

**MINUTES OF A MEETING OF THE COUNCIL HELD AT WAITAKERE
CENTRAL, 6 HENDERSON VALLEY ROAD, HENDERSON,
WAITAKERE, ON WEDNESDAY, 30 MAY 2007,
COMMENCING AT 5.39 PM**

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CENTRAL, 6 HENDERSON VALLEY ROAD, HENDERSON,
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PRESENT:

Mayor	RA	Harvey, QSO, JP
Deputy Mayor	CA	Stone
Councillors	DQ	Battersby, JP
	MFP	Chan, JP
	JM	Clews, QSO, JP
	RI	Clow
	LA	Cooper
	AK	Corban, OBE, JP
	RP	Dallow, QPM, JP
	WW	Flaunty, QSM, JP
	DE	Gilmour
	C	Harding, JP
	PA	Hulse
	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)
GJ Maurice	(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: Public Affairs
Director: Strategic Planning
Group Manager: Asset Management
Group Manager: Democracy and Support Services
Manager: Legal Services
Manager: Public Affairs
Manager: Government Relations
Manager: Arts
Deputy Electoral Officer
Senior Engineer: Special Projects
Projects and Contracts Officer
Strategic Partnerships Advisor: Ethnic Communities
Mayoral Executive
Partnerships and Advocacy Leader: New Migrants
Elections Project Support Officer
Events Co-ordinator: Youth
Public Affairs Advisor: External Communications
Acting Democracy and Governance Team Manager
Democracy Support and Sister City Officer
Committee Secretary: N Delamere
A Chan

PART A - OPENING OF MEETING

1 OPENING PRAYER

Pastor Martin Prokopetz from St Mark's Church said the Opening Prayer.

2 APOLOGIES

931/2007

MOVED by Cr Neeson, seconded Cr Flaunty:

That an apology from Cr Lawley for absence be received and sustained.

CARRIED

3 CONFIRMATION OF MINUTES

932/2007

MOVED by Cr Dallow, seconded Cr Clews:

That the minutes of the Meetings of the Council held on Wednesday, 18 April 2007 and Thursday, 26 April 2007, including the public excluded minutes, as circulated, be taken as read and, subject to an amendment to the Council minutes held on Wednesday, 18 April 2007 in the Obituary, "New Lynn" substituted with "Glen Eden", now be confirmed.

CARRIED

4 URGENT BUSINESS

Notice was given that an item of Urgent Business regarding Representation on Te Taumata Runanga would be dealt with at this time.

933/2007

MOVED by Cr Stone, seconded Cr Clews:

That the matter, Representation on Te Taumata Runanga, be considered as Urgent Business to enable a representative from Te Whanau o Waipareira Trust to attend the next Te Taumata Runanga meeting scheduled on Monday, 18 June 2007.

CARRIED

4A REPRESENTATION ON TE TAUMATA RUNANGA

934/2007

MOVED by Cr Clow, seconded Cr Cooper:

1. That the Representation on Te Taumata Runanga report be received.
2. That Evelyn Taumaunu be appointed as Te Whanau o Waipareira Trust representative on Te Taumata Runanga.

CARRIED

PART B - REPORT OF THE MAYOR

935/2007

MOVED by Cr Clow, seconded Cr Corban:

That the Report of the Mayor be received.

CARRIED

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

5 NEW LYNN COMMUNITY BOARD

1 WOODLANDS PARK SCHOOL - 40KM/H SCHOOL SPEED ZONE

936/2007

MOVED by Cr Clews, seconded Cr Clow:

1. That in relation to **WOODLANDS PARK ROAD**:
 - (a) That, in accordance with the powers conferred by virtue of the Local Government Act 1974, the Land Transport Act 1998, the Transport Act 1962 and the Waitakere City Council Bylaw No.7, 1991 - Traffic, the following controls be now resolved to be specified and imposed, namely,
 - (i) a **SCHOOL ZONE SPEED LIMIT** be established in **WOODLANDS PARK ROAD** from a point 125 metres north of the intersection with **HUIA ROAD** to a point 297 metres north of the intersection with **JAYS ROAD** measured along the centre of **WOODLANDS PARK 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 **JAYS ROAD**:
 - (a) That, in accordance with the powers conferred by virtue of the Local Government Act 1974, the Land Transport Act 1998, the Transport Act 1962 and the Waitakere City Council Bylaw No.7, 1991 - Traffic, the following controls be now resolved to be specified and imposed, namely,
 - (i) a **SCHOOL ZONE SPEED LIMIT** be established along the entire length of **JAYS 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 Land Transport Rule: Traffic Control Devices 2004 - Rule 54002 hereby be approved to be put in place to properly establish, delineate and record the said speed limit restrictions.

CARRIED

2 OTHER MATTERS CONSIDERED

937/2007

MOVED by Cr Clews, seconded Cr Clow:

That the report of the Meeting of the New Lynn Community Board held on Monday, 30 April 2007 be received.

CARRIED

6 WAITAKERE COMMUNITY BOARD

1 HENDERSON VALLEY SCHOOL - 40KM/H SCHOOL SPEED ZONE

938/2007

MOVED by Cr Harding, seconded Cr Neeson:

1. That in relation to **HENDERSON VALLEY ROAD**:
 - (a) That, in accordance with the powers conferred by virtue of the Local Government Act 1974, the Land Transport Act 1998, the Transport Act 1962 and the Waitakere City Council Bylaw No.7, 1991 - Traffic, the following controls be now resolved to be specified and imposed, namely,
 - (i) a **SCHOOL ZONE SPEED LIMIT** be established in **HENDERSON VALLEY ROAD** from a point 125 metres north of the intersection with **CANDIA ROAD** to a point 448 metres north of the intersection with **GUM ROAD** measured along the centre of **HENDERSON VALLEY 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 appropriate signage and/or road markings, in accordance with the provisions of Land Transport Rule: Traffic Control Devices 2004 - Rule 54002 hereby be approved to be put in place to properly establish, delineate and record the said speed limit restrictions.

CARRIED

939/2007

MOVED by Cr Harding, seconded Cr Neeson:

1. That in relation to **GUM ROAD**:
 - (a) That, in accordance with the powers conferred by virtue of the Local Government Act 1974, the Land Transport Act 1998, the Transport Act 1962 and the Waitakere City Council Bylaw No.7, 1991 - Traffic, the following controls be now resolved to be specified and imposed, namely,
 - (i) a **SCHOOL ZONE SPEED LIMIT** be established along the entire length of **GUM 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 appropriate signage and/or road markings, in accordance with the provisions of Land Transport Rule: Traffic Control Devices 2004 - Rule 54002 hereby be approved to be put in place to properly establish, delineate and record the said speed limit restrictions.

CARRIED

2 OTHER MATTERS CONSIDERED

940/2007

MOVED by Cr Dallow, seconded Cr Harding:

That the report of the Meeting of the Waitakere Community Board held on Tuesday, 1 May 2007 be received.

CARRIED

7 MASSEY COMMUNITY BOARD

941/2007

MOVED by Cr Cooper, seconded Cr Flaunty:

That the report of the Meeting of the Massey Community Board held on Wednesday, 2 May 2007 be received.

CARRIED

8 HENDERSON COMMUNITY BOARD

942/2007

MOVED by Cr Gilmour, seconded Cr Corban:

That the report of the Meeting of the Henderson Community Board held on Thursday, 3 May 2007 be received.

CARRIED

9 WAITAKERE YOUTH COUNCIL

943/2007

MOVED by Cr Clews, seconded Cr Cooper:

That the report of the Meeting of the Waitakere Youth Council held on Monday, 7 May 2007 be received.

