

**MINUTES OF A MEETING OF THE COUNCIL HELD IN THE CIVIC CENTRE,
6 WAIPAREIRA AVENUE, LINCOLN, WAITAKERE CITY,
ON WEDNESDAY, 26 JULY 2006,
COMMENCING AT 5.35 PM.**

<u>ITEM</u>	INDEX	<u>PAGE NO.</u>
<u>PART A - OPENING OF MEETING</u>		
1	OPENING PRAYER	2
2	APOLOGIES	2
3	CONFIRMATION OF MINUTES	2
4	URGENT BUSINESS	2
<u>PART B - REPORT OF THE MAYOR</u>		
<u>PART C - REPORTS OF NEW LYNN COMMUNITY BOARD, WAITAKERE COMMUNITY BOARD, MASSEY COMMUNITY BOARD AND HENDERSON COMMUNITY BOARD</u>		
5	NEW LYNN COMMUNITY BOARD	3
6	WAITAKERE COMMUNITY BOARD	3
7	MASSEY COMMUNITY BOARD	3
8	HENDERSON COMMUNITY BOARD	3
<u>PART D - REPORT OF THE CHIEF EXECUTIVE OFFICER</u>		
9	COUNCIL REPRESENTATION ON AUCKLAND TRANSPORT STRATEGIC ALIGNMENT PROJECT POLITICAL ENGAGEMENT GROUP	3
<u>PART E - REPORTS FROM THE STANDING COMMITTEES</u>		
10	CITY DEVELOPMENT COMMITTEE	4
11	FINANCE AND OPERATIONAL PERFORMANCE COMMITTEE	4
	1. PROPERTY TWIN STREAMS - SALE OF SURPLUS PROPERTY AT 341 HENDERSON VALLEY ROAD	4
	2. LAND ACQUISITION UPDATE - CLARK STREET, GREAT NORTH ROAD AND TOTARA AVENUE, NEW LYNN	5
	3. OTHER MATTERS CONSIDERED	5
12	PLANNING AND REGULATORY COMMITTEE	5
	1. DRAFT POLICY ON EARTHQUAKE-PRONE, DANGEROUS AND INSANITARY BUILDINGS 2006-2011	5
	2. OTHER MATTERS CONSIDERED	5
13	TE TAUMATA RUNANGA	5
14	RECOMMENDATION FROM OTHER MEETINGS	5
<u>PART F - PROCEDURAL MATTERS</u>		
15	QUESTIONS	6
16	NOTICES OF MOTION	6
<u>PART G - PUBLIC EXCLUDED MATTER</u>		
11	FINANCE AND OPERATIONAL PERFORMANCE COMMITTEE - LAND ACQUISITION UPDATE - CLARK STREET, GREAT NORTH ROAD AND TOTARA AVENUE, NEW LYNN	6
17	EVALUATION REPORT - POSSIBLE SALE OF TECHSCAPE LIMITED	6
18	CLOSING PRAYER	7

**MINUTES OF A MEETING OF THE COUNCIL HELD IN THE CIVIC CENTRE,
6 WAIPAREIRA AVENUE, LINCOLN, WAITAKERE CITY,
ON WEDNESDAY, 26 JULY 2006,
COMMENCING AT 5.35 PM.**

PRESENT:

Mayor	RA	Harvey, QSO, JP
Councillors	DQ	Battersby, JP (until 6.32 pm)
	MFP	Chan, JP
	RI	Clow
	LA	Cooper
	RP	Dallow, QPM, JP (from 5.36 pm)
	WW	Flaunty, QSM, JP
	DE	Gilmour
	C	Harding, JP
	PA	Hulse
	JP	Lawley
	VS	Neeson, JP (until 6.32 pm)

OBSERVERS:

M Te Huia	(Deputy Chairman, Te Taumata Runanga)
Rev. Judy Cooper	(Te Taumata Runanga)
Sonny Livingston	(Te Taumata Runanga)
EAG Grimmer, MNZM	(Chairman, Henderson Community Board)
SJ MacDonald	(Henderson Community Board)
AJ Good	(Chairman, Massey Community Board)
JG Riddell	(Deputy Chairman, Massey Community Board)
BF Jessopp	(Massey Community Board)
GJ Maurice	(Massey Community Board)
GE Barnard	(Massey Community Board)
P Van der Voort, JP	(Chairman, New Lynn Community Board)
SL Taylor, JP	(New Lynn Community Board)
GPJ Marshall	(New Lynn Community Board)
CA Shepherd, JP	(Chairman, Waitakere Community Board)
S Davies	(Waitakere Community Board)

IN ATTENDANCE:

Chief Executive Officer
Director: City Services
Director: Corporate & Civic Services
Director: Quality Assurance
Director: Public Affairs
Director: Finance
Director: Strategic Performance
Group Manager: Democracy and Support Services
Manager: Legal Services
Manager: Public Affairs
Manager: Transport Strategy
Manager: Arts
Manager: Maori Issues
Senior Analyst: Maori Policy
Security Manager
Treasury Manager
Executive Manager
Administration Team Manager
Customer Services Supervisor
Quality Assurance and Liaison Officer
Mayoral Executive
Personal Assistant to the Mayor
Arts Projects Assistant
Democracy and Governance Team Manager

Democracy Support and Sister City Officer
Committee Secretaries - O Schuster
A Chan
N Delamere

Committee Secretary Intern
Project Officer/Committee Secretary

**ALSO IN
ATTENDANCE:**

W Paki, Consultant

PART A - OPENING OF MEETING

The Mayor made special mention to Hui Tolitue, thanking him for his service to the Council.

5.36 pm Cr Dallow entered the meeting.

1 OPENING PRAYER

Fred Holloway, Minister from the Ratana Church, said the Opening Prayer.

2 APOLOGIES

1423/2006

MOVED by Cr Neeson, seconded Cr Hulse:

That apologies from Crs Clews, Corban and Stone for absence, be received and sustained.

CARRIED

3 CONFIRMATION OF MINUTES

1424/2006

MOVED by Cr Neeson, seconded Cr Flaunty:

That the minutes of the Meeting of the Council held on Friday, 23 June 2006, Wednesday, 28 June 2006 and Friday, 30 June 2006, including the public excluded minutes, as circulated, be taken as read and now be confirmed.

CARRIED

4 URGENT BUSINESS

There was no Urgent Business.

PART B - REPORT OF THE MAYOR

1425/2006

MOVED by Cr Cooper, seconded Cr Dallow:

That the Report of the Mayor be received.

CARRIED

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

5 NEW LYNN COMMUNITY BOARD

1426/2006

MOVED by Cr Clow, seconded Cr Lawley:

That the report of the Meeting of the New Lynn Community Board held on Monday, 3 July 2006 be received.

CARRIED

6 WAITAKERE COMMUNITY BOARD

1427/2006

MOVED by Cr Harding, seconded Cr Hulse:

That the report of the Meeting of the Waitakere Community Board held on Tuesday, 4 July 2006 be received.

CARRIED

7 MASSEY COMMUNITY BOARD

1428/2006

MOVED by Cr Flaunty, seconded Cr Chan:

That the report of the Meeting of the Massey Community Board held on Wednesday, 5 July 2006 be received.

CARRIED

8 HENDERSON COMMUNITY BOARD

1429/2006

MOVED by Cr Gilmour, seconded Cr Harding:

That the report of the Meeting of the Henderson Community Board held on Thursday, 6 July 2006 be received.

CARRIED

PART D - REPORT OF THE CHIEF EXECUTIVE OFFICER

9 COUNCIL REPRESENTATION ON AUCKLAND TRANSPORT STRATEGIC ALIGNMENT PROJECT POLITICAL ENGAGEMENT GROUP

1430/2006

MOVED by Cr Cooper, seconded Cr Clow:

1. That the Council Representation on Auckland Transport Strategic Alignment Project Political Engagement Group report be received.
2. That the Terms of Reference for the Auckland Transport Strategic Alignment Project as attached at pages A1 to A6 to the Agenda be approved.

3. That the Council appoints Mayor Bob Harvey as the Council representative on the Auckland Transport Strategic Alignment Project Political Engagement Group.
4. That the Council appoints Councillor Hulse, Chairman of the City Development Committee, as the alternate Council representative on the Auckland Transport Strategic Alignment Project Political Engagement Group.

CARRIED

PART E - REPORTS FROM THE STANDING COMMITTEES

10 CITY DEVELOPMENT COMMITTEE

1431/2006

MOVED by Cr Hulse, seconded Cr Cooper:

That the report of the Meeting of the City Development Committee held on Thursday, 6 July 2006 be received.

CARRIED

11 FINANCE AND OPERATIONAL PERFORMANCE COMMITTEE

1. PROPERTY TWIN STREAMS - SALE OF SURPLUS PROPERTY AT 341 HENDERSON VALLEY ROAD

1432/2006

MOVED by Cr Clow, seconded Cr Gilmour:

2. (a) That the balance land at 341 Henderson Valley Road, Henderson be offered for sale by way of exchange to the owner of 307 Henderson Valley Road, Henderson, under Section 105 of the Public Works Act 1981 and that the Chief Executive Officer authorised to negotiate and complete the exchange and to sign or authorise the execution of all necessary agreements and documents to give effect to the exchange.
- (b) That if the owner of 307 Henderson Valley Road, Henderson, chooses not to proceed with the exchange:
 - The balance land be declared surplus to the Council's requirements.
 - Pursuant to Section 40(2)(a) of the Public Works Act 1981, It would be "unfair or unreasonable" to offer the surplus land at 341 Henderson Valley Road back to the former owner.
 - The Chief Executive Officer be authorised to offer the surplus land for sale, if appropriate by public auction or public tender, and to execute all agreements and documents necessary to give effect to a sale.
- (c) That the net proceeds of the sale of the surplus land be applied to reduce the relevant Project Twin Streams loan.

