COMMON SEAL**

470/2009

MOVED by Cr Neeson, seconded Cr Mitchell:

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**

### **PRECEDENCE OF BUSINESS**

471/2009

MOVED by Cr Mitchell, seconded Cr Clews:

That Item 9: Waitakere City Holdings Limited Draft Statement Of Intent For The Three Years Commencing 1 July 2009, Item 10: Waitakere Properties Limited Draft Statement Of Intent For The Three Years Commencing 1 July 2009 and Item 11: Waitakere Enterprise Draft Statement Of Intent 2009/2010, be accorded precedence at this time.

**CARRIED**

### **9 WAITAKERE CITY HOLDINGS LIMITED DRAFT STATEMENT OF INTENT FOR THE THREE YEARS COMMENCING 1 JULY 2009**

472/2009

MOVED by Cr Clews, seconded Cr Flaunty:

The Finance and Operational Performance Committee resolved to:

1. **Receive** the Waitakere City Holdings Limited Draft Statement Of Intent For The Three Years Commencing 1 July 2009 report.
2. **Agree** that the Director: Corporate and Business Services formalise Council's feedback on the Waitakere City Holdings Limited Draft Statement of Intent for the three years commencing 1 July 2009 and the submission be approved by the Chairman and Deputy Chairman of the Finance and Operational Performance Committee.
3. **Agree** that Council officers, in consultation with the Waitakere City Holdings Board, will assess the impact of the Government's policy response to the findings of the Royal Commission on Auckland Governance on the Statements of Intent for Waitakere City Holdings Limited, Waitakere Properties Limited and Waitakere Enterprise Trust Board and make recommendations to the Finance and Operational Performance Committee of any future material changes.

**CARRIED**

### **10 WAITAKERE PROPERTIES LIMITED DRAFT STATEMENT OF INTENT FOR THE THREE YEARS COMMENCING 1 JULY 2009**

473/2009

MOVED by Cr Neeson, seconded Cr Clews:

The Finance and Operational Performance Committee resolved to:

1. **Receive** the Waitakere Properties Limited Draft Statement Of Intent For The Three Years Commencing 1 July 2009 report.
2. **Agree** that the Director: Corporate and Business Services formalise Council's feedback on the Waitakere Properties Limited draft Statement of Intent for the three years commencing 1 July 2009 and the submission be approved by the Chairman and Deputy Chairman of the Finance and Operational Performance Committee.

3. **Agree** that Council officers, in consultation with the Waitakere City Holdings Board, will assess the impact of the Government's policy response to the findings of the Royal Commission on Auckland Governance on the Waitakere Properties Limited Statement of Intent and make recommendations to the Finance and Operational Performance Committee of any future material changes.

**CARRIED**

10.04 am Cr Dallow entered the meeting.

## 11 **WAITAKERE ENTERPRISE DRAFT STATEMENT OF INTENT 2009/2010**

474/2009

MOVED by Cr Mitchell, seconded Cr Clow:

The Finance and Operational Performance Committee resolved to:

1. **Receive** the Waitakere Enterprise Draft Statement Of Intent 2009/2010 report.
2. **Agree** that the Director: Strategic Planning and the Director: Corporate and Business Services finalise Council's feedback on the Waitakere Enterprise draft Statement of Intent 2009/2010 and the submission be approved by the Chairman and Deputy Chairman of the Finance and Operational Performance Committee.
3. **Agree** that Council officers, in consultation with the Waitakere City Holdings Board, will assess the impact of the Government's policy response to the findings of the Royal Commission on Auckland Governance on the Waitakere Enterprise Statement Of Intent and make recommendations to the Finance and Operational Performance Committee of any future material changes.
4. **Agree** that it be recommended to the Long Term Council Community Plan and Annual Plan Committee that a report on Tourism initiatives and any funding implications be presented during the final deliberations on the Long Term Council Community Plan 2009-2019.

**CARRIED**

The Order of Business resumed at Item 6: Operating and Capital Expenditure Summary.

## **PART C - FINANCE**

### 6 **OPERATING AND CAPITAL EXPENDITURE SUMMARY**

10.20 am Cr Cooper left the meeting.

475/2009

MOVED by Cr Chan, seconded Cr Clow:

The Finance and Operational Performance Committee resolved to:

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

**CARRIED**

**7 STATUS OF SPECIAL FUNDS**

476/2009

MOVED by Cr Neeson, seconded Cr Clow:

The Finance and Operational Performance Committee resolved to:

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

**CARRIED**

**8 BORROWING AND INVESTMENT REPORT**

477/2009

MOVED by Cr Neeson, 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**

**PART D - GENERAL**

**9 WAITAKERE CITY HOLDINGS LIMITED DRAFT STATEMENT OF INTENT FOR THE THREE YEARS COMMENCING 1 JULY 2009**

This item was considered following Item 5: Affixation of Common Seal.

