

MINUTES OF AN ORDINARY MEETING OF THE COUNCIL HELD IN THE CIVIC CENTRE,  
6 WAIPAREIRA AVENUE, LINCOLN, WAITAKERE CITY, ON WEDNESDAY,  
26 FEBRUARY 2003, COMMENCING AT 5.30 PM.

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18	ENTERPRISE WAITAKERE - APPOINTMENT OF TRUSTEES	ERROR! BOOKMARK NOT DEFINED.

**MINUTES OF AN ORDINARY MEETING OF THE COUNCIL HELD IN THE CIVIC CENTRE,  
6 WAIPAREIRA AVENUE, LINCOLN, WAITAKERE CITY, ON WEDNESDAY,  
26 FEBRUARY 2003, COMMENCING AT 5.30 PM.**

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**PRESENT:**

Mayor	RA	Harvey, QSO, JP
Deputy Mayor	CA	Stone (until 8.20 pm)
Councillors	DQ	Battersby, JP (from 5.37 pm)
	BA	Brady, JP
	JM	Clews, QSO, JP
	RP	Dallow, QPM, JP
	AC	Fenton
	OE	Hoskin, MNZM, JP
	PA	Hulse (from 5.36 pm)
	JP	Lawley
	GE	Nash, JP
	GB	Presland
	GW	Russell
	DA	Yates, JP (from 5.37 pm)

**TE TAUMATA RUNANGA:** K Parata  
M Te Huia

**COMMUNITY BOARDS:** H Jones (Chairperson Henderson Community Board)  
B Jessopp (Chairperson Massey Community Board)  
E Francke (Chairperson New Lynn Community Board)  
CA Shepherd, JP (Chairperson Waitakere Community Board)  
P van der Voort (New Lynn Community Board)  
D Goodley (Waitakere Community Board)  
K Healy (Waitakere Community Board)

**IN ATTENDANCE:**

Chief Executive  
Director: City Services  
Director: Strategy and Development  
Director: Corporate and Civic Services  
Director: Finance  
Director: Public Affairs  
Director: Quality Assurance  
Manager: Democracy and Support Services  
Manager Transport Strategy  
Service Manager, Landscape Development  
Security Manager  
Senior Analyst - Maori Policy  
Reserves Management Planner  
Strategic Leader  
Arts Adviser  
Quality Liaison Officer  
Kaitakawenga (Maori Liaison)  
Committee Secretary: O Schuster  
N Delamere  
A Chan  
Committee Administrator: J Prentice

**1 OPENING PRAYER**

Reverend McLeary from the Te Atatu Anglican Church said the Opening Prayer.

5.36 pm Cr Hulse entered the meeting.

5.37 pm Crs Battersby and Yates entered the meeting.

**2 APOLOGIES**

179/2003

MOVED by Cr Brady, seconded Cr Fenton:

That an apology from Cr Neeson for absence be received and sustained.

**CARRIED**

**3 CONFIRMATION OF MINUTES**

180/2003

MOVED by Cr Dallow, seconded Cr Hoskin:

That the minutes of the Special Meeting of the Council held on Wednesday, 18 December 2002 and the Ordinary Meeting of the Council held on Wednesday, 18 December 2002, including the Public Excluded minutes, as circulated, are taken as read and now confirmed.

**CARRIED**

**4 URGENT BUSINESS**

There was no Urgent Business.

**4A PETITION - WHENUAPAI AIRBASE**

181/2003

MOVED by Cr Clews, seconded Cr Russell:

That the Petition be received.

**CARRIED**

**PART A - REPORT OF THE MAYOR**

182/2003

MOVED by Cr Fenton, seconded Cr Hulse:

That the Report of the Mayor be received.

**CARRIED**

183/2003

MOVED by Cr Presland, seconded Cr Lawley:

1. That this Council strongly supports the New Zealand Government's stance and urges the United States of America to pursue diplomatic measures in its attempts to ensure that Iraq does not possess weapons of mass destruction.
2. That this Council urges the members of the United Nations Security Council to support the continuation of the current arms inspection process being conducted in Iraq.

