

**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,
8 MARCH 2010, COMMENCING AT 9.33 AM**

TABLE OF CONTENTS

<u>ITEM</u>	<u>PAGE NO.</u>
<u>PART A - OPENING OF MEETING</u>	1
1 APOLOGIES	1
2 URGENT BUSINESS	2
3 CONFLICTS OF INTEREST	2
4 CONFIRMATION OF MINUTES	2
<u>PART B - LEGAL AND CONSTITUTIONAL</u>	2
5 AFFIXATION OF COMMON SEAL	2
<u>PART D - GENERAL</u>	3
10 COUNCIL CONTROLLED ORGANISATIONS - HALF-YEARLY REPORTING	3
<u>PART C - FINANCE</u>	3
6 OPERATING AND CAPITAL EXPENDITURE FORECAST REPORT AS AT 31 JANUARY 2010	3
7 PERFORMANCE REPORT FOR THE SIX MONTHS ENDED 31 DECEMBER 2009	3
8 STATUS OF SPECIAL FUNDS	3
9 BORROWING AND INVESTMENT REPORT	4
<u>PART D - GENERAL</u>	4
11 CONTRACT NO. SD09006C - ELECTRICITY - UPDATE	4
<u>PART E - REPORTS FROM THE SUBCOMMITTEES</u>	4
12 TENDERS SUBCOMMITTEE	4
<u>PART F - PUBLIC EXCLUDED MATTER</u>	5
13 LAND ACQUISITION FOR NORSGA STORMWATER INFRASTRUCTURE UNDER THE PUBLIC WORKS ACT 1981	5

**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,
8 MARCH 2010, COMMENCING AT 9.33 AM**

PRESENT: Councillors RI Clow (Chairman)
JM Clews, QSO, JP (Deputy Chairman)
DQ Battersby, QSM, JP
BA Brady, JP
MFP Chan, JP (from 10.43 am)
LA Cooper, JP (until 10.30 am) (from 10.35 am)
AK Corban, OBE, JP
PA Hulse (from 9.55 am to 10.56 am)
MM Jolley (from 10.01 am)
VS Neeson, JP

ABSENT: Councillor RP Dallow, QPM, JP

IN ATTENDANCE: Associate Director of Finance
Director: Corporate and Business Services
Director: Finance
Acting Director: City Services
Deputy Director: Finance
Deputy Group Manager: Assets
Senior Projects and Programme Manager
Manager: Government Relations
Corporate Sustainability Manager
CCO Advisor
Financial Business Analyst: R Tan
Committee Secretary: C Fernandes

ALSO IN ATTENDANCE: Bryan Mogridge, Chairman, Waitakere City Holdings Limited
Greg Parker, Chief Executive, Waitakere Properties Limited
Bryan Taylor, Chairman, Waitakere Properties Limited
Ross Jewell, Board Member, Waitakere Properties Limited and Council/
Shareholder Representative for Auckland Film Studios
Darryn Grant, Waitakere Enterprise Trust Board

PART A - OPENING OF MEETING

1 APOLOGIES

245/2010

MOVED by Cr Neeson, seconded Cr Cooper:

That apologies from Crs Flaunty, Lawley and Mitchell for absence, and Crs Chan, Hulse and Jolley 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

246/2010

MOVED by Cr Cooper, seconded Cr Neeson:

The Finance and Operational Performance Committee resolved to:

Receive the minutes of the meeting of the Finance and Operational Performance Committee held on Monday, 8 February 2010, as circulated, and that they be taken as read and now be confirmed.

CARRIED

PART B - LEGAL AND CONSTITUTIONAL

5 AFFIXATION OF COMMON SEAL

247/2010

MOVED by Cr Neeson, seconded Cr Cooper:

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

248/2010

MOVED by Cr Clews, seconded Cr Neeson :

That Item 10: Council Controlled Organisations - Half Yearly Reporting be accorded precedence at this time.

CARRIED

PART D - GENERAL

10 COUNCIL CONTROLLED ORGANISATIONS - HALF-YEARLY REPORTING

9.55 am Cr Hulse entered the meeting.

10.01 am Cr Jolley entered the meeting.

249/2010

MOVED by Cr Brady, seconded Cr Clews:

The Finance and Operational Performance Committee resolved to:

Receive the Council Controlled Organisations - Half-Yearly Reporting report.

CARRIED

The Order of Business resumed at Item 6: Operating and Capital Expenditure Forecast report as at 31 January 2010.

PART C - FINANCE

6 OPERATING AND CAPITAL EXPENDITURE FORECAST REPORT AS AT 31 JANUARY 2010

10.30 am Cr Cooper left the meeting.

250/2010

MOVED by Cr Clews, seconded Cr Corban:

The Finance and Operational Performance Committee resolved to:

Receive the Operating and Capital Expenditure Forecast report as at 31 January 2010.

CARRIED

7 PERFORMANCE REPORT FOR THE SIX MONTHS ENDED 31 DECEMBER 2009

251/2010

MOVED by Cr Clow, seconded Cr Jolley:

The Finance and Operational Performance Committee resolved to:

Receive the Performance Report for the Six Months Ended 31 December 2009.

CARRIED

8 STATUS OF SPECIAL FUNDS

252/2010

MOVED by Cr Battersby, seconded Cr Neeson:

The Finance and Operational Performance Committee resolved to:

Receive the Status of Special Funds report.

CARRIED

9 BORROWING AND INVESTMENT REPORT

253/2010

MOVED by Cr Battersby, 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.

10.35 am Cr Cooper returned to the meeting.

CARRIED

PART D - GENERAL

10 COUNCIL CONTROLLED ORGANISATIONS - HALF-YEARLY REPORTING

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

11 CONTRACT NO. SD09006C - ELECTRICITY - UPDATE

254/2010

MOVED by Cr Neeson, seconded Cr Brady:

The Finance and Operational Performance Committee resolved to:

Receive the Contract No. SD09006C - Electricity - Update report.

10.43 am Cr Chan entered the meeting.

CARRIED

10.56 am Cr Hulse left the meeting.

PART E - REPORTS FROM THE SUBCOMMITTEES

12 TENDERS SUBCOMMITTEE

255/2010

MOVED by Cr Clews, seconded Cr Clow:

The Finance and Operational Performance Committee resolved to:

Receive the meetings report of the Tenders Subcommittee held on Friday, 5 February 2010 and Friday, 19 February 2010.

CARRIED

PART F - PUBLIC EXCLUDED MATTER

13 LAND ACQUISITION FOR NORSGA STORMWATER INFRASTRUCTURE UNDER THE PUBLIC WORKS ACT 1981

256/2010

MOVED by Cr Clews, seconded Cr Neeson:

That the public be excluded from the following part of the proceedings of this meeting, Land Acquisition for NorSGA Stormwater Infrastructure Under the Public Works Act 1981.

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.
Land Acquisition for NorSGA Stormwater Infrastructure Under the Public Works Act 1981.	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)(l) 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 could affect Council's negotiations.*

CARRIED

10.57 am The public were excluded.

Minute number 257/2010 is recorded in the confidential section of these minutes.

11.04 am The public were readmitted.

RESTATEMENT

Land Acquisition for NorSGA Stormwater Infrastructure Under the Public Works Act 1981

The Finance and Operational Performance Committee resolved while the public were excluded (Moved by Cr Battersby, seconded Cr Cooper) (resolution 257/2010 no. 5) **“Agree that this report and associated attachments remain confidential until settlement for purchase of the required land has been completed.”**

11.05 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:.....