

**MINUTES OF A MEETING OF THE COUNCIL HELD IN THE CIVIC CENTRE,
6 WAIPAREIRA AVENUE, LINCOLN, WAITAKERE CITY,
ON WEDNESDAY, 30 MARCH 2005,
COMMENCING AT 5.32 PM.**

<u>ITEM</u>	<u>INDEX</u>	<u>PAGE NO.</u>
<u>PART A - OPENING OF MEETING</u>		2
1	OPENING PRAYER	2
2	APOLOGIES	2
3	CONFIRMATION OF MINUTES	2
4	URGENT BUSINESS	2
<u>PART G - PRESENTATIONS</u>		3
	CITATIONS - DOUG KING AND RICKY CURTIN	3
	2005 RECIPROCAL HUNTINGTON BEACH, CALIFORNIA, USA SISTER CITY STUDENT EXCHANGE TO WAITAKERE	3
<u>PART B - REPORT OF THE MAYOR</u>		3
<u>PART C - TE TAUMATA RUNANGA AND COMMUNITY BOARDS</u>		3
5	TE TAUMATA RUNANGA	3
6	WAITAKERE COMMUNITY BOARD	3
1	40KM/H SCHOOL SPEED ZONE OUTSIDE ORATIA DISTRICT SCHOOL	3
2.	OTHER MATTERS CONSIDERED	4
7	MASSEY COMMUNITY BOARD	4
8	HENDERSON COMMUNITY BOARD	5
9	NEW LYNN COMMUNITY BOARD	5
<u>PART D - REPORT OF THE CHIEF EXECUTIVE OFFICER</u>		5
10	AMENDMENT OF ORDER OF BUSINESS	5
11	ANZAC DAY 2005	6
12	SPEED LIMITS BYLAW	6

<u>PART F - STANDING COMMITTEE REPORTS</u>	7
14 CITY DEVELOPMENT COMMITTEE	7
1. ARTS AND EVENTS SPECIAL COMMITTEE	7
2. OTHER MATTERS CONSIDERED	7
15 FINANCE AND OPERATIONAL PERFORMANCE COMMITTEE	8
16 PLANNING AND REGULATORY COMMITTEE	8
<u>PART H - PROCEDURAL MATTERS</u>	8
17 QUESTIONS	8
18 NOTICES OF MOTION	8
<u>PART G - PRESENTATIONS</u>	8
SRI CHINMOY	8
<u>PART E - CONFIDENTIAL ITEM</u>	9
13 SOUTH KENSINGTON WAY LAND SWAP	9
PROCEDURAL MOTION TO EXCLUDE THE PUBLIC	9
19 CLOSING PRAYER	10

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COMMENCING AT 5.32 PM.**

PRESENT:

Mayor	RA	Harvey, QSO, JP
Deputy Mayor	CA	Stone
Councillors	DQ	Battersby, JP
	PJ	Booth, OBE
	MFP	Chan, JP
	JM	Clews, QSO, JP
	RI	Clow
	LA	Cooper
	AK	Corban, OBE, JP
	RP	Dallow, QPM, JP (from 5.40 pm)
	WW	Flaunty, QSM, JP
	DE	Gilmour
	PA	Hulse
	JP	Lawley
	VS	Neeson, JP

OBSERVERS:

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

IN ATTENDANCE:

- Chief Executive Officer
- Director: City Services
- Director: Strategy & Development
- Director: Corporate & Civic Services
- Director: Quality Assurance
- Director: Finance
- Group Manager: Democracy and Support Services
- Manager: Legal Services
- Security Manager
- Project Manager Democracy
- Manager: Arts
- Public Affairs Adviser
- Mayoral Executive
- Quality Assurance & Liaison Officer
- Democracy & Governance Team Manager
- Democracy Support and Sister City Officer
- Committee Secretary: A Chan
O Schuster
- Committee Administrator: C Fernandes

PART A - OPENING OF MEETING

1 OPENING PRAYER

Reverend Kenneth Smith from the Waitakere Methodist Parish Church, Glen Eden, said the Opening Prayer.

2 APOLOGIES

456/2005

MOVED by Cr Neeson, seconded Cr Gilmour:

That an apology from Cr Dallow for lateness be received and sustained.

