

MAIN AGENDA



NOTICE OF MEETING

COUNCIL

I hereby give notice that an Ordinary Meeting of the Council will be held on:-

DATE: **Wednesday, 18 December 2002** **AMENDED TIME:** **4.30 pm**

VENUE: **Civic Centre, 6 Waipareira Avenue, Lincoln, Waitakere City**

to consider the business as set out herein and to take any necessary action connected therewith.

NOTE: Pursuant to Standing Order 25.8 at 4.15 pm a 10 minute Public Forum will precede the Council meeting.

1. Hana Blackmore, Painted Apple Moth

13 December 2002

Sharon Simiona
COMMITTEE SECRETARY

Telephone (09) 836 8000 extn 8820

MEMBERSHIP:

Mayor	RA	Harvey, QSO, JP
Deputy Mayor	CA	Stone
Councillors	DQ	Battersby, JP
	BA	Brady, JP
	JM	Clews, QSO, JP
	RP	Dallow, QPM, JP
	AC	Fenton
	OE	Hoskin, JP
	PA	Hulse
	JP	Lawley
	GE	Nash, JP
	VS	Neeson, JP
	GB	Presland
	GW	Russell
	DA	Yates, JP

(Quorum 8 members)

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(The reports and recommendations contained in all agendas are reports and recommendations only and are not to be construed, in any way, as Council policy until adopted.)

**AGENDA FOR AN ORDINARY MEETING OF THE COUNCIL TO BE HELD IN THE
CIVIC CENTRE, 6 WAIPAREIRA AVENUE, LINCOLN, WAITAKERE CITY,
ON WEDNESDAY, 18 DECEMBER 2002 COMMENCING AT 4.30 PM.**

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These presentations will take place at 6.30 pm.

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**AGENDA FOR AN ORDINARY MEETING OF THE COUNCIL TO BE HELD IN THE
CIVIC CENTRE, 6 WAIPAREIRA AVENUE, LINCOLN, WAITAKERE CITY,
ON WEDNESDAY, 18 DECEMBER 2002 COMMENCING AT 4.30 PM.**

1 OPENING PRAYER

Reverend Huriana (Judy) Cooper from the Hemitapu (St James) Anglican Church will say the Opening Prayer.



2 APOLOGIES



3 CONFIRMATION OF MINUTES

Ordinary - Wednesday, 27 November 2002
Special - Thursday, 28 November 2002 (Strategic Review)
Special - Monday, 9 December 2002 (Civic Future Project)

RECOMMENDATION

That the minutes of the Ordinary Meeting of the Council held on Wednesday, 27 November 2002, the Special Meeting of the Council (Strategic Review) held on Thursday, 28 November 2002 and the Special Meeting of the Council (Civic Future Project) held on Monday, 9 December 2002, as circulated, be taken as read and now be confirmed.



4 URGENT BUSINESS

Section 46A(7) and (7A) of the Local Government Official Information and Meetings Act 1987 provides that where an item of business is not on the agenda, it may only be dealt with at the meeting if:

- (i) the item is a minor matter; and
- (ii) the Chairperson has explained at the beginning of the meeting (when open to the public) that the item will be raised for discussion, why the item is not on the agenda, and why it cannot be delayed until a subsequent meeting; and
- (iii) the Council resolves to deal with the item.

No resolution, decision, or recommendation may be made in respect of the item except to refer the item to a subsequent meeting for further discussion.

NOTE: Urgent business need not be dealt with now and may be delayed until later in the meeting.



PART A - REPORT OF THE MAYOR

The report of the Mayor will be circulated under separate cover with this agenda.



PART B - TE TAUMATA RUNANGA AND COMMUNITY BOARDS

5 TE TAUMATA RUNANGA

I NOHO TE TAUMATA RUNANGA KOMITI I TE MANE MAI TE IWA O HAKIHEA 2002

YOUR COMMITTEE SUBMITS THE FOLLOWING REPORT OF ITS ORDINARY MEETING HELD ON MONDAY, 9 DECEMBER 2002

MATTERS CONSIDERED

*1 - 5
Part B*

Your Committee dealt with a number of items for which it has delegated powers to act and a copy of the minutes of the meeting is attached at pages 1 to 5 in the supplement labelled Part B.

