

**MINUTES OF AN ORDINARY MEETING OF THE COUNCIL HELD IN THE  
CIVIC CENTRE, 6 WAIPAREIRA AVENUE, LINCOLN, WAITAKERE CITY,  
ON WEDNESDAY, 27 MARCH 2002 COMMENCING AT 5.30 PM.**

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**MINUTES OF AN ORDINARY MEETING OF THE COUNCIL HELD IN THE  
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**PRESENT:**

Mayor	RA	Harvey, QSO, JP
Deputy Mayor	CA	Stone
Councillors	DQ	Battersby, JP
	BA	Brady, JP
	JM	Clews, QSO, JP
	RP	Dallow, QPM, JP (from 5.33 pm)
	AC	Fenton
	OE	Hoskin, JP
	PA	Hulse
	JP	Lawley
	GE	Nash, JP
	VS	Neeson, JP
	GB	Presland
	GW	Russell
	DA	Yates, JP

**COMMUNITY BOARDS:**

Ms HM Jones	(Chairperson Henderson Community Board)
Mr RF Jessopp	(Chairperson Massey Community Board)
Mrs CA Shepherd, JP	(Chairperson Waitakere Community Board)
Mr WR Davis	(Henderson Community Board)
Mr P Chan	(Massey Community Board)
Mrs G Marshall	(New Lynn Community Board)

**TE TAUMATA RUNANGA:**

Mr F Delamere

**IN ATTENDANCE:**

Chief Executive  
Director: City Services  
Director: City Enterprises  
Director: Finance  
Director: Strategic Group  
Director: Strategic Projects  
Director: Quality Assurance  
Maori Issues Manager  
Manager: Legal Services  
Democracy and Support Services Manager  
Strategic Projects Manager  
Manager Policy Development  
Acting Manager: EcoWater Business Unit  
Transport Strategy Manager  
Project Manager - Transport Projects  
Project Manager - Revitalisation  
Service Manager Resource Management & Building  
Parks Quality Assurance and Liaison Officer  
Acting Team Leader - Leisure  
Senior Analyst Environmental Policy  
Mayoral Executive Officer  
Acting Executive Assistant to the Chief Executive  
Acting Senior Management Group Co-ordinator  
Arts Project Co-ordinator  
Road Safety Co-ordinator  
Committee Secretary: S Simiona  
A Chan  
O Schuster  
Committee Administrator: M Keepa

**1 OPENING PRAYER**

Father Rory Price from the Te Atatu Catholic Church said the Opening Prayer.

5.33 pm Cr Dallow entered the meeting.

**2 APOLOGIES**

There were no Apologies.

**OBITUARY**

Mayor Bob Harvey acknowledged the passing of Te Taumata Runanga member Rae Clark on Monday, 25 March 2002 and asked those at the meeting to stand for a moments silence.

5.34 pm Cr Hulse left the meeting.

**3 CONFIRMATION OF MINUTES**

532/2002

MOVED by Cr Dallow, seconded Cr Nash:

That the minutes of the Special Meeting of the Council (Strategic Review) held on Wednesday, 12 December 2001, the Emergency Meeting of the Council held on Wednesday, 19 December 2001 and the Ordinary Meeting of the Council held on Wednesday, 27 February 2002, as circulated, be taken as read and now be confirmed.

**CARRIED**

**4 URGENT BUSINESS**

There was no Urgent Business.

**PART A - REPORT OF THE MAYOR**

5.40 pm Cr Hulse returned to the meeting.

533/2002

MOVED by Cr Fenton, seconded Cr Brady:

That the report of the Mayor be received.

**CARRIED**

**DECLARATION OF INTEREST**

5.42 pm        The Mayor raised during his report the issue of Local Government New Zealand's submission on the Responsible Gambling Bill and in particular Council regulation of gaming machines.

Councillors Clews, Dallow and Lawley declared an interest and stepped back from the table taking no part in the discussion or debate on the issue.

