

AGENDA FOR THE FIRST MEETING OF THE 2004-2007 HENDERSON COMMUNITY BOARD TO BE HELD IN THE CIVIC CENTRE, 6 WAIPAREIRA AVENUE, LINCOLN, WAITAKERE CITY, ON THURSDAY, 11 NOVEMBER 2004, COMMENCING AT 6.30 PM

TABLE OF CONTENTS

<u>ITEM</u>		<u>PAGE NO.</u>
1	OPENING	1
2	APOLOGIES	1
3	DECLARATIONS BY MEMBERS	1
4	ELECTION OF CHAIRPERSON	2
5	ELECTION OF DEPUTY CHAIRPERSON	3
6	STATUTORY BRIEFING	4
7	ADOPTION OF MEETING SCHEDULE	8
8	ADOPTION OF STANDING ORDERS	9
9	ADOPTION OF ORDER OF BUSINESS	9
10	DELEGATIONS TO COMMUNITY BOARDS AND ESTABLISHMENT OF STREET EVENTS SUBCOMMITTEE	10
11	COMMUNITY BOARD APPOINTMENTS TO COUNCIL COMMITTEES	10
12	COMMUNITY BOARD APPOINTMENTS TO AD HOC AND EXTERNAL ORGANISATIONS	11
13	PUBLIC FORUM	14
14	HENDERSON CHRISTMAS PARADE	14
15	TE ATATU CHRISTMAS PARADE	16
16	BOARD MEMBERS' REPORTS	19

AGENDA FOR THE FIRST MEETING OF THE 2004-2007 HENDERSON COMMUNITY BOARD TO BE HELD IN THE CIVIC CENTRE, 6 WAIPAREIRA AVENUE, LINCOLN, WAITAKERE CITY, ON THURSDAY, 11 NOVEMBER 2004, COMMENCING AT 6.30 PM

In accordance with Clause 21 (4) of Schedule 7 as read with Section 54(2), of the Local Government Act 2002, the meeting shall be chaired by the Chief Executive or his nominee until the election of the Chairperson required by Clause 21 of Schedule 7 of that Act.

1 OPENING

The Chief Executive or his nominee, accompanied by the Mayor, will open the meeting and Members of the Henderson Community Board will be welcomed.



2 APOLOGIES



3 DECLARATIONS BY MEMBERS

In accordance with the provisions under Clause 14 of Schedule 7, as read with Section 54(2), of the Local Government Act 2002, Members elected to Henderson Community Board will be required to come before the Chief Executive or his nominee, accompanied by the Mayor, to make and sign the Declaration in the form prescribed as follows:

“I,, declare that I will faithfully and impartially, and according to the best of my skill and judgement, execute and perform, in the best interests of the Henderson Community, the powers, authorities and duties vested in, or imposed upon, me as a Member of the Henderson Community Board by virtue of the Local Government Act 2002, the Local Government Official Information and Meetings Act 1987, or any other Act.”

To ensure complete compliance with the Act, Councillors appointed to Henderson Community Board are also required to make and sign the Declaration in the same prescribed form.

Declarations will be made in alphabetical order as follows:

Henderson Community Board Members:-

Mr	WS	Bainbridge
Mrs	EAG	Grimmer, MNZM
Mrs	HM	Jones
Mr	SJ	McDonald
Mr	LJF	Nobilo

Councillors (as appointed to Henderson Community Board by Council on 28 October 2004):-

Cr AK Corban, OBE, JP
Cr DE Gilmore



4 ELECTION OF CHAIRPERSON

Pursuant to Clause 21 of Schedule 7, as read with Section 54(2), of the Local Government Act 2002, every Community Board is required to elect a Chairperson from its Members at its first meeting. The election shall be on the basis of open voting as required under Clause 24 of Schedule 7 of the Local Government Act 2002 with one vote by each Member (and no person having a casting vote).

