

**MINUTES OF A MEETING OF THE COUNCIL HELD AT WAITAKERE CENTRAL,  
6 HENDERSON VALLEY ROAD, HENDERSON, WAITAKERE,  
ON WEDNESDAY, 27 SEPTEMBER 2006,  
COMMENCING AT 5.30 PM**

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**PRESENT:**

Mayor	RA	Harvey, QSO, JP
Deputy Mayor	CA	Stone (from 6.09 pm)
Councillors	MFP	Chan, JP
	JM	Clews, QSO, JP
	RI	Clow (from 6.00 pm)
	LA	Cooper
	AK	Corban, OBE, JP (from 5.35 pm)
	RP	Dallow, QPM, JP (from 6.27 pm)
	WW	Flaunty, QSM, JP
	DE	Gilmour
	C	Harding, JP
	PA	Hulse (from 5.40 pm)
	JP	Lawley
	VS	Neeson, JP

**OBSERVERS:**

M Te Huia	(Deputy Chairman, Te Taumata Runanga)
EAG Grimmer, MNZM	(Chairman, Henderson Community Board)
P Van der Voort, JP	(Chairman, New Lynn Community Board)
CA Shepherd, JP	(Chairman, Waitakere Community Board)
JG Riddell	(Deputy Chairman, Massey Community Board)
SL Taylor, JP	(Deputy Chairman, New Lynn Community Board)
SJ McDonald	(Henderson Community Board)
GJ Maurice	(Massey Community Board)
GE Barnard	(Massey Community Board)
GPJ Marshall	(New Lynn Community Board)
S Davies	(Waitakere Community Board)

**IN ATTENDANCE:**

Chief Executive Officer  
Director: City Services  
Director: Corporate & Civic Services  
Director: Finance  
Director: Public Affairs  
Director: Strategic Planning  
Group Manager: Democracy and Support Services  
Group Manager: City Development Projects  
Executive Manager  
Manager: Legal Services  
Security Manager  
Manager: Arts  
Democracy and Governance Team Manager  
Parks & Green Assets: Quality Liaison Officer  
Public Affairs Advisor: External Communications  
Mayoral Executive  
Project Officer/Committee Secretary  
Committee Administrator: D Tukutama  
Committee Secretaries: A Chan  
N Delamere

## **PART A - OPENING OF MEETING**

### **1 OPENING PRAYER**

5.35 pm Cr Corban entered the meeting.

Pastor Russell Watts from the Ranui Baptist Church said the Opening Prayer.

### **2 APOLOGIES**

1821/2006

MOVED by Cr Clews, seconded Cr Neeson:

That apologies from Cr Battersby for absence and Crs Clow, Corban, Dallow, Hulse and Stone for lateness be received and sustained.

**CARRIED**

**NOTE:** Pursuant to Standing Order 32.12 Crs Cooper, Gilmour and Harding requested that their vote against the motion be recorded.

### **3 CONFIRMATION OF MINUTES**

1822/2006

MOVED by Cr Lawley, seconded Cr Chan:

That the minutes of the Extraordinary Meeting of the Council held on Wednesday, 23 August 2006 and the Council Meeting held on Wednesday, 30 August 2006, 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**

5.40 pm Cr Hulse entered the meeting.

1823/2006

MOVED by Cr Cooper, seconded Cr Flaunty:

That the Report of the Mayor be received.

**CARRIED**

**PART C - REPORTS OF NEW LYNN COMMUNITY BOARD, WAITAKERE COMMUNITY BOARD, MASSEY COMMUNITY BOARD AND HENDERSON COMMUNITY BOARD**

**5 NEW LYNN COMMUNITY BOARD**

1824/2006

MOVED by Cr Clews, seconded Cr Lawley:

That the report of the Meeting of the New Lynn Community Board held on Monday, 4 September 2006 be received.

**CARRIED**

6.00 pm Cr Clow entered the meeting.