CARRIED

3 CONFIRMATION OF MINUTES

457/2005

MOVED by Cr Clews, seconded Cr Clow:

That the minutes of the Meetings of the Council held on Wednesday, 16 February 2005, Wednesday, 23 February 2005 and Wednesday, 16 March 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.

PRECEDENCE OF BUSINESS

458/2005

MOVED by Cr Gilmour, seconded Cr Flaunty:

That Part G: Presentations on Citations - Doug King and Ricky Curtin and 2005 Reciprocal Huntington Beach, California, USA Sister City Student Exchange to Waitakere, be accorded precedence at this time, and that Item 17: Questions and Item 18: Notices of Motion be accorded precedence to follow Item 16: Planning and Regulatory Committee Report.

CARRIED

5.40 pm Cr Dallow entered the meeting.

PART G - PRESENTATIONS

CITATIONS - DOUG KING AND RICKY CURTIN

Citations were awarded to Doug King and Ricky Curtin in recognition of an extreme act of bravery in saving the lives of Haley McDonald, April Xu Holland and Aaron Khan at Bethells Beach, Te Henga, Waitakere City, on the evening of Tuesday, 8 February 2005.

2005 RECIPROCAL HUNTINGTON BEACH, CALIFORNIA, USA SISTER CITY STUDENT EXCHANGE TO WAITAKERE

From 25 March to 5 April 2005, four students from our Sister City, Huntington Beach, California and their chaperon were visiting Waitakere City as participants on the 2005 Reciprocal Sister City Student Exchange. The Waitakere home host students, Philip Cummings, Kate Cummings, Nadine MacKinnon, Jenna Bushett and the Council chaperon Kelly Taylor introduced the Huntington Beach students Saumin Pathak, Lauren Kirylo, Deidre Doyle, Maxine Kantor and the Huntington Beach chaperon Kristin Sutcliffe to the Council.

The Order of Business resumed at Part B - Report of the Mayor.

PART B - REPORT OF THE MAYOR

459/2005

MOVED by Cr Dallow, seconded Cr Clews:

1. That the Report of the Mayor be received.
2. That the report by Cr Chan on the New Zealand Community Board Conference - Dunedin 3-6 March 2005 be received.

CARRIED

PART C - TE TAUMATA RUNANGA AND COMMUNITY BOARDS

5 TE TAUMATA RUNANGA

There was no report.

6 WAITAKERE COMMUNITY BOARD

1 40KM/H SCHOOL SPEED ZONE OUTSIDE ORATIA DISTRICT SCHOOL

460/2005

MOVED by Cr Hulse, seconded Cr Booth:

1. That in relation to **WEST COAST ROAD, ORATIA:**
 - (a) That, subject to a New Zealand Gazette Notice being issued by the Director of Land Transport Safety approving the implementation of new school zone speed limits as permitted variable speed limits, the following control be now resolved to be specified and imposed, namely,

- (i) That a '**SCHOOL ZONE SPEED LIMIT**' be established in **WEST COAST ROAD** from a point 283 metres west of the intersection with **SHAW ROAD** to a point 145 metres east of the intersection with **SHAW ROAD** measured along the centre of **WEST COAST ROAD**. The speed limit in this area shall be 50km/h except at times when the variable speed limit signs are activated during which times the speed limit shall be 40km/h.
2. That in relation to **SHAW ROAD, ORATIA**:
 - (a) That, subject to a New Zealand Gazette Notice being issued by the Director of Land Transport Safety approving the implementation of new school zone speed limits as permitted variable speed limits, the following control be now resolved to be specified and imposed, namely,
 - (i) That a '**SCHOOL ZONE SPEED LIMIT**' be established in **SHAW ROAD** from the intersection with **WEST COAST ROAD** to a point 375 metres south of the intersection with **ANZAC VALLEY ROAD** measured along the centreline of **SHAW ROAD**. The speed limit in this area shall be 50km/h except at times when the variable speed limit signs are activated during which times the speed limit shall be 40km/h.
3. That the appropriate signage and/or road markings, in accordance with the provisions of the Traffic Regulations 1976 be hereby approved to be put in place to properly establish, delineate and record the said speed restriction.
4. That the 40km/h speed zone hours be extended to include the two preschool facilities located at/and opposite the Oratia Primary School given that preschools and their parents leave and start morning and afternoon sessions in the middle of the day on West Coast Road, Glen Eden.

