

**MINUTES OF A MEETING OF THE COUNCIL HELD AT WAITAKERE CENTRAL,
6 HENDERSON VALLEY ROAD, HENDERSON, WAITAKERE,
ON WEDNESDAY, 27 JUNE 2007
COMMENCING AT 5.33 PM**

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PRESENT:

Mayor	RA	Harvey, QSO, JP
Deputy Mayor	CA	Stone
Councillors	MFP	Chan, JP
	JM	Clews, QSO, JP
	RI	Clow (from 5.33 pm)
	LA	Cooper (until 6.41 pm)
	AK	Corban, OBE, JP
	WW	Flaunty, QSM, JP
	DE	Gilmour
	C	Harding, JP
	PA	Hulse
	JP	Lawley
	VS	Neeson, JP

OBSERVERS:

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

IN ATTENDANCE:

- Chief Executive Officer
- Director: City Services
- Director: Corporate & Civic Services
- Director: Strategic Planning
- Director: Finance
- Director: Public Affairs
- Group Manager: Service Management
- Group Manager: Financial Operations
- Manager: Legal Services
- Manager: Maori Issues
- Executive Manager
- Executive Liaison Officer
- Acting Democracy and Governance Team Manager
- Democracy Support and Sister City Officer
- Committee Secretary: D Tukutama
- Committee Administrator: C Fernandes

PART A - OPENING OF MEETING

1 OPENING PRAYER

Father Peter Murphy of St Paul's Catholic Parish said the Opening Prayer.

2 APOLOGIES

1136/2007

MOVED by Cr Neeson, seconded Cr Clews:

That apologies from Crs Battersby and Dallow for absence be received and sustained.

CARRIED

3 CONFIRMATION OF MINUTES

1137/2007

MOVED by Cr Corban, seconded Cr Flaunty:

That the minutes of the Meeting of the Council held on Wednesday, 30 May 2007, including the public excluded minutes, as circulated, be taken as read and now be confirmed.

CARRIED

5 CONFLICTS OF INTEREST

No Conflicts of Interest were advised.

4 URGENT BUSINESS

DEFERRED

The Chairman with the consent of the meeting deferred Item 4: Urgent Business for consideration following Item 16: Te Taumata Runanga Report.

PART B - REPORT OF THE MAYOR

1138/2007

MOVED by Cr Clews, seconded Cr Neeson:

That the Report of the Mayor be received.

CARRIED

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

6 NEW LYNN COMMUNITY BOARD

1139/2007

MOVED by Cr Clews, seconded Cr Clow:

That the report of the Meeting of the New Lynn Community Board held on Monday, 28 May 2007 be received.

CARRIED

7 WAITAKERE COMMUNITY BOARD

1140/2007

MOVED by Cr Hulse, seconded Cr Harding:

That the report of the Meeting of the Waitakere Community Board held on Tuesday, 5 June 2007 be received.

CARRIED

8 HENDERSON COMMUNITY BOARD

1141/2007

MOVED by Cr Corban, seconded Cr Gilmour:

That the report of the Meeting of the Henderson Community Board held on Wednesday, 6 June 2007 be received.

CARRIED

9 MASSEY COMMUNITY BOARD

1142/2007

MOVED by Cr Neeson, seconded Cr Cooper:

That the report of the Meeting of the Massey Community Board held on Wednesday, 6 June 2007 be received.

CARRIED

10 WAITAKERE YOUTH COUNCIL

1143/2007

MOVED by Cr Cooper, seconded Cr Neeson:

That the report of the Meeting of the Waitakere Youth Council held on Tuesday, 5 June 2007 be received.

CARRIED

PART D - REPORT OF THE CHIEF EXECUTIVE OFFICER

11 REPATRIATION OF THE PROCEEDS OF THE SALE OF TECHSCAPE LIMITED FROM WAITAKERE CITY HOLDINGS LIMITED TO WAITAKERE CITY COUNCIL

1144/2007

MOVED by Cr Clews, seconded Cr Gilmour:

1. That the Repatriation of the Proceeds of the Sale of Techscape Limited from Waitakere City Holdings Limited to Waitakere City Council report be received.
2. That approval be given to reduce Council's shareholding in Waitakere City Holdings Limited from 5,025,000 \$1 shares to 1,025,000 \$1 shares, with the proceeds being transferred to Council on or before 30 June 2007.
3. That Council recommend to the Board of Waitakere City Holdings Limited that a fully imputed dividend of \$1,161,205 be paid to the Waitakere City Council on or before 30 June 2007.

