

**MINUTES OF A MEETING OF THE COUNCIL HELD AT WAITAKERE CENTRAL,  
6 HENDERSON VALLEY ROAD, HENDERSON, WAITAKERE,  
ON WEDNESDAY, 30 JULY 2008,  
COMMENCING AT 5.33 PM**

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**PRESENT:**

Mayor	RA	Harvey, QSO, JP
Deputy Mayor	PA	Hulse
Councillors	DQ	Battersby, JP
	BA	Brady, JP
	MFP	Chan, JP
	JM	Clews, QSO, JP
	RI	Clow
	LA	Cooper, JP
	AK	Corban, OBE, JP (from 5.37 pm)
	WW	Flaunty, QSM, JP
	MM	Jolley
	JP	Lawley, JP
	PG	Mitchell (from 5.35 pm)
	VS	Neeson, JP

**OBSERVERS:**

W Paki	(Chairman, Te Taumata Runanga)
M Te Huia	(Deputy Chairman, Te Taumata Runanga)
JG Riddell	(Chairman, Massey Community Board)
GPJ Marshall	(Chairman, New Lynn Community Board)
WR Davis	(New Lynn Community Board)
KJP Witten-Hannah, JP	(Chairman, Waitakere Community Board)
CA Shepherd, JP	(Deputy Chairman, Waitakere Community Board)
LE Davies	(Waitakere Community Board)
A Wadsworth	(Chairman, Waitakere Youth Council)

**IN ATTENDANCE:**

Chief Executive Officer  
Director: City Services  
Director: Corporate & Business Services  
Director: Finance  
Director: Public Affairs  
Group Manager: Democracy and Support Services  
Group Manager: Planning & Community Services  
Manager: Legal Services  
Manager: Government Relations  
Assets and Network Manager  
Security Manager  
Project Manager: Strategic Property Projects  
Mayoral Executive  
Executive Support to Deputy Mayor  
Democracy and Governance Manager  
Senior Secretary to Group Manager: Asset Management  
Committee Secretary: Quality and Training  
Committee Secretary's: M Petherick  
J Moore

**ALSO IN  
ATTENDANCE:**

Rodney Hutchison, KGS Geotechnical Limited

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

### **1 OPENING PRAYER**

Sister Mary Foy from the Auckland Sisters of Mercy said the Opening Prayer.

5.35 pm Cr Mitchell entered the meeting.

5.37 pm Cr Corban entered the meeting.

### **2 APOLOGIES**

1238/2008

MOVED by Cr Clews, seconded Cr Neeson:

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

**CARRIED**

### **3 CONFIRMATION OF MINUTES**

1239/2008

MOVED by Cr Clews, seconded Cr Corban:

The Council resolved to:

**Receive** the minutes of the meetings of the Council held on Tuesday, 24 June 2008 and Wednesday, 25 June 2008, including the public excluded minutes, as circulated, and that they be taken as read and now be confirmed.

**CARRIED**

### **4 URGENT BUSINESS**

#### **LANDSLIP ASSESSMENT - BRITTEN PROPERTY - 19 CHURCH STREET, SWANSON**

1240/2008

MOVED by Cr Flaunty, seconded Cr Hulse:

The Council resolved to:

**Agree** that the subject of the Landslip Assessment - Britten Property - 19 Church Street, Swanson be deferred until after Item 11: Waitakere Youth Council.

**CARRIED**

### **5 CONFLICTS OF INTEREST**

Elected Members were reminded via the agenda, of the need to be vigilant to stand aside from decision making when a conflict arises between their role as a member of the Council and any private or other external interest they might have.

