

**MINUTES OF A MEETING OF THE FINANCE AND OPERATIONAL PERFORMANCE  
COMMITTEE HELD AT WAITAKERE CENTRAL, 6 HENDERSON VALLEY ROAD,  
HENDERSON, WAITAKERE, ON MONDAY, 7 APRIL 2008  
COMMENCING AT 9.32 AM.**

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ROAD, HENDERSON, WAITAKERE, ON MONDAY, 7 APRIL 2008  
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**PRESENT:**

Councillors RI Clow (Chairman)  
JM Clews, QSO, JP (Deputy Chairman)  
BA Brady, JP  
MFP Chan, JP (from 10.20 am)  
LA Cooper, JP (until 11.27 am)  
AK Corban, OBE, JP  
RP Dallow, QPM, JP (until 10.18 am)  
JP Lawley, JP  
PG Mitchell

**OBSERVERS:**

W Paki, JP (Chairman, Te Taumata Runanga)  
GPJ Marshall (Chairman, New Lynn Community Board)

**IN ATTENDANCE:**

Director: Finance  
Group Manager: Financial Operations  
Group Manager: Financial Management  
Group Manager: Service Management  
Group Manager: Democracy and Support  
Manager: Quality Assurance  
Manager: Legal Services  
Manager: Arts  
Manager: Property Assets  
Manager: Strategic Projects  
Manager: Public Affairs  
Treasury Manager  
Leisure Services Manager  
Service Manager: Parks Planning  
Project Manager: Strategic Property Project  
Council Grants Officer  
Committee Secretary: S Simiona  
C Fernandes

**PART A-OPENING OF MEETING**

**1 APOLOGIES**

571/2008

MOVED by Cr Clews, seconded Cr Cooper:

That apologies from Crs Battersby, Flaunty, Hulse, Jolley and Neeson for absence, Cr Chan for lateness and Cr Dallow 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, 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**

572/2008

MOVED by Cr Dallow, seconded Cr Clews:

The Finance and Operational Performance Committee resolved to:

**Receive** the minutes of the meeting held on Monday, 10 March 2008, as circulated, and that they now be taken as read and confirmed.

**CARRIED**

**PART B-LEGAL AND CONSTITUTIONAL**

5 **AFFIXATION OF COMMON SEAL**

573/2008

MOVED by Cr Cooper, seconded Cr Dallow:

The Finance and Operational Performance Committee resolved to:

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

**CARRIED**

**PART C-FINANCE**

6 **OPERATING AND CAPITAL EXPENDITURE SUMMARIES**

574/2008

MOVED by Cr Mitchell, seconded Cr Clow:

9.41 am Cr Lawley left the meeting.

The Finance and Operational Performance Committee resolved to:

**Receive** the Operating and Capital Expenditure Summaries report.

**CARRIED**

**7 STATUS OF SPECIAL FUNDS**

9.42 am Cr Lawley returned to the meeting.

575/2008

MOVED by Cr Clews, seconded Cr Corban:

The Finance and Operational Performance Committee resolved to:

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

**CARRIED**

**8 PERFORMANCE REPORT FOR THE PERIOD 1 JULY 2007 TO 31 DECEMBER 2007**

576/2008

MOVED by Cr Cooper, seconded Cr Mitchell:

The Finance and Operational Performance Committee resolved to:

**Receive** the Performance Report for the Period 1 July 2007 to 31 December 2007.

**CARRIED**

**9 PAYMENTS FOR APPROVAL**

**NOTE:** Cr Brady stated that as she was an independent Trustee on the Keep Waitakere Beautiful Trust she would be vacating her place at the table for Item 9: Payments for Approval.

Cr Brady was advised that as these payments had already been made it would not be necessary for her to vacate her place at the table.

577/2008

MOVED by Cr Dallow, seconded Cr Clews:

The Finance and Operational Performance Committee resolved to:

1. **Receive** the Payments for Approval report.
2. **Approve** the contracts let and the payments made.

**CARRIED**

**10 BORROWING AND INVESTMENT REPORT**

578/2008

MOVED by Cr Corban, seconded Cr Mitchell:

10.06 am Cr Lawley left the meeting.

