

**MINUTES OF A MEETING OF THE COUNCIL HELD IN THE COUNCIL CHAMBER AT  
WAITAKERE CENTRAL, 6 HENDERSON VALLEY ROAD, HENDERSON,  
WAITAKERE, ON WEDNESDAY, 26 NOVEMBER 2008,  
COMMENCING AT 5.36 PM**

---

<u>ITEM</u>	<u>TABLE OF CONTENTS</u>	<u>PAGE NO.</u>
	<b><u>OPENING OF MEETING</u></b>	<b>2</b>
1	OPENING PRAYER	2
2	APOLOGIES	2
3	CONFIRMATION OF MINUTES	2
4	URGENT BUSINESS	2
5	CONFLICTS OF INTEREST	2
	<b><u>PART B - REPORT OF THE MAYOR</u></b>	<b>2</b>
6	REPORT OF THE MAYOR	2
	<b><u>PART C - REPORTS OF NEW LYNN COMMUNITY BOARD, WAITAKERE COMMUNITY BOARD, MASSEY COMMUNITY BOARD, HENDERSON COMMUNITY BOARD AND WAITAKERE YOUTH COUNCIL</u></b>	<b>3</b>
7	NEW LYNN COMMUNITY BOARD	3
8	WAITAKERE COMMUNITY BOARD	3
9	MASSEY COMMUNITY BOARD	3
10	HENDERSON COMMUNITY BOARD	3
11	WAITAKERE YOUTH COUNCIL	4
	<b><u>PART D - REPORT OF THE CHIEF EXECUTIVE OFFICER</u></b>	<b>4</b>
12	CHANGE OF COUNCIL APPOINTMENT TO THE AUCKLAND REGIONAL PHYSICAL ACTIVITY AND SPORTS STRATEGY	4
	<b><u>PART E - REPORTS FROM THE STANDING COMMITTEES</u></b>	<b>4</b>
13	INFRASTRUCTURE AND WORKS COMMITTEE	4
14	POLICY AND STRATEGY COMMITTEE	4
15	FINANCE AND OPERATIONAL PERFORMANCE COMMITTEE	5
16	PLANNING AND REGULATORY COMMITTEE	5
17	CULTURE AND COMMUNITY COMMITTEE	5
18	NORSGA URBAN DEVELOPMENT COMMITTEE	5
19	TE TAUMATA RUNANGA	5
20	LONG TERM COUNCIL COMMUNITY PLAN AND ANNUAL PLAN COMMITTEE	6

<b><u>PART F - PRESENTATIONS</u></b>	<b>6</b>
21 CITATION	6
22 EDEN PARK REDEVELOPMENT	6
<b><u>PART G - PROCEDURAL MATTERS</u></b>	<b>6</b>
23 QUESTIONS	6
24 NOTICES OF MOTION	6
<b><u>PART H - PUBLIC EXCLUDED MATTERS</u></b>	<b>10</b>
27 GREEN FASHION ROCKS PROPOSAL	10
25 HENDERSON VALLEY STUDIOS: SHAREHOLDERS' AGREEMENT AND COMPANY CONSTITUTION	11
26 WAITAKERE PACIFIC ARTS AND CULTURAL TRUST - ANNUAL REPORT 2007/2008	11
28 INFRASTRUCTURE ASSETS WITHIN THE PLAN CHANGE 15 AREA	12
★ ★ ★ ★ ★ ★ ★ ★ ★ ★	
29 CLOSING PRAYER	9

**MINUTES OF A MEETING OF THE COUNCIL HELD IN THE COUNCIL CHAMBER AT  
WAITAKERE CENTRAL, 6 HENDERSON VALLEY ROAD, HENDERSON,  
WAITAKERE, ON WEDNESDAY, 26 NOVEMBER 2008,  
COMMENCING AT 5.36 PM**

---

**PRESENT:**

Mayor	RA	Harvey, QSO, JP
Deputy Mayor	PA	Hulse
Councillors	DQ	Battersby, JP
	MFP	Chan, JP
	JM	Clews, QSO, JP
	RI	Clow
	LA	Cooper, JP
	RP	Dallow, QPM, JP (until 7.59 pm)
	WW	Flaunty, QSM, JP
	MM	Jolley
	JP	Lawley, JP
	PG	Mitchell
	VS	Neeson, JP

**OBSERVERS:**

M Te Huia	(Deputy Chairman, Te Taumata Runanga)
EAG Grimmer, MNZM	(Chairman, Henderson Community Board)
JG Riddell	(Chairman, Massey Community Board)
GPJ Marshall	(Chairman, 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)

**IN ATTENDANCE:**

Chief Executive Officer  
Director: Corporate & Business Services  
Director: Finance  
Director: Public Affairs  
Director: Strategic Planning  
Group Manager: Democracy and Support Services  
Manager: Legal Services  
Manager: Assurance Services  
Arts Project Manager  
Democracy and Governance Manager  
Executive Support to Deputy Mayor  
Public Affairs Advisor: External Communications  
Senior Committee Administrator  
Committee Secretary: Quality and Training  
Committee Secretaries: J Moore  
M Petherick

**ALSO  
IN ATTENDANCE:**

A Feeley, Chief Executive Officer, Eden Park Redevelopment Board  
R Fisher, Trustee, Eden Park Redevelopment Board  
D Lonergan, Dean Lonergan Events

## **OPENING OF MEETING**

### **1 OPENING PRAYER**

Reverend Don Battley from the Church of the Good Shepherd, Massey said the Opening Prayer.

