

**AGENDA FOR A MEETING OF THE COUNCIL (VARIOUS) TO BE HELD IN THE CIVIC
CENTRE, 6 WAIPAREIRA AVENUE, LINCOLN, WAITAKERE CITY,
ON WEDNESDAY, 15 MARCH 2006
COMMENCING AT 9.30 AM**

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1 APOLOGIES



2 URGENT BUSINESS

Section 46A(7) of the Local Government Official Information and Meetings Act 1987 provides that where an item of business is not on the agenda, it may only be dealt with at the meeting if:

- (i) the Council by resolution so decides; and
- (ii) the Chairperson has explained at the beginning of the meeting (when open to the public) that the item will be raised for discussion and decision, why the item is not on the agenda, and why it cannot be delayed until a subsequent meeting.

The Council may make a decision on a matter determined to be urgent.

NOTE: Urgent Business need not be dealt with now and may be delayed until later in the meeting.



3 ANZAC DAY - TUESDAY, 25 APRIL 2006

PURPOSE OF THE REPORT

The purpose of this report is to seek appointment of Council representatives to attend the City's Returned Services Association (RSA) Anzac Day Parades.

ISSUES

This year, the City will host a Dawn Candlelight Parade at the Cenotaph, Waikumete Cemetery, commencing at 6.00 am, on Tuesday, 25 April 2006, with representatives from each RSA across the City parading. This Parade was extremely successful last year and is now becoming an annual event for the City.

In addition to the Dawn Candlelight Parade, each of the City's RSA will host their own Parade and has invited Council to nominate an official representative to lay a wreath on behalf of Council. The times of the Parades are as follows (although these are subject to confirmation from the RSA's and may change):

Swanson	9.00 am
New Lynn	9.30 am
Henderson	10.30 am
Titirangi	10.30 am
Hobsonville	11.00 am
Glen Eden	11.00 am

Te Atatu	10.00 am
Waitakere	11.00 am
Laingholm	10.30 am
Piha	2.00 pm

While Members are welcome to attend any of the Parades it is customary to appoint official representatives to each Parade.

RECOMMENDATIONS

1. That the Anzac Day - Tuesday, 25 April 2006 report be received.
2. That a Councillor be appointed to represent the City at each of the community Anzac Day Parades as follows:

Swanson	9.00 am
New Lynn	9.30 am
Henderson	10.30 am
Titirangi	10.30 am
Hobsonville	11.00 am
Glen Eden	11.00 am
Te Atatu	10.00 am
Waitakere	11.00 am
Laingholm	10.30 am
Piha	2.00 pm

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

Report prepared by: Tracy Haggo, Administration Clerk Democracy and Support Services.



4 PROPOSED SUBMISSION ON WAITAKERE RANGES HERITAGE AREA BILL

PURPOSE OF THE REPORT

The purpose of this report is to outline the opportunity for the Waitakere City Council to participate in the Select Committee process now that the Waitakere Ranges Heritage Area Bill (the Bill) is in Parliament.

The report also seeks that the Council delegate decisions in relation to the extent and form of the Council's participation (such as submissions and hearings) to the three Councillors representing the Council on the project's Working Party.

BACKGROUND

In 2003 the Council initiated the Waitakere Ranges and Foothills Protection Project. A range of voluntary, regulatory and other proposals were developed as a mutually reinforcing package of actions. It was clear that there were some initiatives that required legislative action to extend the mechanisms available to Council to manage the area to achieve the desired long term outcomes for the area.

The project is a partnership between Waitakere City Council and Rodney District Council, Auckland Regional Council, iwi and local members of Parliament Lynne Pillay and David Cunliffe.

Following an extensive consultation programme and legislative drafting process the Council resolved in May 2005 to introduce to Parliament the Waitakere Ranges Heritage Area Bill. Auckland Regional Council and Rodney District Council made similar resolutions.

The Bill has now been introduced to Parliament and is subject to parliamentary process. Following its First Reading on 22 February 2006, the Bill was referred to the Local Government and Environment Select Committee. The Select Committee has called for public submissions to be received by Friday 21 April 2006.