**PART B - REPORT OF THE MAYOR**

**6 REPORT OF THE MAYOR**

1241/2008

MOVED by Cr Hulse, seconded Cr Clow:

The Council resolved to:

**Receive** the Report of the Mayor.

**CARRIED**

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

**7 NEW LYNN COMMUNITY BOARD**

1242/2008

MOVED by Cr Clews, seconded Cr Lawley:

The Council resolved to:

**Receive** the report of the meeting of the New Lynn Community Board held on Monday, 30 June 2008.

**CARRIED**

**8 WAITAKERE COMMUNITY BOARD**

1243/2008

MOVED by Cr Mitchell, seconded Cr Hulse:

The Council resolved to:

**Receive** the report of the meeting of the Waitakere Community Board held on Tuesday, 1 July 2008.

**CARRIED**

**9 MASSEY COMMUNITY BOARD**

1244/2008

MOVED by Cr Chan, seconded Cr Cooper:

The Council resolved to:

**Receive** the report of the meeting of the Massey Community Board held on Wednesday, 2 July 2008.

**CARRIED**

**10 HENDERSON COMMUNITY BOARD**

1245/2008

MOVED by Cr Jolley, seconded Cr Brady:

The Council resolved to:

**Receive** the report of the meeting of the Henderson Community Board held on Thursday, 3 July 2008.

**CARRIED**

**11 WAITAKERE YOUTH COUNCIL**

1246/2008

MOVED by Cr Hulse, seconded Cr Brady:

The Council resolved to:

**Receive** the report of the meeting of the Waitakere Youth Council held on Monday, 7 July 2008.

**CARRIED**

**4 URGENT BUSINESS**

**LANDSLIP ASSESSMENT BRITTEN PROPERTY - 19 CHURCH STREET, SWANSON**

That pursuant to Section 46(A)(7A) of the Local Government Official Information and Meetings Act 1987, Mayor Bob Harvey and Councillors gave their consent for an urgent update and presentation on a landslip that has occurred on the Britten Property - 19 Church Street, Swanson. The presentation was made by Rodney Hutchinson from KGS Geotechnical Limited.

1247/2008

MOVED by Cr Hulse, seconded Cr Clews:

The Council resolved to:

**Agree** to recommend that the Chief Executive Officer investigate, and if appropriate initiate urgent and remedial action in respect of the landslip on the Brittan property and a report be brought back to the Planning and Regulatory Committee on Tuesday, 12 August 2008 advising of the actions taken or proposed actions that can be considered.

**CARRIED**

The Order of Business resumed at Part D - Report of the Chief Executive, Item 12: Change to Chairman and Deputy Chairman of the Performance Review Committee.

## PART D - REPORT OF THE CHIEF EXECUTIVE OFFICER

### 12 CHANGE TO CHAIRMAN AND DEPUTY CHAIRMAN OF THE PERFORMANCE REVIEW COMMITTEE

1248/2008

MOVED by Cr Clews, seconded Cr Battersby:

The Council resolved to:

1. **Receive** the Change to Chairman and Deputy Chairman of the Performance Review Committee report.
2. **Approve** the appointment of Mayor Bob Harvey as the Chairman of the Performance Review Committee.
3. **Approve** the appointment of Councillor Clews as the Deputy Chairman of the Performance Review Committee.
4. **Agree** that the relevant changes to the appointment of the Chairman and Deputy Chairman of the Performance Review Committee be reported back to the Performance Review Committee at their next scheduled meeting in 2008.

**CARRIED**

### 13 APPOINTMENT TO TE TAUMATA RUNANGA

1249/2008

MOVED by Cr Cooper, seconded Cr Mitchell:

6.44 pm Cr Brady and Hulse left the meeting.

The Council resolved to:

1. **Receive** the Appointment to Te Taumata Runanga report.
2. **Agree** that Tom Watford be appointed the Kakariki Marae representative on Te Taumata Runanga replacing Sonny Livingston, and that Whakaiti Andrews be appointed as alternative Kakariki Marae representative on Te Taumata Runanga replacing Wihiria Mark.

**CARRIED**

## PART E - REPORTS FROM THE STANDING COMMITTEES

### 14 INFRASTRUCTURE AND WORKS COMMITTEE

1250/2008

MOVED by Cr Battersby, seconded Cr Clow:

The Council resolved to:

**Receive** the report of the meeting of the Infrastructure and Works Committee held on 2 July 2008.

**CARRIED**

6.47 pm Cr Hulse returned to the meeting.

6.48 pm Cr Mitchell left the meeting.

**15 POLICY AND STRATEGY COMMITTEE**

1251/2008

MOVED by Cr Hulse, seconded Cr Cooper:

6.49 pm Cr Brady returned to the meeting.