CARRIED

12 STRENGTHENING AUCKLAND REGIONAL GOVERNANCE

1145/2007

MOVED by Cr Clews, seconded Cr Clow:

1. That the Strengthening Auckland's Regional Governance report be received.
2. That Waitakere City Council:
 1. **Note** that the model has been developed, taking into account all the feedback from both local and central Government to improving regional governance.
 2. **Note** that the December proposal for "Strengthening Auckland's Regional Governance" proposed:
 - i) An appropriately mandated and accountable strengthened regional council able to engage with central Government on regionally significant matters.
 - ii) That the strengthened regional council is appropriately funded.
 - iii) The creation of a regional forum of all the local authorities and central government to ensure prioritisation, agreement and coordination of regionally significant activities and funding across the region.
 - iv) Central Government aligning more closely its national strategies and policies with regional strategies and its funding with regionally agreed priorities.
 3. **Note** the central Government's feedback set out in the letter from the Minister of Local Government to the Auckland Mayors and Chief Executives dated 7 June 2007.
 4. **Note** that in particular, the central Government recognises that funding is a significant regional issue and is committed to:
 - a) continuing dialogue seeking enduring solutions that are consistent with accountability arrangements and the financial management principles in the Local Government Act 2002.

- b) considering the outcomes of the Rating Inquiry in relation to the particular needs and circumstance of the Auckland region.
 - c) considering any new business case for new regional funding mechanisms.
5. **Note** that there are no changes to representation recommended for the strengthened regional council at present, due to the impending Local Government election in October 2007, but note the central Government's indication of the desirability of providing flexibility to allow future community choices in relation to representation arrangements on the GAC, including the issue of appointed or elected leadership of the Council.

Proposed Model for "Strengthening Auckland's Regional Governance

6. **Agree** to the proposed model for strengthening regional governance as described in the Final Report dated June 2007, which includes the following elements:
- i) A strengthened regional Council with the overall role to exercise responsibility for regionally significant issues associated with the social, cultural, economic and environmental wellbeing of the region and adopting a sustainable development approach to its functions including:
 - a) the current functions of the Auckland Regional Council (ARC);
 - b) advocacy to, and negotiation of implementation agreements with, central government on regional priorities across all the dimensions of the four well beings;
 - c) convenor of and provider of secretariat support for the RSDF;
 - d) to adopt the One Plan for the Auckland region on the recommendation of the RSDF;
 - e) guardian of the One Plan to facilitate and support its implementation by relevant parties;
 - f) implement One Plan decisions for which it has direct responsibility;
 - g) facilitate agreements for funding and implementation of One Plan decisions agreed to by other parties to the One Plan;
 - h) monitor and report on progress with implementation of One Plan decisions;
 - i) regional economic development; tourism promotion and regionally significant (major) events management;
 - j) facilities and amenities that contribute to regional community well-being, including the funding of services provided by regional organisations; and
 - k) assess the need for and establish, if necessary, an agency to undertake urban development or renewal projects required to advance One Plan objectives; and
 - l) Subject to further work, (yet to be completed) and the preparation of business cases the strengthened regional council would have available to it new/additional funding tools to undertake its new role.

