

**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,
12 OCTOBER 2009, COMMENCING AT 9.33 AM**

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6 HENDERSON VALLEY ROAD, HENDERSON, WAITAKERE, ON MONDAY,
12 OCTOBER 2009, COMMENCING AT 9.33 AM**

PRESENT: Councillors JM Clews, QSO, JP (Deputy Chairman) (presiding)
DQ Battersby, QSM, JP (until 12.01 pm)
BA Brady, JP
MFP Chan, JP
AK Corban, OBE, JP (from 9.44 am)
WW Flaunty, QSM, JP (until 11.00 am)
PA Hulse (from 9.46 am)
MM Jolley
JP Lawley, JP
PG Mitchell

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

IN ATTENDANCE: Associate Director: Finance
Director: Finance
Director: Corporate and Business Services
Director: Community Wellbeing
Acting Director: City Services
Deputy Director: Finance
Deputy Director: Community Wellbeing
Group Manager: Funds Management
Special Projects Manager
Manager: Strategic Projects
Project Manager: Strategic Projects
Manager: Operations Support
Senior Property Manager: Tenancy
Service Delivery Manager: Libraries
Principal Advisor: Heritage
New Lynn Communications: Public Affairs
Evaluations Leader: Project Twin Streams
Management Accountant
Migrant Information Co-ordinator
Community Grants Officer
Recreation/Partners
Committee Secretary: C Fernandes

**ALSO IN
ATTENDANCE:** P Evans, Chief Executive Officer, NZ National Maritime Museum
L Ashton, Resident
S Hitchcock, Manager, Zeal
C Horry, Studio Manager, Zeal
C Peters, Chairperson, WaiCAB Inc.
B Guy, Massey Citizens Advice Bureau

PART A - OPENING OF MEETING

1 APOLOGIES

1673/2009

MOVED by Cr Jolley, seconded Cr Brady:

That apologies from Crs Cooper, Clow, Dallow and Neeson for absence, Crs Corban and Hulse for lateness, and Crs Flaunty and Battersby for early departure, be received and sustained.

CARRIED

2 URGENT BUSINESS

There was no Urgent Business.

3 CONFLICTS OF INTEREST

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

1674/2009

MOVED by Cr Clews, seconded Cr Lawley:

The Finance and Operational Performance Committee resolved to:

Receive the minutes of the meeting of the Finance and Operational Performance Committee held on Monday, 7 September 2009, as circulated, and that they be taken as read and now be confirmed.

CARRIED

PART B - PRESENTATION

5 NEW ZEALAND MARITIME MUSEUM

9.44 am Cr Corban entered the meeting.

9.46 am Cr Hulse entered the meeting.

Paul Evans, Chief Executive Officer, New Zealand National Maritime Museum, made a presentation to update the Finance and Operational Performance Committee on the Blue Water Black Magic - A Tribute to Sir Peter Blake project at the New Zealand National Maritime Museum, which will open in December 2009.

1675/2009

MOVED by Cr Brady, seconded Cr Lawley:

The Finance and Operational Performance Committee resolved to:

Receive the Presentation from the New Zealand Maritime Museum.

CARRIED

PART C - LEGAL AND CONSTITUTIONAL

6 AFFIXATION OF COMMON SEAL

1676/2009

MOVED by Cr Battersby, seconded Cr Flaunty:

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

PART D - FINANCE

7 OPERATING AND CAPITAL EXPENDITURE FORECAST REPORT

1677/2009

MOVED by Cr Chan, seconded Cr Corban:

The Finance and Operational Performance Committee resolved to:

1. **Receive** the Operating and Capital Expenditure Forecast Report.
2. **Note** that the stated forecasted end of year position, with adjustments, of \$138,000 (surplus).

CARRIED

8 BORROWING AND INVESTMENT REPORT

1678/2009

MOVED by Cr Mitchell, seconded Cr Brady:

The Finance and Operational Performance Committee resolved to:

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

CARRIED

9 STATUS OF SPECIAL FUNDS

1679/2009

MOVED by Cr Mitchell, seconded Cr Chan:

The Finance and Operational Performance Committee resolved to:

Receive the Status of Special Funds report.