**CARRIED**

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

**5 TE TAUMATA RUNANGA**

**1. RIPOTA O TE KAI TUHITUHI - COMMITTEE SECRETARY'S REPORT**

184/2003

MOVED by Cr Hoskin, seconded Cr Lawley:

That K Wikiriwhi replace R Waititi on the Community Sport Fund Allocation Subcommittee.

**CARRIED**

**2. OTHER MATTERS CONSIDERED**

185/2003

MOVED by Cr Yates, seconded Cr Brady:

That the report of the Ordinary Meeting of Te Taumata Runanga held on Monday, 17 February 2003 be received.

**CARRIED**

**6 NEW LYNN COMMUNITY BOARD**

**1. TODD TRIANGLE RESERVE DEVELOPMENT CONCEPT PLAN**

186/2003

MOVED by Cr Clews, seconded Cr Presland:

That Todd Avenue, New Lynn, as defined in the diagram attached at page A1 of the Agenda Report be declared to be a pedestrian mall by way of Special Order under Section 336 of the Local Government Act 1974. The Special Order is to be submitted to the next meeting of Council for consideration.

**CARRIED**

**2. COMMITTEE SECRETARY'S REPORT - TITIRANGI PARKING AND TRAFFIC**

187/2003

MOVED by Cr Clews, seconded Cr Presland:

That it be conveyed to Council that the Community Board expresses its concern about the continuing delay in the response to concerns expressed by Titirangi residents about parking.

**CARRIED**

**3. OTHER MATTERS CONSIDERED**

188/2003

MOVED by Cr Clews, seconded Cr Presland:

That the report of the Ordinary Meeting of the New Lynn Community Board held on Monday, 3 February 2003 be received.

**CARRIED**

**7 WAITAKERE COMMUNITY BOARD**

189/2003

MOVED by Cr Yates, seconded Cr Hulse:

That the report of the Ordinary Meeting of the Waitakere Community Board held on Tuesday, 4 February 2003 be received.

**CARRIED**

**8 MASSEY COMMUNITY BOARD**

**1. NEW ZEALAND COMMUNITY BOARD CONFERENCE, NEW PLYMOUTH - JUNE 2003**

190/2003

MOVED by Cr Hoskin, seconded Cr Russell:

That the travel and associated costs for Andrew Good to attend the New Zealand Community Board Conference in New Plymouth on 12 - 15 June 2003 as the Massey Community Board Representative be met by the Council.

**CARRIED**

**2. OTHER MATTERS CONSIDERED**

191/2003

MOVED by Cr Hoskin, seconded Cr Russell:

That the report of the Ordinary Meeting of the Massey Community Board held on Wednesday, 5 February 2003 be received.

**CARRIED**

**9 HENDERSON COMMUNITY BOARD**

192/2003

MOVED by Cr Brady, seconded Cr Fenton:

That the report of the Ordinary Meeting of the Henderson Community Board held on Thursday, 30 January 2003 be received.

**CARRIED**

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

**10 GENERAL AGREEMENT ON TRADE IN SERVICES: CONSULTATION REQUIREMENTS**

193/2003

MOVED by Cr Clews, seconded Cr Hoskin:

That the information be received.

**CARRIED**

194/2003

MOVED by Cr Hulse, seconded Cr Clews:

That the Chief Executive be instructed to write to the Government to express this Council's concern at the lack of consultation regarding the proposed General Agreement on Trade in Services, and to request amendments to remove any restrictions placed on Local Government by the present documents.

**CARRIED**

**NOTE:** It was agreed that Council circulate a letter advising of the decision on Item 10 - General Agreement on Trade In Services: Consultation Requirements to all local authorities throughout New Zealand.

195/2003

MOVED by Cr Presland, seconded Cr Russell:

That Council endorses recommendations formulated by Christchurch City Council and contained in their report concerning GATS, and communicates this endorsement to the New Zealand Government; in particular, Council endorses recommendation 1(f) proposing that the Government seeks to eliminate the ability of WTO Trade rules to over-rule New Zealand laws and practices that protect health, the local economy, the environment, sustainability issues and human rights.