- ii) The strengthened regional council will have a new name, *Greater Auckland*, to reflect its new expanded role, to signal a change from the past and to better distinguish it from the Auckland City Council.
- iii) Establishment of a Regional Sustainable Development Forum (RSDF) as a standing committee of Greater Auckland responsible for developing a One Plan including developing the vision and outcomes sought for the region, including specifying the priorities and funding envelopes/parameters that parties are prepared to commit to the agreed priority regional strategies; with membership of the Regional Sustainable Development Forum being for:
 - a) local authority representation to consist of two members from each of the City Councils, one from each of the District Councils and four from the regional council, with each council to decide its own RSDF members and alternates for those members, noting that this form of representation provide some recognition of proportionality;
 - b) central Government to contribute to the Regional Sustainable Development Forum with full speaking rights but not voting rights, with up to three participants with the right to speak;
 - c) Ministers to meet with RSDF periodically to allow discussion of the key issues and provide a framework for the ensuing work of the RSDF;
 - d) Mana Whenua representative(s) as participants in the RSDF with mechanisms by which they will participate to be developed in conjunction with them over the coming months;
 - e) the Chair of the Regional Sustainable Development Forum to be appointed by Greater Auckland it being envisaged that this will follow consultation with members of the Regional Sustainable Development Forum;
 - f) the Regional Sustainable Development Forum to endeavour to make decisions by consensus in the first instance and where consensus is unable to be reached, that voting be by simple majority vote of those present (i.e. no proxies) with each representative having one vote.
- iv) Development, by the Regional Sustainable Development Forum, of a One Plan for Auckland, which will promote social, cultural economic and environmental wellbeings, and where the One Plan and its component strategies will:
 - a) include the strategic vision for the region articulated in the Auckland Sustainability Framework and have a 50 years + time horizon;
 - b) have a prioritised set of projects/programmes of regionally significant scale, and funding and implementation parameters over a ten-year period;
 - c) be developed under a progressive approach, whereby its scope and breadth of actions is expanded over time;
 - d) be taken into account when Government makes significant decisions impacting on the Auckland region.

- v) The One Plan to be implemented through the following:
- a) binding funding and implementation agreements between parties for particular projects/programmes;
 - b) all Councils will be required to show One Plan commitments in Long-Term Council Community Plans and publicly report progress towards meeting those commitments;
 - c) inclusion of agreed One Plan commitments in the statement of intent of relevant council controlled organisations and Crown agencies;
 - d) sanctions could include moral persuasion, peer pressure, financial penalties, exclusion from benefits of participation in other regional programmes, and mechanisms to ensure transparency and accountability;
 - e) Greater Auckland, as guardian of the One Plan, will be responsible for facilitating contracts between other parties to the One Plan as necessary, and will also negotiate funding and implementation agreements with central Government to support agreed decisions in the One Plan.
- vi) Greater Auckland will have the choice to adopt the One Plan as recommended by the Regional Sustainable Development Forum or refer it back (in full or in part) to the Forum, but if agreement is not reached on specific aspects at the second attempt then Greater Auckland can amend those aspects of the plan.
- vii) That with regard to the priority function areas:

Funding

- a) The Auckland Councils, led by *Greater Auckland* will work together to:
- identify funding required for specific regional initiatives/services to meet the future needs of the region and achieve a step up in Auckland's performance;
 - fully optimise their respective rating bases and other existing funding lines;
 - identify the gap between current funding available and future needs;
 - explore options for additional funding and develop business cases to support any specific additional funding mechanisms necessary to meet requirements.
- b) That work will commence after an assessment of the report of the Rating Enquiry and the Government will engage with Auckland Councils in this assessment including discussing how it will engage with the work outlined in (a) above.
- c) The Government will work with the Auckland Councils to develop business cases for specific major regional projects that have been identified and prioritised in the development of the One Plan and will develop funding proposals for such projects. Detailed funding arrangements for specific priorities identified in the One Plan will form part of implementation discussions between relevant parties, which may include Government.

Three Waters

- d) The current arrangements for water services, with respect to Watercare Services Ltd (WSL) will continue.
- e) Existing Three Waters strategy work will be continued with a view to achieving a more optimal alignment between the planning of, funding for and delivery of water, wastewater and stormwater infrastructure and services.
- f) The Auckland Councils and central Government will continue to investigate the merits of legislative amendments relating to the ability of the owners of WSL to operate it within the general legislative model of a Council Controlled Organisation (CCO).

Transport

- g) Legislation will be amended with a view to:
 - The Auckland Regional Land Transport Strategy (RLTS) being enabled to include major projects and priorities;
 - Responsibility for the appointment of directors to the Auckland Regional Transport Authority being transferred to Greater Auckland.