CARRIED

PART D - REPORT OF THE CHIEF EXECUTIVE OFFICER

10 LANDCARE RESEARCH - RELATIONSHIP AGREEMENT

944/2007

MOVED by Cr Hulse, seconded Cr Chan:

1. That the Landcare Research - Relationship Agreement report be received.
2. That authority be delegated to the Chief Executive Officer to enter into a Relationship Agreement with Landcare Research.

CARRIED

11 AUCKLAND REGIONAL GOVERNANCE

945/2007

MOVED by Cr Clow, seconded Cr Dallow:

That the matter regarding the Auckland Regional Governance be deferred until after an urgent workshop on the subject has been held.

CARRIED

946/2007

MOVED by Cr Hulse, seconded Cr Battersby:

1. Pursuant to Standing Order 27.18 notice is given that the following Council resolution (671/2007) relating to Watercare dividend will be rescinded at the Council meeting which will be held after the urgent workshop on Auckland Regional Governance:

“That Watercare ownership be retained by the territorial local authorities as a Council Controlled Organisation and that it be able to pay a dividend which can be used by the territorial local authorities for the Three Waters.”

671/2007

2. That the report on the Auckland Regional Governance be referred to Te Taumata Runanga and the four Community Boards for their information and feedback to Council.

CARRIED

PRECEDENCE OF BUSINESS

947/2007

MOVED by Cr Clow, seconded Cr Flaunty:

That Part F - Presentations, Item 21: Signing of Lopdell House Development Partnering and Funding Agreement, and Item 22: Presentation to Beatrice Faumuina be accorded precedence at this time.

CARRIED

PART F - PRESENTATIONS

21 SIGNING OF LOPDELL HOUSE DEVELOPMENT PARTNERING AND FUNDING AGREEMENT

The Chief Executive Officer and the Chairman of the Lopdell House Development Trust jointly executed the Lopdell House Development Partnering and Funding Agreement. The completion of this Partnering and Funding Agreement is required by the Culture, Arts and Events Special Committee to enable the release of the remaining ARST funding for project development.

22 PRESENTATION TO BEATRICE FAUMUINA

The Mayor made a presentation to Beatrice Faumuina, appointing her as the inaugural Health and Wellbeing Ambassador of Waitakere.

The Order of Business resumed at Item 12: 2007 Elections - Guidelines for Use of Council Resources in the Pre-Election Period.

12 2007 ELECTIONS - GUIDELINES FOR USE OF COUNCIL RESOURCES IN THE PRE-ELECTION PERIOD

948/2007

MOVED by Cr Dallow, seconded Cr Flaunty:

1. That the 2007 Elections - Guidelines for Use of Council Resources in the Pre-Election Period report be received.
2. That the "Suggested Guidelines for Public Communications by Local Authorities" produced by the Office of the Controller and Auditor-General and adopted as 'good practice' be noted.

CARRIED

13 ELECTION SIGNS AND HOARDINGS SCHEDULE 2007

949/2007

MOVED by Cr Corban, seconded Cr Clews:

1. That the Election Signs and Hoardings Schedule 2007 report be received.
2. That the Council Election Signs and Hoardings Schedule 2007 be noted.

CARRIED

14 ENDORSEMENT OF THE AUCKLAND REGIONAL SETTLEMENT STRATEGY

950/2007

MOVED by Cr Battersby, seconded Cr Chan:

1. That the Endorsement of the Auckland Regional Settlement Strategy report be received.
2. That Council endorses the Auckland Regional Settlement Strategy and associated Auckland Settlement Action Plan.

CARRIED

15 STURGES ROAD RAIL OVERBRIDGE REPLACEMENT - FIXING OF ROAD LEVEL

951/2007

MOVED by Cr Neeson, seconded Cr Corban:

1. That the Sturges Road Rail Overbridge Replacement - Fixing of Road Level report be received.
2. That, pursuant to Section 330 of the Local Government Act 1974, public notice be given in accordance with Clause 1 of Schedule 13 of that Act of the Council's intention to raise the level of Sturges Road on either side of the rail overbridge to the levels depicted in the engineering plans prepared by Council's engineers.
3. That the Group Manager: Asset Management be delegated authority to confirm the properties that are affected once the detailed engineering plans have been finalised and to fix the date for the hearing of any objections to the proposed changes prior to publication of the public notice.
4. That the Sturges Road Bridge Working Party be kept informed of all changes regarding the Sturges Road Rail Overbridge Replacement - Fixing of Road Level.