Clause 25, as read with Clause 37, of Schedule 7, Local Government Act 2002 requires that the Council must determine by resolution that a person be elected or appointed by using one of the following systems of voting:

- “(a) *the voting system in sub clause (3) (**system A**)*
- “(b) *the voting system in sub clause (4) (**system B**)*”

described as follows:

- “(3) *System A –*
 - (a) *requires that a person is elected or appointed if he or she receives the votes of a majority of the Members of the local authority or committee present and voting; and*
 - (b) *has the following characteristics:*
 - (i) *there is a first round of voting for all candidates;*
and
 - (ii) *if no candidate is successful in that round there is a second round of voting from which the candidate with the fewest votes in the first round is excluded; and*
 - (iii) *if no candidate is successful in the second round there is a third, and if necessary subsequent, round of voting from which, at each time, the candidate with the fewest votes in the previous round is excluded; and*
 - (iv) *in any round of voting, if 2 or more candidates tie for the lowest number of votes, the person excluded from the next round is resolved by lot”.*
- “(4) *System B –*
 - (a) *requires that a person is elected or appointed if he or she receives more votes than any other candidate; and*
 - (b) *has the following characteristics:*
 - (i) *there is only 1 round of voting; and*
 - (ii) *if 2 or more candidates tie for the most votes, the tie is resolved by lot.”*

The Chief Executive or his nominee will call for nominations for the position of Chairperson. In the event that more than one nomination is received the Council will be asked to determine the basis of voting (i.e. as provided by either System A in subclause(3) or System B in subclause (4) above) and preferred method of lot:

Preferred Method (one of):

- Dice - Highest score determines successful candidate;
- Cards - Ace of Hearts, Ace of Diamonds, Ace of Clubs, Ace of Spades;
- Ace of Hearts determines successful candidate;
- Coin - Call heads or tails. Heads determines the successful candidate.

The Board is then requested to elect a Board Member to be Chairperson.

RECOMMENDATIONS

1. That the information be received.
2. That the Henderson Community Board elects one Member to be Chairperson of the Henderson Community Board.



5 ELECTION OF DEPUTY CHAIRPERSON

Pursuant to Clause 25 of Schedule 7 of the Local Government Act 2002, the Community Board may wish to appoint a Deputy Chairperson.

Once a Deputy Chairperson is appointed that person will retain that position for the entire term of office or until they resign from the position.

The election of a Deputy Chairperson shall be conducted on the same basis as election of the Chairperson as prescribed under Clauses 24 and 25 of the Local Government Act 2002.

RECOMMENDATIONS

1. That the information be received.
2. That the Henderson Community Board elect one Member to be Deputy Chairperson of the Henderson Community Board.



6 **STATUTORY BRIEFING**

PURPOSE OF THE REPORT

A1 The purpose of this report is to provide Members with the statutory briefing required by Clause 21(5)(c) of Schedule 7 of the Local Government Act 2002 (a copy of Clause 21 is attached at page A1).

BACKGROUND

At a workshop held on 3 November 2004, Members were given a more detailed briefing on some of the matters discussed below. At the time of circulation of the agenda Members have been sent a separate bundle of papers in a supplement containing extracts of the relevant statutory provisions referred to in this briefing to enable more convenient filing for future reference as required.

LOCAL GOVERNMENT OFFICIAL INFORMATION & MEETINGS ACT 1987 (LGOIMA)

As the title to the Act makes clear, the statute is concerned with the availability of official information to the public and the conduct of meetings of the local authority.

Information held by a local authority, which includes information held by Members, and extends to include both written information, electronic information and knowledge known to Members, must be made available on request unless good reasons exist for withholding disclosure of the information. Sections 6 and 7 of Local Government Official Information and Meetings Act set out grounds for withholding disclosure of information which include:

- The maintenance of law and order, the protection of people's safety and the prevention of crime;
- The protection of individual privacy, information given in confidence, the avoidance of prejudice or loss to Members of the public and maintaining the effective conduct of public affairs through free and frank expressions of opinion;
- Maintaining legal professional privilege and protecting sensitive commercial information and negotiations.

Where a request for disclosure of information is made, there are statutory time limits within which the request must be dealt with. If disclosure is refused, that decision can be reviewed by the Ombudsman.

The grounds for excluding the public from a meeting of the Council, or a Committee or Community Board under s.48 of Local Government Official Information and Meetings Act also turn on the provisions of s.7 of Local Government Official Information and Meetings Act. Where the public is excluded, the resolution must state the general nature of the matter being discussed, the reasons for excluding the public and identify those persons who may remain at the meeting (other than Councillors or Council officers).

Where a matter is the subject of a resolution excluding the public, or information is otherwise protected from disclosure, the Council is obliged to respect the decision to withhold that information. It may be a breach of the Councillor's duties to the Council, and to any person with whom the Council may have been dealing, to make disclosure of that information.