**6 WAITAKERE COMMUNITY BOARD**

1825/2006

MOVED by Cr Harding, seconded Cr Hulse:

That the report of the Meeting of the Waitakere Community Board held on Tuesday, 5 September 2006 be received.

**CARRIED**

**7 MASSEY COMMUNITY BOARD**

1826/2006

MOVED by Cr Flaunty, seconded Cr Neeson:

That the report of the Meeting of the Massey Community Board held on Wednesday, 6 September 2006 be received.

**CARRIED**

**8 HENDERSON COMMUNITY BOARD**

1827/2006

MOVED by Cr Corban, seconded Cr Gilmour:

That the report of the Meeting of the Henderson Community Board held on Thursday, 7 September 2006 be received.

**CARRIED**

**PART D - REPORT OF THE CHIEF EXECUTIVE OFFICER**

The reports are in Part H of these minutes.

## PART E - REPORTS FROM THE STANDING COMMITTEES

### 9 CITY DEVELOPMENT COMMITTEE

#### 1. CLASSIFICATION OF TE RANGI HIROA RESERVES

1828/2006

MOVED by Cr Hulse, seconded Cr Gilmour:

1. That the Chief Executive Officer be given authority to give notice to the Minister of Conservation under Sections 14 and 16 of the Reserves Act 1977 to classify the reserves as set out below and according to the purposes listed respectively in the below table:

No	Legal Description	Purpose	Procedure
	<b>Don Buck's Corner</b>		
1.	Part Lot 6 DP 42849 3525m <sup>2</sup>	Local purpose (esplanade) reserve	The status of this land is currently being determined by Land Information New Zealand. The Certificate of Title to this land is not clear in respect of the ownership and status of the land. Once a determination has been made, and if appropriate for Council, the land will be vested under the Reserves Act 1977 and classified as a local purpose (esplanade) reserve.
2.	Lot 2 DP 43970 506m <sup>2</sup>	Local purpose (esplanade) reserve	Section 16(2A)(d) classify by resolution and give notice to DOC. Public notice not required.
3.	Lot 39 DP 75594 6021m <sup>2</sup>	Local purpose (esplanade) reserve	Section 16(2A)(a) classify by resolution and give notice to DOC. Public notice not required.
	<b>Don Buck Primary School Recreation Reserve</b>		
4.	Lot 2 DP 64720 1.4126ha	Recreation reserve	Section 16(2A)(a) classify by resolution. Public notice not required.
	<b>Starling Park</b>		
5.	Lot 135 DP 87373 CT 44A/485 1553m <sup>2</sup>	Recreation reserve	Section 16(2A)(a) classify by resolution and give notice to DOC. Public notice not required.

No	Legal Description	Purpose	Procedure
6.	Lot 95 DP 129440 and Lot 87 1823m2	Recreation reserve	Section 16(2A)(a) classify by resolution and give notice to DOC. Public notice not required.
	<b>Te Rangi Hiroa</b>		
7.	Pt 27 Block 14 SO 50427 2.3143	Recreation reserve	Section 16(2A)(a) classify by resolution and give notice to DOC. Public notice not required.
8.	Lot 10 DP 40763 CT 56B/632 430m2	Local purpose (esplanade) reserve	Section 16(2A)(d) classify by resolution and give notice to DOC. Public notice not required.
9.	Lot 11 DP 40763 CT 1302/100 369m2	Recreation reserve	Section 16(2A)(a) classify by resolution and give notice to DOC. Public notice not required.
10.	Lot 12 DP 40763 25m2	Local purpose (esplanade) reserve	Section 16(2A)(d) classify by resolution and give notice to DOC. Public notice not required.
11.	Lot 5 DP 49674 CT 42c/530 215m2	Local purpose (esplanade) reserve	Section 16(1)(b) classify by Gazette Notice. Public notice required under s16(4) Reserves Act unless the proposed classification is "substantially the same" as the purpose for which the reserve is currently held and administered.
12.	Lot 3 DP 64720 278m2	Local purpose (esplanade) reserve	Section 16(2A)(a) classify by resolution and give notice to DOC. Public notice not required.
13.	Lot 2 DP 70307 Part CT 1164/23 2536m2	Local purpose (esplanade) reserve	Section 16(2A)(a) classify by resolution and give notice to DOC. Public notice not required.
14.	SO Plan 54875 Part Section 26 CT 726/116 6.2590	Recreation reserve	Section 16(2A)(a) classify by resolution and give notice to DOC. Public notice not required.
	<b>Birdwood Winery Estate</b>		
15.	Lot 2 DP 50606 8.2619	Local purpose (historic site) reserve	Section 16(2A)(a) classify by resolution and give notice to DOC. Public notice not required.

