

**MINUTES OF A MEETING OF THE COUNCIL HELD AT WAITAKERE CENTRAL,  
6 HENDERSON VALLEY ROAD, HENDERSON, WAITAKERE, ON  
THURSDAY, 14 DECEMBER 2006, COMMENCING AT 5.32 PM.**

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THURSDAY, 14 DECEMBER 2006, COMMENCING AT 5.32 PM.**

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**PRESENT:**

Mayor	RA	Harvey, QSO, JP
Deputy Mayor	CA	Stone (from 5.41 pm)
Councillors	DQ	Battersby, JP
	JM	Clews, QSO, JP
	RI	Clow
	LA	Cooper
	AK	Corban, OBE, JP
	RP	Dallow, QPM, JP
	WW	Flaunty, QSM, JP
	C	Harding, JP
	PA	Hulse
	JP	Lawley
	VS	Neeson, JP

**OBSERVERS:**

M Te Huia	(Deputy Chairman, Te Taumata Runanga)
EAG Grimmer, MNZM	(Chairman, Henderson Community Board)
GE Barnard	(Chairman, Massey Community Board)
P van der Voort, JP	(Chairman, New Lynn Community Board)
CA Shepherd, JP	(Chairman, Waitakere Community Board)
SJ McDonald	(Henderson Community Board)
GJ Maurice	(Massey Community Board)
DB Buchanan	(New Lynn Community Board)
GPJ Marshall	(New Lynn Community Board)
SF Davies	(Waitakere Community Board)
DJ Goodley	(Waitakere Community Board)

**IN ATTENDANCE:**

Chief Executive Officer  
Director: Corporate & Civic Services  
Director: City Services  
Director: Quality Assurance  
Director: Public Affairs  
Director: Strategic Performance  
Director: Finance  
Director: Strategic Planning  
Group Manager: Democracy & Support Services  
Group Manager: City Development  
Manager: Strategic Projects  
Manager: Public Affairs  
Service Manager: Parks Planning  
Treasury Manager  
Security Manager  
Executive Liaison Manager  
Executive Manager  
Partnerships & Advocacy Leader: New Migrants  
Strategic Partnership Advisor: Social Wellbeing  
Mayoral Executive  
Solicitor: A Dougal  
Strategic Parks Planner  
Public Affairs Advisor: External Communication

Democracy and Governance Team Manager  
Democracy Support and Sister City Officer  
Project Officer/Committee Secretary  
Committee Secretary: S McDaid  
Committee Secretary (Intern): A Lin  
Committee Administrator: D Collett  
Cadet: J Tapusoa

**ALSO IN  
ATTENDANCE:**

J Wadsworth, Chief Executive Officer, Enterprise Waitakere

**PART A - OPENING OF MEETING**

**1 OPENING PRAYER**

Councillor Clow said the Opening Prayer.

**2 APOLOGIES**

2505/2006

MOVED by CR Neeson, seconded Cr Clews:

That apologies from Crs Chan and Gilmour for absence and Cr Stone for lateness be received and sustained.

**CARRIED**

**3 CONFIRMATION OF MINUTES**

2506/2006

MOVED by Cr Dallow, seconded Cr Neeson:

That the minutes of the Meetings of the Council held on Monday, 27 November 2006 and Wednesday, 29 November 2006 as circulated, be taken as read and now be confirmed.

**CARRIED**

**4 URGENT BUSINESS**

2507/2006

MOVED by Cr Cooper, seconded Cr Corban:

That Council accept as Urgent Business the issue of the New Lynn Transit Oriented Development Project in order to meet Government timelines and that it be discussed as Item 21A in the confidential section of the order paper.

**CARRIED**

**PART B - REPORT OF THE MAYOR**

5.41 pm Cr Stone entered the meeting.

2508/2006

MOVED by Cr Clow, seconded Cr Corban:

1. That the Report of the Mayor be received.
2. That the Council congratulates John Key on his elevation to the position of Leader of the National Party and of the Opposition.