Sections 52 and 53 of Local Government Official Information and Meetings Act set out the circumstances of qualified privilege that attach to statements contained in an agenda or minutes of an open meeting of the Council or a Committee or a Community Board or made in an oral statement of a local authority meeting. Anything that might be defamatory is protected unless the nature of the statement was predominately motivated by ill will or took improper advantage of the occasion of publication. Oral statements made at a meeting will only be protected if made in accordance with Standing Orders (i.e. meeting rules).

THE LOCAL AUTHORITIES (MEMBERS' INTERESTS) ACT 1968

This Act is concerned with the pecuniary interests of Members arising out of contracts entered into between the Council and a Member (s.3) or in respect of matters for discussion before the Council in respect of which a Member may have a direct or indirect pecuniary interest and which is not an interest which the Member holds in common with Members of the public (s.6). Interests held by a Member are extended by deeming provisions to include interests held by the Member's spouse or any company in which the Member is interested.

Payments under contracts may not exceed \$25,000 including GST in any financial year. Section 3(3)(j) contains a specific exemption for Community Board Members in relation to contracts entered into by the Council for works which are outside the particular Board's area and in respect of which the Board has no jurisdiction or control. A breach of this requirement results in automatic loss of office and a Member who continues to act while disqualified can be liable on conviction to a fine not exceeding \$200 (ss.4 & 5).

A Member taking part in discussion or decision-making on a matter in respect of which the Member has a direct or indirect pecuniary interest commits an offence and is liable on conviction to a fine not exceeding \$100 and is automatically disqualified from office on the entry of that conviction (s.7).

The rules relating to pecuniary interests are complex and difficult to apply in practice. Members have been provided with a copy of the booklet "Conflicts of Interest" published by the Controller & Auditor-General dated August 2004 which is excellent reference material for Members to fully inform themselves as to the issues which arise in relation not only to pecuniary interests but also conflicts of interest generally. The booklet explains the exemption powers of the Auditor-General, the process for seeking an exemption, and also sets out some frequently asked questions and relevant case law.

When a pecuniary interest arises it is not sufficient for a Member to merely declare his or her interest. The Member must not participate in the discussion. If the Member is present when the matter arises, the interest must be disclosed and the minutes must record the Member's abstention from discussion and voting, for the protection of both the Member's and the Council's position.

Having declared an interest the Member should leave the Council table. The Member may leave the Chamber (if this occurs that action should be recorded in the minutes) during discussion and voting. If the matter under discussion occurs at the meeting from which the public has been excluded, the Member must leave the Chamber. If the meeting is one in respect of which the public had not been excluded, it is acceptable for the Member to withdraw and take a seat in the public gallery. Once the Member has withdrawn, his or her speaking rights are the same as a Member of the public but in any case where speaking rights are granted care must be taken not to exercise influence on decision-making because of the Member's position as an Elected Member.

THE CRIMES ACT 1961

Sections 105 and 105A of the Crimes Act 1961 are concerned with corruption and bribery. Section 105 provides for imprisonment for up to seven years for any official accepting, receiving, agreeing or attempting to obtain any bribe even for the official or any other person for any act done or permitted in his or her official capacity. Section 105A provides a similar term of imprisonment for any official who "corruptly uses or discloses any information acquired by him in his official capacity to obtain directly or indirectly any advantage or pecuniary gain for himself or any other person". In Section 99 of the Crimes Act "official" includes any Member or employee of a local authority and "bribe" means money, valuable consideration, office or employment or any benefit whether direct or indirect.

THE SECRET COMMISSIONS ACT 1910

This Act applies where a Member uses his or her position in return for some gift or other consideration to influence the Council's actions or decisions so as to benefit any person. The Act applies to any Member or officer of any local authority and deems that person to be the agent of the local authority.

Section 3 of the Act makes it an offence to corruptly give or offer anything to the agent as an inducement to reward for acting in a particular way. It is also an offence for the agent to receive a gift or other consideration (s.4).

Section 5 requires an agent making a contract on behalf of a principal to disclose to the principal any pecuniary interest which the agent has and which is not already known to the principal. Section 8 makes an offence to obtain a secret commission for procuring a contract.

The penalties for breach of the provisions of the Secret Commissions Act can be fine up to \$1,000 and imprisonment for up to two (2) years.

