

**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,  
7 SEPTEMBER 2009, COMMENCING AT 9.30 AM**

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**PRESENT:** Councillors RI Clow (Chairman) (until 9.36 am) (from 10.23 am)  
JM Clews, QSO, JP (Deputy Chairman) (presiding from  
9.36 am until 10.23 am) (until 10.54 am)  
DQ Battersby, QSM, JP  
BA Brady, JP  
MFP Chan, JP  
LA Cooper, JP  
AK Corban, OBE, JP  
RP Dallow, QPM, JP (until 10.13 am) (from 10.24 am)  
WW Flaunty, QSM, JP (until 11.04 am)  
MM Jolley  
JP Lawley, JP  
PG Mitchell  
VS Neeson, JP (from 9.36 am until 10.44 am)

**OBSERVERS:** EAG Grimmer, MNZM (Chairman, Henderson Community Board)  
GPJ Marshall (Chairman, New Lynn Community Board)

**IN ATTENDANCE:** Associate Director: Finance  
Director: Finance  
Director: Strategic Planning  
Director: Corporate and Business Services  
Deputy Director: City Services  
Deputy Director: Finance  
Deputy Director: Strategic Planning  
Group Manager: Funds Management  
Manager: Legal Services/General Counsel  
Manager: Strategic Projects  
Project Manager: Strategic Projects  
Manager: Operations Support  
Senior Property Manager: Tenancy  
Manager: Property Assets  
Recreation Partnership Projects Leader  
Leisure Planner  
Community Grants Officer  
Consultant: Strategic Planning: J Murray  
Committee Secretary: C Fernandes

**ALSO IN  
ATTENDANCE:** B Mogridge, Chairman, Waitakere City Holdings Limited and  
Waitakere Enterprise Trust Board  
G Parker, CEO, Waitakere Properties Limited  
R Jewel, Chairman, Auckland Film Studios Limited  
K Legg, Centre Manager, Massey Leisure Centre

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

### **1 APOLOGIES**

1522/2009

MOVED by Cr Mitchell, seconded Cr Clow:

That apologies from Cr Hulse for absence, and Crs Clews and Flaunty for early departure 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**

1523/2009

MOVED by Cr Brady, 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, 10 August 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**

1524/2009

MOVED by Cr Dallow, seconded Cr Jolley:

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**

1525/2009

MOVED by Cr Mitchell, seconded Cr Dallow:

That Part D - General, Item 10: Waitakere City Holdings Limited Update be accorded precedence at this time.

**CARRIED**

**PART D - GENERAL**

**10 WAITAKERE CITY HOLDINGS LIMITED UPDATE**

**DECLARATION OF INTEREST**

9.35 am Cr Clow declared an interest and asked the Deputy Chairman, Cr Clews to preside.

9.36 am Cr Clow vacated the Chair taking no part in the discussion or decision on Item 10: Waitakere City Holdings Limited Update and the Deputy Chairman, Cr Clews assumed the Chair.

9.37 am Cr Cooper declared an interest and withdrew from the table, taking no part in the discussion or decision on Item 10: Waitakere City Holdings Limited Update.

9.37 am Cr Neeson entered the meeting.

10.13 am Cr Dallow left the meeting.

1526/2009

MOVED by Cr Brady, seconded Cr Lawley:

The Finance and Operational Performance Committee resolved to:

**Receive** the Waitakere City Holdings Limited - Update report.

**CARRIED**

10.23 am Cr Clow returned to the table and resumed the Chair.

10.23 am Cr Cooper returned to the table.

10.24 am Cr Dallow returned to the meeting.

The Order of Business resumed at Part C - Finance, Item 6: Forecast Reporting 2009/2010.

## PART C - FINANCE

### **6 FORECAST REPORTING 2009/2010**

1527/2009

MOVED by Cr Neeson, seconded Cr Chan:

The Finance and Operational Performance Committee resolved to:

1. **Receive** the Forecast Reporting 2009/2010 report.
2. **Agree** to the process of formal reviews to review forecast targets and adjust priorities if required on a quarterly basis in the months of August 2009, December 2009 and March 2010.

**CARRIED**

### **7 STATUS OF SPECIAL FUNDS**

1528/2009

MOVED by Cr Neeson, seconded Cr Battersby:

The Finance and Operational Performance Committee resolved to:

1. **Receive** the Status of Special Funds report.
2. **Agree** that a report be brought back to the Finance and Operational Performance Committee on the Special Funds and all other Council loans, outlining the background of the funds and the present distribution of the funds, for further consideration.

**CARRIED**

### **8 BORROWING AND INVESTMENT REPORT**

10.44 am Cr Neeson left the meeting.

1529/2009

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**

### **9 AUCKLAND TRANSITION COSTS - JULY 2009**

1530/2009

MOVED by Cr Battersby, seconded Cr Mitchell:

The Finance and Operational Performance Committee resolved to:

**Receive** the Auckland Transition Costs July 2009 report.

**CARRIED**

**PART D - GENERAL**

**10 WAITAKERE CITY HOLDINGS LIMITED UPDATE**

This item was considered following Part B - Legal and Constitutional, Item 5: Affixation of Common Seal.

