

**MINUTES OF A MEETING OF THE COUNCIL HELD IN THE COUNCIL CHAMBER AT
WAITAKERE CENTRAL, 6 HENDERSON VALLEY ROAD, HENDERSON,
WAITAKERE, ON WEDNESDAY, 18 AUGUST 2010,
COMMENCING AT 9.38 AM**

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PRESENT:

Mayor	RA	Harvey, QSO, JP
Deputy Mayor	PA	Hulse (from 9.47 am)
Councillors	DQ	Battersby, QSM, JP (until 9.52 am)
	BA	Brady
	JM	Clews, QSO, JP
	RI	Clow (until 9.48 am)
	LA	Cooper, JP
	AK	Corban, OBE, JP
	RP	Dallow, QPM, JP
	WW	Flaunty, QSM, JP
	MM	Jolley
	VS	Neeson, JP

OBSERVERS:

EAG Grimmer, MNZM (Chairman, Henderson Community Board)
GPJ Marshall (Chairman, New Lynn Community Board)

IN ATTENDANCE:

Acting Chief Executive Officer
Director: Strategic Planning
Acting Director: City Services
Acting Director: Public Affairs
Group Manager: Democracy and Support Services
Manager: Government Relations
Special Projects Manager
Senior Project Manager: R Dimery
Project Manager: G Arbuckle
Acting Democracy and Governance Manager
Investment and Relationships Manager
Executive Assistant to Deputy Mayor
Community Arts Coordinator
Committee Secretary: E Joyce
J Moore

1 APOLOGIES

1124/2010

MOVED by Cr Jolley, seconded Cr Clews:

That apologies from Crs Chan, Dallow, Lawley and Mitchell for absence, and Cr Hulse for lateness, be received and sustained.

2 URGENT BUSINESS

There was no Urgent Business.

3 CONFLICTS OF INTEREST

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.

4 CREATIVE COMMUNITIES SCHEME ALLOCATION SUBCOMMITTEE - APPROVAL OF NEW MEMBERS

1125/2010

MOVED by Cr Neeson, seconded Cr Clews:

The Council resolved to:

1. **Receive** the Creative Communities Scheme Allocation Subcommittee - Approval of New Members report.
2. **Approve** the appointment of three new members to represent the Waitakere Pacific Board, the Waitakere Central Community Arts Council and the Community Boards on the Creative Communities Scheme Allocation Subcommittee as follows:
 - (a) Apiseka Eka to represent the Waitakere Pacific Board;
 - (b) Jim Ellis to represent the Waitakere Central Community Arts Council; and
 - (c) Pim Van Der Voort to represent the Henderson, Massey, New Lynn and Waitakere Community Boards.

CARRIED

5 DECISION MAKING IN THE TRANSITION TO THE AUCKLAND COUNCIL – OCTOBER 2010

9.47 am Cr Hulse entered the meeting.

1126/2010

MOVED by Cr Brady, seconded Cr Clow:

The Council resolved to:

1. **Receive** the Decision Making in the Transition to the Auckland Council – October 2010 report.
2. **Agree** to confirm that the Council meeting (labelled as Council Various) scheduled for Wednesday, 6 October 2010, be the final meeting of this Council unless a situation arises that demands the calling of an extraordinary meeting of the Council.
3. **Note** that, whilst this Council remains the decision making body for this City until the close of business on 31 October 2010, any decision making during the balance of the month of October 2010 after 6 October 2010, which would normally require a decision of the Council or a committee of the Council, is delegated to the Chief Executive Officer who will exercise that delegation as appropriate and arrange to report any such decision requiring ratification to the first business meeting of the Auckland Council Governing Body.

4. **Note** that in the unlikely event that a significant decision needs to be made, or an emergency occurs, an extraordinary meeting of the Council, or any of the Community Boards, may be called in the normal manner. A decision made to which s31 of the Local Government (Tamaki Makaurau Reorganisation) Act 2009 applies will require confirmation by the Auckland Transition Agency before 31 October 2010.
5. **Agree** that the Auckland Transition Agency be advised of these arrangements as a courtesy.

CARRIED

PUBLIC EXCLUDED MATTER

6 10-22 TOTARA AVENUE, NEW LYNN: DEVELOPMENT PROPOSAL UPDATE

1127/2010

MOVED by Cr Neeson, seconded Cr Hulse:

That the public be excluded from the following part of the proceedings of this meeting, namely, 10-22 Totara Avenue, New Lynn: Development Proposal Update.

The general subject of the matter to be considered while the public is excluded, the reason for passing this resolution in relation to 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 each of the matters to be considered.	Reason for passing this resolution in relation to each of the matters.	Ground(s) under Section 48(1)(a) for the passing of this resolution.
10-22 Totara Avenue New Lynn: Development Proposal Update	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

9.48 am The public were excluded.

Minute number 1128/2010 is recorded in the confidential section of these minutes.

9.59 am The public were re-admitted.

RESTATEMENTS

The Council resolved while the public were excluded:

10-22 Totara Avenue, New Lynn: Development Proposal Update

(Moved by Cr Clews, seconded Cr Neeson) (resolution 1128/2010 no.2) "Agree that the 10-22 Totara Avenue New Lynn: Development Proposal Update report and associated resolutions remain confidential until such time as the reasons for confidentiality no longer exist."

10.00 am

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:.....