The Waitakere City Council, in conjunction with the Rodney District Council and the Auckland Regional Council, is a joint promoter of the Waitakere Ranges Heritage Area Bill (the Bill). Lynne Pillay, MP for Waitakere, is in charge of the Bill in Parliament.

Previous Waitakere City Council resolutions include:

“That once the Bill has been introduced into the House, officers report further on the process and timetable, and on the opportunities for involvement by the Council.”

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STRATEGIC CONTEXT

The Waitakere Ranges and Foothills Protection Project is a key project within the Green Network platform of the Long Term Council Community Plan and complements the Waitakere City Growth Management Strategy, the Auckland Regional Growth Strategy, and policies in the Regional Policy Statement.

ISSUES

Select Committee Process

A1 The process by which Parliament makes a law is outlined in the attached flow chart at page A1. As mentioned above, the Bill has now been referred to the Select Committee process. Once a Bill has been referred, the Select Committee has six months to report to the House (by August 21, 2006). The Select Committee is in the process of calling for public submissions, closing on Friday 21 April 2006. At this time any member of the public or organisation can lodge a submission.

All submitters are then able to present oral submissions to the Select Committee at public hearings, which are likely to be held in both Wellington and Auckland. Following the hearing of submissions, the Select Committee deliberates and makes a recommendation to the House as to whether the Bill should proceed and any suggested amendments to its provisions. The Select Committee cannot recommend any amendments that would alter the policy intent of the Bill. The Bill then re-enters the parliamentary process with its second reading and main debate.

Waitakere City Council Participation

Officers have received legal advice that in order to present a strong unified position to the Select Committee, it is preferable that the three councils, as promoters of the Bill, lodge a joint submission in support of the intent and objectives of the Bill, as opposed to three individual submissions.

Officers are currently working with the project team to draft a submission. There will be an opportunity for each of the three Councils to be heard individually in support of the submission and it is expected that the Council will be represented by one (or more) of its elected members in this forum. Officers and legal support could appear with the member(s) to assist in responding to any questions.

It is recommended that approval of the final form and content of the joint submission be delegated to Mayor Bob Harvey, and Councillors Hulse and Clews, as the Council's representatives on the project's Working Party, with Cr Lawley as an alternate member. A similar recommendation has been approved by the relevant committee of Rodney District Council and one will go to the relevant committee of the Auckland Regional Council next week.

The Council, as a joint promoter of the Bill, is not required to undertake any additional public consultation. The Select Committee process provides for public participation. However, the project team is currently responding to those who expressed support or opposition to the Bill during the public availability period, prior to Christmas. These letters will provide an update in relation to the parliamentary process and advise people as to the opportunity to participate in the Select Committee process.

RESOURCES

Staff and financial resources will be required to process the submission and to support, where appropriate, the Parliamentary process. The three Councils are working together to minimise costs and duplication.

CONCLUSION

It is proposed that the Council contributes to a joint submission in conjunction with the Auckland Regional Council and the Rodney District Council as jointly promoting councils. This approach is consistent with the process followed for the preparation of the Bill and the joint approach to its promotion.

RECOMMENDATIONS

1. That the Proposed Submission On Waitakere Ranges Heritage Area Bill report be received.
2. That Council Officers work with the Working Party of elected members to prepare and lodge with the Select Committee a joint submission in support of the intent and objectives of the Waitakere Ranges Heritage Area Bill, on behalf of its promoters the Waitakere City Council, Auckland Regional Council, and the Rodney District Council.
3. That approval of the final form and content of the joint submission be delegated to Mayor Bob Harvey and Councillors Clews and Hulse (alternate Cr Lawley) as the Council's representatives on the project's Working Party, in consultation with the Chief Executive Officer.
4. That the Council note Council officers will report further on the process and timetable, and on further opportunities for involvement by the Council.

Report prepared by: Yvonne Rooney, Communicator for Strategy & Development.



5 REPORT FROM FINANCE AND OPERATIONAL PERFORMANCE COMMITTEE ON THE REPRESENTATION REVIEW

An update on the Informal Public Information Process concerning the Representation Review will be considered by the Finance and Operational Performance Committee at its meeting on 13 March 2006. The recommendations from this Committee on this subject will be presented to Council for consideration at this meeting.