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**

**11 SINKING FUND COMMISSIONERS – RESOLUTION TO DISESTABLISH**

579/2008

MOVED by Cr Clews, seconded Cr Dallow:

The Finance and Operational Performance Committee resolved to:

1. **Receive** the Sinking Fund Commissioners – Resolution to Disestablish report.
2. **Agree** that the current Sinking Fund Commissioners, namely Robert Rudd and Harry O'Rourke, be retired as Sinking Fund Commissioners and that Vijaya Vaidyanath be appointed as a Sinking Fund Commissioner for the purposes of adopting and approving the Sinking Fund Commissioners 2007/2008 Financial Statements.
3. **Agree** that on the completion of the Sinking Fund Commissioners 2007/2008 Financial Statements, the Sinking Fund and Positions of Sinking Fund Commissioners be disestablished.

**CARRIED**

**12 COMMUNITY ASSISTANCE FUNDS RESTRUCTURE AND POLICY DEVELOPMENT**

10.10 am Cr Lawley returned to the meeting.

580/2008

MOVED by Cr Lawley, seconded Cr Clews:

The Finance and Operational Performance Committee resolved to:

1. **Receive** the Community Assistance Funds Restructure and Policy Development report.
2. **Approve** the recommended option for the Community Assistance Funds restructure and policy development.
3. **Approve** that the Community Sports Fund Allocation Subcommittee be disbanded and the meeting cost funds transferred to the Community Assistance Fund Subcommittee which should be chaired by a Councillor.

**CARRIED**

**13 WAITAKERE CENTRAL CIVIC SQUARE STAGE 2 PROPOSED ART WORK ON TEMPORARY FENCE**

10.18 am Cr Dallow left the meeting.

10.20 am Cr Chan entered the meeting.

581/2008

MOVED by Cr Lawley, seconded Cr Mitchell:

The Finance and Operational Performance Committee resolved to:

1. **Receive** the Waitakere Central Civic Square Stage 2 Proposed Art Work on Temporary Fence report.

2. **Approve** that a total of \$30,000 be allocated from the Civic Square Stage 2 budget within the 2007/2008 Annual Plan for the Civic Square fence to implement the art work concept presented within the agenda report.

**CARRIED**

14 **HOUSING FOR OLDER ADULTS RENTAL INCREASES**

582/2008

MOVED by Cr Clews, seconded Cr Mitchell:

The Finance and Operational Performance Committee resolved to:

1. **Receive** the Housing for Older Adults Rental Increases report.
2. **Agree** that the requirement to fund depreciation for the new renovations of the Housing for Older Adults units under the current renewal programme from the increased tenant rentals be excluded in accordance with current Council practice.
3. **Approve** that 60 days notice be given to all Housing for Older Adults tenants to bring in line with existing policy of 25% of gross income.
4. **Agree** that a report be brought back to the Finance and Operational Committee for a decision regarding rental increases to 70% of market rental for singles and 80% for couples, to be implemented in one year's time.

**CARRIED**

15 **WATERCARE SERVICES LIMITED DRAFT STATEMENT OF CORPORATE INTENT 2008**

583/2008

MOVED by Cr Corban, seconded Cr Cooper:

The Finance and Operational Performance Committee resolved to:

1. **Receive** the Watercare Services Limited Draft Statement of Corporate Intent 2008 report.
2. **Approve** that Council's representatives on the Watercare Shareholders Representative Group be delegated authority to formalise Council's feedback on the Watercare Services Limited Draft Statement of Corporate Intent 2008.

**CARRIED**

15A **ELECTED MEMBERS REMUNERATION - REMUNERATION AUTHORITY DETERMINATION 2008/2009**

584/2008

MOVED by Cr Clow, seconded Cr Mitchell:

The Finance and Operational Performance Committee resolved to:

1. **Receive** the Elected Members Remuneration - Remuneration Authority Determination 2008/2009 report.

2. **Approve** that it be recommended to Council that the following salaries for Elected Members be recommended to the Remuneration Authority:
  - Deputy Mayor - \$77,434;
  - Chairmen of Committees:
    - (Planning and Regulatory, Finance and Operational Performance, Infrastructure and Works, NorSGA Urban Development, and Culture and Community Committees) - \$68,000.
  - Chairmen of Other Committees:
    - Chairman - Long Term Council Community Plan and Annual Plan;
    - Committee - \$65,000;
    - Chairman - Policy and Strategy, Emergency Services Committee – 0;
    - Chairman - Performance Review Committee – 0;
    - Chairman – Tenders - 0;
    - Chairman Creative Communities Funds Allocation Subcommittee – 0.
  - Deputy Chairmen:
    - Deputy Chairmen Infrastructure and Works, Planning and Regulatory and Culture and Community Committees - \$55,000.
  - Other Councillors \$52,409;
  - Community Board Chairmen - \$23,963;
  - Community Board Members - \$12,334.
3. **Approve** it be recommended to the Remuneration Authority that Councillors and Community Board Members receive a monthly 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 \$46);
  - The provision of a cell phone or mobile device to Councillors and Community Board Chairmen 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 \$35);
  - Reimbursement of the best flat rate monthly fee available to the Council for a Broadband connection suitable for Council business operations (currently \$30) (available to Community Board Chairmen but not currently available to Community Board Members).
4. **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).
5. **Approve** that Councillors and Community Board Members 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.

