



Waitakere City Council
Te Taiao o Waitakere

NOTICE OF MEETING

COUNCIL

I hereby give notice that a meeting of the Council will be held on:-

DATE: **Wednesday, 16 September 2009** **TIME:** **9.30 am**

MEETING
ROOM: **Council Chamber**

VENUE: **Waitakere Central, 6 Henderson Valley Road, Henderson, Waitakere**

to consider the business as set out herein and to take any necessary action connected therewith.

10 September 2009

Emma Joyce
COMMITTEE SECRETARY

Telephone (09) 836 8000 extn 8114

MEMBERSHIP:

Mayor	RA	Harvey, QSO, JP
Deputy Mayor	PA	Hulse
Councillors	DQ	Battersby, QSM, JP
	BA	Brady, JP
	MFP	Chan, JP
	JM	Clews, QSO, JP
	RI	Clow
	LA	Cooper, JP
	AK	Corban, OBE, JP
	RP	Dallow, QPM, JP
	WW	Flaunty, QSM, JP
	MM	Jolley
	JP	Lawley, JP
	PG	Mitchell
	VS	Neeson, JP

(Quorum 8 members)

★ ★ ★ ★ ★ ★ ★ ★ ★ ★

(Meeting Room could be subject to change)

(The reports and recommendations contained in all agendas are reports and recommendations only and are not to be construed, in any way, as Council policy until adopted.)

**AGENDA FOR A MEETING OF THE COUNCIL TO BE HELD IN THE COUNCIL CHAMBER
AT WAITAKERE CENTRAL, 6 HENDERSON VALLEY ROAD, HENDERSON,
WAITAKERE, ON WEDNESDAY, 16 SEPTEMBER 2009
COMMENCING AT 9.30 AM**

TABLE OF CONTENTS

<u>ITEM</u>		<u>PAGE NO.</u>
1	APOLOGIES	1
2	URGENT BUSINESS	1
3	CONFLICTS OF INTEREST	1
4	PRESENTATION	1
5	SUBMISSION ON SAFER JOURNEYS 2020 ROAD SAFETY PLAN	2
6	CHANGE OF MEMBERSHIP - STREET EVENTS SUBCOMMITTEE	5
7	RECOMMENDATION FROM THE PLANNING AND REGULATORY COMMITTEE	6
	<u>PUBLIC EXCLUDED MATTERS</u>	7
8	NEW LYNN TOWN CENTRE - MERCHANT QUARTER PRECINCT DEVELOPMENT	7
9	ACQUISITION OF LAND IN NEW LYNN	7
10	NEW RANUI LIBRARY - UPDATE REPORT	7

**AGENDA FOR A MEETING OF THE COUNCIL TO BE HELD IN THE COUNCIL CHAMBER
AT WAITAKERE CENTRAL, 6 HENDERSON VALLEY ROAD, HENDERSON,
WAITAKERE, ON WEDNESDAY, 16 SEPTEMBER 2009
COMMENCING AT 9.30 AM**

1 APOLOGIES



2 URGENT BUSINESS

Section 46A(7) of the Local Government Official Information and Meetings Act 1987 provides that where an item of business is not on the agenda, it may only be dealt with at the meeting if:

- (i) the Council by resolution so decides; and
- (ii) the Chairman has explained at the beginning of the meeting (when open to the public) that the item will be raised for discussion and decision, why the item is not on the agenda, and why it cannot be delayed until a subsequent meeting.

The Council may make a decision on a matter determined to be urgent.

NOTE: Urgent Business need not be dealt with now and may be delayed until later in the meeting.



3 CONFLICTS OF INTEREST

The Council has acknowledged in its Code of Conduct that Elected Members 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. This note is provided as a reminder to members to check that no such conflicts arise in relation to any items on this agenda.



