

**MINUTES OF AN ORDINARY MEETING OF THE COUNCIL HELD IN THE CIVIC  
CENTRE, 6 WAIPAREIRA AVENUE, LINCOLN, WAITAKERE CITY,  
ON WEDNESDAY, 30 JUNE 2004, COMMENCING AT 5.30 PM**

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**PRESENT:**

Mayor	RA	Harvey, QSO, JP
Councillors	DQ	Battersby, JP
	BA	Brady, JP (from 5.38 pm)
	JM	Clews, QSO, JP
	RP	Dallow, QPM, JP (from 6.09 pm until 6.40 pm)
	AC	Fenton
	OE	Hoskin, MNZM, JP (from 5.53 pm)
	PA	Hulse
	JP	Lawley (until 6.40 pm)
	GE	Nash, QSM, JP
	VS	Neeson, JP (until 6.40 pm)
	GB	Presland
	GW	Russell, JP
	DA	Yates, JP

**TE TAUMATA  
RUNANGA:**

M Te Huia (Te Taumata Runanga)

**COMMUNITY  
BOARDS:**

EG Francke	(Chairperson New Lynn Community Board)
C A Shepherd, JP	(Chairperson Waitakere Community Board)
RF Jessopp	(Chairperson Massey Community Board)
HM Jones	(Chairperson Henderson Community Board)

**IN ATTENDANCE:**

Chief Executive  
Director: Strategy & Development  
Director: Corporate & Civic Services  
Director: Quality Assurance  
Director: Public Affairs  
Director: Finance  
Manager Maori Issues  
Group Manager: Democracy and Support Services  
Group Manager: Asset Management  
Group Manager: Strategic Planning & Policy  
Group Manager: Regulatory  
Manager: Legal Services  
Business Unit Manager Solid Waste  
Administration Manager: Regulatory  
Security Manager  
Quality Assurance & Aftercare Liaison Officer  
Democracy and Governance Team Manager  
Committee Secretary: S Simiona  
A Chan  
O Schuster  
N Delamere

**ALSO PRESENT:**

Dean Calvert, General Manager, IMG  
Cameron Parr, Group Manager: Recreation & Community Services,  
Auckland City Council

## **OPENING OF MEETING**

### **1 OPENING PRAYER**

Captain Stephen Jarvis from the Glen Eden Salvation Army said the Opening Prayer.

### **2 APOLOGIES**

1152/2004

MOVED by Cr Neeson, seconded Cr Fenton:

That apologies from Cr Stone for absence and Crs Brady, Dallow and Hoskin for lateness be received and sustained.

**CARRIED**

### **3 CONFIRMATION OF MINUTES**

1153/2004

MOVED by Cr Clews, seconded Cr Presland:

That the minutes of the Ordinary Meeting of the Council held on Wednesday, 26 May 2004, as circulated, be taken as read but with an amendment to Item 21: Awa Hudson, the word "*Waitakere*" be deleted and replaced with the word "*Waitemata*" and now be confirmed.

**CARRIED**

## **PRECEDENCE OF BUSINESS**

1154/2004

MOVED by Cr Battersby, seconded Cr Neeson:

That Part G Presentations: Item 22: 2004 Reciprocal Sister City Student Exchange To Kakogawa, Japan be accorded precedence at this time.

**CARRIED**

## **PART G - PRESENTATION**

### **22 2004 RECIPROCAL SISTER CITY STUDENT EXCHANGE TO KAKOGAWA, JAPAN**

From 13 to 27 April 2004, eight students from Green Bay High School and Massey High School, Fred Chyan, Amy Keal, Martin Child, Laureen Williams, Lance van Niekerk, Do Young Ka, Yea Young Lee and Briar Engle, the two Council chaperons, Tracy Haggo and Neville Colling, and a support teacher from Green Bay High School participated on the reciprocal Sister City Student Exchange to Kakogawa, Japan.

Amy Keal, Martin Child, Laureen Williams and Lance van Niekerk were present at the meeting and relayed to the Council the highlights of the Exchange.

5.38 pm Cr Brady entered the meeting.

The Order of Business resumed at Item 4: Urgent Business.

**4 URGENT BUSINESS**

There was no Urgent Business.