**CARRIED**

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

**5 NEW LYNN COMMUNITY BOARD**

2509/2006

MOVED by Cr Clews, seconded Cr Clow:

That the report of the Meeting of the New Lynn Community Board held on Monday, 4 December 2006 be received.

**CARRIED**

**6 WAITAKERE COMMUNITY BOARD**

2510/2006

MOVED by Cr Stone, seconded Cr Hulse:

That the report of the Meeting of the Waitakere Community Board held on Tuesday, 5 December 2006 be received.

**CARRIED**

**7 MASSEY COMMUNITY BOARD**

2511/2006

MOVED by Cr Neeson, seconded Cr Cooper:

That the report of the Meeting of the Massey Community Board held on Wednesday, 6 December 2006 be received.

**CARRIED**

**8 HENDERSON COMMUNITY BOARD**

2512/2006

MOVED by Cr Corban, seconded Cr Dallow:

That the report of the Meeting of the Henderson Community Board held on Thursday, 7 December 2006 be received.

**CARRIED**

**PART D - REPORT OF THE CHIEF EXECUTIVE OFFICER**

**9 DELEGATED AUTHORITY TO BORROW**

2513/2006

MOVED by Cr Clews, seconded Cr Clow:

1. That the Delegated Authority to Borrow report be received.
2. That for the purpose of borrowing to carry out or to continue the projects identified in the 2006/2007 Annual Plan or carried forward from any previous Annual Plan, or for any project approved by Council subsequent to the adoption of such Plan:
  - (a) The security for such borrowing may be a charge over rates under the Debenture Trust Deed if the Chief Executive Officer considers it appropriate.
  - (b) The benefits of such borrowing are to enable the Council to carry out the projects identified within the 2006/2007 Annual Plan and Long Term Council Community Plan while spreading the costs for those projects over time to recognise the future benefits, while the risk is that interest rates may vary in the future resulting in higher debt servicing costs to Council.
  - (c) The raising of loans, financial instruments and other incidental agreements associated with the Council's debt portfolio comply with the Council's Liability Management and Investment Policy.
  - (d) The Chief Executive Officer is authorised to borrow to a maximum gross debt of \$331.937 million in this or the 2007/2008 financial year, as approved in the 2006/2007 Annual Plan, by way of bank loan or loans, credit facility or facilities, or the issue of commercial paper, medium term floating rate notes or fixed coupon bonds for the borrowing, secured by the Debenture Trust Deed.
  - (e) The Chief Executive Officer is delegated the authority to negotiate and agree the terms, interest rates payable by the Council, frequency of interest payments, timing of draw downs, number of loans or issues of commercial paper, medium term floating rate notes or fixed coupon bonds which make up the borrowings, and all other terms and conditions of such loans or facilities as may be necessary for the obtaining of such loan or loan facilities and to execute any agreements, documents and certificates in respect of such loans or loan facilities on behalf of the Council.
3. That the Chief Executive Officer be authorised to sub-delegate the powers, duties and discretions delegated to him under the resolutions above to the Director: Finance or other Council officers as he considers appropriate.
4. That the Chief Executive Officer and the Director: Finance be delegated authority to act as Council's authorised representatives for the purposes of negotiating various facility agreements necessary to facilitate the strategic direction outlined within the Council's Long Term Council Community Plan 2006-2016.
5. That the Chief Executive Officer and the Director: Finance be delegated authority to act as Council's authorised representatives, subject to satisfactory review by the Council's solicitors, whether internal or external, for the purpose of executing under seal any facility agreements necessary to facilitate the strategic direction outlined within the Council's Long Term Council Community Plan 2006-2016.