Regional Facilities

- h) Greater Auckland to assume ownership and/or funding responsibility for existing facilities of a primarily regional nature, including the Auckland War Memorial and Transport Museums, and those facilities and services requiring regional funding; with any transfer of ownership and/or funding subject to a process of negotiation and agreement between parties. The starting point for the process would be the proposed 'Auckland Regional Amenities Bill' promoted by eleven region organisations and supported by Auckland City Council. Transfers will be contingent on:
 - identifying a transparent process for the identification of the reduced rating requirements by relevant territorial authorities as a result of the transfer of functions;
 - identification of additional regional funding sources to support both existing and new facilities;
 - certainty (possibly through legislation) about the funding obligations and mechanisms that are to operate within the region.

Economic Development, Tourism and Major Events

- i) Auckland Plus, the regional economic development agency to assume a more active role in economic development initiatives within the region, as well as assuming responsibility for regional tourism and events management.
- j) The option of Auckland Plus also coordinating, and allocating Government funding to local economic development agencies to be further investigated.
- k) Greater Auckland, in consultation with other parties as appropriate, investigate the feasibility of and need for a regional agency to undertake urban development or renewal projects required to advance One Plan objectives.

Shared Services

- l) The Councils of the Auckland Region to actively identify and pursue opportunities to secure efficiencies through a more integrated approach to service provision. The work would build upon that already underway in the region, and draw on the results of the study planned by Auckland and Manukau City Councils.

Other

- m) Other issues of regional significance, including issues about the regional governance of the Auckland Civil Defence and Emergency Management group, and the relationship between regional and local land use policy require further consideration.
- n) The One Plan and Regional Sustainability Framework processes, together with the investigation of shared services, envisaged by the proposal create an opportunity for these issues to be explored further and resolved within the context of long-term regional strategic planning.
7. **Note** that the current powers and roles of Community Boards will be retained.

Implementation

8. **Agree** to implementation of the model and the implementation steps as described in the report and set out below:

(a) Auckland Councils

- As early as possible but no later than 31 August 2007, reach and sign agreement, building on councils' resolutions, concerning:
 - the interim membership and operation of the Regional Sustainable Development Forum;
 - the scope and effect of the One Plan;
 - the process and timetable for development of the interim One Plan; and
 - how One Plan commitments will be reflected in council planning and accountability documents.
- By December 2007, reach agreement with the Mana Whenua Forum concerning how they will engage with and contribute to the development of the One Plan by the Regional Sustainable Development Forum;
- By December 2007, reach agreement (in consultation with Ministry of Economic Development, NZ Trade & Enterprise and Tourism NZ) concerning the enhanced responsibility of *Greater Auckland* including funding streams for economic development, tourism promotion and the promotion of major events. Implementation on 1 July 2008;
- In consultation with the promoting organisations, amend the draft "Auckland Regional Amenities Bill" supported by Auckland City Council to reflect the agreed transfer of responsibilities to *Greater Auckland*, and promote for enactment as early as possible;

- By March 2008, initiate an agreed joint process to identify, develop and implement initiatives to secure efficiencies through shared service provision;
- By 30 September 2007 agree to a terms of reference for the work to be undertaken concerning the funding issues identified earlier in this report.

(b) Auckland Regional Council

- By 31 October 2007, investigate and determine in consultation with Government and other Auckland councils, the potential and desirability of promoting urgent legislative change to strengthen regional governance in the form of a Local Bill;
- No later than 31 January 2008, change the operating name of the council as agreed in the proposal and determine, in consultation with Government and other Auckland councils, the desirability and urgency of changing the legal name of the regional council;
- No later than 31 January 2008, reach agreement, with all Auckland territorial authorities relating to the transfer of ownership and/or funding responsibilities for existing regional facilities and services, in a way that transparently transfers funding responsibility and capacity to the regional entity. Implementation on 1 July 2008;
- By 28 February 2008, appoint the RSDF as a committee of the council in line with the agreement with all councils, and convene the first meeting.

(c) Joint Council/Government Officials

- By 31 October 2007, investigate and report on the consequences of delayed legislative recognition of the One Plan concept;
- By 30 June 2008, obtain council and Government agreement to a process and criteria for analysing proposals for major new facilities within the region that may contribute to national as well as regional outcomes.