**RESPONSIBLE GAMBLING BILL**

MOVED by Cr Hulse, seconded Cr Stone:

That the information be received.

**PROCEDURAL MOTION**

534/2002

MOVED by Cr Stone, seconded Cr Hulse:

That the matter of the Responsible Gambling Bill being discussed lie on the table.

**CARRIED**

6.15 pm        Crs Clews, Dallow and Lawley returned to the table.

**PART B - COMMUNITY BOARDS AND TE TAUMATA RUNANGA**

**5 WAITAKERE COMMUNITY BOARD**

535/2002

MOVED by Cr Hulse, seconded Cr Yates:

That the report of the Ordinary Meeting of the Waitakere Community Board be received.

**CARRIED**

**6 MASSEY COMMUNITY BOARD**

**1. LEASE OF OLD MASSEY LIBRARY BUILDING**

536/2002

MOVED by Cr Nash, seconded Cr Russell:

That Lot 31 on Deposited Plan 74830 be classified under Section 16 (2A)(a) of the Reserves Act 1977 as a local purpose (community buildings) reserve as defined in Section 23 of that Act.

**CARRIED**

**2. OTHER MATTERS CONSIDERED**

537/2002

MOVED by Cr Nash, seconded Cr Russell:

That the report of the Ordinary Meeting of the Massey Community Board be received.

**CARRIED**

**7 HENDERSON COMMUNITY BOARD**

538/2002

MOVED by Cr Dallow, seconded Cr Brady:

That the report of the Ordinary Meeting of the Henderson Community Board be received.

**CARRIED**

**8 TE TAUMATA RUNANGA**

Kaumatua Fraser Delamere paid tribute to Rae Clark, Te Taumata Runanga member who passed away on Monday, 25 March 2002.

539/2002

MOVED by Cr Lawley, seconded Cr Brady:

That the report of the Ordinary Meeting of Te Taumata Runanga be received.

**CARRIED**

**PART C - REPORT OF THE CHIEF EXECUTIVE**

**PRECEDENCE OF BUSINESS**

540/2002

MOVED by Cr Stone, seconded Cr Brady:

That Item 15: Corban Winery Estate - Tertiary Institute be accorded precedence at this time.

**CARRIED**

**DECLARATION OF INTEREST**

6.18 pm Crs Russell and Lawley declared an interest in Item 15: Corban Winery Estate - Tertiary Institute and stepped back from the table taking no part in the discussion or debate on the matter.

**15 CORBAN WINERY ESTATE - TERTIARY INSTITUTE**

6.22 pm Crs Russell and Lawley left the meeting.

541/2002

MOVED by Cr Hoskin, seconded Cr Brady:

That the information be received.

**CARRIED**

542/2002

MOVED by Cr Clews, seconded Cr Stone:

That the members of the Taskforce be thanked for their contribution to the Mayoral Task Force.

**CARRIED**

The Order of Business resumed at Item 9: Rail Deal - Update on Progress.

**9 RAIL DEAL - UPDATE ON PROGRESS**

**DEFERRED**

543/2002

MOVED by Cr Clews, seconded Cr Presland:

That Item 9: Rail Deal - Update on Progress be deferred until after Item 22: Presentation to Mr Bevis England.

**CARRIED**

6.28 pm Crs Russell and Lawley returned to the meeting.

