

MINUTES OF A MEETING OF THE COUNCIL HELD IN THE COUNCIL CHAMBER AT
WAITAKERE CENTRAL, 6 HENDERSON VALLEY ROAD, HENDERSON,
WAITAKERE, ON WEDNESDAY, 25 AUGUST 2010,
COMMENCING AT 5.30 PM

TABLE OF CONTENTS

<u>ITEM</u>	<u>PAGE NO.</u>
<u>PART A - OPENING OF MEETING</u>	2
1 OPENING PRAYER	2
2 APOLOGIES	2
3 CONFIRMATION OF MINUTES	2
5 CONFLICTS OF INTEREST	2
<u>PART B - REPORT OF THE MAYOR</u>	2
6 REPORT OF THE MAYOR	2
<u>PART D - REPORT OF THE CHIEF EXECUTIVE OFFICER</u>	3
12 LOPDELL HOUSE DEVELOPMENT TRUST TENURE AGREEMENT AND PARTNERING AND FUNDING AGREEMENT	3
13 WAITAKERE ARTS AND CULTURAL DEVELOPMENT TRUST TENURE AGREEMENT	3
<u>PART C - REPORTS OF NEW LYNN COMMUNITY BOARD, WAITAKERE COMMUNITY BOARD, MASSEY COMMUNITY BOARD, HENDERSON COMMUNITY BOARD AND WAITAKERE YOUTH COUNCIL</u>	4
7 NEW LYNN COMMUNITY BOARD	4
8 WAITAKERE COMMUNITY BOARD	4
9 MASSEY COMMUNITY BOARD	5
10 HENDERSON COMMUNITY BOARD	5
1. TAIKATA SAILING CLUB INCORPORATED NEW LEASE AT CHAPMAN STRAND	5
2. TE ATATU TENNIS CLUB INCORPORATED - NEW LEASE AT PART OF KAUMATUA RESERVE NOT SUBJECT TO THE RESERVES ACT 1977	5
3. OTHER MATTERS CONSIDERED	5
11 WAITAKERE YOUTH COUNCIL	5
<u>PART D - REPORT OF THE CHIEF EXECUTIVE OFFICER</u>	6
14 UPDATE ON COUNCIL WORK PROGRAMME AND FINANCIAL IMPLICATIONS	6

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PRESENT:

Mayor	RA	Harvey, QSO, JP
Deputy Mayor	PA	Hulse
Councillors	DQ	Battersby, QSM, JP
	BA	Brady
	JM	Clews, QSO, JP
	RI	Clow
	LA	Cooper, JP
	AK	Corban, OBE, JP
	WW	Flaunty, QSM, JP (until 6.56 pm)
	MM	Jolley
	PG	Mitchell
	VS	Neeson, JP (until 6.02 pm)

OBSERVERS:

W Paki	(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)
A Hawea	(Chairman, Waitakere Youth Council)
W Davis	(New Lynn Community Board)
SJ McDonald	(Henderson Community Board)

IN ATTENDANCE:

Chief Executive Officer
Director: Corporate and Business Services
Director: Strategic Planning
Director: Finance
Acting Director: City Services
Group Manager: Democracy and Support Services
Manager: Legal Services / General Counsel
Manager: Government Relations
Manager: Arts
Executive Liaison Manager
Solicitor / Team Leader Legal: Property and Insurance
Acting Democracy and Governance Manager
Executive Assistant to Deputy Mayor
Committee Secretary: E Joyce
J Moore
M Petherick

ALSO
IN ATTENDANCE:

Martin Sutcliffe, Director, Waitakere Arts and Cultural Development Trust
Noeline Davis, Chairperson, McLaren Park Henderson South Community Initiative Incorporated
Rochana Sheward, Manager, McLaren Park Henderson South Community Initiative Incorporated

Gary Stewart, McLaren Park Henderson South Community Initiative Incorporated
Ella Kislova, Treasurer, McLaren Park Henderson South Community Initiative Incorporated

PART A - OPENING OF MEETING

1 OPENING PRAYER

Rabbi Dean Shapiro from the Beth Shalom Progressive Synagogue said the Opening Prayer.

2 APOLOGIES

1140/2010

MOVED by Cr Jolley, seconded Cr Hulse:

That apologies from Crs Chan, Dallow and Lawley for absence, and Cr Neeson for early departure, be received and sustained.

CARRIED

3 CONFIRMATION OF MINUTES

1141/2010

MOVED by Cr Corban, seconded Cr Jolley:

The Council resolved to:

Receive the minutes of the meeting of the Council held on Wednesday, 28 July 2010 and Wednesday, 18 August 2010, as circulated, and that they be taken as read and now be confirmed.

CARRIED

5 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.

PART B - REPORT OF THE MAYOR

6 REPORT OF THE MAYOR

1142/2010

MOVED by Cr Clews, seconded Cr Mitchell:

The Council resolved to:

Receive the Report of the Mayor.

