

WAITAKERE CITY COUNCIL



MINUTES OF AN ORDINARY MEETING OF THE COUNCIL HELD IN THE CIVIC
CENTRE, 6 WAIPAREIRA AVENUE, LINCOLN, WAITAKERE CITY,
ON WEDNESDAY, 25 FEBRUARY 2004
COMMENCING AT 5.35 PM.

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15	PUBLIC WORKS ACT ACQUISITION - 14 TRADING PLACE, HENDERSON	ERROR! BOOKMARK NOT DEFINED.
16	TECHSCAPE LIMITED - RESIGNATION OF TWO DIRECTORS	ERROR! BOOKMARK NOT DEFINED.

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**MINUTES OF AN ORDINARY MEETING OF THE COUNCIL HELD IN THE CIVIC
CENTRE, 6 WAIPAREIRA AVENUE, LINCOLN, WAITAKERE CITY,
ON WEDNESDAY, 25 FEBRUARY 2004
COMMENCING AT 5.35 PM.**

PRESENT:

Mayor	RA	Harvey, QSO, JP
Deputy Mayor	CA	Stone (until 6.53 pm)
Councillors	DQ	Battersby, JP
	BA	Brady, JP
	JM	Clews, QSO, JP
	RP	Dallow, QPM, JP
	OE	Hoskin, MNZM, JP
	PA	Hulse
	JP	Lawley
	GE	Nash, QSM, JP
	VS	Neeson, JP (until 6.53 pm)
	GB	Presland (from 5.39pm)
	GW	Russell, JP
	DA	Yates, JP

**TE TAUMATA
RUNANGA:**

F Delamere
M Te Huia

**COMMUNITY
BOARDS:**

EG Francke	(Chairperson New Lynn Community Board)
CA Shepherd, JP	(Chairperson Waitakere Community Board)
RF Jessopp	(Chairperson Massey Community Board)
HM Jones	(Chairperson Henderson Community Board)
GPJ Marshall	(New Lynn Community Board)
MF Chan, JP	(Massey Community Board)

IN ATTENDANCE:

Chief Executive
Director: Corporate & Civic Services
Director: Strategy & Development
Director: Quality Assurance
Director: Public Affairs
Director: Finance
Group Manager: Democracy and Support Services
Group Manager: Strategic Policy & Planning
Legal Services Manager
Security Manager
Project Manager: City Projects
Parks & Green Assets: Quality Liaison Officer
Mayoral Executive Officer
Democracy and Governance Team Manager
Committee Secretary's - Owena Schuster
- Ngareta Delamere
- Audrey Chan
Committee Administrator: N Matthews

Xu Pingyuan, Ningbo, Sister City Exchange

PART I - OPENING OF MEETING

1 OPENING PRAYER

Pastor Tavale Matai'a, JP from the Word of Life Church, gave the Opening Prayer.

2 APOLOGIES

160/2004

MOVED by Cr Neeson, seconded Cr Clews:

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

CARRIED

3 CONFIRMATION OF MINUTES

161/2004

MOVED by Cr Dallow, seconded Cr Lawley:

That the minutes of the Ordinary Meetings of the Council held on Wednesday, 17 December 2003 and Thursday, 5 February 2004, as circulated with the public excluded minutes attached in the Confidential Supplement, with the amendment to the minutes of 17 December 2003 to reflect that under Item 13: Whenuapai Airbase - Disposal Process, the motion moved by Cr Lawley and seconded by Cr Fenton was not LOST but CARRIED, and with the amendment to Section 1 to clarify the preferred options under Item 22: 10 Ambrico Place, New Lynn - Disposal Options in the public excluded minutes, be taken as read and now be confirmed.

CARRIED

4 URGENT BUSINESS

There was no Urgent Business.

5.39 pm Cr Presland entered the meeting.

PART B - REPORT OF THE MAYOR

162/2004

MOVED by Cr Hoskin, seconded Cr Brady:

1. That the Report of the Mayor be received.
2. That Waitakere City Council reaffirms its commitment to its Eco City Strategy encapsulated within the Long Term Council Community Plan, and in particular highlights the following key principles, namely:
 - a passion for attracting, developing and fostering business achievement and employment growth within the City;
 - a commitment to the peaceful resolution of conflict and the delivery of safe cities and streets through the development of partnerships between Police, Justice, Education and communities;
 - a sustainable development approach;
 - making Waitakere City a place where all cultures are treasured and nourished, including Maori, Pacific peoples and new migrants;
 - valuing and celebrating diversity.