10 **ANZAC DAY 2002**

544/2002

MOVED by Cr Neeson, seconded Cr Fenton:

1. That the information be received.
2. That the following Councillors be appointed to represent the City at each of the Community Anzac Day Parades:

Dawn Ceremony

at Waikumete Cemetery	6.00 am	All Councillors
Swanson	9.00 am	Cr Hulse
New Lynn	9.15 am	Cr Battersby
Henderson	10.00 am	Cr Brady and Cr Hoskin
Titirangi	10.30 am	Cr Presland
Hobsonville	10.40 am	Cr Russell
Glen Eden	11.30 am	Cr Clews and Cr Lawley
Te Atatu Peninsula	10.00 am	Cr Fenton and Cr Dallow
Waitakere	11.00 am	Cr Stone
Piha	2.00 pm	Cr Yates
Laingholm	10.30 am	Cr Yates

3. That the appointment of Community Board Members to the Services be referred to the appropriate Community Board.

**CARRIED**

11 **LOCAL GOVERNMENT NEW ZEALAND CONFERENCE AND ANNUAL GENERAL MEETING**

545/2002

MOVED by Cr Stone, seconded Cr Yates:

That the information be received.

**CARRIED**

546/2002

MOVED by Cr Stone, seconded Cr Fenton:

That the Mayor and the Chief Executive (or his nominee) attend the Local Government New Zealand 2002 Conference at Rotorua from 29 - 31 July 2002.

**CARRIED**

547/2002

MOVED by Cr Hulse, seconded Cr Fenton:

That the Deputy Mayor attend the Local Government New Zealand 2002 Conference at Rotorua from 29 - 31 July 2002.

**CARRIED**

548/2002

MOVED by Cr Yates, seconded Cr Lawley:

That Crs Fenton and Brady attend the Local Government New Zealand Conference.

**CARRIED**

549/2002

MOVED by Cr Lawley, seconded Cr Fenton:

That the Mayor be the Waitakere City presiding delegate for the purposes of the Local Government New Zealand Annual General Meeting on Wednesday, 31 July 2002 and be authorised to cast Waitakere's votes at the meeting.

**CARRIED**

550/2002

MOVED by Cr Clews, seconded Cr Brady:

That the Deputy Mayor be nominated as the alternate presiding delegate for the purposes of the Local Government New Zealand Annual General Meeting.

**CARRIED**

551/2002

MOVED by Cr Russell, seconded Cr Stone:

That Crs Brady and Fenton be nominated as the other delegates for the purposes of the Local Government New Zealand Annual General Meeting.

**CARRIED**

552/2002

MOVED by Cr Clews, seconded Cr Lawley:

That the presiding delegate, Mayor Bob Harvey be delegated authority to decide whether to support any candidate for the Offices of President or Vice President of Local Government New Zealand from another authority and to cast Council's votes if an election for either office is required.

**CARRIED**

553/2002

MOVED by Cr Battersby, seconded Cr Lawley:

That Council lodge a Remit to the Local Government New Zealand 2002 Annual General Meeting, that deals with the adverse affects of Environmental Litter and Graffiti.

**CARRIED**

**12 STATE HIGHWAY REVIEW**

554/2002

MOVED by Cr Nash, seconded Cr Russell:

1. That the information be received.
2. That the Council signals, via a submission to Transit New Zealand, a desire to take control of Hobsonville Road from Transit New Zealand and to potentially transfer Brigham Creek Road to Transit New Zealand once the new State Highway 18 is open.
3. That the authority to sign off Council submission to Transit New Zealand be delegated to the Chairperson of the City Development Committee.

**CARRIED**

**13 NEW ZEALAND / AUSTRALIA PLANNING CONGRESS - ATTENDANCE BY ELECTED MEMBERS**

555/2002

MOVED by Cr Hulse, seconded Cr Stone:

1. That the information be received.
2. That the Chairperson of the Hearings Committee, Cr Nash and the Deputy Chairperson of the Environmental Management Committee, Cr Yates attend the New Zealand Planning Institute's Annual Conference, to be held in Wellington between 8 April and 12 April 2002.