2. That the Chief Executive Officer be given authority to classify part lot 6 of DP 42849 as a local purpose (esplanade) reserve pursuant to the Reserves Act 1977 in the absence of any objections and provided that any determination made by Land Information New Zealand provides that it is appropriate for the land to be vested in Council and classified in accordance with the Reserves Act 1977.

2. **OTHER MATTERS CONSIDERED**

That the report of the Meeting of the City Development Committee held on Thursday, 7 September 2006 be received.

**CARRIED**

10 **FINANCE AND OPERATIONAL PERFORMANCE COMMITTEE**

1. **SALE OF STOPPED ROAD AT 883 SWANSON ROAD, SWANSON**

1829/2006

MOVED by Cr Clews, seconded Cr Corban:

1. That the area of stopped road known as Section 5 SO Plan 68784 be sold to the adjoining owner.
2. That pursuant to Section 40(4) of the Public Works Act 1981, because of the size, shape and situation of Section 5 SO Plan 68784, the land could not be sold to anyone else.

**CARRIED**

2. **COMMUNITY WELLBEING FUND ALLOCATION 2006/2007**

1830/2006

MOVED by Cr Clews, seconded Cr Cooper:

That a Council officer working party with representation of Councillors be established to work through the issue of setting criteria and priorities for the Community Wellbeing Fund so as to align with Council's strategic direction in an attempt to rationalise the number of applicants.

**CARRIED**

3. **OTHER MATTERS CONSIDERED**

1831/2006

MOVED by Cr Clews, seconded Cr Corban:

That the report of the Meeting of the Finance and Operational Performance Committee held on Monday, 11 September 2006 be received.

**CARRIED**

6.09 pm Cr Stone entered the meeting.

**11 PLANNING AND REGULATORY COMMITTEE**

1832/2006

MOVED by Cr Neeson, seconded Cr Flaunty:

That the report of the Meeting of the Planning and Regulatory Committee held on Tuesday, 12 September 2006 be received.

**CARRIED**

**12 TE TAUMATA RUNANGA**

**1. TE WAKA AWHINA O AOTEAROA ANNUAL NATIONAL CONFERENCE 2006**

1833/2006

MOVED by Cr Cooper, seconded Cr Gilmour:

That the attendance of M Te Huia and A Hudson from Te Taumata Runanga at Te Waka Awhina o Aotearoa Annual National Conference 2006 to be held at Te Tii Marae, Waitangi from 23 - 26 November 2006, be approved.

**CARRIED**

**2. OTHER MATTERS CONSIDERED**

1834/2006

MOVED by Cr Lawley, seconded Cr Gilmour:

That the report of the Meeting of Te Taumata Runanga held on Monday, 18 September 2006, be received.

**CARRIED**

**13 RECOMMENDATION FROM OTHER MEETINGS**

**WAITAKERE CENTRAL CIVIC CENTRE - CONSTRUCTION STATUS JULY/AUGUST 2006**

1835/2006

MOVED by Cr Hulse, seconded Cr Clews:

1. That special commendation be accorded to the members of the project team who managed the Waitakere Central Civic Centre development, for their extraordinary commitment in delivering in cooperation with the architects and contractors, the Council's vision on time and within the agreed budget.
2. That it is recognised by the Council that the quality of project management has matched the highest standards of the industry.