**11 REVIEW OF CONTRACTS WITH SPORT WAITAKERE 2008/2009**

1531/2009

MOVED by Cr Cooper, seconded Cr Lawley:

The Finance and Operational Performance Committee resolved to:

1. **Receive** the Review of Contracts with Sport Waitakere 2008/2009 report.
2. **Approve** the 2009/2010 Shared Work Programme between Waitakere City Council and Sport Waitakere.

**CARRIED**

**12 MASSEY LEISURE CENTRE 2008/2009 END OF YEAR PERFORMANCE**

1532/2009

MOVED by Cr Cooper, seconded Cr Chan:

The Finance and Operational Performance Committee resolved to:

**Receive** the Massey Leisure Centre 2008/2009 End of Year Performance report.

**CARRIED**

**13 HOUSING FOR OLDER ADULTS - RENTAL INCREASES**

1533/2009

MOVED by Cr Cooper, seconded Cr Lawley:

The Finance and Operational Performance Committee resolved to:

1. **Receive** the Housing For Older Adults - Rental Increases report.
2. **Agree** to recommend to Council to approve the implementation of charging housing for older adults rents based on 70% of market rate for singles, 80% for couples, capped at 30% of gross income including accommodation supplement, subject to final consultation with tenants.

**CARRIED**

**NOTE:** Pursuant to Standing Order 32.12, Cr Chan requested that his vote against the motion be recorded.

**PART E - REPORTS FROM THE SUBCOMMITTEES**

**14 CREATIVE COMMUNITY SCHEME ALLOCATION SUBCOMMITTEE**

1534/2009

MOVED by Cr Corban, seconded Cr Dallow:

The Finance and Operational Performance Committee resolved to:

1. **Approve** the Creative Communities Scheme Allocation - First Round 2009/2010, in accordance with criteria and available budget, from applicants as follows:

<b>Applicant (NAR)</b>	<b>Funds Allocated</b>
D R Bruce	0.00
Phab Association (Auckland) Inc.	\$3,000.00
A Baeza	\$1,932.67
Mutalau Uluauta Matahefonua Trust	\$4,000.00
B Partridge	\$0.00
United Sri Lanka Association	\$0.00
Norwestern Cook Islands Taokatai Inc	\$1,775.87
Rutherford Primary School	\$1,050.00
Titirangi Primary School	\$2,500.00
Friends Of Arataki	\$4,000.00
Kelston Girls College	\$2,000.00
Titirangi Festival Trust	\$2,500.00
Titirangi Theatre Inc	\$1,500.00
Latinz Cultural Trust	\$1,000.00
Auckland Festival Of Photography Trust	\$2,651.00
Lowdown	\$1,000.00
Pomaria Primary School	\$3,745.10
Waitakere Kiribati Community Association	\$3,000.00
C Davidson	\$3,500.00
Punanga Tauturu Kuki Airani	\$2,500.00
Lopdell House Society	\$3,000.00
Royal Forest & Bird Protection Society	\$0.00
Starfish Magic	\$2,000.00
Waitakere Arts & Cultural Development Trust	\$4,000.00
Waitemata Country Music Club	\$0.00
<b>Total</b>	<b>\$50,654.64</b>

2. **Receive** the report of the meeting of the Creative Communities Scheme Allocation Subcommittee held on Monday, 24 August 2009 and reconvened on Friday, 28 August 2009.

**CARRIED**

**15 TENDERS SUBCOMMITTEE**

1535/2009

MOVED by Cr Clow, seconded Cr Dallow:

The Finance and Operational Performance Committee resolved to:

- Receive** the reports of the meetings of the Tenders Subcommittee held on Friday, 7 August 2009 and Friday, 21 August 2009.

**CARRIED**

**ADJOURNMENT**

1536/2009

MOVED by Cr Battersby, seconded Cr Clow:

That the meeting stand adjourned until 11.55 am.

**CARRIED**

11.45 am The meeting adjourned.

11.55 am The meeting reconvened.

**PART F - PUBLIC EXCLUDED MATTER**

**16 MASSEY NORTH TOWN CENTRE ASSETS**

1537/2009

MOVED by Cr Battersby, seconded Cr Dallow:

That the public be excluded from the following part of the proceedings of this meeting, Massey North Town Centre Assets.

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 each of the matter.	Ground(s) under Section 48(1)(a) for the passing of this resolution.
Massey North Town Centre Assets	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:

- *This report contains information which if released could affect Council's negotiations.*

**CARRIED**

11.56 am The public were excluded.

Minute Number 1538/2009 is recorded in the Confidential Section of these Minutes.

12.02 pm The public were readmitted.

**RESTATEMENT**

**Massey North Town Centre Assets**

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

(Moved by Cr Cooper, seconded Cr Battersby) (resolution 1538/2009, no. 7) **“Agree that the Massey North Town Centre Assets report and associated resolutions remain confidential until such time as the reasons for confidentiality no longer exist.”**

12.03 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:**.....