**CARRIED**

**11 ESTABLISHMENT OF THE KAY ROAD BALEFILL SITE MANAGEMENT COMMITTEE**

196/2003

MOVED by Cr Stone, seconded Cr Dallow:

1. That the information be received.
2. That the Kay Road Balefill Site Management Committee be established in terms of the Kay Road Balefill Mediation Agreement with the Field of Activity and Delegations as follows, namely:

Preamble

*The Committee shall be called the Kay Road Balefill Site Management Committee. The purpose of the Kay Road Balefill Site Management Committee is to give effect to the conditions of the mediation agreement between Council and the Swanson community and to make decisions on any matter within the ambit of the powers delegated to it by Council.*

*These decisions are to be made bearing in mind Council's Statement of Purposes, Goals and Principles, as well as the conditions of statutory approvals for the Kay Road Balefill site.*

Scope

*Within the scope defined by the Annual and Strategic Plans, the Mediation Agreement and statutory approvals, the following shall be the scope of the Kay Road Balefill Site Management Committee:*

*Overview the management of the site in accordance with the Management Plan and ensure compliance with A.R.C. standards, and make recommendations to the Environmental Management Committee accordingly. Monitor the Annual Review of operational performance and management, and make recommendations as necessary for consideration by the Planning and Regulatory Committee. Consider such minor changes or departures from the Management Plan, and recommend as appropriate to Council's Planning Manager and the Auckland Regional Council, provided that no such amendment or departure contravenes any resource consent or other approval. Right of access to the site and access to monitoring records. Be provided with any Waitakere City Council information on health effects, and to make recommendations to the Planning and Regulatory Committee based on that information. To act in the Site's best interest.*

Recommendations to the Environmental Management Committee

*Where the Kay Road Balefill Site Management Committee is not empowered to act, the Committee shall report to the Environmental Management Committee and make recommendations as required.*

Membership

*2 members appointed by the Council*

*1 member appointed by the Waitakere Community Board*

*3 members appointed by the Swanson Community*

Quorum

*3 members*

Parent Committee

Environmental Management Committee

3. That Crs Hulse and Yates be the representatives on the Kay Road Balefill Site Management Committee on a voluntary basis.
4. That the Kay Road Balefill Site Management Committee be asked to work in an advisory capacity on the Kay Road Balefill section of the draft Swanson Reserves Management Plan.
5. That this report be circulated to the Waitakere Community Board for their information.

**CARRIED**

**12 LAND TRANSPORT MANAGEMENT BILL SUBMISSION**

197/2003

MOVED by Cr Yates, seconded Cr Hulse:

That the information be received.

**CARRIED**

198/2003

MOVED by Cr Fenton, seconded Cr Brady:

That the draft submission on the Land Transport Management Bill as amended be adopted and sent to the Government.

**CARRIED**

199/2003

MOVED by Cr Hulse, seconded Cr Fenton:

1. That Council submit that the proposal to have targets and methods for road traffic reduction placed in legislation be supported.
2. That Council support the revised purpose of Transit and Transfund in the Land Transport Management Bill rather than the Road Traffic Reduction Bill.
3. That Council make a submission to the Road Traffic Reduction Bill as well as the Land Transport Management Bill, the context of such submission to be based on the submission to the Land Transport Management Bill.
4. That the Councillors and Community Board Members thank Jeff Murray for the work he has done to move this City forward on Transport issues.

**CARRIED**

**13 REPRESENTATIVE APPOINTMENTS TO THE PASSENGER TRANSPORT SUBCOMMITTEE OF THE AUCKLAND REGIONAL COUNCIL**

200/2003

MOVED by Cr Dallow, seconded Cr Clews:

1. That the information be received.
2. That the Council representative on the Passenger Transport Subcommittee of the Auckland Regional Council be Councillor Presland, and that Councillor Stone be the alternate member.