NGA TAKE E WHIRIWHIRIA

E whakatau ana Te Taumata Runanga i nga take i whakamanangia i te ture he whakaahua o nga tuhi kua tonoa ki nga mema o te Kaunihera.

Your Committee Recommends:

That the report of the Ordinary Meeting of Te Taumata Runanga held on Monday, 9 December 2002 be received.

Te Warena Taua
CHAIRPERSON



6 NEW LYNN COMMUNITY BOARD

THE BOARD SUBMITS THE FOLLOWING REPORT OF ITS ORDINARY MEETING HELD ON MONDAY, 2 DECEMBER 2002

1. NEW FOOTPATH CONSTRUCTION

The Board Recommends:

That due to the following policy differences between the allocation method at the inter and intra ward levels, the new footpath budget allocation policy be reviewed before the next year's budget and with input from the Community Boards.

INTER-WARD	INTRA-WARD
Length of road with no footpath	Road width and shoulder width
Length of road with one footpath	Sight distances
Total backlog	Traffic volumes
	Likely number of pedestrians
	Number/locality of generators or attractors of pedestrians

2. 2003 BI-ANNUAL COMMUNITY BOARD CONFERENCE IN NEW PLYMOUTH

The Board Recommends:

That the Board's appointment of Gayle Marshall as the New Lynn Community Board's representative to attend the 2003 Bi-annual Community Board Conference in New Plymouth, be endorsed.

3. OTHER MATTERS CONSIDERED

The Board dealt with a number of items for which it has delegated powers to act and a copy of the minutes of the meeting is attached at pages 6 to 11 in the supplement labelled Part B.

The Board Recommends:

That the report of the Ordinary Meeting of the New Lynn Community Board held on Monday, 2 December 2002 be received.

EG Francke
CHAIRPERSON

6 - 11
Part B



7 **WAITAKERE COMMUNITY BOARD**

**THE BOARD SUBMITS THE FOLLOWING REPORT OF ITS ORDINARY MEETING
HELD ON TUESDAY, 3 DECEMBER 2002**

1. **SWANSON RESERVES MANAGEMENT PLAN**

The Board Recommends:

1. That the Site Management Committee be re-established to work in an advisory capacity to the Kay Road balefill site of the Draft Swanson Reserves Management Plan.
2. That David Hallett be appointed as Waitakere Community Board's representative on the Site Management Committee.

NOTE: The Terms of Reference for the re-establishment of the Kay Road Balefill Site Management Committee will be presented to the Council's February 2003 meeting for approval.

2. **OTHER MATTERS CONSIDERED**

The Board dealt with a number of items for which it has delegated powers to act and a copy of the minutes of the meeting is attached at pages 12 to 19 in the supplement labelled Part B.

The Board Recommends:

That the report of the Ordinary Meeting of the Waitakere Community Board held on Tuesday, 3 December 2002 be received.

CA Shepherd, JP
CHAIRPERSON

12 - 19
Part B



8 **MASSEY COMMUNITY BOARD**

**THE BOARD SUBMITS THE FOLLOWING REPORT OF ITS ORDINARY MEETING
HELD ON WEDNESDAY, 4 DECEMBER 2002**

1. **LINCOLN ROAD - BUS PRIORITY LANE**

The Board Recommends:

That it be resolved by way of Special Order Bylaw No. 7 1991 Traffic, Amendment 6, 2003, as set out:

AMENDMENT TO BYLAW No. 7 1991, TRAFFIC

The Waitakere City Council acting in pursuance and exercise of the power and authorities conferred on it by the Local Government Act 1974, the Transport Act 1962, Traffic Regulations 1976 the Bylaws Acts 1910 and all other powers and authorities in any way enabling it **HEREBY RESOLVES BY SPECIAL ORDER** the following amendment to Bylaw No. 7 1991, Traffic hereby:-

1. **SHORT TITLE**

The Short Title of this Bylaw shall be the Waitakere City Council Bylaw No. 7 1991, Traffic, Amendment No. 6, 2003.

2. **COMMENCEMENT**

This Amendment shall come into force on 6 March 2003.

3. **AMENDMENT**

Bylaw No. 7 1991, Traffic is amended by adding after clause 10 - CYCLE TRACKS the following clause entitled "BUS PRIORITY LANE"

10A) BUS PRIORITY LANE

10A.1 The Council or any duly delegated committee of the Council including a community board may at anytime and from time to time by resolution determine that any part of street which shall be defined in such resolution shall be a 'bus priority lane' for the purposes of this Bylaw.