**CARRIED**

**14 COMMUNITY SPORTS FUND ALLOCATION SUBCOMMITTEE REPRESENTATION**

556/2002

MOVED by Cr Hulse, seconded Cr Yates:

1. That the information be received.
2. That the Delegations to Committees and Community Boards for the Community Sports Fund Allocation Subcommittee be amended to alter the membership from "1 representative from the Waitakere Sports Trust" to "1 representative from the Waitakere Regional Sports Trust."
3. That Ivan Yukich's nomination be confirmed as the nominated member from Waitakere Regional Sports Trust replacing Tu Nu'uali'itia on the Community Sport Fund Allocation Subcommittee, effective immediately.

**CARRIED**

**15 CORBAN WINERY ESTATE - TERTIARY INSTITUTE**

This item was considered following Item: Te Taumata Runanga.

**16 WATER ISSUES - CITIZENS AGAINST PRIVATISATION**

557/2002

MOVED by Cr Yates, seconded Cr Clews:

1. That the information be received.
2. That Council endorse the 'Joint Statement of Representatives of Waitakere City Council and Citizens Against Privatisation' pertaining to water issues, dated 12 March 2002.
3. That it be made clear to the Community that the issue of water charging is one for full public consultation during the Strategic Plan process and that the working party will contain representation from Ratepayers as well as from Citizens Against Privatisation.

**CARRIED**

**ADJOURNMENT**

558/2002

MOVED by Cr Stone, seconded Cr Fenton:

That the meeting stand adjourned until 7.30 pm.

**CARRIED**

6.58 pm      The meeting adjourned.

7.41 pm      The meeting reconvened.

**PART F - PRESENTATIONS**

**22 MR BEVIS ENGLAND - AMBASSADOR FOR INFORMATION TECHNOLOGY FOR THE CITY**

Mayor Bob Harvey appointed Mr Bevis England as an Ambassador for Information Technology for the City.

Mr England has been instrumental in promoting information technology throughout Waitakere City, particularly in the fields of teleworking, internet dialogue facilities designed to promote democratic debate, and telecommunications infrastructure needs. Mr England has also been an instigator of a closer coordination between the needs of industry and services provided by Council.

**23 ROAD SAFETY CAMPAIGN / TVC**

Kitch Cuthbert made a presentation to Council on a recent highly successful Road Safety Campaign called "Road Warriors".

The Order of Business resumed at Item 9: Rail Deal - Update on Progress.

**PART C - REPORT OF THE CHIEF EXECUTIVE**

**9 RAIL DEAL - UPDATE ON PROGRESS**

Cr Catherine Harland, Chair of the Auckland Regional Council's Land Transport Committee, Ross Keenan, Board Chair of the Auckland Regional Transport Network Limited, Adrienne Young-Cooper and George Green, Board Directors and Barry Mein and Ian Maxwell, Auckland Regional Council updated Councillors on the Rail Deal and the implications that this has for Auckland Regional Transport Network Limited.

559/2002

MOVED by Cr Stone, seconded Cr Clews:

That the information be received and that the Council's appreciation be extended to Cr Catherine Harland, Ross Keenan, Adrienne Young-Cooper, George Green, Barry Mein and Ian Maxwell for their presentation.

**CARRIED**

560/2002

MOVED by Cr Brady, seconded Mayor Bob Harvey:

That Council strongly reaffirms support for light rail to be provided on the western line and that Council request planning and funding for Option 2A continues as part of the Auckland Regional Transport Network.

**CARRIED**

**DEFERRED**

561/2002

MOVED by Cr Clews, seconded Cr Hoskin:

That Items 17: Waitakere Properties Limited Harbour View Joint Venture - Taxation Issue and 18: Regional Arts and Culture Funding Allocation Subcommittee Membership Appointment be deferred until the end of the meeting.

**CARRIED**

**PART E - STANDING COMMITTEE REPORTS**

**19 CITY DEVELOPMENT COMMITTEE**

8.50 pm Cr Neeson left the meeting.

**1. GLEN EDEN REVITALISATION PLAN**

562/2002

MOVED by Cr Stone, seconded Cr Yates:

That Council request Central Government to re-consider its strategy on community policing relating to Community Police Constables in our town centres that will support local initiatives in developing our city.