**10 WAITAKERE PROPERTIES LIMITED DRAFT STATEMENT OF INTENT FOR THE THREE YEARS COMMENCING 1 JULY 2009**

This item was considered following Item 9: Waitakere City Holdings Limited Draft Statement of Intent For The Three Years Commencing 1 July 2009.

**11 WAITAKERE ENTERPRISE DRAFT STATEMENT OF INTENT 2009/2010**

This item was considered following Item 10: Waitakere Properties Limited Draft Statement Of Intent For The Three Years Commencing 1 July 2009.

**12 WATERCARE SERVICES LIMITED DRAFT STATEMENT OF CORPORATE INTENT 2009 AND FUNDING PLAN FEBRUARY 2009**

478/2009

MOVED by Cr Clews, seconded Cr Flaunty:

The Finance and Operational Performance Committee resolved to:

1. **Receive** the Watercare Services Limited Draft Statement of Corporate Intent 2009 And Funding Plan February 2009 report.
2. **Approve** the Watercare Services Limited Draft Statement of Corporate Intent 2009.

**CARRIED**

10.56 am Cr Neeson left the meeting.

**DECLARATION OF INTEREST**

10.57 am Cr Flaunty declared an interest and withdrew from the table, taking no part in the debate or decision on Item 13: Community Accommodation Assistance Fund Allocations 2008/2009 - Round Two.

**13 COMMUNITY ACCOMODATION ASSISTANCE FUND ALLOCATIONS 2008/2009 - ROUND TWO**

479/2009

MOVED by Cr Dallow, seconded Cr Chan:

The Finance and Operational Performance Committee resolved to:

**Receive** the Community Accommodation Assistance Fund Allocations 2008/2009 - Round Two report.

**CARRIED**

480/2009

MOVED by Cr Dallow, seconded Cr Clow:

1. **Approve** the allocation of funds for the Community Accommodation Assistance Fund Allocations 2008/2009 - Round Two as outlined in the table below:

<b>APPLICANT</b>	<b>AMOUNT APPLIED FOR</b>	<b>AMOUNT RECOMMENDED</b>
Massey & Birdwood Settlers Association	\$1,998.50	\$1,088.39
Nga Kakano O Te Kaihanga Trust	\$1,299.81	\$1,123.60
Lifewise Family Services	\$1,503.91	\$1,552.69
The Mahamakut Thai Buddhist Trust	\$2,376.74	\$2,376.74
New Zealand Red Cross	\$370.30	\$0.00
<b>TOTALS:</b>	<b>\$7,549.26</b>	<b>\$6,141.42</b>

2. **Agree** to transfer \$3,000 from the remaining budget of the Community Accommodation Assistance Fund to the Community Halls & Marae Capital Works Fund to fund the Huia-Cornwallis Ratepayers & Residents Association to the amount of \$3,000.

**CARRIED**

10.59 am Cr Flaunty returned to the table.

**14 FEE WAIVERS FUND ALLOCATION 2008/2009 – ROUND TWO**

481/2009

MOVED by Cr Clews, seconded Cr Dallow:

The Finance and Operational Performance Committee resolved to:

1. **Receive** the Fee Waivers Fund Allocation 2008/2009 – Round Two report.

2. **Approve** that funding for the Fee Waivers Fund Allocation 2008/2009 - Round Two be allocated as follows:

APPLICANT	AMOUNT SOUGHT	AMOUNT RECOMMENDED
KAURILANDS COMMUNITY KINDERGARTEN	\$1,146.52	\$905.00
GREEN BAY SCHOOL	\$2,067.17	\$1,631.00
<b>TOTALS:</b>	<b>\$3,213.69</b>	<b>\$2,536.00</b>

**CARRIED**

15 **PROPOSAL TO THE LOCAL GOVERNMENT COMMISSION: TRANSFER OF THE HAURAKI GULF ISLANDS FROM AUCKLAND CITY AND AUCKLAND REGION TO THAMES-COROMANDEL DISTRICT AND WAIKATO REGION**

482/2009

MOVED by Cr Flaunty, seconded Cr Lawley:

The Finance and Operational Performance Committee resolved to:

1. **Receive** the Proposal To The Local Government Commission: Transfer Of The Hauraki Gulf Islands From Auckland City And Auckland Region To Thames-Coromandel District And Waikato Region report.
2. **Agree** that a submission be prepared on the draft re-organisational proposal for transferring the Hauraki Gulf Islands from Auckland City and Auckland Region to the Thames-Coromandel District and Waikato Region.
3. **Agree** that Council support the existing arrangements whereby responsibilities for the Gulf Island remain with the Auckland region and Auckland City (subject to Government determination or Royal Commission findings)
4. **Agree** that the Chairman of the Finance and Operational Performance Committee be authorised to sign off Council's submission on the draft re-organisational proposal for transferring the Hauraki Gulf Islands from Auckland City and Auckland Region to the Thames-Coromandel District and Waikato Region.

