

**MINUTES OF A MEETING OF THE COUNCIL HELD IN THE CIVIC CENTRE,
6 WAIPAREIRA AVENUE, LINCOLN, WAITAKERE CITY,
ON WEDNESDAY, 28 JUNE 2006
COMMENCING AT 5.35 PM.**

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COMMENCING AT 5.35 PM.**

PRESENT:

Mayor	RA	Harvey, QSO, JP
Deputy Mayor	CA	Stone
Councillors	DQ	Battersby, JP
	MFP	Chan, JP
	JM	Clews, QSO, JP
	RI	Clow
	LA	Cooper
	AK	Corban, OBE, JP
	RP	Dallow, QPM, JP
	WW	Flaunty, QSM, JP
	DE	Gilmour
	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)
JG Riddell	(Deputy 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)
GE Barnard	(Massey Community Board)
GPJ Marshall	(New Lynn Community Board)
WD Buchanan	(New Lynn Community Board)
SF Davies	(Waitakere Community Board)
DJ Goodley	(Waitakere Community Board)

IN ATTENDANCE:

Chief Executive Officer
Director: Corporate & Civic Services
Director: Quality Assurance
Director: Public Affairs
Director: Finance
Director: Strategic Planning
Group Manager: Democracy and Support Services
Manager: Legal Services
Manager: Public Affairs
Security Manager
Treasury Manager
Urban Development and Design Manager
Senior Analyst: Economic Policy
Senior Analyst: Social Policy
Principal Advisor: District Plan
Quality Assurance and Liaison Officer
Researcher: Strategy and Development
Contractor: District Plan
Communicator: Strategy and Development
Mayoral Executive
Democracy and Governance Team Manager
Democracy Support and Sister City Officer
Committee Secretary's - O Schuster
A Chan
Committee Administrator C Fernandes

**ALSO IN
ATTENDANCE:**

Greg Parker, Chief Executive Officer, Waitakere Properties Limited
Ross Jewell, Chairman, Waitakere Properties Limited
Rob Noakes, Director, Waitakere Properties Limited
Bryan Taylor, Director, Waitakere Properties Limited
Graham Wakefield, Company Secretary, Waitakere Properties Limited
John Wadsworth, Chief Executive Officer, Enterprise Waitakere

OPENING OF MEETING

1 OPENING PRAYER

Mr Randhir Sen from the Waitakere Baha'i Community said the Opening Prayer.

2 APOLOGIES

There were no Apologies.

3 CONFIRMATION OF MINUTES

1225/2006

MOVED by Cr Corban, seconded Cr Lawley:

That the minutes of the Meetings of the Council held on Wednesday, 17 May 2006, Wednesday, 24 May 2006 and Wednesday, 14 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

1226/2006

MOVED by Cr Harding, seconded Cr Gilmour:

That the Report of the Mayor be received.

CARRIED

1227/2006

MOVED by Mayor Bob Harvey, seconded Cr Battersby:

That the Chief Executive Officer reports back to the Council on the potential benefits to decision making from referenda, Citizens' Juries and any other innovative public participation mechanisms.

CARRIED

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

5 NEW LYNN COMMUNITY BOARD

1228/2006

MOVED Cr Clews by , seconded Cr Lawley:

That the report of the Meeting of the New Lynn Community Board held on Monday, 29 May 2006 be received.

CARRIED

6 WAITAKERE COMMUNITY BOARD

1229/2006

MOVED by Cr Hulse, seconded Cr Stone:

That the report of the Meeting of the Waitakere Community Board held on Tuesday, 30 May 2006 be received.

CARRIED

7 MASSEY COMMUNITY BOARD

1230/2006

MOVED by Cr Flaunty, seconded Cr Chan:

That the report of the Meeting of the Massey Community Board held on Wednesday, 31 May 2006 be received.

CARRIED

8 HENDERSON COMMUNITY BOARD

1231/2006

MOVED by Cr Gilmour seconded Cr Corban:

That the report of the Meeting of the Henderson Community Board held on Thursday, 1 June 2006 be received.