10A.2 The Council or any duly delegated committee of the Council including a community board may at any time by resolution prohibit, limit or restrict all classes of vehicle from using any 'bus priority lane' except for large passenger service vehicles, bicycles, police and traffic enforcement vehicles, emergency vehicles, and by any vehicle for a distance of not more than 50 metres for the purpose of turning into or out of side streets and properties.

10A.3 The Council or any duly delegated committee of Council including a community board may further and in like manner prohibit the parking of any vehicles in any bus priority lane in excess of a period fixed by such resolution.

10A.4 The Council shall maintain in or on the street a notice, traffic sign, marking or sign indicating a bus priority lane and the nature of such prohibition, limitation or restriction and purposes so determined.

10A.5 No person or driver in charge of any vehicle shall stop, stand or park it whether attended or unattended in any such lane where such a notice, traffic sign, marking or sign on the street is maintained except in conformity with the terms of such prohibition, limitation or restriction or for the purposes so determined.

2. **ADVERTISING**

That the Council duly advertise its intention to introduce the bylaw:

- (i) Not less than 21 clear days before confirming its intention to introduce the bylaw, and again,
- (ii) Not more than 14 days nor not less than 7 clear days before introducing the bylaw.

3. **CONFIRMATION**

That the Special Order be set down for confirmation at an ordinary meeting of Council scheduled for Wednesday, 26 February 2003, commencing at 5.30 pm.

2. **OTHER MATTERS CONSIDERED**

20 - 25
Part B

The Board dealt with a number of items for which it has delegated powers to act and a copy of the minutes of the meeting is attached at pages 20 to 25 in the supplement labelled Part B.

The Board Recommends:

That the report of the Ordinary Meeting of the Massey Community Board held on Wednesday, 4 December 2002 be received.

RF Jessopp
CHAIRPERSON



9 **HENDERSON COMMUNITY BOARD**

**THE BOARD SUBMITS THE FOLLOWING REPORT OF ITS ORDINARY MEETING
HELD ON THURSDAY, 5 DECEMBER 2002**

MATTERS CONSIDERED

26 - 32
Part B

The Board dealt with a number of items for which it has delegated powers to act and a copy of the minutes of the meeting is attached at pages 26 to 32 in the supplement labelled Part B.

The Board Recommends:

That the report of the Ordinary Meeting of the Henderson Community Board held on Thursday, 5 December 2002 be received.

HM Jones

CHAIRPERSON



PART C - REPORT OF THE CHIEF EXECUTIVE

10 RESOURCING FOR ECOTECH PROJECTS

PURPOSE OF THE REPORT

The purpose of this report is to present a framework to address resource requirements for Council to support EcoTech projects.

BACKGROUND AND STRATEGIC CONTEXT

Council has been working closely with the Waitakere EcoTech working party to meet community and business challenges to improve access and use of Information Communication Technology (ICT) in order to improve social and economic well-being in the City. In November 2002, the City Development Committee requested that comment be provided on the resource implications of progressing priority projects identified by the Waitakere EcoTech working party (resolution 3237/2002).

The City Development Committee has agreed that ensuring the provision of resources to support EcoTech projects is a strategic priority for the City.

ISSUES

The working group has made significant progress in determining initial priorities and a work programme for the City in this area. Priorities include: the development of a City-wide Web Strategy, development of a City Web Portal, and a launch/ public relations campaign around the programme.

As noted in the previous report to the City Development Committee, Council's commitment to addressing increasing demands for improved access, content and use of Information Communications Technology (ICT) has placed pressure on existing resources to progress and deliver on projects. It has become apparent that Council resources will be required to facilitate initial work undertaken by the Waitakere EcoTech Advisory Group to get the project up and running to a point where it can request external funding (i.e. to develop a City-Wide Web Portal).

RESOURCES

As discussed at the City Development Committee meeting, this programme of work is, in the main, additional to approved the Annual Plan work programme. Staff have now discussed the best way to reprioritise existing work in order to meet Council's requirements in relation to this programme.

The following steps are proposed:

- Budget allocations for capital expenditure on Information Technology are to be reprioritised to enable the interim development of a City Web Portal. This expenditure will comprise the purchase of hardware to host the portal and the use of consultant time to establish the portal.