RECOMMENDATIONS

1. That the Report from the Finance and Operation Performance Committee On the Representation Review be received.
2. That the Council consider the recommendations from the Finance and Operational Performance Committee on the Representation Review.

JM Clews, QSO, JP

CHAIRPERSON



6 REPORT FROM THE LONG TERM COUNCIL COMMUNITY PLAN AND ANNUAL PLAN SPECIAL COMMITTEE

PURPOSE OF THE REPORT

The purpose of this report is to inform the Council of recommendations made by the Long Term Council Community Plan and Annual Plan Special Committee during the process leading to the adoption of the Draft and Final Long Term Council Community Plan 2006-2016 incorporating the Annual Plan 2006/2007, and to enable the Council to consider these recommendations.

BACKGROUND

The Council must prepare every three years a Long Term Council Community Plan. The Council adopted its first Long Term Council Community Plan using the transitional requirements of the local Government Act 2002 in June 2003. In June 2004 the plan was amended to incorporate the adoption of the Development Contributions and Financial Contributions Policy. The Draft Plan for 2006-2016 is in preparation and must be consulted upon using the Special Consultative Procedure as prescribed in the Local Government Act 2002 and the Draft Plan must also contain an Audit Report from Audit New Zealand on the extent the Plan complies with the requirements of the Local Government Act 2002, quality of information and assumptions, and the extent to which the forecast information and proposed performance measures will provide an appropriate framework for the meaningful assessment of the actual levels of service provision.

ISSUES

The Long Term Council Community Plan and Annual Plan Special Committee has been deliberating on the draft Long Term Council Community Plan 2006-2016 incorporating the Annual Plan 2006/2007. The Special Committee is required to make certain recommendations to the Council in order to enable the Council to undertake public consultation on the draft Long Term Council Community Plan 2006-2016 incorporating the Annual Plan 2006/2007.

Council will be asked to consider final adoption of the draft Long Term Council Community Plan 2006-2016 incorporating the Annual Plan 2006/2007 at the meeting scheduled on 7 April 2006 when the necessary audit certificate has been obtained. If the Council considers any further significant amendments to the draft Plan at the 7 April 2006 meeting, this may disrupt the consultation timetable and the subsequent required adoption of the final Plan by 30 June 2006.

Recommendations arising from these deliberations were made on 15 December 2006 and 9 March 2006.

Meeting of 15 December 2005

The Long Term Council Community Plan and Annual Plan Special Committee, at its meeting of 15 December 2006, made the following recommendations to the Council:

- “1. *That it be recommended to Council that we commit to the principles of the Aalborg Charter as a working document to be adapted for Waitakere and that this be reported back to the Council with a programme to encourage the Region and Local Government New Zealand to sign up to the Charter.*
2. *That it be recommended to Council that we recommit to the Agenda 21 Principles.*
3. *That it be recommended to Council that we recommit to the principles for Policy Making and Decision Making in Sustainable Development Programme of Action for New Zealand.”*

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Meeting of 9 March 2006

Recommendations from the Special Committee are expected to be presented at this Council meeting.

CONCLUSION

Council is accordingly requested to consider these recommendations for adoption or amendment.

RECOMMENDATIONS

1. That the Report from the Long Term Council Community Plan 2006-2016 and the Annual Plan 2006/2007 report be received.
2. That Council adopt the recommendations of the Long Term Council Community Plan and Annual Plan Special Committee meeting of 15 December 2005 as follows:
 - a) That the Council commit to the principles of the Aalborg Charter as a working document to be adapted for Waitakere and that this be reported back to the Council with a programme to encourage the Region and Local Government New Zealand to sign up to the Charter.
 - b) That the Council recommit to the Agenda 21 Principles.
 - c) That the Council recommit to the principles for Policy Making and Decision Making in Sustainable Development Programme of Action for New Zealand.
3. That the Council consider the recommendations from the Long Term Council Community Plan and Annual Plan Special Committee meeting of 9 March 2006.

JM Clews, QSO, JP

CHAIRPERSON