### **2 APOLOGIES**

1977/2008

MOVED by Mayor Bob Harvey, seconded Cr Hulse:

That apologies from Crs Brady and Corban for absence be received and sustained.

**CARRIED**

### **3 CONFIRMATION OF MINUTES**

1978/2008

MOVED by Cr Clews, seconded Cr Hulse:

The Council resolved to:

**Receive** the minutes of the meeting of the Council held on Wednesday, 29 October 2008, as circulated, and that they be taken as read and now be confirmed.

**CARRIED**

### **4 URGENT BUSINESS**

There was no Urgent Business.

### **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**

5.45 pm Cr Dallow left the meeting.

1979/2008

MOVED by Cr Clow, seconded Cr Clews:

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**

1980/2008

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, 3 November 2008.

**CARRIED**

**8 WAITAKERE COMMUNITY BOARD**

1981/2008

MOVED by Cr Hulse, seconded Cr Mitchell:

The Council resolved to:

**Receive** the report of the meeting of the Waitakere Community Board held on Tuesday, 4 November 2008.

**CARRIED**

**9 MASSEY COMMUNITY BOARD**

1982/2008

MOVED by Cr Flaunty, seconded Cr Chan:

The Council resolved to:

**Receive** the report of the meeting of the Massey Community Board held on Wednesday, 5 November 2008.

**CARRIED**

**10 HENDERSON COMMUNITY BOARD**

1983/2008

MOVED by Cr Jolley, seconded Cr Mitchell:

The Council resolved to:

**Receive** the report of the meeting of the Henderson Community Board held on Thursday, 6 November 2008.

**CARRIED**

11 **WAITAKERE YOUTH COUNCIL**

5.57 pm Cr Hulse left the meeting.

5.58 pm Cr Dallow returned to the meeting.

1984/2008

MOVED by Cr Cooper, seconded Cr Neeson:

The Council resolved to:

**Receive** the report of the meeting of the Waitakere Youth Council held on Monday, 3 November 2008.

**CARRIED**

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

12 **CHANGE OF COUNCIL APPOINTMENT TO THE AUCKLAND REGIONAL PHYSICAL ACTIVITY AND SPORTS STRATEGY**

1985/2008

MOVED by Cr Neeson, seconded Cr Battersby:

The Council resolved to:

1. **Receive** the Change Of Council Appointment To The Auckland Regional Physical Activity And Sports Strategy report.
2. **Agree** to appoint Councillor Ross Dallow to replace Councillor Linda Cooper as Council's representative to the Auckland Regional Physical Activity and Sports Strategy and its subsidiary subcommittees or working groups, for the remainder of the Council's 2007-2010 term.

**CARRIED**

**PART E - REPORTS FROM THE STANDING COMMITTEES**

6.07 pm Cr Hulse returned to the meeting.

13 **INFRASTRUCTURE AND WORKS COMMITTEE**

1986/2008

MOVED by Cr Battersby, seconded Cr Clews:

The Council resolved to:

**Receive** the report of the meeting of the Infrastructure and Works Committee held on Wednesday, 5 November 2008.

**CARRIED**

14 **POLICY AND STRATEGY COMMITTEE**

1987/2008

MOVED by Cr Hulse, seconded Cr Cooper:

The Council resolved to:

**Receive** the report of the meeting of the Policy and Strategy Committee held on Thursday, 6 November 2008.

**CARRIED**

**15 FINANCE AND OPERATIONAL PERFORMANCE COMMITTEE**

1988/2008

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, 10 November 2008.

**CARRIED**

**16 PLANNING AND REGULATORY COMMITTEE**

1989/2008

MOVED by Cr Neeson, seconded Cr Jolley:

The Council resolved to:

**Receive** the reports of the meetings of the Planning and Regulatory Committee held on Tuesday, 11 November 2008 and Monday, 17 November 2008.