**PART B - REPORT OF THE MAYOR**

1155/2004

MOVED by Cr Clews, seconded Cr Yates;

That the Report of the Mayor be received.

**CARRIED**

5.53 pm Cr Hoskin entered the meeting.

**Obituaries**

As a mark of respect at the passing of Mr Les Pratt, former Chairperson and Member of the Massey Community Board and Mr Peter Allen, founding Principal of Henderson High School, Mayor Bob Harvey asked the Council to stand for a moments silence.

**Developing Regional Events - V8 Streetcar Racing**

Mayor Bob Harvey invited Dean Calvert, General Manager, IMG and Cameron Parr, Group Manager: Recreational and Community Services, Auckland City Council to address the Council on the proposed V8 Streetcar Racing.

6.09 pm Cr Dallow entered the meeting.

1156/2004

MOVED by Cr Fenton, seconded by Cr Presland:

1. That, in view of the broad economic benefits for the Auckland region and provided traffic impacts can be adequately managed, Council advises Auckland City Council that it supports the proposal to hold a series of international V8 car races from 2006 to 2012.
2. That the Chief Executive provides Council with regular progress reports on this issue.

**CARRIED**

## **TE TAUMATA RUNANGA AND COMMUNITY BOARDS**

### **5 TE TAUMATA RUNANGA**

1157/2004

MOVED by Cr Lawley, seconded Cr Yates:

That the report of the Ordinary Meeting of Te Taumata Runanga held on Monday, 14 June 2004 be received.

**CARRIED**

### **6 NEW LYNN COMMUNITY BOARD**

1158/2004

MOVED by Cr Clews, seconded Cr Presland:

That the report of the Ordinary Meeting of the New Lynn Community Board held on Monday, 31 May 2004 be received.

**CARRIED**

### **7 WAITAKERE COMMUNITY BOARD**

#### **1 PIHA COMMUNITY CENTRE SOCIETY AND LES WAYGOOD PARK**

1159/2004

MOVED by Cr Hulse, seconded Cr Yates:

That, in the absence of any written objections, the reserve status of Lot 2 on Deposited Plan 17398 be revoked in order that this Lot may be sold to the Piha Community Centre Society Incorporated.

**CARRIED**

#### **2 OTHER MATTERS CONSIDERED**

1160/2004

MOVED by Cr Hulse, seconded Cr Yates:

That the report of the Ordinary Meeting of the Waitakere Community Board held on Tuesday, 1 June 2004 be received.

**CARRIED**

### **8 MASSEY COMMUNITY BOARD**

#### **1 COMMUNITY GARDEN FOR MARINICH RESERVE**

1161/2004

MOVED by Cr Nash, seconded Cr Hoskin:

1. That Pursuant to Section 53(1)(a)(ii) of the Reserves Act 1977, the Council determine to farm part of Marinich Reserve (part Lot 59, Deposited Plan 130290) as part of a development, improvement or management programme.

2. That in the absence of any objections or submissions, the Chief Executive be given authority to apply to the Minister of Conservation for consent to grant a lease to the Ranui Action Project Incorporated for a community garden and to negotiate and execute a lease with that society under Section 73(1) of the Reserves Act 1977.

**CARRIED**

**2. OTHER MATTERS CONSIDERED**

1162/2004

MOVED by Cr Nash, seconded Cr Hoskin:

That the report of the Ordinary Meeting of the Massey Community Board held on Wednesday, 2 June 2004 be received.

**CARRIED**

**9 HENDERSON COMMUNITY BOARD**

1163/2004

MOVED by Cr Fenton, seconded Cr Brady:

That the report of the Ordinary Meeting of the Henderson Community Board held on Thursday, 3 June 2004 be received.