The Council resolved to:

**Receive** the report of the meeting of the Policy and Strategy Committee held on 3 July 2008.

**CARRIED**

**16 FINANCE AND OPERATIONAL PERFORMANCE COMMITTEE**

**1 DELTA AVENUE, NEW LYNN - ACQUISITION OF LAND FOR A FUTURE PROPERTY DEVELOPMENT**

The report from Finance and Operational Performance Committee: Delta Avenue, New Lynn - Acquisition of Land for a Future Property Development will be dealt with in the public excluded section of the meeting as Item 24.

**2 TE ATATU PENINSULA - ACQUISITION OF LAND FOR A FUTURE PROPERTY DEVELOPMENT**

The report from Finance and Operational Performance Committee: Te Atatu Peninsula - Acquisition of Land for a Future Property Development will be considered in the Public Excluded section of the meeting as Item 24.

**3 OTHER MATTERS CONSIDERED**

1252/2008

MOVED by Cr Clow, seconded Cr Clews:

The Council resolved to:

**Receive** the report of the meeting of the Finance and Operational Performance Committee held on Monday, 7 July 2008.

**CARRIED**

**17 PLANNING AND REGULATORY COMMITTEE**

1253/2008

MOVED by Cr Neeson, seconded Cr Lawley:

The Council resolved to:

**Receive** the report of the meeting of the Planning and Regulatory Committee held on Tuesday, 8 July 2008.

**CARRIED**

**18 CULTURE AND COMMUNITY COMMITTEE**

1254/2008

MOVED by Cr Lawley, seconded Cr Corban:

The Council resolved to:

**Receive** the report of the meeting of the Culture and Community Committee held on Wednesday, 9 July 2008 be received.

**CARRIED**

**19 NORSGA URBAN DEVELOPMENT COMMITTEE**

1255/2008

MOVED by Cr Cooper, seconded Cr Hulse:

The Council resolved to:

**Receive** the reports of the meetings of the NorSGA Urban Development Committee held on Monday, 17 March 2008 and Monday, 16 June 2008.

**CARRIED**

6.53 pm Cr Mitchell returned to the meeting.

**20 TE TAUMATA RUNANGA**

1256/2008

MOVED by Cr Mitchell, seconded Cr Cooper:

The Council resolved to:

**Receive** the report of the meeting of Te Taumata Runanga held on Monday, 14 July 2008.

**CARRIED**

**PART F - PRESENTATION**

**21 CITATION**

Mayor Bob Harvey made a presentation to Mr Peter Cleary in recognition of his services over the past 30 years with his endeavours to keeping the streets free of litter in the Massey Community.

**PART G - PROCEDURAL MATTERS**

**22 QUESTIONS**

There were no Questions.

**23 NOTICES OF MOTION**

There were no Notices of Motion.

**PART H - PUBLIC EXCLUDED MATTERS**

**24 REPORTS FROM FINANCE AND OPERATIONAL PERFORMANCE COMMITTEE:**

1. **DELTA AVENUE, NEW LYNN - ACQUISITION OF LAND FOR A FUTURE PROPERTY DEVELOPMENT**
2. **TE ATATU PENINSULA - ACQUISITION OF LAND FOR A FUTURE PROPERTY DEVELOPMENT**

**PROCEDURAL MOTION TO EXCLUDE THE PUBLIC**

1257/2008

MOVED by Cr Clow, seconded Cr Mitchell:

That the public be excluded from the following part of the proceedings of this meeting, namely, Reports from Finance and Operational Performance Committee: 1. Delta Avenue, New Lynn - Acquisition of Land for a Future Property Development; 2. Te Atatu Peninsula - Acquisition of Land for a Future Property Development.

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 matter.	Ground(s) under Section 48(1)(a) for the passing of this resolution.
Reports from Finance and Operational Performance Committee:  1. Delta Avenue, New Lynn - Acquisition of Land for a Future Property Development.	The withholding of information is necessary in order to: <ul style="list-style-type: none"> <li>• enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).</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.
2. Te Atatu Peninsula - Acquisition of Land for a Future Property Development.	The withholding of information is necessary in order to: <ul style="list-style-type: none"> <li>• enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).</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.