4 PRESENTATION

The New Zealand Transport Agency will make a presentation to the Council on planned improvements to the Northwestern Motorway (State Highway 16) between St Lukes Road and Westgate. As part of the Western Ring Route, State Highway 16 is considered by the government as one of seven 'roads of national significance' prioritised to promote economic growth. Proposed improvements include creating extra lanes in both directions to decrease journey times, improving interchanges, future provision for buses to use motorway shoulders during peaks, extending the cycleway further north, better pedestrian and cycle access over the motorway and raising the causeway to reduce flooding.



5 SUBMISSION ON SAFER JOURNEYS 2020 ROAD SAFETY PLAN

GLOSSARY

Safer Journeys 2020 Road Safety Plan	(the Plan)
Safer Journeys 2020 Discussion Document	(the Discussion Document)

EXECUTIVE SUMMARY

This report requests that Council make a submission on the Government's Safer Journeys 2020 Road Safety Plan (the Plan) by responding to Safer Journeys 2020 Discussion Document (the Discussion Document). The Deputy Director: City Services has arranged for a workshop with Elected Members and Council officers on 16 September 2009 to consider the submission.

Submissions are due on Friday, 2 October 2009. Should Council seek to make a submission, in order to meet the tight timeframe, it is proposed that sign-off is delegated to the Chairman of the Infrastructure and Works Committee.

RECOMMENDATIONS

It is recommended that Council resolve to:

1. **Receive** the Submission on Safer Journeys 2020 Road Safety Plan report.
2. **Agree** that Council officers prepare a submission on the Safer Journeys 2020 Road Safety Plan, guided by the outcomes of the Council workshop to be held on Wednesday, 16 September 2009.
3. **Note** that the submission deadline for the Safer Journeys 2020 Road Safety Plan is Friday, 2 October 2009.
4. **Agree** to delegate to the Chairman of the Infrastructure and Works Committee the approval of Council's submission on the Safer Journeys 2020 Road Safety Plan.

BACKGROUND

1. The Discussion Document released by the Ministry of Transport aims to elicit public feedback to assist in developing the Government's road safety strategy for the next ten years.
2. Road safety is one of two top priority areas for the Minister of Transport, and the current public consultation process will be important in shaping the Plan, scheduled for release in December 2009.
3. Government acknowledges that all New Zealanders have a responsibility for road safety, and plans to focus on a safer systems approach to improving safety, i.e. safer roads, safer vehicles, safer speeds and safer road use.
4. The Ministry of Transport's discussion document sets out the areas of high and medium concern, and further areas of continuing and emerging concern. Accompanying these priorities is an array of more than 60 individual initiatives targeted at alcohol and drugs, young drivers, roads and roadside engineering, speed, motorcycling, light vehicles, walking and cycling, heavy vehicles, fatigue, distraction, restraints, older road users and road safety advertising.
5. Indications are that the Minister of Transport will be guided by the level of public acceptance for the various measures proposed in the discussion document, and it

is expected that only a subset of measures will flow through into the Plan, as public opinion and resources allow.

6. A workshop with Elected Members is planned for 16 September 2009 for the purpose of shaping or contributing to Council's submission on Safer Journeys 2020. It is proposed that the submission has a broad focus on the community outcomes sought by this Council and the interplay with road safety priority areas set out in the discussion document.

DECISION MAKING

Issues

Road Safety issues for Waitakere

7. It is proposed that Council's submission on the Plan should include more detailed discussion of the initiatives that address the following road safety issues of particular interest to Council, namely:
 - Alcohol;
 - Speed;
 - Bends;
 - Intersections;
 - Cycling and pedestrian safety; and
 - Young drivers.
8. The most recent quarterly Road Safety Assessment report from the New Zealand Police for the Waitemata Road Policing District notes that intersections, especially speed at intersections, is an area of extreme road safety risk in Waitakere. Vulnerable road users (pedestrians and cyclists), alcohol, bends and speed are also areas of high risk.
9. Alcohol, speed, bends, and night-time accidents feature as major areas of concern in the New Zealand Transport Agency's Road Safety Briefing Notes for Waitakere - June 2009. The statistics from 2004-2008 (inclusive) show the five year trends for areas of major concern.
10. This report seeks to address the short time frame for submissions afforded by the Ministry of Transport. The submission period opened in mid-August and closes on 2 October 2009.