**CARRIED**

**REPORTS OF THE CHIEF EXECUTIVE**

**10 CONTRACT NO. TA03550B - SEALED ROAD MAINTENANCE 2004**

1164/2004

MOVED by Cr Battersby, seconded Cr Russell:

1. That Contract No. TA03550B - Sealed Road Maintenance 2004 report be received.
2. That the tender for Option 2 (36-month contract) from Fulton Hogan Limited for Contract No. TA03550B - Sealed Road Maintenance 2004 in the sum of \$23,654,257.59 plus \$2,956,782.20 GST, totalling \$ 26,611,039.79 be accepted.
3. That the commitment of \$8,180,253.00 excluding GST to the 2004/2005 Annual Plan for Contract No. TA03550B - Sealed Road Maintenance 2004/2005 be approved.
4. That the commitment of \$8,268,000.00, excluding GST to the 2005/2006 Annual Plan, and \$8,280,000.00 excluding GST to the 2006/2007 Annual Plan respectively for Contract No. TA03550B - Sealed Road Maintenance 2004/2005 be approved.

5. That authority to enter into Contract No. TA03550B - Sealed Road Maintenance 2004 on behalf of Council be delegated to the Group Manager: Asset Management.
6. That authority to extend Contract No. TA03550B - Sealed Road Maintenance 2004 beyond 30 June 2007 on an annual basis until 30 June 2009 based on the satisfactory performance by the contractor be delegated to the Director: City Services.

**CARRIED**

## **11 CLASSIFICATION OF LOTS 1-5 CROWS PARK AS RECREATION RESERVE**

1165/2004

MOVED by Cr Nash, seconded Cr Hulse:

1. That the Classification of Lots 1-5 Crows Park As Recreation Reserve report be received.
2. That subject to the completion of the necessary statutory processes, the following parcels be classified as Recreation Reserve pursuant to Section 14 of the Reserves Act:
  - a) 2878 m2 more or less, being Lot 1 DP 21079, All Certificate Of Title NA 38A/2;
  - b) 2894 m2 more or less, being Lot 2 DP 21079, All Certificate Of Title NA38A/3;
  - c) 2876 m2 more or less, being Lot 3 DP 21079, All Certificate Of Title NA38A/4;
  - d) 2858 m2 more or less, being Lot 4 DP 21079, All Certificate Of Title NA38A/5;
  - e) 1085 m2 more or less, being Lot 5 DP 21079, All Certificate Of Title NA38A/6.

**CARRIED**

## **12 HUGH BROWN CARPARK, NEW LYNN**

1166/2004

MOVED by Cr Clews, seconded Cr Presland:

1. That the Hugh Brown Carpark, New Lynn report be received.
2. That approval be given to transfer Lot 5 DP 41964 containing 1523m<sup>2</sup>, and part Lots 39 and 40 DP 20556, containing 3531m<sup>2</sup>, being the lands comprised in Certificates of Title Nos. NA1127/82 and NA1109/39 to Waitakere Properties Limited subject to the usual Declaration of Trust mechanism for the purpose of undertaking subdivision and/or development on Council's part as a public work, provided, however, that any actual development proposal be subject to Council approval prior to any application being lodged for Resource Consent.

3. That no action be initiated by Waitakere Properties Limited other than the preliminary subdivision identified in the report, and action to remove easements and other impediments, pending a full report to Council by the Group Manager: City Development Projects.

**CARRIED**

**13 REGULATORY FEES AND CHARGES 2004/2005**

1167/2004

MOVED by Cr Nash, seconded Cr Dallow:

1. That the Regulatory Fees And Charges 2004/2005 report be received.
2. That the Regulatory Fees and Charges 2004/2005 as attached at pages A11 to A20 to the Agenda and made pursuant to Section 28 of the Building Act 1991, Section 150 of the Local Government Act 2002, the Health Registration of Premises Regulations, the Food Hygiene Regulations and the relevant Council Bylaws as appropriate, be adopted and come into force on 1 July 2004 and remain in force until specifically revoked or amended.

**CARRIED**

**14 SHARED SERVICES REFUSE COLLECTION**

1168/2004

MOVED by Cr Russell, seconded Cr Hulse:

1. That the Shared Services Refuse Collection report be received.
2. That Council resolves to tender for the city's refuse collection services due to expire on 30 June 2005 in a joint tender with Rodney District Council and North Shore City Council.
3. That the Chief Executive be authorised to carry out the tender and negotiate any agreements among the three Councils with a view to presenting a suitable option back to the Council.