**CARRIED**

**14 AUCKLAND REGIONAL ECONOMIC DEVELOPMENT STRATEGY - MAORI REPRESENTATION**

201/2003

MOVED by Cr Fenton, seconded Cr Nash:

1. That the information be received.
2. That Council approve the appointment of Anne Candy and John Kerr as Maori representatives on the Auckland Regional Economic Development Strategy Establishment Group.
3. That Council endorse the recommendation that the two Maori members be paid meetings allowances in accordance with Part IVC of the Local Government Act 1974.

**CARRIED**

**NOTE:** Pursuant to Standing Order 2.24.6 Mayor Bob Harvey and Crs Brady, Russell and Yates requested that their vote against the motion be recorded.

**15 ATTENDANCE AT 2003 ASIA PACIFIC CITIES SUMMIT**

202/2003

MOVED by Cr Battersby, seconded Cr Dallow:

1. That the information be received.
2. That Council approves the attendance of Mayor Bob Harvey at the Asia Pacific Cities Summit in Brisbane from 13 April to 16 April 2003.

**CARRIED**

**16 ELECTED MEMBERS REMUNERATION - HIGHER SALARIES COMMISSION DETERMINATION**

203/2003

MOVED by Cr Battersby, seconded Cr Clews:

That the information be received.

**CARRIED**

**DEFERRAL**

204/2003

MOVED by Cr Dallow, seconded Cr Clews:

That this item be deferred until after Item 21A - Presentations.

**CARRIED**

**ADJOURNMENT**

205/2003

MOVED by Cr Battersby, seconded Cr Dallow:

That the meeting stand adjourned until 7.30 pm.

6.55 pm        The meeting adjourned.

7.36 pm        The meeting reconvened. Crs Battersby and Dallow were not present.

**21A PRESENTATION - PROFESSOR ROGER BOSHIER**

Roger Boshier, Professor of Adult Education at the University of British Columbia in Vancouver made a presentation to Council on the European notion of "Learning Cities" which are about to land in New Zealand.

7.38 pm        Cr Battersby returned to the meeting.

7.40 pm        Cr Dallow returned to the meeting.

16 **ELECTED MEMBERS REMUNERATION - HIGHER SALARIES COMMISSION DETERMINATION**

206/2003

MOVED by Cr Battersby, seconded Cr Brady:

That the Council opt to move to the new system of remuneration as determined by the Higher Salaries Commission.

**CARRIED**

207/2003

MOVED by Cr Clews, seconded Cr Yates:

That the Council adopt a system of salaries only and not make payments to Elected Members for attendance at meetings.

**CARRIED**

**NOTE:** Pursuant to Standing Order 2.24.6 Crs Hoskin and Russell requested that their vote against the motion be recorded.

208/2003

MOVED by Cr Nash, seconded Cr Hulse:

That the Council revoke Resolution No. 3373/2002 and agree to pay a Chairs salary to the Chair of the Council Controlled Organisation Subcommittee at the 75% level (that is at 38.250% of the Mayor's salary).

**CARRIED**

**NOTE:** Pursuant to Standing Order 2.24.6 Crs Hoskin, Presland and Russell requested that their vote against the motion be recorded.

8.20 pm Cr Stone left the meeting.

MOVED by Cr Clews (pro forma), seconded Cr Brady:

That the following salaries for Community Boards be recommended to the Higher Salaries Commission:

	<b>Salary</b>	<b>Total</b>
Community Boards: Chairs - Henderson and Waitakere	18,885	37,770
Members	8,635	77,715
Chairs - Massey and New Lynn	23,845	47,690
Members	13,185	118,665

**LOST**

**NOTE:** Pursuant to Standing Order 2.24.6 Mayor Bob Harvey, Crs Battersby, Clews, Dallow, Fenton, Hoskin, Lawley, Hulse, Presland, Russell and Yates requested that their vote against the motion be recorded.

209/2003

MOVED by Cr Hulse, seconded Cr Yates:

That the salaries for Community Boards be paid at an equalised rate for Chairs and an equalised rate for Members across each of the four Community Boards.