(d) Government

By 31 July confirm that Government will:

- actively contribute to the development of the One Plan, initially through;
- periodic meetings between relevant Ministers and the Regional Sustainable Development Forum;
- active attendance by up to three senior officials at meetings of the Regional Sustainable Development Forum;
- active engagement by Government officials with Auckland council officials in supporting the development of the One Plan
- Recognise the significance of the One Plan and give it careful consideration when Government makes significant decisions impacting on the Auckland region;

- Be prepared to engage in discussions with *Greater Auckland* on how specific priorities in the One Plan might be achieved including possible alignment of strategies and/or delivery, and options for funding;
 - Consider any business cases for new regional funding mechanisms submitted by *Greater Auckland*;
 - Refer the issue of the desirability of greater flexibility for future reviews of regional representation arrangements within Auckland to the Local Government Commission to report and make recommendations, as a matter of priority;
 - Utilise the RSDF as a mechanism for engagement between Ministers and the Auckland Region;
 - Continue to improve the coordination and integration of Government interests in respect of Auckland as a basis for future engagement with the RSDF;
 - Include in any legislation to implement decisions resulting from the 'Next Steps in the Land Transport Sector' Review authority for the Auckland Regional Land Transport Strategy to identify major projects and priorities;
 - Enact legislation to repeal the special ARTA appointment process at the earliest opportunity;
 - Initiate discussions with Auckland councils in developing a response to the findings from the Local Authority Rating Inquiry (Inquiry report due end July 2007).
9. **Note** the need for and scope of any further consultation on the proposed model for strengthening regional governance will be determined once the proposal becomes definitive in July, following consideration by central Government.
10. **Agree** that the Political Reference Group be empowered to conduct ongoing discussions with Government ministers as to the refinement and implementation of the final proposal; and that the details of the proposal will be presented to Councils for their ratification in the form of an agreement among the Auckland Councils signed before 31 August 2007.

CARRIED

6.41 pm Cr Cooper left the meeting.

1146/2007

MOVED by Cr Lawley, seconded Cr Gilmour:

1. That the feedback be received.
2. That the Council include the feedback provided by Te Taumata Runanga with any Council feedback provided to the Auckland Regional Governance process.
3. That any feedback from the four Community Board meetings scheduled to be held in July 2007 on the Strengthening Auckland's Regional Governance be forwarded to the Auckland Regional Governance process.

CARRIED

1147/2007

MOVED by Cr Flaunty, seconded Cr Gilmour:

1. That Council hold a public information meeting at an appropriate date and time on the Strengthening Regional Governance proposal.
2. That Council strongly reiterate its request for a regional public consultation process of at least eight weeks in duration on the Strengthening Regional Governance proposal.

CARRIED

PRECEDENCE OF BUSINESS

1148/2007

MOVED by Cr Hulse, seconded Cr Chan:

That Part F - Presentations be accorded precedence at this time.

CARRIED

PART F - PRESENTATIONS

17 CITATIONS

A DANIEL HEFFORD

Mayor Bob Harvey presented a Citation to Daniel Hefford in recognition of his representing New Zealand in the 2007 World Soap Box Derby in the USA in July. Daniel a pupil of Bruce McLaren Intermediate School also won the National Soap Box Derby in March 2007 at Glenfield.

B HELEN JONES

Mayor Bob Harvey presented a Citation to Helen Jones, in recognition of her dedication and commitment to the families of Waitakere.

C INAUGURAL FOOD AMBASSADOR

Mayor Bob Harvey presented Chris Mason with a certificate in recognition of his business contribution as the owner and founder of BurgerFuel.

18 WHARE WANANGA

Dr Pita Sharples, along with other members of the Whare Wananga Trust, updated the Council on progress and sought ongoing support for this initiative in relation to the Whare Wananga.

The Order of Business resumed at Part E: Reports from the Standing Committees.

PART E - REPORTS FROM THE STANDING COMMITTEES

13 CITY DEVELOPMENT COMMITTEE

1149/2007

MOVED by Cr Hulse, seconded Cr Lawley:

That the report of the Meeting of the City Development Committee held on Thursday, 7 June 2007 be received.