**CARRIED**

10 **FOURTH COMMONWEALTH LOCAL GOVERNMENT FORUM'S BIENNIAL CONFERENCE**

2514/2006

MOVED by Cr Clow, seconded Cr Harding:

1. That the Fourth Commonwealth Local Government Forum's Biennial Conference report be received.
2. That the Mayor attend the Fourth Commonwealth Local Government Forum's Biennial Conference in Auckland from 26-29 March 2007.
3. That the Deputy Mayor attend the Fourth Commonwealth Local Government Forum's Biennial Conference in Auckland from 26-29 March 2007.
4. That Councillors Battersby, Lawley and Cooper attend the Fourth Commonwealth Local Government Forum's Biennial Conference in Auckland from 26-29 March 2007.

**CARRIED**

11 **STRENGTHENING AUCKLAND'S REGIONAL GOVERNANCE - PROPOSAL**

2515/2006

MOVED by Cr Clow, seconded Cr Battersby:

That the Strengthening Auckland's Regional Governance - Proposal report be received.

**CARRIED**

2516/2006

MOVED by Cr Clow, seconded Cr Battersby:

That Waitakere City Council endorse, in principle, the proposal to strengthen Auckland's regional governance as a submission from the Auckland region to the Government but has grave concerns at the short time provided to consider these issues and the lack, to date, of any public consultation.

**CARRIED**

**NOTE:** The Chairman, with the consent of the meeting, put each part of the following recommendation separately.

2517/2006

MOVED by Cr Clow, seconded Cr Battersby:

Further, the Council wishes to state its strong views in relation to Strengthening Auckland's Regional Governance, on the following, and that these views be taken into account in any final reform(s):

- a) That no decision on detail relating to electoral structure of the Greater Auckland Council be made at this stage but be developed and discussed during the community consultation phase;

**CARRIED**

- b) That there must be no change to the structure and/or ownership of Watercare and that the notion of vertical integration must not be given any further consideration;

**CARRIED**

- c) That Waitakere City Council wishes to see any regionally funded facilities owned by a regional entity and requisite funding to be raised on a formula other than a straight population basis;

**CARRIED**

- d) That Waitakere City Council supports the concept of a regional economic development agency but that local economic development agencies such as Enterprise Waitakere, continue to deliver services locally.

**CARRIED**

2518/2006

MOVED by Cr Clow, seconded Cr Battersby:

That, if broad agreement is achieved on Strengthening Auckland's Regional Governance, amongst the councils in the Auckland region, then joint co-ordinated public consultation on the proposal be undertaken in February/March 2007 and that any consultation be carried out for a minimum of eight weeks.

**CARRIED**

2519/2006

MOVED by Cr Clow, seconded Cr Battersby:

That the Political Reference Group be empowered to conduct ongoing discussions with government Ministers as to the refinement and implementation of any proposal on Strengthening Auckland's Regional Governance and that His Worship the Mayor and Councillor Penny Hulse (with Councillor Derek Battersby as alternate) continue to represent Waitakere on this group.

**CARRIED**

2520/2006

MOVED by Cr Hulse, seconded Cr Dallow:

That His Worship the Mayor, Councillor Derek Battersby, Councillor Penny Hulse and all Council staff who have been involved in the Strengthening Auckland's Regional Governance - Proposal be thanked for their good work.

**CARRIED**

### **PRECEDENCE OF BUSINESS**

2521/2006

MOVED by Mayor Bob Harvey, seconded Cr Hulse:

That Item 17: Presentation of Songs and Item 16: Citations be accorded precedence at this time.

**CARRIED**

## **PART F - PRESENTATIONS**

### **17 PRESENTATION OF SONGS**

Alexandra Hunter, age 9, from Laingholm Primary School, and Vinetta Thorner, age 11, from Rangeview Intermediate School, each presented a song. The two children performed in the 2006 Waitakere Christmas Festival.

### **16 CITATIONS**

#### **A GEOFF DOBSON**

The Mayor presented a Citation to Geoff Dobson in recognition of his dedication to reporting local news and events for a quarter of a century.

#### **B MURRAY SPEARMAN**

The Mayor presented a Citation to Murray Spearman in recognition of his services to Waitakere.