**CARRIED**

**15 LOCAL GOVERNMENT NEW ZEALAND MEMBER VOTING ENTITLEMENTS**

1169/2004

MOVED by Cr Hoskin, seconded Cr Hulse:

That the Local Government New Zealand Member Voting Entitlements report be received.

**CARRIED**

**16 REPRESENTATIVE TO WAITAKERE ARTS AND CULTURAL DEVELOPMENT TRUST AND REGIONAL ARTS AND CULTURE FUNDING ALLOCATION SUBCOMMITTEE**

1170/2004

MOVED by Cr Neeson, seconded Cr Lawley:

1. That the Representative To Waitakere Arts And Culture Development Trust And Regional Arts And Culture Funding Allocation Subcommittee report be received.
2. That Lindsay Nash be appointed as a Trustee of the Waitakere Arts and Cultural Development Trust to replace Marilyn Davey as the Waitakere Central Community Arts Council representative.
3. That Lindsay Nash be appointed to the Regional Arts and Culture Funding Allocation Subcommittee to replace Janet Holtrichter as the Waitakere Central Community Arts Council representative.
4. That Janet Holtrichter be thanked for her contribution to the Regional Arts and Culture Funding Allocation Subcommittee, and Marilyn Davey for her contribution to the Waitakere Arts and Cultural Development Trust.

**CARRIED**

**17 WARRANTS OF APPOINTMENT**

1171/2004

MOVED by Cr Presland, seconded Cr Dallow:

1. That the Warrants of Appointment report be received.
2. That Warrants of Appointment to exercise the powers and responsibilities of Enforcement Officer under Section 177 of the Local Government Act 2002 and the powers under the other Acts listed be issued to the following person as follows:

<b>Name</b>	<b>Position</b>	<b>Section</b>	<b>Requirement(s) of Warrant</b>
DE VILLERS, (Tineke) Margaretha Wilhelmina Christine	Building Surveyor	Section 77 Section 177  Section 5	Building Act 1991 (1) Local Government Act 2002 (7) Litter Act 1979 (6)
WILKINSON, Desmond William	Building Surveyor	Section 77 Section 177  Section 5	Building Act 1991 (1) Local Government Act 2002 (7) Litter Act 1979 (6)
KINGSTON, Samantha	Animal Welfare Officer	Section 13 Section 8 Section 9 Section 8 Section 8	

Name	Position	Section	Requirement(s) of Warrant
DULLABH, Balvant	Customer Field Advisor - Field Services	Section 8 Section 11  Section 38  Section 77 Section 177  Section 5	Reserves Act 1977 Fencing of Swimming Pools Act 1987 Resource Management Act 1991 Building Act 1991 (1) Local Government Act 2002 (7) Litter Act 1979 (6)
HENDERSON, Boyd	Drainage & Water Engineer	Section 177	Local Government Act 2002

**CARRIED****PART E - CONFIDENTIAL**

NOTE: The Confidential Supplement contained minutes of the Standing Committees from the month of June 2004. There were no other confidential items for consideration.

**PART F - STANDING COMMITTEE REPORTS****18 CITY DEVELOPMENT COMMITTEE**

1172/2004

MOVED by Cr Presland, seconded Cr Hoskin:

That the report of the Ordinary Meeting of the City Development Committee held on Thursday, 3 June 2004 be received.

**CARRIED****19 ENVIRONMENTAL MANAGEMENT COMMITTEE**

1173/2004

MOVED by Cr Hulse, seconded by Cr Brady:

**1 CLASSIFICATION OF HENDERSON CREEK CORRIDOR RESERVES**

That subject in each instance to the completion of the necessary statutory processes, the following parcels be declared, classified or re-classified appropriately under the Reserves Act 1977.

- (a) The following parcels be Declared as Local Purpose (Community Purposes) Reserve pursuant to Section 14 of the Reserves Act 1977:

575m<sup>2</sup> more or less being Part Lot 123 DP 50809 residue CT NA8D/448.

227m<sup>2</sup> more or less being Part Lot 124 DP 50809 residue CT NA8D/449.

355m<sup>2</sup> more or less being Part Lot 125 DP 50809 residue CT NA8D/450.