CARRIED

10 DRAFT ANNUAL REPORT 2008/2009 STATUS REPORT

1680/2009

MOVED by Cr Hulse, seconded Cr Jolley:

The Finance and Operational Performance Committee resolved to:

1. **Receive** the draft Annual Report 2008/2009 status report.
2. **Agree** in principle that subject to an unqualified audit opinion, the draft Annual Report for 2008/2009 be considered and adopted at the meeting of Council scheduled for 28 October 2009.

CARRIED

11 LAND SUBDIVISION RESERVE FUND

1681/2009

MOVED by Cr Jolley, seconded Cr Battersby:

The Financial and Operational Performance Committee resolved to:

1. **Receive** the Land Subdivision Reserve Fund report.
2. **Agree** to reduce the current balance of the Land Subdivision Reserve Fund by \$10,817,282 to correct the accounting treatment for past Parks projects which meet the criteria of expenditure from the Land Subdivision Reserve Fund.

CARRIED

11.00 am Cr Flaunty left the meeting.

12 AUCKLAND TRANSITION COSTS AUGUST AND SEPTEMBER 2009

1682/2009

MOVED by Cr Mitchell, seconded Cr Jolley:

The Finance and Operational Performance Committee resolved to:

Receive the Auckland Transition Costs August and September 2009 report.

CARRIED

PART E - GENERAL

13 WAITAKERE CITIZENS ADVICE BUREAU INCORPORATED ANNUAL REPORT 2008/2009

1683/2009

MOVED by Cr Lawley, seconded Cr Brady:

The Finance and Operational Performance Committee resolved to:

Receive the Waitakere Citizens Advice Bureau Incorporated Annual Report 2008/2009.

CARRIED

14 ZEAL EDUCATION TRUST END OF YEAR PERFORMANCE 2008/2009

1684/2009

MOVED by Cr Brady, seconded Cr Hulse:

The Finance and Operational Performance Committee resolved to:

1. **Receive** the ZEAL Education Trust End of Year Performance 2008/2009 report.
2. **Agree** to the recommended performance measures as part of the Facility Management and Funding Agreement between ZEAL Education Trust and Waitakere City Council.
3. **Agree** that a report be brought back to the Finance and Operational Performance Committee with a review of funding to facilitate ZEAL for an additional staff member to enable operating hours of the Global Café to be extended.

CARRIED

15 ORATIA UNITED ASSOCIATION FOOTBALL CLUB REQUEST FOR NEW LOAN GUARANTEE

1685/2009

MOVED by Cr Corban, seconded Cr Chan:

The Finance and Operational Performance Committee resolved to:

1. **Receive** the Oratia United Football Association Club Request for New Loan Guarantee report.
2. **Agree** that a revised loan guarantee of up to \$19,500 be entered into between the Council and the Auckland Savings Bank to secure funding for the Oratia United Football Association Club.

11.45 am Cr Hulse left the meeting.

CARRIED

16 HARBOURVIEW (ORANGIHINA) HERITAGE INTERPRETATION

11.56 am Cr Hulse returned to the meeting.

1686/2009

MOVED by Cr Jolley, seconded Cr Brady:

The Finance and Operational Performance Committee resolved to:

1. **Receive** the Harbourview (Orangihina) Heritage Interpretation report.
2. **Agree** subject to resolution 3 below, that \$250,000 of the Harbourview Park Special Fund be made available in the 2009/2010 financial year for the following works:
 - Interpretation of the Auckland Brick and Tile Company site in the amount of \$3,000;
 - Interpretation of McCormick's cottage in the amount of \$97,000;
 - Refurbishment of the brick villa in the amount of \$100,000; and
 - Artworks in the amount of \$50,000.

3. **Note** that resolution 2 above is subject to approval of the Auckland Transition Agency.
4. **Agree** that the future rental from the brick villa be deposited in the Harbourview (Orangihina) Special Fund.

CARRIED

12.01 pm Cr Battersby left the meeting.

17 **HOUSING FOR OLDER ADULTS - CHANGE OF RENTAL POLICY**

1687/2009

MOVED by Cr Brady, seconded Cr Hulse:

The Finance and Operational Performance Committee resolved to:

1. **Receive** the Housing For Older Adults - Change of Rental Policy report.
2. **Approve** retrospectively the Housing for Older Adults rental policy of basing rents on 70% of market rate for singles, 80% for couples, capped at 30% of gross income including accommodation supplement for all tenants taking occupation from 1 April 2008.
3. **Note** that Council on 30 September 2009, with regard to tenants who were in occupation prior to 1 April 2008, approved 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 confirmation with tenants, where appropriate.