**CARRIED**

210/2003

MOVED by Cr Hulse, seconded Cr Yates:

That the following salaries for Community Boards be recommended to the Higher Salaries Commission:

	<b>Salary</b>	<b>Total</b>
Community Boards: Chairs	21,365 x 4 =	85,460
Members	10,910 x 18 =	196,380

**CARRIED**

**NOTE:** Pursuant to Standing Order 2.24.6 Crs Battersby, Dallow, Fenton, Lawley, Presland and Russell requested that their vote against the motion be recorded.

211/2003

MOVED by Cr Nash, seconded Cr Battersby:

That the following salaries for Councillors be recommended to the Higher Salaries Commission:

	<b>Salary</b>	<b>Total</b>
Mayor - determined by the Higher Salaries Commission	121,045	121,045
Deputy Mayor @ 60%	72,600	72,600
Chairs of Standing Committees (Elected Members) @ 51%	61,700	185,100
Chairs Special Projects, Tenders @ 44.625%	54,000	54,000
Chairs Emergency Management, Recreation & Sport, Creative Communities, Regional Arts & Culture, Council Controlled Organisations and Performance Management @ 38.250%	46,300	231,500
Councillors @ balance	42,787	171,146

**CARRIED**

**NOTE:** Pursuant to Standing Order 2.24.6 Crs Hoskin and Russell requested that their vote against the motion be recorded.

212/2003

MOVED by Cr Dallow, seconded Cr Presland:

That the following reimbursing expenses be recommended to the Higher Salaries Commission:

- 1.1. That Councillors and Community Board Members receive a monthly allowance to cover reimbursement of the following costs incurred as appropriate:
  - Reimbursement of one domestic line rental and one domestic line maintenance charge related to telephone, fax and e-mail operation and the call minder facility (currently \$45.20);
  - Reimbursement of one cell phone on the basis of the Waitakere City call plan including the call minder facility (currently \$35.00) when a cell phone is made available to be used on Council business;
  - Reimbursement of the best flat rate monthly fee available to the Council for JetStream 400 or its equivalent (currently \$49.00) (not currently available to Community Board Members).
- 1.2. That Councillors and Community Board Members claim reasonable business related call costs on telephone or cell phone on a monthly basis provided they are supported by presentation of an account detailing to whom the calls have been made.
- 1.3. That Councillors be paid a flat monthly fee of \$20.00 to cover all consumerables (not currently available to Community Board Members) for computers including laptops, printers, facsimiles etc.
- 1.4. That Councillors be supplied with either a personal computer at home or a laptop if necessary. Those Councillors who provide their own computer equipment be paid an additional monthly allowance of \$50.00 (not currently available to Community Board Members).
- 1.5. No other telephones, fax machines or cell phones will be provided to Elected Members except that the Mayor will be provided with a cell phone and the Council will pay for all expenses except private calls.

**CARRIED**

213/2003

MOVED by Cr Dallow, seconded Cr Clews:

That when Elected Members are on approved Council business all actual and reasonable expenses will be met by the Council.

**CARRIED**

214/2003

MOVED by Cr Battersby, seconded Cr Fenton:

That the rate for reimbursing Elected Members for travel, using their own motor vehicle on Council business, be as follows:

KM per Year	Up to 1300cc	1301 - 1600cc	1601 - 2000cc	Over 2000cc
10,000	54.3 cents	66.9	83.4	103.0
14,000	45.0	54.3	66.6	82.0
40,000	24.0	27.6	33.8	40.9

and that the Council also pay the approved rate to Appointed Members.

**CARRIED**

215/2003

MOVED by Cr Yates, seconded Cr Lawley:

That the Chair of Te Taumata Runanga be paid a salary of \$18,913 being the difference between the salary payable for a Standing Committee Chair and a Councillor without Chair responsibilities as well as the meeting fee payable to Appointed Members of Council Committees with effect from 1 July 2003; and

**CARRIED**

**NOTE:** Pursuant to Standing Order 2.24.6 Cr Battersby requested that his vote against the motion be recorded.

216/2003

MOVED by Cr Nash, seconded Cr Presland:

That all other Appointed Members of Council's Committees and Subcommittees (except the Hearings Committee) be paid a meeting fee of \$195.00.

