

**MINUTES OF A MEETING OF THE COUNCIL HELD IN THE CIVIC CENTRE,
6 WAIPAREIRA AVENUE, LINCOLN, WAITAKERE CITY,
ON WEDNESDAY, 26 OCTOBER 2005,
COMMENCING AT 5.30 PM.**

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PRESENT:

Deputy Mayor	CA	Stone (Presiding)
Councillors	MFP	Chan, JP
	JM	Clews, QSO, JP
	RI	Clow
	AK	Corban, OBE, JP
	RP	Dallow, QPM, JP
	JP	Lawley
	VS	Neeson, JP

OBSERVERS:

M Te Huia	(Deputy Chairperson Te Taumata Runanga)
P van der Voort, JP	(Chairperson New Lynn Community Board)
CA Shepherd, JP	(Chairperson Waitakere Community Board)
JA Good	(Chairperson Massey Community Board)
EAG Grimmer, MNZM	(Chairperson Henderson Community Board)
GPJ Marshall	(New Lynn Community Board)
S Davies	(Waitakere Community Board)
SJ McDonald	(Henderson Community Board)
LJF Nobilo	(Henderson Community Board)

IN ATTENDANCE:

Acting Chief Executive Officer
Director: Strategy & Development
Director: Corporate & Civic Services
Director: Finance
Acting Director: Public Affairs
Group Manager: Democracy and Support Services
Library and Information Services Manager
Maori Issues Manager
Manager: Legal Services
Projects Manager Democracy
Security Manager
Group Manager: Financial Operations
Treasury Manager
Democracy and Governance Team Manager
Quality Assurance and Liaison Officer
Democracy Support and Sister City Officer
Committee Secretary: A Chan
O Schuster
N Delamere

NOTE: The Public Forum regarding Te Atatu South Library preceded this meeting.

PART A - OPENING OF MEETING

1 OPENING PRAYER

Reverend Ian McCleary, St Paul's Anglican Church, Te Atatu Peninsula said the Opening Prayer.

2 **APOLOGIES**

2018/2005

MOVED by Cr Neeson, seconded Cr Clow:

That apologies from Mayor Bob Harvey, Crs Battersby, Booth, Cooper, Flaunty, Gilmour, and Hulse for absence be received and sustained.

CARRIED

3 **CONFIRMATION OF MINUTES**

2019/2005

MOVED by Cr Neeson, seconded Cr Dallow:

That the minutes of the Meeting of the Council held on Wednesday, 21 September 2005 and Wednesday, 28 September 2005 including the public excluded minutes as circulated, be taken as read and now be confirmed.

CARRIED

4 **URGENT BUSINESS**

There was no Urgent Business.

PART B - REPORT OF THE MAYOR

2020/2005

MOVED by Cr Dallow, seconded Cr Lawley:

That the Report of the Mayor be received.

CARRIED

PART C - REPORTS OF TE TAUMATA RUNANGA, NEW LYNN COMMUNITY BOARD, WAITAKERE COMMUNITY BOARD, MASSEY COMMUNITY BOARD AND HENDERSON COMMUNITY BOARD

5 **TE TAUMATA RUNANGA**

2021/2005

MOVED by Cr Lawley, seconded Cr Chan:

That the report of the Meeting of Te Taumata Runanga held on Monday, 17 October 2005 be received.

CARRIED

6 NEW LYNN COMMUNITY BOARD

1. NEW LYNN COMMUNITY BOARD MINOR PARKS PROJECTS 2005/2006

2022/2005

MOVED by Cr Clews, seconded Cr Clow:

That the New Lynn Community Board's recommendation to install a basketball half court close to the skate park in the Shadbolt Park at a cost of \$12,500 and to install swings at Wood Bay Beach at a cost of \$14,000, be approved, the expenditure of these two park development projects being greater than the maximum of \$10,000 which the Board can allocate to any one project.

2. OTHER MATTERS CONSIDERED

That the report of the Meeting of the New Lynn Community Board held on Monday, 3 October 2005 be received.