SECURITIES ACT 1978

Clause 21 of Schedule 7 of the Local Government Act 2002 refers to this Act but the circumstances where the provisions of the Act may be relevant to Members of Waitakere City Council are not common. The Act deals with issues surrounding the accuracy of statements made in formal documentation accompanying an issue of share securities or debt securities to the public. The circumstances where a local authority is involved in a share issue is rare. The circumstances where a local authority issues debt securities is more common but still not very frequent. It is sufficient for the purposes of this briefing to say that in circumstances where there are public issues of share or debt securities care must be taken to ensure the accuracy of the information contained in the statutory documentation. In circumstances where the information published is wrong or misleading a civil claim may lie and an offence can be committed in respect of which the penalties are severe (up to five years imprisonment and a fine up to \$300,000 and if the offence is a continuing offence, a fine not exceeding \$10,000 for every day).

LIABILITY OF COUNCILLORS

Section 43 of the Local Government Act 2002 provides that Members are not personally liable for the debts or liabilities incurred by the Council except as set out in ss.46 and 47. However any Member (or officer) who incorrectly represents that he or she has Council authority to enter into a commitment on Council's behalf may face a claim for breach of warranty of authority if the Council does not subsequently ratify the unauthorised Act. The claim for breach of warranty of authority will be for the losses suffered by the other party as a consequence of that party's inability to enforce its contractual obligations against the Council.

Sections 46 and 47 of the Local Government 2002 are commonly referred to as the "surcharge" provisions. In the circumstances set out in those sections, Members will individually be liable for loses incurred where money is unlawfully expended, an asset is unlawfully sold, a liability unlawfully incurred or there is a failure to enforce the collection of money lawfully owing to the Council. Defences are available where the actions occur without the Member's knowledge, or with the Member's knowledge but against the Member's protests, or contrary to the manner in which the Member voted when the matter came before the local authority or where the Member relied upon professional expert advice or a senior employee of the local authority. The liability of Members who are the subject of a surcharge is joint and several. A Member who is required to make payment of the surcharge in full is entitled to contribution from the other liable Members, to the extent (if any) of the financial ability of the others to make that contribution.

A Member who is concerned that a decision of the Council may give rise to the potential for a surcharge and who has voted against the matter should ensure that his or her vote be recorded in the minutes of the meeting.

GENERAL DUTIES

The Council's powers and obligations are contained in a large number of statutes, but principally the Local Government Act 2002 and the remnants of the Local Government Act 1974. These Acts set out the purposes and structure of local government and the range of activities which local authorities are authorised to undertake.

A decision of a local authority may be struck down if it is outside the powers of a local authority (*ultra vires*), if relevant considerations were ignored or irrelevant considerations were taken into account or the decision reached was "irrational" (in the public law sense i.e. that no other public body properly informed and acting properly could have reached this decision).

A Council delegates most of its decision-making to Committees, Community Boards, the Chief Executive and through the Chief Executive to other employees. Individual Councillors or Community Board Members have no power to make decisions or otherwise bind the Council other than where specifically authorised by Council. Your oath of office requires that you place the interests of the Community ahead of your personal interests, beliefs or opinions in any party politics. You may not blindly follow one point of view and disregard other factors.

Members are expected to hold views on issues and may express those views in appropriate circumstances. However the oath of office may mean on occasion that your obligation to the community will require you to exercise circumspection, or at times to keep your views to yourself. In particular, you should be careful always to ensure that you do not take a position on a matter which may later be used to show bias or predetermination. You must always be open to consider other points of view.

RECOMMENDATION

That the Statutory Briefing report be received.

Report prepared by: Denis Sheard, Legal Services Manager.



7 ADOPTION OF MEETING SCHEDULE

Section 21(5)(d) of Schedule 7 of the Local Government Act 2002 provides for the Local Authority at its first meeting to adopt a schedule of meetings. A proposed meeting schedule for the Board until December 2005 is as follows:

Thursday	2 December	2004	6.30 pm
Thursday	3 February	2005	6.30 pm
Thursday	3 March	2005	6.30 pm
Thursday	7 April	2005	6.30 pm
Thursday	5 May	2005	6.30 pm
Thursday	2 June	2005	6.30 pm
Thursday	7 July	2005	6.30 pm
Thursday	4 August	2005	6.30 pm
Thursday	8 September	2005	6.30 pm
Thursday	6 October	2005	6.30 pm
Thursday	3 November	2005	6.30 pm
Thursday	8 December	2005	6.30 pm

The Board now needs to confirm the meeting dates and times.