- (b) The following parcels be Declared as Local Purpose (Esplanade) Reserve pursuant to Section 14 of the Reserves Act 1977:
- 313m<sup>2</sup> more or less being Allotment 638 Parish of Waipareira all CT NA33A/1342.
  - 1644m<sup>2</sup> more or less being Lot 9 DP 55828 residue CT NA3A/1430.
  - 1902m<sup>2</sup> more or less being Lot 1A DP 7645 all CT NA70A/209.
- (c) The following parcels be Classified as Local Purpose (Esplanade) Reserve pursuant to Section 16(2A) of the Reserves Act 1977:
- 338m<sup>2</sup> more or less being Part Lot 141 DP 46794 part CT NA831/110.
  - 5405m<sup>2</sup> more or less being Part Lot 142 DP 46794 part CT NA831/110.
  - 266m<sup>2</sup> more or less being Part Lot 161 DP 47631 part CT NA831/110 being area shown as "Section 2" on SO Plan 334482.
  - 8780m<sup>2</sup> more or less being Lot 37 DP 134559 part CT NA82C/61.
  - 1847m<sup>2</sup> more or less being Lot 3 DP 130997 part CT NA61D/257.
  - 1811m<sup>2</sup> more or less being Lot 4 DP 130997 part CT NA61D/257.
  - 259m<sup>2</sup> more or less being Lot 5 DP 130997 part CT NA61D/257.
  - 4479m<sup>2</sup> more or less being Part Lot 5 DP 104914 part CT NA2C/1325.
  - 2468m<sup>2</sup> more or less being Part Lot 3 DP 149953 part CT NA89C/80.
  - 452m<sup>2</sup> more or less being Lot 16 DP 170140 all CT NA103D/258.
  - 577m<sup>2</sup> more or less being Lot 46 DP 170140 all CT NA103D/268.
  - 5326m<sup>2</sup> more or less being Lot 51 DP 170140 part CT NA103D/269.
  - 3900m<sup>2</sup> more or less being Lot 52 DP 172230 all CT NA105C/109.
  - 45m<sup>2</sup> more or less being Lot 53 DP 172230 part CT NA105C/110.
  - 255m<sup>2</sup> more or less being Lot 79 DP 45661 part CT NA1131/44.
  - 6258m<sup>2</sup> more or less being Lot 4 DP 112259 part CT NA58C/633.
  - 9190m<sup>2</sup> more or less being Lot 2 DP 151743 all CT NA91D/189.
  - 1.0882ha more or less being Lot 4 DP 109243 part CT NA61A/130.
  - 3680m<sup>2</sup> more or less being Lot 12 DP 114035 part CT NA61C/347.
  - 1900m<sup>2</sup> more or less being Lot 6 DP 106359 part CT NA714/146.
  - 2275m<sup>2</sup> more or less being Lot 2 DP 120491 part CT NA22C/1210.
  - 1.1129ha more or less being Lot 68 DP 40617 part CT NA126/297.
  - 4502m<sup>2</sup> more or less being Lot 89 DP 42777 part CT NA107/133 and part CT NA1123/271.
  - 1492m<sup>2</sup> more or less being Lot 74 DP 44106 part CT NA1126/300.
  - 260m<sup>2</sup> more or less being Lot 2 DP 114211 part CT NA2047/67 and part CT NA14B/291.
  - 965m<sup>2</sup> more or less being Lot 1 DP 152180 part CT NA93C/124.
- (d) The following parcels be Classified as Local Purpose (Community Purpose) Reserve pursuant to Section 16(2A) of the Reserves Act 1977:
- 3804m<sup>2</sup> more or less being Part Lot 161 DP 47631 part CT NA831/110 being area shown as "Section 1" on SO Plan 334482.
  - 784m<sup>2</sup> more or less being Part Lot 141 DP 46794 part CT NA831/110 being Area "D" on SO Plan 63709.