3. That within this framework Waitakere City Council commits to the launching of a 10-year business strategy of business development and cultivation incorporating high tech and green fields business development and expanding existing clusters of film, television and applied arts, marine and organics.

CARRIED

PART C - TE TAUMATA RUNANGA AND COMMUNITY BOARDS

5 TE TAUMATA RUNANGA

163/2004

MOVED by Cr Lawley, seconded Cr Hulse:

That the report of the Ordinary Meeting of Te Taumata Runanga held on Monday, 16 February 2004 be received.

CARRIED

6 NEW LYNN COMMUNITY BOARD

164/2004

MOVED by Cr Clews, seconded Cr Presland:

That the report of the Ordinary Meeting of the New Lynn Community Board held on Monday, 2 February 2004 be received.

CARRIED

7 WAITAKERE COMMUNITY BOARD

165/2004

MOVED by Cr Hoskin, seconded Cr Hulse:

That the report of the Ordinary Meeting of the Waitakere Community Board held on Tuesday, 3 February 2004 be received.

CARRIED

8 MASSEY COMMUNITY BOARD

1. CHAIRPERSON'S REPORT

166/2004

MOVED by Cr Nash, seconded Cr Neeson:

- (i) That the recommendation from the Massey Community Board for a bypass road from Chamberlain Road to Red Hills Road be considered in conjunction with investigations into the alternative Western Arterial Route and other road upgrading works required as a result of development in the Birdwood Structure Plan and Birdwood Urban Concept Plan areas, and be reported to the appropriate Committee.

- (ii) That the recommendation from the Massey Community Board that Massey Primary have a purpose-built drop-off zone, and short-term parking at the back entrances be referred to the School and considered whether any Council involvement is necessary, with a report to the relevant Committee or Community Board if there is.

CARRIED

2. OTHER MATTERS CONSIDERED

167/2004

MOVED by Cr Nash, seconded Cr Hoskin:

That the report of the Ordinary Meeting of the Massey Community Board held on Wednesday, 4 February 2004 be received.

CARRIED

9 HENDERSON COMMUNITY BOARD

168/2004

MOVED by Cr Brady, seconded Cr Hoskin:

That the report of the Ordinary Meeting of the Henderson Community Board held on Thursday, 5 February 2004 be received.

CARRIED

PART D - REPORT OF THE CHIEF EXECUTIVE

10 WARRANTS OF APPOINTMENT

169/2004

MOVED by Cr Dallow, seconded Cr Russell:

1. That the Warrants of Appointment report be received.
2. That Warrants of Appointment to exercise the powers and responsibilities of Enforcement Officer under Section 177 of the Local Government Act 2002 and the powers under the other Acts listed be issued to the following person as follows:

Name	Position		Requirement(s) of Warrant
BUI, Vinh	Transport Engineer	Section 77 Section 5 Section 177	Building Act 1991 Litter Act 1979 Local Government Act 2002
COLLING, Neville	Operational Compliance Team Manager	Section 3 Section 5 Section 177 Section 8 Section 38 Section 7	Fencing of Swimming Pools Act 1987 Litter Act 1979 Local Government Act 2002 Reserves Act 1977 Resource Management Act 1991 Transport Act 1962

Name	Position		Requirement(s) of Warrant
CRESWELL, Steven	Noise Control	Section 38	Resource Management Act 1991
FAHRENSOHN, Jeffrey Karl	Customer Field Adviser	Section 77 Section 5 Section 177	Building Act 1991 Litter Act 1979 Local Government Act 2002
LAZONBY, Michael	Building Surveyor	Section 77 Section 177	Building Act 1991 Local Government Act 2002
McCORMACK, Darrin	Noise Control	Section 38	Resource Management Act 1991
NASH, Stewart Glenn	Parking Officer	Section 5 Section 177 Section 7	Litter Act 1979 Local Government Act 1974 Transport Act 1962
NICHOLLS, John	Building Surveyor	Section 77 Section 177	Building Act 1991 Local Government Act 2002
ROSCOE, Jonathan	Manager Solid Waste	Section 177 Section 38	Local Government Act 2002 Resource Management Act 1991
SA, Losia	Noise Control	Section 38	Resource Management Act 1991
WANAKORE, Loncsey	Noise Control	Section 38	Resource Management Act 1991

CARRIED

11 ENTERPRISE WAITAKERE - APPOINTMENT OF TRUSTEE

MOVED by Cr Hoskin, seconded Cr Clews:

That Mr John Dragicevich be appointed as a Trustee on the Waitakere Enterprise Trust Board.