RECOMMENDATIONS

1. That the information be received.
2. That the Henderson Community Board adopt the meeting dates and times for the Board's Ordinary meetings until 2005 as follows:

Thursday	2 December	2004	6.30 pm
Thursday	3 February	2005	6.30 pm
Thursday	3 March	2005	6.30 pm
Thursday	7 April	2005	6.30 pm
Thursday	5 May	2005	6.30 pm
Thursday	2 June	2005	6.30 pm
Thursday	7 July	2005	6.30 pm
Thursday	4 August	2005	6.30 pm
Thursday	8 September	2005	6.30 pm
Thursday	6 October	2005	6.30 pm
Thursday	3 November	2005	6.30 pm
Thursday	8 December	2005	6.30 pm

3. That the venue for the Henderson Community Board meetings be the Civic Centre, 6 Waipareira Avenue, Lincoln, Henderson City.



8 ADOPTION OF STANDING ORDERS

Clause 27 of Schedule 7 of the Local Government Act 2002 requires that Local Authorities and Community Boards adopt a set of Standing Orders for the conduct of its meetings and those of its committees and subcommittees. The Board has traditionally adopted Waitakere City Council Standing Orders.

RECOMMENDATIONS

- 1 That the information be received.
2. That the Standing Orders of the Waitakere City Council be adopted for the 2004-2007 term of the Henderson Community Board and that any amendments made by Council during the term be taken as adopted by the Board.



9 ADOPTION OF ORDER OF BUSINESS

Standing Orders require that the Community Boards adopt an order of business for its meetings (25.1).

A suggested order of business is as follows:

ORDER OF BUSINESS

Apologies
Confirmation of Minutes
Urgent Business
Deputations/Petitions
Public Forum
Chairperson's Report
Committee Secretary's Report
Officers Reports
Notices of Motion
Board Members' Reports

RECOMMENDATIONS

1. That the information be received.
2. That the Henderson Community Board determine the Order of Business for its meeting during the 2004-2007 term of the Board.



10 DELEGATIONS TO COMMUNITY BOARDS AND ESTABLISHMENT OF STREET EVENTS SUBCOMMITTEE

At its First Meeting of the 2004-2007, Council established the Council Committees and adopted the document "Delegation to Committees and Community Boards Register", a copy of which has been circulated to Members separately.

RECOMMENDATIONS

1. That the Henderson Community Board note the authorities delegated to the Community Board and establish a Street Events Subcommittee under the Community Board as set out in the Delegation to Committees and Community Boards Register as circulated to Members.
2. That the Henderson Community Board appoint one of the Board's Members to its Street Events Subcommittee.



11 COMMUNITY BOARD APPOINTMENTS TO COUNCIL COMMITTEES

The Council has requested that the Henderson Community Board nominate one Member and one alternate Member to participate on the Hearings Committee when issues pertaining to Henderson Ward are being considered, Long Term Council Community Plan and Annual Plan Special Committee and the Community Sport Fund Allocation Subcommittee. For the Henderson Community Board an additional nomination of one Member and one alternate Member to the Lower Oratia Stream Reserve Management Plan Subcommittee is required.

The matter is forwarded accordingly for the Board's determination.

RECOMMENDATIONS

1. That the information be received.
2. That the Henderson Community Board nominate one Member and one alternate Member to participate on the Hearings Committee when issues pertaining to Henderson Ward are being considered.
3. That the Henderson Community Board nominate one Member and one alternate Member to participate on the Community Sport Fund Allocation Subcommittee.
4. That the Henderson Community Board nominate one Member and one alternate Member to participate on the Lower Oratia Stream Reserve Management Plan Subcommittee.
5. That the Henderson Community Board nominate one Member and one alternate Member to attend, with speaking rights, all meetings of the Long Term Council Community Plan and Annual Plan Special Committee held to consider, progress and approve the 2005/2006 Annual Plan.



12 COMMUNITY BOARD APPOINTMENTS TO AD HOC AND EXTERNAL ORGANISATIONS

This item is brought forward to enable the Henderson Community Board to consider the voluntary appointment of a representative on the following organisations.