**CARRIED**

**17 CULTURE AND COMMUNITY COMMITTEE**

1990/2008

MOVED by Cr Lawley, seconded Cr Neeson:

The Council resolved to:

**Receive** the report of the meeting of the Culture and Community Committee held on Wednesday, 12 November 2008.

**CARRIED**

**18 NORSGA URBAN DEVELOPMENT COMMITTEE**

1991/2008

MOVED by Cr Cooper, seconded Cr Neeson:

The Council resolved to:

**Receive** the report of the meeting of the NorSGA Urban Development Committee held on Monday, 13 October 2008.

**CARRIED**

**19 TE TAUMATA RUNANGA**

1992/2008

MOVED by Cr Clow , seconded Cr Cooper:

The Council resolved to:

**Receive** the report of the meeting of Te Taumata Runanga held on Monday, 17 November 2008.

**CARRIED**

**20 LONG TERM COUNCIL COMMUNITY PLAN AND ANNUAL PLAN COMMITTEE**

1993/2008

MOVED by Cr Clews, seconded Cr Dallow:

The Council resolved to:

**Receive** the report of the meeting of the Long Term Council Community Plan and Annual Plan Committee held on Tuesday, 18 November 2008.

**CARRIED**

**PART F - PRESENTATIONS**

**21 CITATION**

Mayor Bob Harvey presented a Citation to Christine Finlay in recognition of her commitment to the prevention of family violence.

**22 EDEN PARK REDEVELOPMENT**

Adam Feeley (Chief Executive Officer, Eden Park Redevelopment Board) and Rob Fisher (Trustee, Eden Park Redevelopment Board ) gave a presentation updating the Council on the Eden Park redevelopment.

**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 HENDERSON VALLEY STUDIOS: SHAREHOLDERS' AGREEMENT AND COMPANY CONSTITUTION**

**26 WAITAKERE PACIFIC ARTS AND CULTURAL TRUST - ANNUAL REPORT 2007/2008**

**27 GREEN FASHION ROCKS PROPOSAL**

**28 INFRASTRUCTURE ASSETS WITHIN THE PLAN CHANGE 15 AREA**

**PROCEDURAL MOTION TO EXCLUDE THE PUBLIC**

1994/2008

MOVED by Cr Flaunty, seconded Cr Dallow:

1. That the public be excluded from the following parts of the proceedings of this meeting namely, Henderson Valley Studios: Shareholders' Agreement And Company Constitution; Waitakere Pacific Arts And Cultural Trust - Annual Report 2007/2008; Green Fashion Rocks Proposal and Infrastructure Assets Within The Plan Change 15 Area.

The general subject of the matters to be considered while the public is excluded, the reason for passing these resolutions 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 these resolutions 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.
Henderson Valley Studios: Shareholders' Agreement And Company Constitution	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
Waitakere Pacific Arts And Cultural Trust - Annual Report 2007/2008	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
Green Fashion Rocks Proposal	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

<p>Infrastructure Assets Within The Plan Change 15 Area</p>	<p>The withholding of information is necessary in order to:</p> <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>	<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 parts of the proceedings of the meeting in public as follows:

- These reports contain information which if released could affect Council's negotiations.*
2. That Dean Lonergan remain for item 27: Green Fashion Rocks Proposal, after the public has been excluded to do a presentation to the Council and not to remain for the decision making process that will take place after his presentation.

**CARRIED**

6.57 pm The public were excluded.

**PRECEDENCE OF BUSINESS**

1995/2008

MOVED by Cr Hulse, seconded Cr Neeson:

That Item 27: Green Fashion Rocks Proposal be accorded precedence at this time.

**CARRIED**

7.20 pm Dean Lonergan left the meeting.

Minute Numbers 1995/2008 to 2002/2008 are recorded in the Confidential Section of these Minutes.

The Order of Business resumed at Item 25: Henderson Valley Studios: Shareholders Agreement and Company Constitution.

8.25 pm The public were readmitted.

**RESTATEMENTS**

The Council resolved while the public were excluded:

**Green Fashion Rocks Proposal**

(Moved by Cr Battersby, seconded Cr Hulse) (resolution 1999/2008) **“Agree the Green Fashion Rocks Proposal Agenda report and associated resolutions remain confidential until such time as the reasons for confidentiality no longer exist.”**

**Henderson Valley Studios: Shareholders' Agreement And Company Constitution**

(Moved by Cr Clow, seconded Cr Clews) (resolution 2000/2008) **“Agree the Henderson Valley Studios: Shareholders' Agreement And Company Constitution Agenda report and associated resolutions remain confidential until such time as the reasons for confidentiality no longer exist.”**

**Waitakere Pacific Arts And Cultural Trust - Annual Report 2007/2008**

(Moved by Cr Lawley, seconded Cr Flaunty) (resolution 2001/2008) **“Agree the Waitakere Pacific Arts And Cultural Trust Annual Report 2007/2008 Agenda report and associated resolutions remain confidential until such time as the reasons for confidentiality no longer exist.”**

**Infrastructure Assets Within The Plan Change 15 Area**

(Moved by Cr Clow, seconded Cr Clews) (resolution 2002/2008) **“Agree the Infrastructure Assets Within The Plan Change 15 Area Agenda report and associated resolutions remain confidential until such time as the reasons for confidentiality no longer exist.”**

**29 CLOSING PRAYER**

Cr Battersby said the Closing Prayer.

8.27 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:**.....