- A “Business Champion” role has been identified within the Annual Budget process and this role has yet to be filled. Council has prioritised the EcoTech programme as a key economic and community development strategy. The Business Champion role has strong links with the EcoTech programme – the work required around EcoTech involves co-ordination and liaison with the business and wider community, and internal communication of Council’s activities to pursue outcomes beneficial to the business (and broader) community. It is suggested that the EcoTech programme be prioritised as the focus for Year One of the “Business Champion” role and work programme.
- Additional administrative and project support requirements will be absorbed into existing staff resources in the Democratic Support area.

This approach is being suggested to meet resourcing requirements in the 2002/2003 Annual Plan year. If Council wishes to continue to give this programme high priority, the adequate resourcing of it will be required in the 2003/2004 Annual Plan and beyond. Programme proposals to enable the appropriate level of resourcing will be included for Council’s consideration in the Annual Plan process.

CONCLUSION

Progress is being made to clarify resource requirements for EcoTech projects and to address short-term gaps in the availability of resources. Capacity and funding for internal and external resources can be sourced via existing budgets for the remainder of the 2002/2003 financial year providing reprioritisation decisions are made. Resources will be proposed via the annual budget process for 2003/2004 to enable ongoing work in the area.

RECOMMENDATIONS

1. That the information be received.
2. That the resourcing framework and reprioritisation proposal outlined in the agenda report be approved.

Report prepared by: Ann Magee, Director: Strategy and Development and Ross McLeod, Director: Corporate and Civic Services.



11 DELEGATIONS TO OFFICERS AND MAYORAL TASKFORCE ON WHENUAPAI

DELEGATIONS TO OFFICERS

Pursuant to Section 715 of the Local Government Act 1974, the Council may make delegations to officers of the Council in order to allow for the efficient conduct of Council business. Section 716 of this Act allows officers to delegate those powers to other officers.

The “Delegations to Officers” adopted in October 2001 has been amended to incorporate changes made to the Council’s Directorate through the Chief Executive’s Organisational Review Project. Where new legislation has been enacted (e.g. the Civil Defence Emergency Management Act 2002) consequential alterations have also been made.

A1 - A79

A copy of the amended document “Delegations to Officers” is circulated to members as a separate Appendix at pages A1 to A79. The document has been prepared in accordance with Sections 715 and 716 of the Act, and is in order for adoption.

MAYORAL TASKFORCE ON WHENUAPAI

A80 - A84

Also attached at pages A80 to A84 of that separate appendix are the Terms of Reference for the Mayoral Taskforce on Whenuapai for adoption by the Council.

RECOMMENDATIONS

1. That the information be received.
2. That the “Delegations to Officers” document, as circulated separately, be adopted.
3. That the said delegations supersede all previous delegations to Officers.
4. That the Mayoral Taskforce on Whenuapai Terms of Reference be adopted.

Report prepared by: Darryl Griffin, Manager Democracy and Support Services.



12 WAITAKERE PLAYHOUSE THEATRE TRUST - UPDATE OF STATUS / ISSUES

This report was not available at time of print and will be circulated separately.

HV O'Rourke
CHIEF EXECUTIVE



PART D - CONFIDENTIAL ITEMS

13 HOBSONVILLE LEGAL ISSUES AROUND CREATION OF TITLES

14 WAITAKERE CITY COUNCIL CIVIC FUTURE PROJECT

15 HENDERSON TOWN CENTRE DEVELOPMENT

These items will be considered in the Confidential Supplement of the agenda, and have been circulated to members separately with this agenda.

PROCEDURAL MOTION TO EXCLUDE THE PUBLIC

1. That the public be excluded from the following part of the proceedings of this meeting, namely Hobsonville Legal Issues Around Creation of Titles, Waitakere City Council Civic Future Project and Henderson Town Centre Development.

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(s) under Section 48(1)(a) for the passing of this resolution.
<ul style="list-style-type: none"> • Hobsonville Legal Issues Around Creation of Titles • Waitakere City Council Civic Future Project • Henderson Town Centre Development 	<p>The withholding of information is necessary in order to:</p> <ul style="list-style-type: none"> • Maintain legal professional privilege • Enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations). 	<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)(g)(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:

- *These reports contain information which if released would affect the Council's negotiations and legal and professional advice which is subject to legal and professional privilege.*

NOTE: The Waitakere City Civic Future Project and Henderson Town Centre Development are provided for in case the Special meeting of Council to be held at 3.00 pm on Wednesday, 18 December 2002 refers matters to the Council for further deliberation.