Organisation	Aim/Purpose/Role	Meetings	Number to be appointed	Appointed in 2001-2004 Term
<p>Auckland Region and Far North Community Board Association Executive Committee</p> <p>Previously known as - (Auckland Region Community Boards' Association Executive Committee)</p>	<ul style="list-style-type: none"> a. To conserve, promote and advance the role of Community Boards, in local government in the Auckland Region. b. To establish goodwill, understanding, communications and mutual confidence amongst Community Boards. c. To consider issues and debates generated from Community Boards or individual Members and to act in an advocacy role on their behalf. d. To disseminate information of general interest or application regarding the role of the Community Boards and issues relevant to the proper working of Community Boards, or which are of concern or relate to the good governance of communities. e. To advocate the conferring of appropriate delegations from the Territorial Local Authorities and to develop consistency of approach to the discharge of the functions and responsibilities of Community Boards. f. To promote and facilitate good working relationships between Territorial Local Authorities and Community Boards, for the benefit of their communities. 	<p>Normally on a quarterly basis, over weekend</p>	<p>1 from each Community Board</p>	<p>Helen Jones (Alternate: Barry Shaw)</p>

Organisation	Aim/Purpose/Role	Meetings	Number to be appointed	Appointed in 2001-2004 Term
Keep Waitakere Beautiful	To create a beautiful, functional environment through community action and pride. Our objective is to develop a programme of community volunteerism. Keep Waitakere Beautiful seeks to actively involve residents in the beautification of their community. This involvement includes tree planting, re-vegetation of stream sides, removal of illegally dumped rubbish and litter, and the removal of environmental weeds.	Monthly	1 from each Community Board	Barry Shaw
Council/Police Liaison Group	<p>The City Safety Liaison Group operates as an immediate point of reference for crime and community safety issues as and when they arise in Waitakere. The group assesses, informs and makes recommendations on particular strategies and actions.</p> <p>Membership Membership of the group fluctuates according to the issues being addressed. A core group comprises: Council officers from Safe Henderson, Community Board Representatives, Police Community Relations, with additional staff from both organisations being involved as required.</p>	As required - depending on the issues being addressed.	Minimum one from each Community Board, but more are welcome.	Helen Jones
Henderson Business Liaison Group	There are 7 elected Members of the public comprising landowners and business owners from the Henderson town centre. The purpose of the meeting is for Council officers to update them on the progress of the two Council development projects in Henderson i.e. the Waitakere Central and the Waitakere Library and Unitec development and for the public Members of the group to filter this information back to the business community and bring forward to the next meeting any issues/concerns	Monthly or as necessary	2 Henderson Community Board Members and the Ward Councillors	Helen Jones and Barry Shaw (Alternate: Camille Nakhid)

Organisation	Aim/Purpose/Role	Meetings	Number to be appointed	Appointed in 2001-2004 Term
Henderson Citizens Advice Bureau	To manage the Henderson Citizens Advice Bureau Incorporated in accordance with the policies of the New Zealand Association of Citizens Advice Bureau Incorporated. The Bureau provides free to all individuals an impartial and confidential service of information, guidance and support, and makes use of the experience so gained to exert a responsible influence on the development of social policies and services, both locally and internationally.	Monthly	1 from the Henderson Community Board	Bill Postlewaight
Henderson Heritage Trust	This is a group of Henderson business persons who oversee the Falls Hotel Trust and the Henderson Heritage Trust. This Trust is now having and could play a stronger role in the future development of Henderson	Monthly or as necessary	One Council Member and one staff Member, Principal Advisor, City Projects (Henderson)	Cr Brady

RECOMMENDATIONS

1. That the information be received.
2. That the Henderson Board appoint representatives to the Ad hoc and External organisations as outlined in the agenda report.
3. That the Henderson Community Board appoint a representative to the Auckland Region and Far North Community Board Association Executive Committee, and that the representative be also given the authority to sign on behalf of the Board, both as a nominator (or seconder) for the nomination of a candidate as the New Zealand Community Board's Executive Committee Zone 1 Representative and Deputy.

Report prepared by: Ngareta Delamere, Committee Secretary.



13 **PUBLIC FORUM**

For guidance of Community Board Members, the Council's Standing Orders have the following provisions in regard to Public Forum.

- (i) Members of the public wishing to address the Board in Public Forum shall furnish their names to the Chairperson at the beginning of the meeting; and
- (ii) the Chairperson shall determine the order of speakers, and allow five minutes for speaking time;
- (iii) questions by Members are to be confined to obtaining information or clarification on matters raised by the speaker.

