

**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 NOVEMBER 2009, COMMENCING AT 9.33 AM**

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PRESENT:

Councillors	RI	Clow (Chairman)
	JM	Clews, QSO, JP (Deputy Chairman)
	DQ	Battersby, QSM, JP (from 9.37 am)
	BA	Brady, JP
	LA	Cooper, JP
	AK	Corban, OBE, JP (from 9.35 am)
	RP	Dallow, QPM, JP (from 9.37 am)
	WW	Flaunty, QSM, JP
	PA	Hulse (from 10.00 am)
	MM	Jolley
	JP	Lawley, JP (from 10.39 am)
	PG	Mitchell
	VS	Neeson, JP (from 9.41 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: Community Wellbeing
Acting Director: City Services
Deputy Director: Finance
Group Manager: Funds Management
Group Manager: Rates and Financial Transactions
Acting Service Manager: Parks Planning
Senior Projects and Programme Manager
Manager: Sustainable Management
Committee Secretary: C Fernandes

PART A - OPENING OF MEETING

1 APOLOGIES

1821/2009

MOVED by Cr Clews, seconded Cr Jolley:

That apologies from Cr Chan for absence, and Cr Lawley for lateness, 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

1822/2009

MOVED by Cr Clews, seconded Cr Jolley:

The Finance and Operational Performance Committee resolved to:

Receive the minutes of the meeting of the Finance and Operational Performance Committee held on Monday, 12 October 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

1823/2009

MOVED by Cr Clews, 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 C - FINANCE

6 OPERATING AND CAPITAL EXPENDITURE FORECAST REPORT AS AT 30 SEPTEMBER 2009

9.35 am Cr Corban entered the meeting.

9.37 am Crs Battersby and Dallow entered the meeting.

9.41 am Cr Neeson entered the meeting.

1824/2009

MOVED by Cr Cooper, seconded Cr Neeson:

The Finance and Operational Performance Committee resolved to:

Receive the Operating and Capital Expenditure Forecast Report as at 30 September 2009.

CARRIED

7 PERFORMANCE REPORT FOR THE THREE MONTHS ENDED 30 SEPTEMBER 2009

1825/2009

MOVED by Cr Clews, seconded Cr Dallow:

The Finance and Operational Performance Committee resolved to:

Receive the Performance Report for the Three Months Ended 30 September 2009.

CARRIED

8 BORROWING AND INVESTMENT REPORT

10.00 am Cr Hulse entered the meeting.

1826/2009

MOVED by Cr Clow, 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.
3. **Note** the introduction of the Integrated Treasury Operations Protocols.

CARRIED

9 PAYMENTS APPROVED

1827/2009

MOVED by Cr Clews, seconded Cr Neeson:

The Finance and Operational Performance Committee resolved to:

1. **Receive** the Payments Approved report.
2. **Agree** to have the Payments Approved Report submitted on a quarterly basis.

CARRIED

10 AUCKLAND TRANSITION COSTS OCTOBER 2009

1828/2009

MOVED by Cr Flaunty, seconded Cr Clow:

The Finance and Operational Performance Committee resolved to:

1. **Receive** the Auckland Transition Costs October 2009 report.
2. **Agree** that this be the last Auckland Transition Costs report to the Finance and Operational Performance Committee.
3. **Note** that the Human Resources unit still maintains record of staff time on Auckland Transition Agency business.

CARRIED

PART D - GENERAL

11 STATUS OF LOANS TO VARIOUS COMMUNITY TYPE ORGANISATIONS

10.39 am Cr Lawley entered the meeting.

1829/2009

MOVED by Cr Neeson, seconded Cr Mitchell:

The Finance and Operational Performance Committee resolved to:

1. **Receive** the Status of Loans to Various Community Type Organisations report.
2. **Agree** that a further report be prepared following up questions raised at this meeting with regards to the status of loans to various community type organisations and presented to the Finance and Operational Performance Committee.

CARRIED

12 HARBOURVIEW - ORANGIHINA PARK MINOR WORKS

1830/2009

MOVED by Cr Mitchell, seconded Cr Jolley:

The Finance and Operational Performance Committee resolved to:

1. **Receive** the Harbourview - Orangihina Minor Works report.
2. **Agree**, subject to resolution 3 below, that up to \$50,000 of the Harbourview Park Special Fund be used for minor development works to reduce vandalism, and improve safety, enjoyment and amenity at Harbourview - Orangihina Park.
3. **Note** that resolution 2 above be subject to confirmation by the Auckland Transition Agency.

CARRIED

PART E - REPORTS FROM THE SUBCOMMITTEES

13 TENDERS SUBCOMMITTEE

1831/2009

MOVED by Cr Clews, seconded Cr Dallow:

The Finance and Operational Performance Committee resolved to:

Receive the reports of the meetings of the Tenders Subcommittee held on Friday, 2 October 2009, Thursday, 15 October 2009 and Friday, 30 October 2009.

CARRIED

PART F - PUBLIC EXCLUDED MATTER

14 TE HENGA LAND ACQUISITION

1832/2009

MOVED by Cr Jolley, seconded Cr Clews:

That the public be excluded from the following part of the proceedings of this meeting, namely Te Henga Land Acquisition.

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.
Te Henga Land Acquisition	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 part of the proceedings of the meeting in public as follows:

- *The report contains information which if released would affect Council's negotiations.*

CARRIED

11.10 am The public were excluded.

Minute number 1833/2009 is recorded in the confidential section of these minutes.

11.43 am The public were readmitted.

RESTATEMENT

Te Henga Land Acquisition

The Finance and Operational Performance Committee resolved while the public were excluded (Moved by Cr Clews, seconded Cr Cooper) (resolution 1833/2009, no. 4) **"Agree that Te Henga Land Acquisition report and associated resolutions remain confidential until such time as the reasons for confidentiality no longer exist"**.

11.44 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:.....