CARRIED

2. **OTHER MATTERS CONSIDERED**

461/2005

MOVED by Cr Hulse, seconded Cr Booth:

That the report of the Meeting of the Waitakere Community Board held on Tuesday, 1 March 2005 be received.

CARRIED

7 **MASSEY COMMUNITY BOARD**

462/2005

MOVED by Cr Flaunty, seconded Cr Cooper:

That the report of the Meeting of the Massey Community Board held on Wednesday, 2 March 2005 be received.

CARRIED

8 HENDERSON COMMUNITY BOARD

463/2005

MOVED by Cr Gilmour, seconded Cr Corban:

That the report of the Meeting of the Henderson Community Board held on Thursday, 3 March 2005 be received.

CARRIED

9 NEW LYNN COMMUNITY BOARD

464/2005

MOVED by Cr Clews, seconded Cr Clow:

That the report of the Meeting of the New Lynn Community Board held on Monday, 7 March 2005 be received.

CARRIED

PART D - REPORT OF THE CHIEF EXECUTIVE OFFICER

NOTE: The newly appointed Chief Executive Officer of The Trusts Stadium, Simon Wickham, and his wife, Mrs Helen Wickham, were introduced to Council by Cr Dallow. Mr Wickham addressed the meeting and answered questions.

10 AMENDMENT OF ORDER OF BUSINESS

465/2005

MOVED by Cr Neeson, seconded Cr Hulse:

1. That the Amendment of Order of Business report be received.
2. That the Order of Business for Council be amended to be as follows:
 - Opening Prayer
 - Apologies
 - Confirmation of Minutes
 - Urgent Business
 - Deputations/Petitions
 - Report of the Mayor
 - Reports from the Te Taumata Runanga and the Community Boards
 - Report of the Chief Executive Officer
 - Reports from the Standing Committees
 - Presentations
 - Questions
 - Notices of Motion
 - Public Excluded Matters
 - Closing Prayer

3. That a 'Public Excluded Matters' item be also included towards the end of the agenda for other Council meetings and meetings of Council committees and subcommittees, for dealing with public excluded matters, if any.

CARRIED

11 **ANZAC DAY 2005**

466/2005

MOVED by Cr Gilmour, seconded Cr Clow:

1. That the Anzac Day 2005 report be received.
2. That a Councillor be appointed to represent the City at each of the Community Anzac Day Parades as follows:

Swanson	9.00 am	Cr Hulse
New Lynn	9.30 am	Mayor Bob Harvey, Cr Battersby
Henderson	10.30 am	Cr Corban, Cr Chan
Titirangi	10.30 am	Cr Lawley
Hobsonville	11.00 am	Cr Neeson, Cr Cooper
Glen Eden	11.00 am	Mayor Bob Harvey, Cr Clews
Te Atatu	10.00 am	Cr Gilmour
Waitakere	11.00 am	Cr Flaunty, Cr Stone
Laingholm	10.30 am	Cr Booth
Piha	2.00 pm	Mayor Bob Harvey, Cr Gilmour, Cr Hulse

3. That the appointment of Community Board Members to the Services be referred to the appropriate Community Board.

CARRIED

12 **SPEED LIMITS BYLAW**

467/2005

MOVED by Cr Dallow, seconded Cr Flaunty:

1. That the Speed Limits Bylaw report be received.
2. That Council accepts that the ability to set speed limits is an important regulatory control, and a bylaw is the most appropriate way to give effect to that control.
3. That Council considers that the draft bylaw produced and attached to the minutes at pages A1 to A7, is the most appropriate form of bylaw for this purpose.
4. That Council considers that the draft bylaw has no implications which are inconsistent with the New Zealand Bill of Rights Act 1990.
5. That the statement of proposal (draft bylaw and summary of information) attached to the minutes be approved in principle, and that Officers be directed to make any necessary editorial changes and to implement the special consultative procedure set out in Section 83 of the Local Government Act 2002.