AMENDMENT

MOVED by Cr Presland, seconded Cr Battersby:

1. That the Enterprise Waitakere - Appointment of Trustee report be received.
2. That the matter of Enterprise Waitakere - Appointment of Trustee be referred to the Council Controlled Governance Organisation Subcommittee for consideration.

AMENDMENT CARRIED

SUBSTANTIVE MOTION

The Chairperson put the substantive motion:

170/2004

1. That the Enterprise Waitakere - Appointment of Trustee report be received.
2. That the matter of Enterprise Waitakere - Appointment of Trustee be referred to the Council Controlled Governance Organisation Subcommittee for consideration.

CARRIED

12 CONFIRMATION OF APPOINTMENT TO THE REGIONAL LAND TRANSPORT COMMITTEE

171/2004

MOVED by Cr Nash, seconded Cr Brady:

1. That the Confirmation of Appointment to the Regional Land Transport Committee report be received.
2. That Council confirms its appointment of Councillor Stone, and Councillor Presland as alternate, to represent Waitakere City Council on the Auckland Regional Council's Regional Land Transport Committee.

CARRIED

13 SISTER CITIES NEW ZEALAND (INC) - ANNUAL GENERAL MEETING AND NOMINATIONS FOR BOARD

172/2004

MOVED by Cr Russell, seconded Cr Yates:

1. That the Sister Cities New Zealand (Inc) - Annual General Meeting and Nominations for Board report be received.
2. That Cr Lawley be Council's nomination to the Board of Sister Cities New Zealand (Inc) for the year 2004.

CARRIED

14 PROPERTY PURCHASE DELEGATIONS

173/2004

MOVED by Cr Stone, seconded Cr Clews:

1. That the Property Purchase Delegations report be received.
2. That Delegation 14 to the Chief Executive (in the delegations adopted by the Council on 24 September 2003, resolution 1935/2003) be revoked and replaced with the following:

"14. Authority to enter into:

- (a) Contracts for Sale and Purchase conditional upon Council approval, or options to purchase land or property on such terms and conditions as the Chief Executive thinks fit. Where the Chief Executive exercises this delegated authority, the Chief Executive must report to the Council, no later than the next available Council meeting within the conditions period*

or the option period, and seek the Council's authority before satisfying the conditions or exercising the option.

- (b) *Contracts for the sale and purchase of land or property when the Council has determined to sell or purchase and to make judgments and decide on the sale or purchase where the price is different from market value. Where the difference is greater than 20% the Chief Executive shall refer the sale or purchase to the Council for decision at the earliest opportunity."*

CARRIED

PART E - CONFIDENTIAL ITEMS

15 PUBLIC WORKS ACT ACQUISITION - 14 TRADING PLACE, HENDERSON

16 TECHSCAPE LIMITED - RESIGNATION OF TWO DIRECTORS

DEFERRED

174/2004

MOVED by Cr Clews, seconded Cr Brady:

That Items 15: Public Works Act Acquisition - 14 Trading Place, Henderson and Item 16: Techscape Limited - Resignation of Two Directors be deferred to follow Item 25: Notices of Motion.

CARRIED

PART F - STANDING COMMITTEE REPORTS

17 CITY DEVELOPMENT COMMITTEE

DECLARATION OF INTEREST

6.32 pm Cr Stone declared an interest and withdrew from table and took no part in the debate or decision on the Attendance at the Fourth European Conference on Sustainable Cities and Towns - Aalborg, Denmark - 9-11 June 2004.

1. ATTENDANCE AT THE FOURTH EUROPEAN CONFERENCE ON SUSTAINABLE CITIES AND TOWNS - AALBORG, DENMARK - 9-11 JUNE 2004

175/2004

MOVED by Cr Presland, seconded Cr Clews:

That Council approve and fund the attendance of Cr Stone at the Fourth European Conference on Sustainable Cities and Towns, 9-11 June 2004, Aalborg, Denmark.

CARRIED

6.34 pm Cr Stone returned to the table.

2. **OTHER MATTERS CONSIDERED**

176/2004

MOVED by Cr Presland, seconded Cr Yates:

That the report of the Ordinary Meeting of the City Development Committee held on Thursday, 5 February 2004 be received.