CARRIED

PART D - REPORT OF THE CHIEF EXECUTIVE OFFICER

9 9 MOSELLE AVENUE, LINCOLN / WESTPARK MARINA, WEST HARBOUR

1232/2006

MOVED by Cr Clews, seconded Cr Dallow:

1. That the 9 Moselle Avenue, Lincoln / Westpark Marina, West Harbour report be received.
2. That Waitakere Properties Limited be requested to forthwith re-vest the fee-simple estates held in the remaining allotments at Westpark Marina in Council pursuant to the provisions of the Declaration of Trust, so as to extinguish any ongoing involvement as bare trustee on Council's behalf.

3. That consequent upon the disposal of FDU1 & 2 on DP 205998B and relocation of the fibre optic cable a final distribution of the credit balance held in the Testing Station Trust Account be paid to Council not later than 30 June 2006 and that authority be given to apply all or any part of the final distribution of the credit balance in the Testing Station Trust Account to credit the West Harbour (Westpark Marina) Trust Account, so as to extinguish the deficit balance in that account in conjunction with the re-conveyance of landholding.
4. That a variation of the Lease of Lot 7, to permit the workshop development shown on the plans accompanying this agenda report, be approved, in a form satisfactory to the Manager: Legal Services.

CARRIED

10 NAME CHANGE FOR THE ARTS, EVENTS AND CULTURE SPECIAL COMMITTEE

1233/2006

MOVED by Cr Clow, seconded Cr Cooper:

That the Name Change for the Arts, Events and Culture Special Committee report be received.

CARRIED

1234/2006

MOVED by Cr Clow, seconded Cr Flaunty:

That the name of the Arts, Events and Culture Special Committee be changed to the Culture, Arts and Events Special Committee.

CARRIED

PART E - REPORTS FROM THE STANDING COMMITTEES

11 CITY DEVELOPMENT COMMITTEE

1235/2006

MOVED by Cr Hulse, seconded Cr Cooper:

That the report of the Meeting of the City Development Committee held on Thursday, 1 June 2006 be received.

CARRIED

12 FINANCE AND OPERATIONAL PERFORMANCE COMMITTEE

1. LAND PURCHASE - CENTRAL PARK DRIVE EXTENSION

The Finance and Operational Performance Committee report regarding the Land Purchase - Central Park Drive Extension was considered in the Public Excluded section of the meeting as Item 20.

2. OTHER MATTERS CONSIDERED

1236/2006

MOVED by Cr Hulse, seconded Cr Corban:

That the report of the Meeting of the Finance and Operational Performance Committee held on Monday, 12 June 2006 be received.

CARRIED**13 PLANNING AND REGULATORY COMMITTEE**

1237/2006

MOVED by Cr Neeson, seconded Cr Dallow:

That the report of the Meeting of the Planning and Regulatory Committee held on Tuesday, 6 June 2006 be received.

CARRIED**14 TE TAUMATA RUNANGA**

1238/2006

MOVED by Cr Lawley, seconded Cr Cooper:

That the report of the Meeting of Te Taumata Runanga held on Monday, 12 June 2006 be received.

CARRIED**15 RECOMMENDATIONS FROM OTHER MEETINGS**

1239/2006

MOVED by Cr Lawley , seconded Cr Clews:

That the schedule of grants as set out be approved and that the balance of funds (\$7,511.93) be carried forward to the first 2006/2007 Creative Communities Scheme funding round:

Group Name	Funding Requested	Funding Allocated
Auckland Tuvalu Society Inc	Application Ineligible	
Chinese New Settlers Services Trust	\$730.00	\$600.00
City of Sails Chorus Inc	\$1,500.00	\$1,200.00
Friendship Centre Trust	\$651.71	\$0.00
Hoani Waititi Marae	\$5,510.00	\$3,750.00
Indie Media Group Limited	\$4,750.00	\$4,000.00
Marco Trust	\$2,201.00	\$0.00
Margaret Lewis	\$4,312.00	\$3,500.00
Massey Community House	\$2,914.00	\$2,000.00
Mothers Artists Network	\$3,860.00	\$0.00
Te Airihi Anita Mitchell	\$2,240.00	\$1,750.00
Te Kotuku Kohanga Reo	\$3,000.00	\$2,280.00
Te Ukaipo Mercy Initiatives for Rangatahi Limited	\$3,280.00	\$1,300.00
Anabelle Cameron Lewis	\$1,800.00	\$1,500.00