Options Identified

11. Do nothing. Council does not prepare a submission on the Plan.
12. Council prepares a submission for sign-off at the Council meeting to be held on 30 September 2009.
13. Council proceeds to prepare a submission that relies on Councillor input through the workshop to be held on 16 September 2009. Council delegates sign-off of the final submission to the Chairman of the Infrastructure and Works Committee.

Preferred Option

14. Given the timeframe for submission to the Ministry of Transport, the most efficient option would be for Council staff to continue to prepare a draft submission, to be

shaped by agreement of the Councillor workshop on 16 September 2009, and that the final submission is signed off by the Chairman of the Infrastructure and Works Committee.

STRATEGIC CONTEXT

15. Through a clear statement of the Council's road safety priorities and preferred initiatives, a submission to Government at this point in time will address key aspects of the following Community Outcomes: Sustainable Integrated Transport (the transport network is integrated, innovative, safe) and Strong Communities (people feel safe).
16. The proposed Council's submission to Government will emphasise the value that the Council places on road safety, and detail the initiatives that the Council assesses as most likely to address the specific, pressing road safety concerns within the City.

CONSULTATION

17. Transport Assets has taken the lead on preparing a Council submission. Consultation with staff across Council, including Council officers in the Urban Design and Development and Transport Strategy teams, has already begun.
18. The proposed submission to Government will address how the Plan should respond to Waitakere community needs and aspirations as stated in the Long Term Council Community Plan 2009-2019.

RESOURCES

19. No additional resources other than staff time are required.

IMPLEMENTATION ISSUES

20. Timeliness and responsiveness of internal Council processes are the key issues in proceeding with the proposed Council submission on the Plan.
21. Council officers have reviewed the Discussion Document provided by the Ministry of Transport and provided background information to elected members and other invitees to the workshop on 16 September.

AUCKLAND COUNCIL TRANSITION ISSUES

22. The decision making proposed in this report is not constrained by section 31 of the Local Government (Tamaki Makaurau Reorganisation) Act 2009, as it does not directly or because of its consequences: significantly prejudice the reorganisation, significantly constrain the powers or capacity of the Auckland Council or any subsidiary of the Auckland Council following the reorganisation, or have a significant negative impact on the assets or liabilities that are transferred to the Auckland Council as a result of the reorganisation.

Report prepared by: Dot Dalziell, Community Sustainable Transport Programme Leader.



6 CHANGE OF MEMBERSHIP - STREET EVENTS SUBCOMMITTEE

EXECUTIVE SUMMARY

The purpose of this report is to recommend to Council that the membership of the Street Events Subcommittee be amended and approved. Changes to staff positions have occurred since membership of the Street Events Subcommittee was last reviewed in the Delegations to Committees and Community Boards Register and the membership now requires updating.

RECOMMENDATIONS

It is recommended that Council resolve to:

1. **Receive** the Change of Membership - Street Events Subcommittee report.
2. **Approve** the amended membership of the Street Events Subcommittee as follows:

The Street Events Subcommittee shall comprise:

1 Member of the Community Board
Team Leader - Transport Operations
Senior Transport Engineer: Planning

3. **Agree** to update the Delegations to Committees and Community Boards Register with the amended membership of the Street Events Subcommittee as follows:

The Street Events Subcommittee shall comprise:

1 Member of the Community Board
Team Leader - Transport Operations
Senior Transport Engineer: Planning

BACKGROUND

- A1
1. The Delegations to Committees and Community Boards Register was last updated and approved by Council on 18 March 2009. The relevant provisions relating to the Street Events Subcommittee and its membership are attached at page A1.
 2. Changes to staff positions have occurred since membership of the Street Events Subcommittee was last reviewed and the membership now needs updating.