#### **C PALEMIA LEOTA AND RITCHIE TIEDERMAN**

The Mayor presented Citations to Palemia Leota and Ritchie Tiederman for their courage and kindness to a woman attacked in her home on 14 October 2006.

The Order of Business resumed at Part E: Reports from the Standing Committees, Item 12: City Development Committee.

## **PART E - REPORTS FROM THE STANDING COMMITTEES**

### **12 CITY DEVELOPMENT COMMITTEE**

#### **1 PURCHASE OF LAND FOR ORATIA DOMAIN**

This item will be considered in the Confidential Supplement to the agenda as Item 21B.

#### **2 OTHER MATTERS CONSIDERED**

2522/2006

MOVED by Cr Hulse, seconded Cr Cooper:

That the report of the Meeting of the City Development Committee held on Thursday, 7 December 2006 and reconvened on Tuesday, 12 December 2006 be received.

**CARRIED**

### **13 FINANCE AND OPERATIONAL PERFORMANCE COMMITTEE**

#### **1 SALE OF STOPPED ROAD AT 889 SWANSON ROAD, SWANSON**

2523/2006

MOVED by Cr Clews, seconded Cr Corban:

1. That the area of stopped road known as Section 3 SO Plan 68784 be sold to the adjoining owner.

2. That pursuant to Section 40 (4) of the Public Works Act 1981, Section 3 SO Plan 68784 could not be sold to anyone other than the adjoining owner because of its size, shape and situation.

**CARRIED**

**2 OTHER MATTERS CONSIDERED**

2524/2006

MOVED by Cr Clews, seconded Cr Corban:

That the report of the Meeting of the Finance and Operational Performance Committee held on Monday, 11 December 2006 be received.

**CARRIED**

**14 PLANNING AND REGULATORY COMMITTEE**

2525/2006

MOVED by Cr Neeson, seconded Cr Dallow:

That the report of the Meeting of the Planning and Regulatory Committee held on Tuesday, 12 December 2006 be received.

**CARRIED**

**15 TE TAUMATA RUNANGA**

2526/2006

MOVED by Cr Lawley, seconded Cr Cooper:

That the report of the Meeting of Te Taumata Runanga held on Monday, 11 December 2006 be received.

**CARRIED**

**PART F - PRESENTATIONS**

**16 CITATION**

This item was considered following Item 17: Presentation of Songs.

**17 PRESENTATION OF SONGS**

This item was considered following Item 11: Strengthening Auckland's Regional Governance - Proposal.

**PART G - PROCEDURAL MATTERS**

**18 QUESTIONS**

There were no Questions.

**19 NOTICES OF MOTION**

There were no Notices of Motion.

**PART H - PUBLIC EXCLUDED MATTERS**

**20 ENTERPRISE WAITAKERE - APPOINTMENT OF TRUSTEES**

**21 STRATEGIC OPEN SPACE LAND PURCHASE**

**21A NEW LYNN TRANSIT ORIENTED DEVELOPMENT PROJECT DECEMBER 2006 UPDATE**

**21B CITY DEVELOPMENT COMMITTEE - PURCHASE OF LAND FOR ORATIA DOMAIN**

**PROCEDURAL MOTION TO EXCLUDE THE PUBLIC**

2527/2006

MOVED by Cr Battersby, seconded Cr Dallow:

1. That the public be excluded from the following part of the proceedings of this meeting, namely, Enterprise Waitakere - Appointment of Trustees; Strategic Open Land Purchase; New Lynn Transit Oriented Development Project December 2006 Update and Purchase of Land for Oratia Domain.

The general subject of the matters to be considered while the public are 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.
Enterprise Waitakere - Appointment of Trustees	The withholding of information is necessary in order to: <ul style="list-style-type: none"> <li>• protect the privacy of natural persons, including that of deceased natural persons.</li> </ul>	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.
Strategic Open Land Purchase	The withholding of information is necessary in order to: <ul style="list-style-type: none"> <li>• enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).</li> </ul>	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.
New Lynn Transit Oriented Development Project	The withholding of information is necessary in order to: <ul style="list-style-type: none"> <li>• enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).</li> </ul>	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.