CARRIED

PRECEDENCE OF BUSINESS

1143/2010

MOVED by Cr Clow, seconded Cr Brady:

That Item 12: Lopdell House Development Trust Tenure Agreement and Partnering and Funding Agreement and Item 13: Waitakere Arts and Cultural Development Trust Tenure Agreement be accorded precedence at this time.

CARRIED

PART D - REPORT OF THE CHIEF EXECUTIVE OFFICER

12 LOPDELL HOUSE DEVELOPMENT TRUST TENURE AGREEMENT AND PARTNERING AND FUNDING AGREEMENT

1144/2010

MOVED by Cr Mitchell, seconded Cr Clews:

The Council resolved to:

1. **Receive** the Lopdell House Development Trust Tenure Agreement and Partnering and Funding Agreement report.
- A1-A17* 2. **Approve**, subject to resolution 6 below, the Agreement to Lease between the Lopdell House Development Trust and Waitakere City Council as attached at pages A1 to A17.
- A18-A28* 3. **Approve**, subject to resolution 6 below, the Partnering and Funding Agreement between the Lopdell House Development Trust and Waitakere City Council as attached at pages A18 to A28.
4. **Agree** that the Chief Executive Officer be given authority to negotiate to finalise the Agreement to Lease and the Partnering and Funding Agreement.
5. **Direct** Council officers to work closely with the Lopdell House Development Trust to facilitate the overall funding plan including taking into account the completion of seismic strengthening within the total life of the project.
6. **Note** that resolutions 2 and 3 above are subject to confirmation by the Auckland Transition Agency.

CARRIED

13 WAITAKERE ARTS AND CULTURAL DEVELOPMENT TRUST TENURE AGREEMENT

6.01 pm Cr Corban declared an interest in Item 13: Waitakere Arts and Cultural Development Trust Tenure Agreement and withdrew from the table taking no part in the debate or decision on Item 13: Waitakere Arts and Cultural Development Trust Tenure Agreement.

6.02 pm Cr Neeson left the meeting.

1145/2010

MOVED by Cr Battersby, seconded Cr Hulse:

The Council resolved to:

A38-A54

1. **Receive** the Waitakere Arts and Cultural Development Trust Tenure Agreement report.
2. **Approve**, subject to resolution 4 below, the lease between the Waitakere Arts and Cultural Development Trust and Waitakere City Council as attached at pages A38 to A54.
3. **Agree**, subject to resolution 4 below, that the Chief Executive Officer be given authority to finalise the lease between the Waitakere Arts and Cultural Development Trust and Waitakere City Council and have the lease as negotiated executed.
4. **Direct** Council officers to work closely with the Waitakere Arts and Cultural Development Trust to facilitate the overall funding plan including the building of Pasifika centre and upgrading of the site and facilities within the approved budget.
5. **Note** that resolutions 2 and 3 above are subject to confirmation by the Auckland Transition Agency.

CARRIED

The Order of Business resumed at Item 7: New Lynn Community Board.

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

6.08 pm Cr Corban returned to the table.

7 NEW LYNN COMMUNITY BOARD

1146/2010

MOVED by Cr Clews, seconded Cr Battersby:

The Council resolved to:

Receive the report of the meeting of the New Lynn Community Board held on Monday, 2 August 2010.

CARRIED

8 WAITAKERE COMMUNITY BOARD

1147/2010

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, 3 August 2010.

CARRIED

9 MASSEY COMMUNITY BOARD

1148/2010

MOVED by Cr Flaunty, seconded Cr Cooper:

The Council resolved to:

Receive the report of the meeting of the Massey Community Board held on Wednesday, 4 August 2010.

CARRIED

10 HENDERSON COMMUNITY BOARD

1149/2010

MOVED by Cr Jolley, seconded Cr Brady:

The Council resolved to:

1. TAIKATA SAILING CLUB INCORPORATED NEW LEASE AT CHAPMAN STRAND

Agree that the Chief Executive Officer be given authority, in the absence of any objections or submissions on the reclassification, to apply to the Department of Conservation for reclassification under section 24 of the Reserves Act 1977 of that part of Chapman Strand occupied by Taikata Sailing Club Incorporated (part of Lot 1 DP 57287) as a recreation reserve.

2. TE ATATU TENNIS CLUB INCORPORATED - NEW LEASE AT PART OF KAUMATUA RESERVE NOT SUBJECT TO THE RESERVES ACT 1977

Agree that Lot1 DP 54618 be classified under section 16(2A) of the Reserves Act 1977 to be held for the purposes of a recreation reserve as defined by section 17 of the Reserves Act 1977.

3. OTHER MATTERS CONSIDERED

Receive the report of the meeting of the Henderson Community Board held on Thursday, 5 August 2010.

CARRIED

11 WAITAKERE YOUTH COUNCIL

1150/2010

MOVED by Cr Cooper, seconded Cr Jolley:

The Council resolved to:

Receive the report of the meeting of the Waitakere Youth Council held on Monday, 2 August 2010.