CARRIED

14 FINANCE AND OPERATIONAL PERFORMANCE COMMITTEE

1. PROJECT TWIN STREAMS - SALE OF SURPLUS PARTS OF PROPERTIES, LOWER WAIKUMETE STREAM

1150/2007

MOVED by Cr Clews, seconded Cr Clow:

1. That the surplus land (other than 26 Seymour Road) is not required to be offered back to the former owners consistent with the requirements of Section 40 of the Public Works Act 1981 as the former owners waived their rights of offer back in writing at the time the properties were purchased and where the Chief Executive Officer confirms under section 40(2)(a) of the Public Works Act 1981 that it is "impracticable, unreasonable, or unfair" to offer the land back to the original owner or their successor.
2. That the Chief Executive Officer be authorised to sell the specified parts of the properties mentioned below which are not required for flood management, riparian planting or walk and cycle ways at fair market value and to execute any associated documentation.

121 Millbrook Road	Lot 1 DP 85886
125a Millbrook Road	Lot 2 DP 56430
129a Millbrook Road	Lot 3 DP 63877
21 & 23 Seymour Road	Lot 18 & 19 DP 37485
3 Sunnyside Road	Lot 2 DP 37485
26 Seymour Road	Sec 1 SO 361236

3. That the Chief Executive Officer be authorised to offer to sell the site at 133 Millbrook Road at fair market value to the previous owner of 129a Millbrook Road under Section 105 of the Public Works Act 1981 and to execute any associated documentation.
4. That if the previous owner of 129a Millbrook Road chooses not to proceed with the purchase of the surplus land at 133 Millbrook Road that the Chief Executive Officer be authorised to sell that land on the open market and to execute any associated documentation.
5. That the net proceeds of any sale of land no longer required be applied to reduce the relevant Project Twin Streams loan.

CARRIED

2. **LAND PURCHASE - 1 CHRISTIAN ROAD, SWANSON**

1151/2007

MOVED by Cr Clews seconded Cr Corban:

That 1 Christian Road, Swanson, being part Lot 1, DP196223 be acquired for stormwater purposes under the Public Works Act 1981.

CARRIED

3. **PROPOSED LEASE OF AIRSPACE OVER ROAD - WADIER PLACE**

1152/2007

MOVED by Cr Clews, seconded Cr Neeson:

That as a term of the lease of the airspace over Wadier Place to be occupied by the air bridge (part of Lot 4 DP 366553 and described as "the premises" in the lease) Waitakere Group Limited be granted an option to purchase the airspace for the sum of \$1.00 (GST inclusive).

CARRIED

4. **OLD NEW LYNN HOTEL: PROPOSED FUTURE ACTIONS**

1153/2007

MOVED by Cr Clews, seconded Cr Lawley:

That the Chief Executive Officer be authorised to carry out negotiations and complete all necessary settlement documentation associated with the old New Lynn Hotel transaction to transfer the Old New Lynn Hotel properties (being Lots 11, 12, 13 DP22829) to Waitakere Properties Limited for redevelopment priorities.

CARRIED

5. **PROPOSED LAND NEGOTIATIONS - NEW LYNN TRANSIT ORIENTED DEVELOPMENT PROJECT**

This item will be considered in the Public Excluded section of the meeting, Item 18 (attached at page 1 in the Confidential Supplement labelled Part H).

6. **OTHER MATTERS CONSIDERED**

1154/2007

MOVED by Cr Clews, seconded Cr Corban:

That the report of the Meeting of the Finance and Operational Performance Committee held on Monday, 11 June 2007 be received.

CARRIED

15 PLANNING AND REGULATORY COMMITTEE

1155/2007

MOVED by Cr Neeson, seconded Cr Chan:

That the report of the Meeting of the Planning and Regulatory Committee held on Tuesday, 12 June 2007 be received.

CARRIED

16 TE TAUMATA RUNANGA

1156/2007

MOVED by Cr Lawley, seconded Cr Hulse:

That the report of the Meeting of Te Taumata Runanga held on Monday, 18 June 2007 be received.

CARRIED

4 URGENT BUSINESS

1157/2007

MOVED by Cr Hulse, seconded Cr Clews:

That the matter of Housing for Older Adults Revitalisation Project - Suspensory Loan Documentation be considered as Urgent Business because if Council accepts the suspensory loan of \$1.5 million from Housing New Zealand Corporation the authorisation from the Chief Executive Officer must be given in a Letter of Offer by Friday, 29 June 2007.