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.
Purchase of Land for Oratia Domain	The withholding of information is necessary in order to: <ul style="list-style-type: none"> <li>• enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).</li> </ul>	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 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 Enterprise Waitakere - Appointment of Trustees report contains information which if released will result in loss of privacy of people involved and the other reports contain information which if released could affect the Council's ability to carry on negotiations.*
2. That John Wadsworth Chief Executive Officer, Enterprise Waitakere, be permitted to remain at this meeting, after the public has been excluded for Item 20: Enterprise Waitakere - Appointment of Trustees, because of his knowledge of the of the matter to be discussed. This knowledge, which will be of assistance in relation to the matter to be discussed, is relevant to that matter because of background information and advice which will be required by the Council when assessing options available to it and in explaining any decision to the community.

**CARRIED**

7.46 pm The public were excluded.

Minute Numbers 2528/2006 to 2531/2006 are recorded in the Confidential Section of these Minutes.

7.56 pm Cr Hulse left the meeting.

8.00 pm Cr Dallow left the meeting.

8.01 pm Cr Dallow returned to the meeting.

8.02 pm Cr Hulse returned to the meeting.

8.28 pm The public were readmitted.

## **RESTATEMENTS**

The Council resolved while the public were excluded:

### **Enterprise Waitakere - Appointment of Trustees**

(Moved by Cr Lawley, seconded Cr Flaunty) (resolution 2528/2006 no.5) *"That the Enterprise Waitakere - Appointment of Trustees Agenda report with curricula vitae remain confidential, but that resolution 2528/2006 be made available in the public arena."*

### **Strategic Open Space Land Purchase**

(Moved by Cr Clews, seconded Cr Clow) (resolution 2529/2006 no.6) *"That the Strategic Open Space Land Purchase report and associated resolutions remain confidential until such a time as the reasons for confidentiality no longer exists."*

### **New Lynn Transit Oriented Development Project December 2006 Update**

(Moved by Cr Battersby, seconded Cr Clews) (resolution 2530/2006 no.8) *"That the New Lynn Transit Orientated Development Project December 2006 Update Agenda report and associated resolutions remain confidential until such time as the reasons for confidentiality no longer exist."*

### **City Development Committee**

(Moved by Cr Cooper, seconded Cr Neeson) (resolution 2531/2006 no.2) *"That the Purchase of Land for Oratia Domain Agenda recommendation from the City Development Committee and associated resolutions remain confidential until such time as the reasons no longer exist."*

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

### **DECLARATION OF INTEREST**

7.46 pm Cr Corban declared an interest and withdrew from the table and took no part in the debate or decision on Item 20: Enterprise Waitakere - Appointment of Trustees.

7.56 pm Cr Hulse left the meeting.

2528/2006

MOVED by Cr Lawley, seconded Cr Flaunty:

1. That the Enterprise Waitakere - Appointment of Trustees report be received.
2. That Bryan Mogridge (Chairman) and Mike Williams be reappointed as Trustees of the Waitakere Enterprise Trust Board with effect from Thursday, 14 December 2006.
3. That Brian Corban, Yvonne Hawke and Professor Paul Spoonley be appointed as Trustees of the Waitakere Enterprise Trust Board with effect from Thursday, 14 December 2006.
4. That Taha Fasi, Tim Coddington, Te Warena Taua and Dr Margo Buchanan-Oliver be thanked for their contribution to Enterprise Waitakere.

5. That the Enterprise Waitakere - Appointment of Trustees Agenda report with curricula vitae remain confidential, but that resolution 2528/2006 be made available in the public arena.

**CARRIED**

7.58 pm Cr Corban returned to the table.

8.02 pm Cr Hulse returned to the meeting.

**22 CLOSING PRAYER**

Mayor Bob Harvey said the Closing Prayer.

8.32 pm 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:**.....