**CARRIED**

**2. OTHER MATTERS CONSIDERED**

563/2002

MOVED by Cr Lawley, seconded Cr Fenton:

That the report of the Ordinary and Emergency Meetings of the City Development Committee be received.

**CARRIED**

**20 ENVIRONMENTAL MANAGEMENT COMMITTEE**

**1. DOG REGISTRATION FEES - 2002/2003**

564/2002

MOVED by Cr Hulse, seconded Cr Brady:

1. That all dog owners who book to sit the Dog Owner Licence test prior to the penalty date of 1 August 2002 pay the reduced fee within a week of passing the test; or pay the fee which they would have otherwise paid within a week of failing the test, otherwise the late fee applies to whatever category each dog falls into.
2. That for all newly acquired dogs (providing the owners have not been served an infringement notice), a reduced pro-rata fee based on the months of the year be applicable.
3. That where an adult dog is impounded and unregistered, or for which the owner is served an infringement notice, the full registration fee including the penalty be applied.

**CARRIED**

8.52 pm Cr Neeson returned to the meeting.

**2. CLIMATE PROTECTION PROGRAMME**

565/2002

MOVED by Cr Hulse, seconded Cr Fenton:

1. That Council adopts the Cities for Climate Protection Programme but continues discussions with Local Government New Zealand and other agencies with regard to participating in a national programme if one is established.
2. That Council adopts within its internal procedures measures toward implementing a Climate Protection Programme.

**CARRIED**

**3. OTHER MATTERS CONSIDERED**

566/2002

MOVED by Cr Hulse, seconded Cr Brady:

That the report of the Ordinary Meeting of the Environmental Management Committee be received.

**CARRIED**

**21 FINANCE AND OPERATIONAL PERFORMANCE COMMITTEE**

**1. HEART OF NEW LYNN DEVELOPMENT UPDATE**

This item was considered in the Confidential section of the Minutes.

**2. OTHER MATTERS CONSIDERED**

567/2002

MOVED by Cr Clews, seconded Cr Brady:

That the report of the Ordinary Meeting of the Finance and Operational Performance Committee be received.

**CARRIED**

**PART G - PROCEDURAL MATTERS**

**24 QUESTIONS**

There were no Questions.

**25 NOTICES OF MOTION**

There were no Notices of Motion.

**RECOMMITTAL**

That the matter of the Responsible Gambling Bill lying on the table be recommitted.

**RESPONSIBLE GAMBLING BILL**

9.05 pm Crs Clews, Dallow and Lawley declared an interest and stepped back from the table taking no part in the discussion or decision on the issue of gaming machines and the submission from Local Government New Zealand to the Responsible Gambling Bill.

568/2002

MOVED by Cr Stone, seconded Cr Hulse:

That Council make its own submission on the Responsible Gambling Bill supporting the Bill and especially the following aspects:

- As gambling is a major health problem in New Zealand, affecting communities and individuals within communities, it is appropriate for Local Government to take a role in addressing or preventing the effects of gambling;
- This role is comparable to the responsibility which Local Government has in relation to liquor;
- Any regulatory aspects of this role must be fully funded by the gambling operators;
- The effects of problem gambling are exacerbated where the proceeds of this gambling do not flow back to the local community. While the efforts to ensure there is clearer accountability for the distribution of such proceeds is supported, the current Bill does not go far enough;
- Territorial Local Authorities should be the body responsible for setting up allocation committees which would allocate the funds for community purposes;
- Any provisions for locally convened allocation committees should be flexible enough to support the continuation of existing community allocation mechanisms such as Licensing Trusts;
- Waitakere City Council requests the opportunity to present this submission.