PART E - STANDING COMMITTEE REPORTS

16 CITY DEVELOPMENT COMMITTEE

YOUR COMMITTEE SUBMITS THE FOLLOWING REPORT OF ITS ORDINARY MEETING HELD ON MONDAY, 9 DECEMBER 2002

1. MCCAHERN HOUSE TRUST

Your Committee Recommends:

That the properties at 67 and 69 Otitori Bay Road be sold to the McCahon House Trust for a nominal sum, subject to the execution of a Memorandum of Encumbrance between Council and the Trust, to be developed and reported back to Council for approval.

2. OTHER MATTERS CONSIDERED

Your Committee dealt with a number of items for which it has delegated powers to act and a copy of the minutes of the meeting is attached at pages 1 to 12 in the supplement labelled Part E.

Your Committee Recommends:

That the report of the Ordinary Meeting of the City Development Committee held on Monday, 9 December 2002 be received.

CA Stone
CHAIRPERSON

*1 - 12
Part E*



17 ENVIRONMENTAL MANAGEMENT COMMITTEE

YOUR COMMITTEE SUBMITS THE FOLLOWING REPORT OF ITS ORDINARY MEETING HELD ON TUESDAY, 10 DECEMBER 2002

MATTERS CONSIDERED

Your Committee dealt with a number of items for which it has delegated powers to act and a copy of the minutes of the meeting is attached at pages 13 to 18 in the supplement labelled Part E.

Your Committee Recommends:

That the report of the Ordinary Meeting of the Environmental Management Committee held on Tuesday, 10 December 2002 be received.

PA Hulse
CHAIRPERSON

*13 - 18
Part E*



18 FINANCE AND OPERATIONAL PERFORMANCE COMMITTEE

This report was not available at time of print and will be circulated separately.



PART F - PRESENTATIONS

These presentations will take place at 6.30 pm.

19 RUDI SUNDE

Rudi Sunde has just released a CD of Sea Shanties for the Americas Cup. Rudi with the support of five others, will perform a couple of his Shanties for the Council.



20 MASSEY LEISURE CENTRE

The Massey Leisure Centre recently won the NZRA/SPARC Win/Win Best Facility Award. The award was presented to the YMCA and Waitakere City Council and now the YMCA would like to present this award to Mayor Bob Harvey, in recognition of the partnership between the two organisations at the Massey Leisure Centre.

John Fairhurst, Pat Gross and Shona Ballinger from YMCA will attend the meeting to present this award to Mayor Bob Harvey and the Council.



PART G - PROCEDURAL MATTERS

21 QUESTIONS

Pursuant to Standing Order 39.2, any member of the local authority may at any ordinary meeting of the local authority at the appointed time, put a question to the Mayor as Chairperson of the local authority, or through the Mayor to the Chairperson of any standing or special committee, or to any officer of the local authority concerning any matter relevant to the role or functions of the local authority concerning any matter that does not appear on the order paper, nor arises from any committee report or recommendation submitted to that meeting.

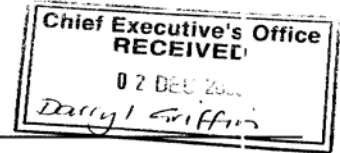


22 NOTICES OF MOTION

Notices of motion shall be in writing by the mover, stating the meeting at which it is proposed that the notice of motion be considered, and shall be delivered to the Chief Executive at least five clear days before such meeting.



to
DARRYL URGENT
3/12/02



Memorandum

To	Chief Executive Waitakere City Council
From	Councillor Battersby
Date	2 December 2002
Subject	Notice of Motion - European Commission International Learning Conference

I would like, pursuant to Standing Order 28.1 to include the following Notice of Motion on the agenda of the Council meeting to be held on Wednesday, 18 December 2002 commencing at 5.30 pm:

"That Council authorise Cr J Lawley to attend the European Commission International Learning Conference and that Council pay all costs associated with the Conference."



Councillors DQ Battersby, JP

02.12.2002 4:05 received

L:\Corporate Services\Committee Secretary\Agenda\COMMWORK\2002\Council\Notice of Motion.doc 02/12/2002 Page 1 of 1

Juanita
Time of costs not included
2/12



23 CLOSING PRAYER