Section 46(7) and (7A) of the Local Government Official Information and Meetings Act 1987 provides that no resolution, decision, or recommendation may be made in respect of any specific item of business not on the agenda except to refer the items to a subsequent meeting for further discussion. Therefore, no decision may be made on matters raised in Public Forum. However, written reports on matters raised may be requested from the Chief Executive.



14 **HENDERSON CHRISTMAS PARADE**

PURPOSE OF THE REPORT

This report outlines an application from the Rotary of Henderson for a road closure on Saturday 27 November 2004 as part of the annual Henderson Christmas Parade and seeks the Henderson Community Board's approval to close roads as detailed below.

The parade will be held on Saturday 27 November 2004 irrespective of weather conditions.

BACKGROUND

The Henderson Christmas Parade is an annual event that has been held for many years. It is well organised and has been held in the past without problems. The parade starts at 10:30 am and requires road closures of no more than one hour and a half hour to complete the parade route.

STRATEGIC CONTEXT

Street events provide quality and friendly activities for the community to be part of. They support the development of community identity and create community spirit, giving a sense of belonging. As such they contribute to the Council strategic objectives in creating strong communities.

ISSUES

Route Details

A2 The parade will begin at the Falls Hotel car park and exits via Sel Peacock Drive. A left turn is made into Alderman Drive, left into Ratanui Street, straight on into Rail Side Avenue and left into Edsel Street ending in the Westfield car park (a plan is attached at page A2).

The parade is due to commence at 10:30 am and is expected to finish by 12:00 noon.

Closure Details

The following road closures are requested in order to safely carry out the parade:

- Sel Peacock Drive between Alderman Drive and Edmonton Road;
- Alderman Drive between Sel Peacock Drive and Ratanui Street;
- Ratanui Street;
- Railside Avenue between Great North Road and Edsel Street;
- Edsel Street.

The Traffic Management Plan has been provided by Action Traffic Limited and approved by Principal Transport Engineer - Construction at Transport Assets. Andrew Seavill will be the Site Traffic Management Supervisor who will implement the Traffic Management Plan and traffic safety and will be assisted by nine marshals.

Falls Hotel Car Park

The Service Manager Transport Assets and the Team Manager Parking Services have given permission for the Falls Hotel car park to be used as an assembly point. The car park will be closed 7.00 am to 11.30 am.

Public Notice

Public Notice of Council's intention to consider road closures has been given, with objections closing on Tuesday 2 November 2004.

No objections have been received at the time of report preparation and any objection received, will be tabled at the committee meeting.

RESOURCES

Public notification has been carried out by advertising the event publicly. The cost for advertising has been covered within a works order requisition. All other costs shall be borne by the applicant.

RECOMMENDATIONS

1. That the Henderson Christmas Parade report be received.
2. That approval be granted to temporarily close and prohibit traffic from 10:30 am to 12.00 noon Saturday, 27 November 2004 on the following roads:
 - Sel Peacock Drive between Alderman Drive and Edmonton Road.
 - Alderman Drive between Sel Peacock Drive and Ratanui Street.
 - Ratanui Street.
 - Railside Avenue between Great North Road and Edsel Street.
 - Edsel Street.

3. That the road closure be subject to the following conditions
- a) The closures being carried out in accordance with the Traffic Management Plan.
 - b) The applicant accepting full responsibility for marshalling, control of spectators, public and participant safety requirements and compliance with any Police directions.
 - c) The applicant appointing a qualified Site Traffic Management Supervisor to manage traffic and a safety co-ordinator. Both are to liaise with Transport Assets Engineers and New Zealand Police, and to ensure that the applicant's responsibilities are met.
 - d) St John Ambulance or other qualified personnel being in attendance at all times.
 - e) The Site Traffic Management Supervisor shall obtain, place and remove any road cones, detour signs and any other barriers in accordance with the Traffic Management Plan and as directed by New Zealand Police and/or Council officers. The applicant shall meet all associated costs.
 - f) The applicant advising all emergency services and bus operators of the road closure details.
 - g) The applicant ensuring that all litter is cleared up immediately following the event.
 - h) The applicant being notified that Council accepts no responsibility for incidents, injuries or damage caused by the event.
 - i) The applicant accepting responsibility for the cost of repairs to any Council property damaged during the event.
 - j) The applicant meeting any costs arising from Public Notices arranged by Council.

Report prepared by: Edwin Dearham, Principal Transport Engineer Construction.