CARRIED

16 OWENS GREEN RESERVE - LEASE TO MUDDY CREEK RIDERS INCORPORATED AND OTHER ISSUES

952/2007

MOVED by Cr Cooper, seconded Cr Neeson:

1. That the Owens Green Reserve - Lease to Muddy Creek Riders Incorporated and Other Issues report be received.
2. That, acting under delegated authority from the Minister of Conservation pursuant to Section 10 of the Reserves Act 1977, consent is given to lease Owens Green Reserve under Section 54(1)(c) of the Reserves Act 1977.
3. That the Council confirms the decision of Matthew Casey Q.C. dated 26 February 2007 to award a lease of the Owens Green Reserve to Muddy Creek Riders Incorporated under Section 54(1)(c) of the Reserves Act 1977 upon the terms set out in the decision.

CARRIED

PART E - REPORTS FROM THE STANDING COMMITTEES

17 CITY DEVELOPMENT COMMITTEE

953/2007

MOVED by Cr Hulse, seconded Cr Gilmour:

That the reports of the Meetings of the City Development Committee held on Thursday, 3 May 2007 and the Extraordinary meeting held on Friday, 18 May 2007 be received.

CARRIED

18 FINANCE AND OPERATIONAL PERFORMANCE COMMITTEE

954/2007

MOVED by Cr Clews, seconded Cr Corban:

That the report of the Meeting of the Finance and Operational Performance Committee held on Monday, 8 May 2007 be received.

CARRIED

19 PLANNING AND REGULATORY COMMITTEE

955/2007

MOVED by Cr Neeson, seconded Cr Dallow:

That the report of the Meeting of the Planning and Regulatory Committee held on Tuesday, 9 May 2007 be received.

CARRIED

20 TE TAUMATA RUNANGA

956/2007

MOVED by Cr Cooper, seconded Cr Clews:

That the report of the Meeting of Te Taumata Runanga held on Monday, 14 May 2007 be received.

CARRIED

PART F - PRESENTATIONS

21 SIGNING OF LOPDELL HOUSE DEVELOPMENT PARTNERING AND FUNDING AGREEMENT

This item was dealt with after Item 11: Auckland Regional Governance.

22 PRESENTATION TO BEATRICE FAUMUINA

This item was dealt with after Item 21: Signing of Lopdell House Development Partnering and Funding Agreement.

PART G - PROCEDURAL MATTERS

23 QUESTIONS

There were no Questions.

24 NOTICES OF MOTION

There were no Notices of Motion.

PART H - PUBLIC EXCLUDED MATTERS

25 FINA OCEANIA SWIMMING CHAMPIONSHIPS 2008

PROCEDURAL MOTION TO EXCLUDE PUBLIC

957/2007

MOVED by Cr Battersby, seconded Cr Gilmour:

That the public be excluded from the following part of the proceedings of this meeting, namely, FINA Oceania Swimming Championships 2008.

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 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.
FINA Oceania Swimming Championships 2008	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 the Council's negotiations.*

7.42 pm The public were excluded.

Minute Number 958/2007 is recorded in the Confidential Section of these Minutes.

7.50 pm The public were readmitted.

RESTATEMENT

The Council resolved while the public were excluded:

FINA Oceania Swimming Championships 2008

(Moved by Cr Clow, seconded Cr Corban (resolution 958/2007) *"That the FINA Oceania Swimming Championships 2008 report and resolutions remain confidential until a decision on hosting rights is made."*

26 CLOSING PRAYER

Cr Flaunty said the Closing Prayer.

7.52 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:.....