**CARRIED**

## **PART F - PRESENTATION**

### **CITATIONS**

Mayor Bob Harvey presented Citations to John Newick, Jacqui Newick, Brenda Brady, Elizabeth Grimmer and Elsa Vujnovich, from the Henderson Community Celebration Trust, in appreciation of their hard work in organising the Grand People's Parade held as part of the Waitakere Central opening celebrations in early September 2006.

## **PART G - PROCEDURAL MATTERS**

### **14 QUESTIONS**

There were no Questions.

### **15 NOTICES OF MOTION**

There were no Notices of Motion.

## **PART H - PUBLIC EXCLUDED MATTERS**

### **16 AUCKLAND REGIONAL TRANSPORT AUTHORITY REPORT ON OPTION ANALYSIS FOR NEW LYNN TRANSIT ORIENTATED DEVELOPMENT PROJECT**

### **17 SHADBOLT HOUSE PURCHASE**

1836/2006

MOVED by Mayor Bob Harvey, seconded Cr Chan:

That the public be excluded from the following parts of the proceedings of this meeting, namely, Auckland Regional Transport Authority Report on Option Analysis for New Lynn Transit Orientated Development Project and Shadbolt House Purchase.

The general subject of the matters to be considered while the public is excluded, the reason for passing this resolution in relation of the matters, 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 matters to be considered.	Reason for passing this resolution in relation to the matters.	Ground(s) under Section 48(1)(a) for the passing of this resolution.
Auckland Regional Transport Authority Report on Option Analysis for New Lynn Transit Orientated Development Project.	The withholding of information is necessary in order to: <ul style="list-style-type: none"> <li>• protect information where the making available of the information -                             <ul style="list-style-type: none"> <li>(i) Would disclose a trade secret; or</li> <li>(ii) Would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information.</li> </ul> </li> </ul>	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.

	<ul style="list-style-type: none"> <li>• protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where making available of the information:             <ul style="list-style-type: none"> <li>(i) Would be likely to prejudice the supply of similar information, or information from the same source, and it is in the public interest that such information should continue to be supplied;</li> <li>or</li> <li>(ii) would be likely otherwise to damage the public interest.</li> </ul> </li> </ul>	
<p>Shadbolt House Purchase.</p>	<p>The withholding of information is necessary in order to:</p> <ul style="list-style-type: none"> <li>• protect the privacy of natural persons, including that of deceased natural persons;</li> <li>• enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).</li> </ul>	<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 Sections 7(2)(b), 7(2)(c) and 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 reports contain information which if released could affect the privacy of the persons concerned, prejudice the supplier of information subject to confidence, and Council's negotiations.*

**CARRIED**

6.19 pm      The public were excluded.

Minute Numbers 1837/2006 to 1838/2006 are recorded in the Confidential Section of these Minutes.

6.27 pm      Cr Dallow entered the meeting.

7.26 pm      The public were readmitted.

**RESTATEMENTS**

The Council resolved while the public were excluded:

**Auckland Regional Transport Authority Report on Options Analysis for New Lynn Transit Oriented Development Project**

(Moved by Cr Hulse, seconded Cr Cooper) (resolution 1837/2006) *"That the Auckland Regional Transport Authority Report on Options Analysis for New Lynn Transit Oriented Development Project agenda report and associated resolutions remain confidential until such time as the reasons for confidentiality no longer exist."*

**Shadbolt House Purchase**

(Moved by Cr Gilmour, seconded Cr Chan) (resolution 1838/2006) *"That the Shadbolt House Purchase agenda report and associated resolutions remain confidential until such time as the reasons for confidentiality no longer exist."*

**18 CLOSING PRAYER**

The Deputy Mayor said the Closing Prayer.

7.27 pm

The Chairman thanked Members for their attendance and attention to business and declared the meeting closed.

CONFIRMED AT A MEETING OF THE COUNCIL  
HELD ON

**DATE:**.....

**CHAIRMAN:**.....