15 TE ATATU CHRISTMAS PARADE

PURPOSE OF THE REPORT

This report outlines an application from the Te Atatu Community Christmas Committee for a road closure on Saturday 18 December 2004 as part of the annual Te Atatu Christmas Parade and seeks the Henderson Community Board's approval to close roads as detailed below.

The parade will be held on Saturday 18 December 2004 irrespective of weather conditions.

BACKGROUND

The Te Atatu Christmas Parade is an annual event that has been held for many years. It is well organised and has been held in the past without problems. The parade starts at 11.00 am and requires road closures of no more than an hour to complete the parade route. The only exception to this hour closure is Pringle Road that will be closed for four hours where the parade will end and entertainment will be provided to the community.

STRATEGIC CONTEXT

Street events provide quality and friendly activities for the community to be part of. They support the development of community identity and create community spirit, giving a sense of belonging. As such they contribute to the Council strategic objectives in creating strong communities.

ISSUES

Route Details

The parade will begin at the back entrance of Te Atatu Intermediate School in Hereford Street. It will then turn left into Te Atatu Road, travelling down the main centre around the roundabout and travelling through the main shopping centre, then turning left into Beach Road, finishing in Pringle Drive.

The parade is due to commence at 11.00 am and is expected to finish by 12.00 noon. The only exception to this hour closure is Pringle Road that will be closed for four hours where the parade will end and entertainment will be provided to the community.

Closure Details

The following road closures are requested in order to safely carry out the parade:

- Pringle Road closed from 10.00 am to 2.00 pm;
- Beach Road from 11.00 am to 12.00 noon;
- Te Atatu Road between Hereford Street and Beach Road from 11.00 am to 12.00 noon;
- Hereford Street from 11.00 am to 12.00 noon.

A3

The Traffic Management Plan is included attached at page A3 and has been provided by Temporary Traffic Control Limited and approved by the Principal Transport Engineer - Construction. Gary Johnson will be responsible for implanting the Traffic Management Plan and Traffic Safety and will be assisted by nine marshals.

Public Notice

Public Notice of Council's intention to consider road closures has been given, with objections closing on Tuesday, 2 November 2004.

No objections have been received at the time of report preparation and any objection received, will be tabled at the committee meeting.

RESOURCES

Public notification has been carried out by advertising the event publicly. The cost for advertising has been covered with a works order requisition No 178178. All other costs shall be borne by the applicant.

RECOMMENDATIONS

1. That the Te Atatu Christmas Parade report be received.
2. That approval be granted to temporarily close and prohibit traffic at times shown on Saturday, 18 December 2004 on the following roads:
 - Pringle Road closed from 10.00 am to 2.00 pm;
 - Beach road from 11.00 am to 12.00 noon;
 - Te Atatu Road between Hereford Street and Beach Road from 11.00 am to 12.00 noon.
 - Hereford street from 10.30 am to 12.00 noon.
3. That the road closure be subject to the following conditions:
 - a) The closures being carried out in accordance with the Traffic Management Plan.
 - b) The applicant accepting full responsibility for marshalling, control of spectators, public and participant safety requirements and compliance with any New Zealand Police directions.
 - c) The applicant appointing a qualified Site Traffic Management Supervisor to manage traffic and a safety co-ordinator. Both are to liaise with Transport Assets Engineers and New Zealand Police, and to ensure that the applicant's responsibilities are met.
 - d) St John Ambulance or other qualified personnel being in attendance at all times.
 - e) The Site Traffic Management Supervisor shall obtain, place and remove any road cones, detour signs and any other barriers in accordance with the Traffic Management Plan and as directed by New Zealand Police and/or Council officers. The applicant shall meet all associated costs.
 - f) The applicant advising all emergency services and bus operators of the road closure details.
 - g) The applicant ensuring that all litter is cleared up immediately following the event.
 - h) The applicant being notified that Council accepts no responsibility for incidents, injuries or damage caused by the event.
 - i) The applicant accepting responsibility for the cost of repairs to any Council property damaged during the event.
 - j) The applicant meeting any costs arising from Public Notices arranged by Council.

Report prepared by: Edwin Dearham, Principal Transport Engineer Construction.



16 **BOARD MEMBERS' REPORTS**

Provision has been made on this agenda for Board Members should they so wish to submit a report on their activities during the month in regard to matters within the scope and delegations of the Board. However, to comply with the provisions of the Local Government Official Information and Meetings Act 1987, no decision may be made on matters raised in Board Members' reports.