6. **Approve** that Councillors be paid a flat monthly fee of \$20 to cover all consumables (not currently available to Community Board Members) for computers including laptops, printers, facsimiles etc.
7. **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 monthly allowance of \$50.
8. **Note** that no other telephones, fax machines, cell phones etc will be provided to Elected Members unless specifically provided for in this determination.
9. **Approve** that when on approved Council business all actual or related expenses will be met by the Council.
10. **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) the Council also pays the approved rate to appointed Elected Member and that any infringement fees e.g. parking and speeding infringements are by law the responsibility of the offender.
11. **Approve** that the Chairman of Te Taumata Runanga be paid a salary of \$21,474.
12. **Approve** that the non-elected Te Taumata Runanga representative appointed to the Policy and Strategy Committee 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).
13. **Approve** that all appointed 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 a meeting fee of \$221.

**CARRIED**

## **PART E-REPORTS FROM THE SUBCOMMITTEES**

### **16 TENDERS SUBCOMMITTEE**

585/2008

MOVED by Cr Clews, seconded Cr Cooper:

The Finance and Operational Performance Committee resolved to:

**Receive** the meeting reports of the Tenders Subcommittee held on Friday, 7 March 2008 and Friday, 28 March 2008.

**CARRIED**

**PART F-PUBLIC EXCLUDED MATTERS**

**17 CONSENT TO VARIATION OF MORTGAGE – 19 CHURCH STREET, SWANSON (RD AND GV BRITTEN)**

**18 SEABROOK AVENUE, NEW LYNN – PROPOSED ACQUISITION OF SURPLUS SCHOOL PROPERTY**

586/2008

MOVED by Cr Clews, seconded Cr Chan:

That the public be excluded from the following parts of the proceedings of this meeting, namely; Consent to Variation of Mortgage – 19 Church Street, Swanson (RD and GV) and Seabrook Avenue, New Lynn – Proposed Acquisition of Surplus School Property.

The general subject of the matters to be considered while the public is excluded, the reason for passing this resolution in relation of the 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 the matters.	Ground(s) under Section 48(1)(a) for the passing of this resolution.
<p>Consent to Variation of Mortgage – 19 Church Street, Swanson (RD and GV Britten)</p> <p>Seabrook Ave, New Lynn – Proposed Acquisition of Surplus School Property</p>	<p>The withholding of information is necessary in order to:</p> <ul style="list-style-type: none"> <li>• protect the privacy of natural persons, including that of deceased natural persons;</li> <li>• maintain legal professional privilege.</li> <li>• enable any local authority holding the information to carry on without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).</li> </ul>	<p>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.</p>

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)(a)&(g) and 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:

- *One reports contain information which if released could affect the privacy of the individuals involved and the other report contains information which if released could affect Council's negotiations.*

**CARRIED**

11.05 am The public were excluded.

Minute Numbers 587/2008 to 588/2008 are recorded in the Confidential Section of these Minutes.

- 11.27 am Cr Cooper left the meeting.  
11.31 am The public were readmitted.

### **RESTATEMENTS**

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

#### **Consent to Variation of Mortgage – 19 Church Street, Swanson (RD and GV Britten)**

(Moved by Cr Cooper, seconded Cr Clow) (resolution 587/2008 no 4) *“Agree that the Consent to Variation of Mortgage – 19 Church Street, Swanson (RD and GV Britten) Agenda report and associated resolutions remain confidential until such time as the reasons for confidentiality no longer exist.”*

#### **Seabrook Ave, New Lynn – Proposed Acquisition of Surplus School Property**

(Moved by Cr Clews, seconded Cr Lawley) (resolution 588/2008 no 4) *“Agree that the Seabrook Ave, New Lynn – Proposed Acquisition of Surplus School Property Agenda report and associated resolutions remain confidential until such time as the reasons for confidentiality no longer exist.”*

- 11.31 am The Chairman thanked Members for their attendance and attention to business and declared the meeting closed.

CONFIRMED AT A MEETING OF FINANCE AND  
OPERATIONAL PERFORMANCE COMMITTEE  
HELD ON

**DATE:**.....

**CHAIRMAN:**.....