- (e) The following parcels be Classified as Local Purpose (Road) Reserve pursuant to Section 16(2A) of the Reserves Act 1977 and contemporaneously dedicate the following parcels as legal road pursuant to Section 111 of the Reserves Act 1977:
- 1074m<sup>2</sup> more or less being Part Lot 161 DP 47631 part CT NA831/110 being Area "A" on SO Plan 63709.
  - 3626m<sup>2</sup> more or less being Part Lot 141 DP 47694 part CT NA831/110 being Area "B" on SO Plan 63709.
  - 420m<sup>2</sup> more or less being Part Lot 142 DP 46794 part CT NA831/110 being Area "C" on SO Plan 63709.
  - 420m<sup>2</sup> more or less being Part Lot 5 DP 104914 part CT NA2C/1325 being Area "D" on SO Plan 64154.
- (f) The following parcels be Classified as Recreation Reserve pursuant to Section 16(2A) of the Reserves Act 1977:
- 6176m<sup>2</sup> more or less being Lot 45 DP 45708 part CT NA201/276.
  - 4047m<sup>2</sup> more or less being Lot 46 DP 45708 part CT NA201/276.
  - 464m<sup>2</sup> more or less being Lot 38 DP 134559 all CT NA82C/62.
  - 9908m<sup>2</sup> more or less being Lot 3 DP 112259 part CT NA58C/633.
  - 3350m<sup>2</sup> more or less being Lot 89 DP 174685 all CT NA107C/95.
- (g) The following parcels be Classified as Historic Reserve pursuant to Section 16(2A) of the Reserves Act 1977:
- 188m<sup>2</sup> more or less being Lot 8 DP 130997 part CT NA61D/257.
  - 91m<sup>2</sup> more or less being Part Lot 3 DP 149953 part CT NA89C/80 being Area "B" on SO Plan 66736.
  - 47m<sup>2</sup> more or less being Part Lot 5 DP 130997 part CT NA61D/257 being Area "C" on SO Plan 66736.
  - 2032m<sup>2</sup> more or less being Lot 39 DP 134558 all CT NA82C/63.
- (h) The following parcels be Re-classified as Local Purpose (Esplanade) Reserve pursuant to Section 24 of the Reserves Act 1977:
- 1.3772ha more or less being Part Lot 161 DP 50809 part CT NA1984/78.
- (i) The following parcels be Re-classified as Local Purpose (Access way) Reserve pursuant to Section 24 of the Reserves Act 1977:
- 177m<sup>2</sup> more or less being Lot 162 DP 50809 part CT NA1984/78.
  - 152m<sup>2</sup> more or less being Lot 26 DP 54677 part CT NA5B/548.

**CARRIED**

## **2 OTHER MATTERS CONSIDERED**

1174/2004

MOVED by Cr Hulse, seconded Cr Brady:

That the reports of the Environmental Management Committee meetings be received as follows:

- a) the Ordinary Meeting held on Thursday, 27 May 2004,
- b) the reconvened Ordinary Meeting held on Thursday, 27 May 2004, and
- c) the Ordinary Meeting held on Thursday, 8 June 2004.

**CARRIED**

**20 FINANCE AND OPERATIONAL PERFORMANCE COMMITTEE****1 REVISION OF STREET DAMAGE DEPOSITS**

1175/2004

MOVED by Cr Clews, seconded Cr Brady:

That the current schedule of deposits for street damage be updated with effect from 1 October 2004, pursuant to clause 11 (a) of Bylaw No 22, 1990: Use of Public Roads, as scheduled below:

<b>Work Value</b>	<b>Deposit (per street frontage)</b>
Any residential building work below \$5,000	No deposit
Residential alterations, additions, swimming pools and associated fences	\$1,000
New single unit, single storey dwellings	\$1,000
Multi unit and multi storey dwellings (2-5 units)	\$2,500
Commercial building work, sub division work between \$5,000 and \$99,999	\$1,000
Commercial building work, sub division work between \$100,000 and \$249,999	\$2,500
Commercial building work, sub division work between \$250,000 and \$499,000	\$3,500
Commercial building work, sub division work above \$500,000	\$5,000
Building relocation, removal or demolition works	\$1,000

**CARRIED****2 OTHER MATTERS CONSIDERED**

1176/2004

MOVED by Cr Clews, seconded Cr Brady:

That the reports of the Ordinary Meeting of the Finance and Operational Performance Committee held on Monday, 14 June 2004 and the Extraordinary Meeting held on Thursday, 17 June 2004 be received.

**CARRIED****PART H - PROCEDURAL MATTERS****23 QUESTIONS**

There were no questions.