CARRIED

7 WAITAKERE COMMUNITY BOARD

2023/2005

MOVED by Cr Dallow, seconded Cr Clews:

That the report of the Meeting of the Waitakere Community Board held on Tuesday, 4 October 2005 be received.

CARRIED

8 MASSEY COMMUNITY BOARD

1. LEASE OF PART OF TE RANGI HIROA RESERVE TO TECHSCAPE LIMITED

2024/2005

MOVED by Cr Corban, seconded Cr Neeson:

That in the absence of any objections or submissions on the intention to lease, the Chief Executive Officer be given authority to negotiate and conclude a lease with Techscape Limited for a part of Te Rangi Hiroa Reserve (part Allotment 15, Deposited Plan 7867 and part Lot 1, Deposited Plan 19247) and the lease be executed as negotiated.

2. OTHER MATTERS CONSIDERED

That the report of the Meeting of the Massey Community Board held on Wednesday, 5 October 2005 be received.

CARRIED

9 HENDERSON COMMUNITY BOARD

1. HENDERSON COMMUNITY BOARD MINOR PARKS PROJECTS 2005/2006

2025/2005

MOVED by Cr Corban, seconded Cr Neeson:

That the Henderson Community Board's recommendation to install a basketball half court in the Akatea Park at a cost of \$12,500, be approved, the expenditure of this park development project being greater than the maximum of \$10,000 which the Board can allocate to any one project.

2. OTHER MATTERS CONSIDERED

That the report of the Meeting of the Henderson Community Board held on Thursday, 6 October 2005 be received.

CARRIED

PART D - REPORT OF THE CHIEF EXECUTIVE OFFICER

10 DELEGATED AUTHORITY TO BORROW

2026/2005

MOVED by Cr Clews, seconded Cr Chan:

That the Delegated Authority to Borrow report be received.

CARRIED

2027/2005

MOVED by Cr Clews, seconded Cr Clow:

1. That for the purpose of borrowing to carry out or to continue the projects identified in the 2005/2006 Annual Plan or carried forward from any previous Annual Plan, or for any project approved by Council subsequent to the adoption of such Plan:
 - (a) The security for such borrowing may be a charge over rates under the Debenture Trust Deed if the Chief Executive Officer considers it appropriate.
 - (b) The benefits of such borrowing are to enable the Council to carry out the projects identified within the 2005/2006 Annual Plan and Long Term Council Community Plan while spreading the costs for those projects over time to recognise the future benefits, while the risk is that interest rates may vary in the future resulting in higher debt servicing costs to Council.
 - (c) The raising of loans, financial instruments and other incidental agreements associated with the Council's debt portfolio comply with the Council's Liability Management and Investment Policy.
 - (d) That the Chief Executive Officer be authorised to borrow to a maximum gross debt of \$296,681,000 in this or the 2006/2007 financial year, as approved in the 2005/2006 Annual Plan, by way of bank loan or loans, credit facility or facilities, or the issue of commercial paper, medium term floating rate notes or fixed coupon bonds for the borrowing, secured by the Debenture Trust Deed.

- (e) The Chief Executive Officer be delegated the authority to negotiate and agree the terms, interest rates payable by the Council, frequency of interest payments, timing of draw downs, number of loans or issues of commercial paper, medium term floating rate notes or fixed coupon bonds which make up the borrowings, and all other terms and conditions of such loans or facilities as may be necessary for the obtaining of such loan or loan facilities and to execute any agreements, documents and certificates in respect of such loans or loan facilities on behalf of the Council.
2. That the Chief Executive Officer be authorised to sub-delegate the powers, duties and discretions delegated to him under the resolutions above to the Director: Finance or other Council officers as he considers appropriate.
3. That the Chief Executive Officer and the Director: Finance be delegated authority to act as Council's authorised representatives for the purposes of negotiating various facility agreements necessary to facilitate the strategic direction outlined within the Council's Long Term Council Community Plan 2003/2013.
4. That the Chief Executive Officer and the Director: Finance be delegated authority to act as Council's authorised representatives, subject to satisfactory review by the Council's solicitors, whether internal or external, for the purpose of executing under seal any facility agreements necessary to facilitate the strategic direction outlined within the Council's Long Term Council Community Plan 2003/2013.