CARRIED

18 **FINANCE AND OPERATIONAL PERFORMANCE COMMITTEE**

1. **EXEMPTION FOR REPORTING UNDER THE LOCAL GOVERNMENT ACT 2002 - WEST AUCKLAND COMMUNITY CARE TRUST**

177/2004

MOVED by Cr Clews, seconded Cr Hoskins:

That the West Auckland Community Care Trust be granted an exemption under Section 7(3) of the Local Government Act 2002 on the basis that the Trust has signalled its intention to dissolve once it has distributed all unallocated funds.

CARRIED

2. **OTHER MATTERS CONSIDERED**

178/2004

MOVED by Cr Clews, seconded Cr Brady:

That the report of the Ordinary Meeting of the Finance and Operational Performance Committee held on Monday, 9 February 2004 be received.

CARRIED

19 **ENVIRONMENTAL MANAGEMENT COMMITTEE**

179/2004

MOVED by Cr Hulse, seconded Cr Yates:

That the report of the Ordinary Meeting of the Environmental Management Committee held on Tuesday, 10 February 2004 be received.

CARRIED

PART H - PROCEDURAL MATTERS

24 **QUESTIONS**

There were no Questions.

25 **NOTICES OF MOTION**

There was no Notices of Motion.

The Order of Business resumed at Part E - Confidential Items.

PART E - CONFIDENTIAL ITEMS

15 PUBLIC WORKS ACT ACQUISITION - 14 TRADING PLACE, HENDERSON

16 TECHSCAPE LIMITED - RESIGNATION OF TWO DIRECTORS

PROCEDURAL MOTION TO EXCLUDE THE PUBLIC

180/2004

MOVED by Cr Battersby, seconded Cr Presland:

1. That the public be excluded from the following part of the proceedings of this meeting, namely, Public Works Act Acquisition - 14 Trading Place, Henderson, and Techscape Limited - Resignation of Two Directors.

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 matter.	Ground(s) under Section 48(1)(a) for the passing of this resolution.
<ul style="list-style-type: none"> • Public Works Act Acquisition - 14 Trading Place, Henderson • Techscape Limited - Resignation of Two Directors 	<p>The withholding of information is necessary in order to:</p> <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); • protect the privacy of natural persons, including that of deceased natural persons. 	<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)(a) and 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 reports contain information which if released would affect Council's negotiations, and personal information regarding a possible candidate for appointment to the Techscape Limited Board of Directors.*

6.40 pm The public were excluded.

Minute Numbers 181/2004 to 182/2004 are recorded in the Confidential section of the minutes.

6.50 pm The public were re-admitted.

ADJOURNMENT

183/2003

MOVED by Cr Clews, seconded Cr Battersby:

That the meeting stand adjourned until 7.30 pm.

CARRIED

6.53 pm The meeting adjourned.

7.35 pm The meeting reconvened. Crs Stone and Neeson were not present.

PART G - PRESENTATIONS

These presentations took place at 7.35 pm.

20 YOLA MACKEN - WAITAKERE ENTERPRISE

Yola Macken, Project Manager from Enterprise Waitakere made a presentation to Council on the Enterprise Waitakere Business Awards.

21 WAITAKERE RANGES PROTECTION SOCIETY

There was no presentation.

22 WAITANGI DAY MARAE OPEN DAY - CERTIFICATE OF PARTICIPATION

The Mayor made a presentation to acknowledge participants taking part on the inaugural Waitangi Day Marae Open Day on 6 February 2004.

23 VOLUNTEER RESCUE TEAM

The Mayor presented certificates in recognition of the achievement of the volunteer rescue team, originally known as the Waitakere City Council Civil Defence Initial Response Unit, and now known as New Zealand Urban Search and Rescue Team 3 (NZ-PT3) due to a national recognition at the end of the year 2003.

26 CLOSING PRAYER

Robert Newson from the Human Rights Commission said the closing prayer.

RESTATEMENT

The Council resolved while the public were excluded:

1. (MOVED by Cr Lawley, seconded Cr Brady) (resolution 181/2004 No.6) *"That the Public Works Act Acquisition - 14 Trading Place, Henderson agenda report and resolution 181/2004 No.'s 1 to 5 remain confidential until further notice."*
2. MOVED by Cr Dallow, seconded Cr Clews (resolution 182/2004 No.4) *"That the Techscape Limited - Resignation of Two Directors agenda report and resolution 182/2004 No.'s 1 to 3 remain confidential until further notice."*

8.14 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:.....