**CARRIED**

16 **WESTPARK MARINA – REQUEST FOR REDUCTION IN ANNUAL DREDGING OBLIGATION**

11.07 am Cr Neeson returned to the meeting.

483/2009

MOVED by Cr Neeson, seconded Cr Dallow:

The Finance and Operational Performance Committee resolved to:

1. **Receive** the Westpark Marina – Request For Reduction In Annual Dredging Obligation report.
2. **Approve** that a variation to the existing arrangements committed between Westpark Marina Limited and Waitakere City Council with respect to maintenance dredging at Westpark Marina be approved for the period from 1 April 2009 to 31 March 2013 from not less than 18,000 cubic metres per annum to not less than 14,500 cubic metres per annum, such annual dredging rate to be permitted to be aggregated and achieved over each successive two year period, subject to:

- (a) Westpark Marina Limited ensuring that the necessary financial contributions continue to be collected from berthholders annually and carried forward as required,
  - (b) Westpark Marina Limited continuing to demonstrate to Waitakere City Council on an ongoing basis that it has obtained and holds the necessary permits to dispose of the required volumes of dredged material, and
  - (c) Westpark Marina Limited agreeing to obtain and provide to Waitakere City Council the results of a full resurvey of available water depth vis-à-vis minus 2 metres chart datum bianually and report to Waitakere City Council annually regarding the financial status of the Sinking Fund Trust Account available for dredging and for capex/depreciation of moorings, electrical and other marine assets situated within the seabed area.
3. **Agree** that the reduction in the existing volume of dredging now approved be further reviewed prior to 1 April 2013 but absent such review and/or further decision the annual dredging obligation for the balance of the Seabed Licence term expiring in October 2025 remain at 18,000 cubic metres as per the existing contractual commitment.

**CARRIED**

17 **NEW ZEALAND LOCAL GOVERNMENT INSURANCE CORPORATION LIMITED -  
NOMINATION AND ELECTIONS OF DIRECTORS**

484/2009

MOVED by Cr Clews, seconded Cr Neeson:

The Finance and Operational Performance Committee resolved to:

1. **Receive** the New Zealand Local Government Insurance Corporation Limited - Nomination And Elections Of Directors report.
2. **Agree** to the nomination of Mr Darryl Griffin as a Director of the New Zealand Local Government Insurance Corporation Limited.
3. **Agree** that the Chief Executive Officer be authorised to exercise the votes of Council in favour of Mr Darryl Griffin, either:
  - a) in person;
  - b) by delegation to another Officer, or by proxy through delegation to the chairperson or a Director of the company present at the meeting.
4. **Agree** that the Chief Executive Officer be authorised to exercise, either in person or by delegation to a proxy or other person, the votes of Council at the Annual Meeting of the New Zealand Local Government Insurance Corporation Limited in relation to any other matters as she sees fit so long as the exercise of votes is not contrary to any Council policy position.

**CARRIED**

**PART E - REPORTS FROM THE SUBCOMMITTEES**

**18 TENDERS SUBCOMMITTEE**

485/2009

MOVED by Cr Clews, seconded Cr Flaunty:

The Finance and Operational Performance Committee resolved to:

**Receive** the meetings reports of the Tenders Subcommittee held on Friday, 27 February 2009 and Friday, 13 March 2009.

**CARRIED**

**2A REPORT OF THE ROYAL COMMISSION ON AUCKLAND GOVERNANCE REFORMS  
(27 MARCH 2009) - TRANSITION COSTS**

486/2009

MOVED by Cr Clews, seconded Cr Dallow:

The Finance and Operational Performance Committee resolved to:

**Agree** that it be recommended to the Long Term Council Community Plan and Annual Plan Committee that an estimate of the transition costs of the Royal Commission's Report on Auckland Governance reforms applicable to Waitakere city ratepayers be considered for inclusion in the final Long Term Council Community Plan 2009-2019 and that Waitakere city ratepayers be informed once determined.

**CARRIED**

11.54 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:**.....