CARRIED

PART F - REPORTS FROM THE SUBCOMMITTEES

18 **TENDERS SUBCOMMITTEE**

1688/2009

MOVED by Cr Clews, seconded Cr Mitchell:

The Finance and Operational Performance Committee resolved to:

Receive the meeting report of the Tenders Subcommittee held on Friday, 18 September 2009.

CARRIED

ADJOURNMENT

1689/2009

MOVED by Cr Clews, seconded Cr Lawley:

That the meeting stand adjourned until 12.19 pm.

CARRIED

12.08 pm The meeting adjourned.

12.19 pm The meeting reconvened.

PART G - PUBLIC EXCLUDED MATTERS

19 **NEW LYNN TRANSIT ORIENTED DEVELOPMENT PROJECT - ACQUISITION OF PLANET KIDS LIMITED AT 1B RANKIN AVENUE, NEW LYNN**

20 **NEW LYNN TRANSIT ORIENTED DEVELOPMENT PROJECT - ACQUISITION OF NEW LYNN KINDERGARTEN AT 1 TOTARA AVENUE, NEW LYNN**

21 **PROJECT TWIN STREAMS PROPERTY ACQUISITIONS FOR 15, 17 AND 19 INVER STREET, GLEN EDEN**

1690/2009

MOVED by Cr Mitchell, seconded Cr Jolley:

That the public be excluded from the following parts of the proceedings of this meeting, namely, New Lynn Transit Oriented Development Project - Acquisition of Planet Kids Limited at 1B Rankin Avenue, New Lynn; New Lynn Transit Oriented Development Project - Acquisition of New Lynn Kindergarten at 1 Totara Avenue and Project Twin Streams Property Acquisitions for 15, 17 and 19 Inver Street, Glen Eden.

The general subject of the matters to be considered while the public is excluded, the reason for passing this resolution in relation of each of matters, 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 matters to be considered.	Reason for passing this resolution in relation to each of the matters.	Ground(s) under Section 48(1)(a) for the passing of this resolution.
New Lynn Transit Oriented Development Project - Acquisition of Planet Kids Limited at 1B Rankin Avenue, New Lynn	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.
New Lynn Transit Oriented Development Project - Acquisition of New Lynn Kindergarten at 1 Totara Avenue, New Lynn	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.
Project Twin Streams Property Acquisitions for 15, 17 and 19 Inver Street, Glen Eden	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 parts of the proceedings of the meeting in public as follows:

- *These reports contain information which if released could affect the Council's negotiations.*

CARRIED

RESTATEMENTS

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

New Lynn Transit Oriented Development Project - Acquisition of Planet Kids Limited at 1B Rankin Avenue, New Lynn

The Finance and Operational Performance Committee resolved while the public were excluded (Moved by Cr Brady, seconded Cr Chan) (resolution 1691/2009, no. 4) **“Agree that the New Lynn Transit Oriented Development Project - Acquisition of Planet Kids Limited at 1B Rankin Avenue, New Lynn report and associated resolutions remain confidential until such time as the reasons for confidentiality no longer exist.”**

New Lynn Transit Oriented Development Project - Acquisition of New Lynn Kindergarten at 1 Totara Avenue, New Lynn

The Finance and Operational Performance Committee resolved while the public were excluded (Moved by Cr Mitchell, seconded Cr Hulse) (resolution 1692/2009, no. 6) **“Agree that the New Lynn Transit Oriented Development Project - Acquisition of New Lynn Kindergarten at 1 Totara Avenue, New Lynn report and associated resolutions remain confidential until such time as the reasons for confidentiality no longer exist.”**

Project Twin Streams Property Acquisitions for 15, 17 and 19 Inver Street, Glen Eden

The Finance and Operational Performance Committee resolved while the public were excluded (Moved by Cr Clews, seconded Cr Brady) (resolution 1693/2009, no. 3) **“Agree that the Project Twin Streams Property Acquisitions for 15, 17 and 19 Inver Street, Glen Eden report and associated resolutions remain confidential until such time as the reasons for confidentiality no longer exist.”**

1.00 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:.....