A1-A7

6. That the Planning and Regulatory Committee be delegated authority to hear any submissions during June 2005 with a final report in relation to the bylaw to be brought back to Council.
7. That this report, Speed Limits Bylaw, be referred to all Community Boards for their information.

CARRIED

PART E - CONFIDENTIAL ITEM

13 SOUTH KENSINGTON WAY LAND SWAP

DEFERRED

468/2005

MOVED by Cr Dallow, seconded Cr Clews:

That the confidential Item 13: South Kensington Way Land Swap be deferred to follow Part G – Presentations regarding Sri Chinmoy.

CARRIED

PART F - STANDING COMMITTEE REPORTS

14 CITY DEVELOPMENT COMMITTEE

1. ARTS AND EVENTS SPECIAL COMMITTEE

469/2005

MOVED by Cr Hulse, seconded Cr Gilmour:

That Council approves the nominations by the Arts and Events Special Committee of Councillors Lawley and Chan to attend the 23rd Sister Cities New Zealand 2005 Conference in the Bay of Islands, to be held from 6-9 April 2005 with all conference and associated expenses incurred being borne by the Council.

CARRIED

2. OTHER MATTERS CONSIDERED

470/2005

MOVED by Cr Hulse, seconded Cr Gilmour:

That the report of the Meeting of the City Development Committee held on Thursday, 3 March 2005 be received.

CARRIED

15 FINANCE AND OPERATIONAL PERFORMANCE COMMITTEE

471/2005

MOVED by Cr Clews, seconded Cr Booth:

That the report of the Meeting of the Finance and Operational Performance Committee held on Monday, 7 March 2005 be received.

CARRIED

16 PLANNING AND REGULATORY COMMITTEE

472/2005

MOVED by Cr Neeson, seconded Cr Cooper:

That the report of the Meeting of the Planning and Regulatory Committee held on Tuesday, 8 March 2005 be received.

CARRIED

PART H - PROCEDURAL MATTERS

17 QUESTIONS

-

18 NOTICES OF MOTION

-

The Order of Business resumed at Part G - Presentation regarding Sri Chinmoy.

PART G - PRESENTATIONS

The Presentations regarding Citations - Doug King and Ricky Curtin and 2005 Reciprocal Huntington Beach, California, USA Sister City Student Exchange to Waitakere were considered following Item 4: Urgent Business.

SRI CHINMOY

Centre Leader, Mr Jogyata Dallas of the Sri Chinmoy Centre for Waitakere in conjunction with Miss Juliette Galliene, Mrs Sutribra Gibbes and Mr John Marshall presented to Mayor Bob Harvey a painting by Sri Chinmoy.

A video of the presentation was taken by the Sri Chinmoy Centre to send to Sri Chinmoy, who resides in New York.

The Order of Business resumed at Part E: Confidential Item, Item 13: South Kensington Way Land Swap.

PART E - CONFIDENTIAL ITEM

13 SOUTH KENSINGTON WAY LAND SWAP

PROCEDURAL MOTION TO EXCLUDE THE PUBLIC

473/2005

MOVED by Cr Battersby, seconded Cr Gilmour:

That the public be excluded from the following part of the proceedings of this meeting, South Kensington Way Land Swap.

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"> South Kensington Way Land Swap 	<p>The withholding of information is necessary in order to:</p> <ul style="list-style-type: none"> enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations). 	<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)(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:

- The report contains information which if released could affect the Council's negotiations.*

CARRIED

6.50 pm The public were excluded.

Minute Number 474/2005 is recorded in the Confidential Section of these Minutes.

6.53 pm The public were re-admitted.

RESTATEMENT

The Committee resolved while the public were excluded (Moved by Cr Clow, seconded Cr Stone) (resolution 474/2005) *“That the South Kensington Way Land Swap report and resolution 474/2005 remain confidential until further notice”*.

19 **CLOSING PRAYER**

Cr Battersby gave the closing address.

6.56 pm

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

CONFIRMED AT AN ORDINARY MEETING OF
THE COUNCIL HELD ON

DATE:.....

CHAIRPERSON:.....