CARRIED

11 APPOINTMENT TO TE TAUMATA RUNANGA

2028/2005

MOVED by Cr Dallow, seconded Cr Chan:

1. That the Appointment to Te Taumata Runanga report be received.
2. That Sonny Livingstone be appointed as the Kakariki Marae representative on Te Taumata Runanga.
3. That Wihiria Mark be appointed as the Kakariki Marae alternate representative on Te Taumata Runanga.

CARRIED

12 ARTS AND EVENTS COMMITTEE - COMMITTEE DELEGATIONS

2029/2005

MOVED by Cr Chan, seconded Cr Clow:

That the Arts and Events Committee - Committee Delegations report be received.

CARRIED

2039/2005

MOVED by Cr Dallow, seconded Cr Clow:

1. That the scope and delegations for the Arts, Events and Culture Special Committee, City Development Committee, Finance and Operational Performance Committee, and Community Sport Fund Allocation Subcommittee as attached at pages A1 to A11 to the Agenda report and as amended by Council be adopted.
2. That Council further considers delegations relating to the areas of leisure, sport and recreation and that an officer report be brought back to Council on these issues.

CARRIED

PART E - REPORTS FROM THE STANDING COMMITTEES

13 CITY DEVELOPMENT COMMITTEE

2040/2005

MOVED by Cr Clews, seconded Cr Dallow:

That the report of the Meeting of the City Development Committee held on Thursday, 6 October 2005 be received.

CARRIED

14 FINANCE AND OPERATIONAL PERFORMANCE COMMITTEE

1. DRAFT ANNUAL REPORT 2004/2005

2041/2005

MOVED by Cr Clews, seconded Cr Lawley:

That the Annual Report for 2004/2005 be adopted.

CARRIED

2. TRIENNIAL REPRESENTATION REVIEW (MAORI WARD/S)

2042/2005

MOVED by Cr Clews, seconded Cr Neeson:

That the Council resolves not to introduce Maori Ward/s for the 2007 Triennial Local Authority Elections.

CARRIED

3. OTHER MATTERS CONSIDERED

2043/2005

MOVED by Cr Clews, seconded Cr Corban:

That the report of the Meeting of the Finance and Operational Performance Committee held on Monday, 10 October 2005 be received.

CARRIED

15 PLANNING AND REGULATORY COMMITTEE

2044/2005

MOVED by Cr Neeson, seconded Cr Lawley:

That the report of the Meeting of the Planning and Regulatory Committee held on Tuesday, 11 October 2005 be received.

CARRIED

PART F - PRESENTATION

There were no presentations.

PART G - PROCEDURAL MATTERS

16 QUESTIONS

There were no Questions.

17 NOTICE OF MOTION

Pursuant to Standing Order 28.1 the following Notice of Motion was received from Councillor Assid Corban.

MOVED by Cr Corban, seconded Cr Chan:

- a) That the resolution set out in the Minutes of the Long Term Council Community Plan and Annual Plan Special Committee meeting on 24 June 2005, *"That the Te Atatu South Library remain open with reduced hours to be determined by the Library Manager until the opening of the Waitakere Central Library (where enhanced services will be available) and that the Te Atatu Library be closed at that time"* be rescinded.
- b) That in view of the public concern at closing of the Te Atatu South Library provision be made to include the continued operation of the library in the Long Term Council Community Plan and Annual Plan process for future funding.

DIVISION

A Division was called for:

FOR

Cr Chan
Cr Corban
Cr Lawley

AGAINST

Cr Stone
Cr Clews
Cr Clow
Cr Dallow
Cr Neeson

LOST

PART H - PUBLIC EXCLUDED MATTERS

There were no Public Excluded Matters.

18 CLOSING PRAYER

Cr Neeson said the Closing Prayer.

6.40 pm

The Chairperson thanked members for their attendance and attention to business and declared the meeting closed.

CONFIRMED AT A MEETING OF THE COUNCIL_
HELD ON

DATE:.....

CHAIRPERSON:.....