**CARRIED**

569/2002

MOVED by Cr Presland, seconded Cr Yates:

1. That the Mayor and Deputy Mayor be delegated the authority to sign off Council's submission on behalf of the Council.
2. That Council communicates its support in principle to Local Government New Zealand on their draft submission and indicates the issues to which it gives particular emphasis.

**CARRIED**

9.15 pm Crs Clews, Dallow and Lawley returned to the table.

**PART D - CONFIDENTIAL ITEMS**

**17 WAITAKERE PROPERTIES LIMITED HARBOUR VIEW JOINT VENTURE - TAXATION ISSUE**

**18 REGIONAL ARTS AND CULTURE FUNDING ALLOCATION SUBCOMMITTEE MEMBERSHIP APPOINTMENT**

**21 FINANCE AND OPERATIONAL PERFORMANCE COMMITTEE**

**1. HEART OF NEW LYNN DEVELOPMENT UPDATE**

**PROCEDURAL MOTION TO EXCLUDE THE PUBLIC**

570/2002

MOVED by Cr Stone, seconded Cr Hulse:

That the public be excluded from the following part of the proceedings of this meeting, namely Waitakere Properties Limited Harbour View Joint Venture - Taxation Issue, Regional Arts and Culture Funding Allocation Subcommittee Membership Appointment and Finance and Operational Performance Committee - Heart of New Lynn Development Update.

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 matters.	Ground(s) under Section 48(1)(a) for the passing of this resolution.
<ul style="list-style-type: none"> <li>• Waitakere Properties Limited Harbour View Joint Venture - Taxation Issue</li> </ul>	<p>The withholding of information is necessary in order to:</p> <ul style="list-style-type: none"> <li>• Maintain legal professional privilege; and</li> <li>• Enable Council 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>
<ul style="list-style-type: none"> <li>• Regional Arts and Culture Funding Allocation Subcommittee Membership Appointment</li> </ul>	<ul style="list-style-type: none"> <li>• Protect the privacy of natural persons, including that of deceased natural persons.</li> </ul>	
<ul style="list-style-type: none"> <li>• Heart of New Lynn Development Update</li> </ul>	<ul style="list-style-type: none"> <li>• Enable Council to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).</li> </ul>	

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)(a), (g) and (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 matters will address information relating to the potential taxation implications arising from the joint venture entered into by Waitakere Properties Limited for Stage I at the Harbourview Estate, information regarding applicants for appointment to the Regional Arts and Culture Funding Allocation Subcommittee and information which if released would affect the Council's negotiations.*

**CARRIED**

9.20 pm           The public were excluded.

Minutes Numbers 571/2002 to 574/2002 are recorded in the Confidential section of the Minutes.

9.28 pm           The public were readmitted.

The Council resolved while in Committee:

*“That the appointment of Daniel Greig be made available in the public arena”.*

*573/2002*

**18    REGIONAL ARTS AND CULTURE FUNDING ALLOCATION SUBCOMMITTEE**  
**MEMBERSHIP APPOINTMENT**

572/2002

MOVED by Cr Clews, seconded Cr Fenton:

1.    That the information be received.
2.    That Daniel Greig be appointed as a member of the Regional Arts and Culture Funding Allocation Subcommittee to replace Karen Walker as the representative from the Business Sector.

**CARRIED**

Cr Clews tabled a submission from Christine Wall on Boy Racers in Glen Eden. The petition contained 304 signatures with the prayer reading as follows:

*“We the undersigned, request that the Mayor and Councillors of Waitakere City Council, address the problem of dangerous driving, excess speed, and noise levels of vehicles within the close proximity of Glen Mall Shopping Centre, Glen Eden”.*

**26      CLOSING PRAYER**

The Director: Quality Assurance said the Closing Prayer.

9.35 pm

The Chairperson thanked members for their attendance and attention to business and declared the meeting closed.

CONFIRMED AT AN ORDINARY MEETING OF  
THE COUNCIL HELD ON

**DATE:**.....

**CHAIRPERSON:**.....