**CARRIED**

### **PRECEDENCE OF BUSINESS**

217/2003

MOVED by Cr Hulse, seconded Cr Clews:

That Items 19 - Finance and Operational Performance Committee, 20 - Environmental Management Committee and 21 - City Development Committee be accorded precedence at this time.

**CARRIED**

**PART E - STANDING COMMITTEE REPORTS**

**19 FINANCE AND OPERATIONAL PERFORMANCE COMMITTEE**

**1. ROAD STOPPING AND SALES OF LAND AT SCENIC DRIVE NORTH, SWANSON**

218/2003

MOVED by Cr Clews, seconded Cr Dallow:

1. That the part of Scenic Drive North, adjacent to numbers 1160 and 1162 as defined on the diagram attached at page A68 to the agenda be stopped in accordance with the 10<sup>th</sup> schedule of the Local Government Act 1974.
2. That after the land ceases to be road, it be sold to the owners of numbers 1160 and 1162 Scenic Drive North because due to its size, shape and situation, it could not be expected to be sold to any person that did not own adjoining land.

**CARRIED**

**2. OTHER MATTERS CONSIDERED**

219/2003

MOVED by Cr Clews, seconded Cr Dallow:

That the report of the Ordinary Meeting of the Finance and Operational Performance Committee held on Monday, 10 February 2003 be received.

**CARRIED**

**20 ENVIRONMENTAL MANAGEMENT COMMITTEE**

220/2003

MOVED by Cr Hulse, seconded Cr Yates:

That the report of the Ordinary Meeting of the Environmental Management Committee held on Tuesday, 11 February 2003 be received.

**CARRIED**

**21 CITY DEVELOPMENT COMMITTEE**

221/2003

MOVED by Cr Presland, seconded Cr Brady:

That the report of the Ordinary Meeting of the City Development Committee held on Thursday, 13 February 2003 be received.

**CARRIED**

**PART F - PROCEDURAL MATTERS**

**22 QUESTIONS**

There were no Questions.

**23 NOTICES OF MOTION**

There were no Notices of Motion.

**PART D - CONFIDENTIAL ITEMS**

**17 STURGES PARK AND RIDE - LAND PURCHASE**

**18 ENTERPRISE WAITAKERE - APPOINTMENT OF TRUSTEES**

**PROCEDURAL MOTION TO EXCLUDE THE PUBLIC**

222/2003

MOVED by Cr Clews, seconded Cr Fenton:

That the public be excluded from the following part of the proceedings of this meeting, namely Sturges Park and Ride - Land Purchase and Enterprise Waitakere - Appointment of Trustees.

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation of each 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.
<ul style="list-style-type: none"> <li>• Sturges Park and Ride - Land Purchase</li> <li>• Enterprise Waitakere - Appointment of Trustees</li> </ul>	<p>The withholding of information is necessary in order to:</p> <ul style="list-style-type: none"> <li>• to enable any local authority holding the information to carry out, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)</li> <li>• to protect the privacy of natural persons</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)(a) 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 which if released would affect the Council's negotiation and information regarding applicants for appointment to Waitakere Enterprise Board of Directors.*

**CARRIED**

8.49 pm      The public were excluded.

Minute Numbers 223/2003 to 224/2003 are recorded in the Confidential Section of the Minutes.

9.10 pm      The public were re-admitted.

### **RESTATEMENT**

The Council resolved while the public were excluded:

### **STURGES PARK AND RIDE - LAND PURCHASE**

1. (MOVED by Cr Dallow, seconded Cr Battersby) (resolution 223/2003, no.4) *“that the Sturges Park and Ride - Land Purchase report and resolutions pertaining thereto remain confidential until further notice”*.

### **ENTERPRISE WAITAKERE - APPOINTMENT OF TRUSTEES**

2. MOVED by Cr Battersby, seconded Cr Fenton (resolution 224/2003, no.3) *“that this information remain confidential until officers have completed reference checks and taken any action arising there from”*.

## **PART F - PROCEDURAL MATTERS**

### **24      CLOSING PRAYER**

Cr Hoskin concluded the meeting with a prayer.

9.11 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:**.....