CARRIED

2 **LAND ACQUISITION UPDATE - CLARK STREET, GREAT NORTH ROAD AND TOTARA AVENUE, NEW LYNN**

This item was considered in the Confidential section of these minutes.

3 **OTHER MATTERS CONSIDERED**

1433/2006

MOVED by Cr Clow, seconded Cr Gilmour:

That the report of the Meeting of the Finance and Operational Performance Committee held on Monday, 10 July 2006 be received.

CARRIED

12 **PLANNING AND REGULATORY COMMITTEE**

1. **DRAFT POLICY ON EARTHQUAKE-PRONE, DANGEROUS AND INSANITARY BUILDINGS 2006-2011**

1434/2006

MOVED by Cr Neeson, seconded Cr Dallow:

That the Earthquake-prone, Dangerous and Insanitary Buildings Policy 2006-2011 be adopted.

CARRIED

2. **OTHER MATTERS CONSIDERED**

1435/2006

MOVED by Cr Neeson, seconded Cr Dallow:

That the report of the Meeting of the Planning and Regulatory Committee held on Tuesday, 11 July 2006 be received.

CARRIED

13 **TE TAUMATA RUNANGA**

1436/2006

MOVED by Cr Lawley, seconded Cr Cooper:

That the report of the Meeting of Te Taumata Runanga held on Monday, 17 July 2006 be received.

CARRIED

14 **RECOMMENDATION FROM OTHER MEETINGS**

1437/2006

MOVED by Cr Lawley, seconded Cr Chan:

That the issue of long term leasing in Lopdell House be assessed in relation to the development of the Lopdell House Arts Precinct and reported back to the Culture Arts and Events Special Committee.

CARRIED

PART F - PROCEDURAL MATTERS

15 QUESTIONS

There were no Questions.

16 NOTICES OF MOTION

There were no Notices of Motion.

PART G - PUBLIC EXCLUDED MATTER

11 FINANCE AND OPERATIONAL PERFORMANCE COMMITTEE - LAND ACQUISITION UPDATE - CLARK STREET, GREAT NORTH ROAD AND TOTARA AVENUE, NEW LYNN

17 EVALUATION REPORT - POSSIBLE SALE OF TECHSCAPE LIMITED

1438/2006

MOVED by Cr Lawley, seconded Cr Chan:

That the public be excluded from the following part of the proceedings of this meeting, namely, Finance and Operational Performance Committee - Land Acquisition Update - Clark Street, Great North Road and Totara Avenue, New Lynn and Evaluation Report - Possible Sale of Techscape Limited.

The general subject of the matters to be considered while the public is excluded, the reason for passing this resolutions 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.
Finance and Operational Performance Committee - Land Acquisition Update - Clark Street, Great North Road and Totara Avenue, New Lynn	The withholding of information is necessary in order to: <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). 	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.
Evaluation Report - Possible Sale of Techscape Limited	The withholding of information is necessary in order to: <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). 	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 Section 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 could affect Council's negotiations.*

CARRIED

6.10 pm The public were excluded.

6.32 pm Crs Battersby and Neeson left the meeting.

Minute Numbers 1439/2006 to 1440/2006 are recorded in the Confidential Section of these Minutes.

6.37 pm The public were readmitted.

RESTATEMENT

The Council resolved while the public were excluded:

Finance and Operational Performance Committee - Land Acquisition Update - Clark Street, Great North Road And Totara Avenue, New Lynn

(Moved by Cr Clow, seconded Cr Flaunty) (resolution 1439/2006) *"That the Finance and Operational Performance Committee - Land Acquisition Update - Clark Street, Great North Road and Totara Avenue, New Lynn Agenda report and associated resolutions remain confidential until such time as the reasons for confidentiality no longer exist."*

18 DECOMMISSIONING OF THE COUNCIL CHAMBER

6.38 pm Mayor Bob Harvey outlined to the Council the procedure for decommissioning of the Council Chamber and ceremonial removal of the Treaty of Waitangi replica and the photographs of the Queen of New Zealand and the Duke of Edinburgh, and invited Reverend Judy Cooper to commence the decommissioning proceeding with a prayer.

7.32 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:.....