CARRIED

PART D - REPORT OF THE CHIEF EXECUTIVE OFFICER

The Order of Business resumed at Item 14: Update on Council Work Programme and Financial Implications.

14 UPDATE ON COUNCIL WORK PROGRAMME AND FINANCIAL IMPLICATIONS

/2010

MOVED by Cr Battersby, seconded Cr Clews:

It is recommended that Council resolve to:

1. **Receive** the Update on Council Work Programme and Financial Implications report.
2. **Agree** that budget review group to be reconstituted to provide an overview of the first quarter 2010 / 2011 financial reporting noting that if this exercise results in adjustments to the budgets then these adjustments will need to be approved by the Auckland Transition Agency.
3. **Agree** that the Budget Review Group be authorised to approve expenditure as requested by the Auckland Transition Agency with regard to accommodation issues and that the financial impact be reported to the Council meeting scheduled to be held on Wednesday, 29 September 2010.

AMENDMENT

NOTE: The Council agreed to vote on the Budget Review Group and the immediate work programme separate from receiving the report.

1151/2010

MOVED by Cr Flaunty, seconded Cr Corban:

The Council resolved to:

Receive the Update on Council Work Programme and Financial Implications Report.

CARRIED

1152/2010

MOVED by Cr Flaunty, seconded Cr Corban:

The Council resolved to:

1. **Agree** that the Budget Review Group be reconstituted to provide an overview of the first quarter 2010 / 2011 financial reporting, noting Council's immediate work programme and the additional funding request from the Auckland Transition Agency and also noting that if this exercise results in adjustments to the budgets then these adjustments will need to be approved by the Auckland Transition Agency.
2. **Agree** that the financial impact of the immediate work programme be reported to the Council meeting scheduled to be held on Wednesday, 29 September 2010 for decision.

AMENDMENT CARRIED

The amendment became the substantive motion and was carried.

PART F - PRESENTATION

6.56 pm Cr Flaunty left the meeting.

This presentation took place at 6.57 pm.

22 SIGNING OF THE PARTNERING AGREEMENT WITH MCLAREN PARK HENDERSON SOUTH COMMUNITY INITIATIVE INCORPORATED

Mayor Bob Harvey and the Chief Executive Officer, on behalf of Council, signed a Partnering Agreement with McLaren Park Henderson South Community Initiative Incorporated.

The Order of Business resumed at Item 15: Infrastructure and Works Committee.

PART E - REPORTS FROM THE STANDING COMMITTEES

15 INFRASTRUCTURE AND WORKS COMMITTEE

1153/2010

MOVED by Cr Battersby, seconded Cr Clews:

The Council resolved to:

1. STURGES ROAD BRIDGE REPLACEMENT PROJECT – REVOCATION OF VEHICLE LOAD POSTING RESTRICTION

Agree that, pursuant to Standing Order 27.18, that resolution part number 613/2009, from the Council meeting dated 29 April 2009, where it was resolved:

“3. *Approve that the new vehicle load posting on Sturges Road Bridge be 70% of Class 1.*”

613/2009

be revoked.

2. OTHER MATTERS CONSIDERED

Receive the report of the meeting of the Infrastructure and Works Committee held on Wednesday, 4 August 2010.

CARRIED

16 POLICY AND STRATEGY COMMITTEE

1154/2010

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, 5 August 2010.

CARRIED

17 FINANCE AND OPERATIONAL PERFORMANCE COMMITTEE

1155/2010

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, 9 August 2010.

CARRIED

18 PLANNING AND REGULATORY COMMITTEE

1156/2010

MOVED by Cr Battersby, seconded Cr Clews:

The Council resolved to:

Receive the report of the meeting of the Planning and Regulatory Committee held on Tuesday, 10 August 2010.

CARRIED

19 CULTURE AND COMMUNITY COMMITTEE

1157/2010

MOVED by Cr Corban, seconded Cr Brady:

The Council resolved to:

Receive the report of the meeting of the Culture and Community Committee held on Wednesday, 11 August 2010.

CARRIED

20 NORSGA URBAN DEVELOPMENT COMMITTEE

1158/2010

MOVED by Cr Cooper, seconded Mayor Harvey:

The Council resolved to:

1. PROJECT OVERVIEW

Agree that Waitakere City Council include in its handover to the Auckland Council a recommendation that the Auckland Council consider retaining a cross-agency developer and community political committee of Council that mirrors the membership and purpose of the NorSGA Urban Development Committee.

2. OTHER MATTERS CONSIDERED

Receive the report of the meeting of the NorSGA Urban Development Committee held on Monday, 16 August 2010.

CARRIED

21 TE TAUMATA RUNANGA

1159/2010

MOVED by Cr Cooper, seconded Cr Clow:

The Council resolved to:

Receive the report of the meeting of Te Taumata Runanga held on Monday, 16 August 2010.