DECISION MAKING

3. The Council is requested to approve the amended membership to the Street Events Subcommittee and to agree to update the Delegations to Committee and Community Boards Register with the amended membership, as follows:
The Street Events Subcommittee shall comprise:
1 Member of the Community Board
Team Leader - Transport Operations
Senior Transport Engineer: Planning

STRATEGIC CONTEXT

4. The Delegations to Committee and Community Boards Register have been determined through consultation with Council's Elected Members, and help to provide clarity and accountability of decision makers and to facilitate the holding of

meetings to conduct Council business. In this sense, the Delegations to Committee and Community Boards Register contributes to the Council's Governance Strategy: "a strong democracy, where people feel they can make a difference, they participate and respect diverse and creative views."

CONSULTATION

5. Consultation has taken place with Democracy and Support Services staff, and staff from Transport Assets.

RESOURCES

6. There are no additional resources required to implement the decisions of the Council.

IMPLEMENTATION ISSUES

7. There are no implementation issues arising from this report.

AUCKLAND COUNCIL TRANSITION ISSUES

8. The decision making proposed in this report is not constrained by section 31 of the Local Government (Tamaki Makaurau Reorganisation) Act 2009, as it does not directly or because of its consequences: significantly prejudice the reorganisation, significantly constrain the powers or capacity of the Auckland Council or any subsidiary of the Auckland Council following the reorganisation, or have a significant negative impact on the assets or liabilities that are transferred to the Auckland Council as a result of the reorganisation.

Report prepared by: Candice Brown, Acting Democracy and Governance Manager.



7 RECOMMENDATION FROM THE PLANNING AND REGULATORY COMMITTEE

GAMBLING VENUE POLICY

It is recommended that the Council resolve to:

1. **Agree** to adopt a sinking lid policy as the gambling policy for Waitakere from June 2009- 30 June 2010
2. **Agree** to approve the amendments to the Gambling Venue Policy as reflected in the amended Sinking Lid policy option (Section 6) with a new point 6.7 as follows:

Point 6.7

In the event of:

- (a) A compulsory acquisition of a venue under the Public Works Act 1981; or
- (b) A venue loses its assets and contents through natural disaster such as flood, fire or earthquake or such other natural disaster, where an independent report from the Fire Service of New Zealand or the Earthquake Commission proves that the event was not caused by the actions or inactions of the venue consent holder.

A new consent may be issued for a new venue. This exception would mean that venue consent holders are not prejudiced as a result of circumstances that are outside of their control.



PUBLIC EXCLUDED MATTERS

- 8 NEW LYNN TOWN CENTRE - MERCHANT QUARTER PRECINCT DEVELOPMENT**
- 9 ACQUISITION OF LAND IN NEW LYNN**
- 10 NEW RANUI LIBRARY - UPDATE REPORT**

These items will be considered in the confidential supplement of the agenda, and has been circulated to members separately with this agenda.

PROCEDURAL MOTION TO EXCLUDE THE PUBLIC

That the public be excluded from the following part of the proceedings of this meeting, namely, New Lynn Town Centre - Merchant Quarter Development, Acquisition of Land for Open Space in New Lynn and New Ranui Library - Update Report.

The general subject of the matters 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.
New Lynn Town Centre - Merchant Quarter Development	The withholding of information is necessary in order to: <ul style="list-style-type: none"> • enable any local authority to 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.

Acquisition of Land in New Lynn	<p>The withholding of information is necessary in order to:</p> <ul style="list-style-type: none"> • enable any local authority to holding the information to carry on without prejudice or disadvantage, negotiations (including commercial and industrial negotiations). 	<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>
New Ranui Library - Update Report	<p>The withholding of information is necessary in order to:</p> <ul style="list-style-type: none"> • Protect the privacy of natural persons, including that of deceased natural persons; and • Maintain the effective conduct of public affairs through the free and frank expression of opinions by or between or to members or officers or employees of any local authority. 	<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)(i), 7(2)(a) and 7(2)(f)(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:

- *The report contains information which if released could affect Council's negotiations.*
- *The Council needs to maintain the privacy of natural persons.*
- *The Council needs to maintain the effective conduct of public affairs.*