CARRIED

4A HOUSING FOR OLDER ADULTS REVITALISATION PROJECT - SUSPENSORY LOAN DOCUMENTATION

1158/2007

MOVED by Cr Hulse, seconded Cr Clews:

1. That the Housing for Older Adults Revitalisation - Suspensory Loan Documentation report be received.
2. That the Council approve the giving of first mortgage security to secure repayment of the \$1.5 million suspensory loan for upgrading purposes over the following properties:

Flagstaff Village - 6 Flagstaff Place, Massey	Lot 71 DP 76425
Jack Smyth Village - 14 Royal Road, Massey	Lot 1 DP 84282
Kaurilands Court - 18 Kaurilands Road, Titirangi	Pt Lot 3 DP 34220
North Karaka Court - 19 Karaka Street, New Lynn	Lot 33 DP 10124
	Lot 10 DP 43957
Kaumatua Village - 11 Kaumatua Place, Te Atatu	Lot 10 DP 59308

3. That Director: Finance is directed to update the register of charges once the mortgage security has been given and to affect any other registration of charges required by law.
4. That the Council agrees in principle to the granting of a first right of refusal in favour of the Housing New Zealand Corporation at market value in the event that the Council at some time in the future agrees to sell all or any of the properties listed in resolution 2 above.
5. That the Chief Executive Officer be delegated authority to negotiate and finalise the terms of the letter of offer, the mortgage security and the right of first refusal.
6. That the Chief Executive Officer be authorised to delegate as appropriate the practicalities of the implementation of the loan advance and the giving of the mortgage security by the Council in favour of Housing New Zealand Corporation in accordance with the Local Government Act 2002.

CARRIED

PART G - PROCEDURAL MATTERS

19 QUESTIONS

Pursuant to Standing Order 39.2.1 Cr Flaunty asked the following questions of the Chief Executive Officer:

1. What is the number of ratepayers who have taken advantage of the rates rebate scheme for the financial year ending 30 June 2007 and for this to be expressed as a percentage of total ratepayers of the City?
2. What is the total amount of money that the rates rebate scheme has generated back in the hands of the eligible ratepayers?

The Chief Executive Officer responded to Cr Flaunty's questions with the following answers:

1. To date 3,853 rebates have been credited to rate accounts.
2. These accounts have been credited a total of \$1,833,861.88. This is an average of \$475.96 per account.
3. There are still 65 accounts awaiting payment to be credited. The dollar amount for these is not available at present.
4. The 3,918 rate accounts credited are equivalent to 6.37% of the residential rating base for the City (note: commercial properties don't qualify).
5. 312 applications have been declined.

20 NOTICES OF MOTION

There were no Notices of Motion.

PART H - PUBLIC EXCLUDED MATTER

**21 REPORT FROM FINANCE AND OPERATIONAL PERFORMANCE COMMITTEE:
PROPOSED LAND NEGOTIATIONS - NEW LYNN TRANSIT ORIENTED
DEVELOPMENT PROJECT**

PROCEDURAL MOTION TO EXCLUDE THE PUBLIC

1159/2007

MOVED by Cr Flaunty, seconded Cr Chan:

That the public be excluded from the following part of the proceedings of this meeting, namely, Report from Finance and Operational Performance Committee - Proposed Land Negotiations - New Lynn Transit Oriented Development Project.

The general subject of the matter 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 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.
Report from Finance and Operational Performance Committee: Proposed Land Negotiations - New Lynn Transit Oriented Development Project.	The withholding of information is necessary in order to: <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). 	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.

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 Council's negotiations.*

CARRIED

7.30 pm The public were excluded.

Minute Number 1160/2007 is recorded in the Confidential Section of these Minutes.

7.33 pm The public were readmitted.

RESTATEMENT

The Council resolved while the public were excluded:

Proposed Land Negotiations - New Lynn Transit Oriented Development Project

(Moved by Cr Clews, seconded Cr Clow) (resolution 1160/2007 no. 4) *“That the Proposed Land Negotiations - New Lynn Transit Oriented Development Project Agenda report and associated resolutions remain confidential until such time as the reasons for confidentiality no longer exist.”*

22 CLOSING PRAYER

Cr Harding said the Closing Prayer.

7.34 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:.....