Group Name	Funding Requested	Funding Allocated
Antoine Gasperini	\$5,000.00	\$0.00
Class Act Opera Trust	\$2,600.00	\$2,000.00
Handweavers & Spinners Guild Auckland Inc	\$683.13	\$683.00
Phil Tchernegovski	\$4,052.35	\$2,500.00
Te Atatu Schools Music Festival	\$4,319.73	\$4,000.00
Waitakere City Orchestra	\$2,180.00	\$2,000.00
Lopdell House Society Inc	\$7,425.00	\$4,000.00
McCahon House Trust	\$3,629.00	\$3,000.00
Te Tangi Ka'ara Ki Avaiki Trust	\$2,363.92	\$2,350.00
The Tone Zone Health Studio Charitable Trust	\$5,599.00	\$0.00
TOTAL	\$74,600.84	\$42,413.00

CARRIED

PART F - PRESENTATIONS

16 CITATIONS

- A** The Mayor presented a Citation to Tere Tuakana-Kapi in recognition of his commitment to the community.
- B** The Mayor presented a Citation to Karel Witten-Hannah for a lifetime's dedication in teaching excellence at Massey High School.
- C** The Mayor presented a Citation to Graeme Murdoch for a lifetime's dedication to historical research.

PART G - PROCEDURAL MATTERS

17 QUESTIONS

There were no Questions.

18 NOTICES OF MOTION

There were no Notices of Motion.

PART H - PUBLIC EXCLUDED MATTER

19 HENDERSON VALLEY STUDIOS - INVESTOR APPROVAL

20 REPORT FROM FINANCIAL AND OPERATIONAL PERFORMANCE COMMITTEE - LAND PURCHASE - CENTRAL PARK DRIVE EXTENSION

21 WILSHER VILLAGE - POTENTIAL RE-DEVELOPMENT AND PROPOSED ACQUISITION

1240/2006

MOVED by Cr Dallow, seconded Cr Flaunty:

1. That the public be excluded from the following part of the proceedings of this meeting, namely, Henderson Valley Studios - Investor Approval, Report from Finance and Operational Performance Committee - Land Purchase - Central Park Drive Extension and Wilsher Village - Potential Redevelopment and Proposed Acquisition.

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 matters.	Ground(s) under Section 48(1)(a) for the passing of this resolution.
Henderson Valley Studios - Investor Approval.	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.
Report from Finance and Operational Performance Committee - Land Purchase - Central Park Drive Extension.	The withholding of information is necessary in order to: <ul style="list-style-type: none"> • protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information; • 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.

<p>Wilsher Village - Potential Re-development and Proposed Acquisition.</p>	<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). 	<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>
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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) and 7(2)(b)(ii) 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 be detrimental to the commercial position of the supplier of the information and could affect the Council's negotiations.*
2. That Greg Parker, (Chief Executive Officer Waitakere Properties Limited), Ross Jewell, (Chairman Waitakere Properties Limited), Rob Noakes and Bryan Taylor (Director's Waitakere Properties Limited), Graham Wakefield, (Company Secretary Waitakere Properties Limited), and John Wadsworth (Chief Executive Officer, Enterprise Waitakere), be permitted to remain for Item 19: Henderson Valley Studios - Investor Approval, after the public has been excluded, because of their knowledge of the matter being 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 Council when assessing options available to it and in explaining any decision to the community.

CARRIED

6.50 pm The public were excluded.

Minute Numbers 1242/2006 to 1243/2006 are recorded in the Confidential Section of these Minutes.

7.05 pm The public were readmitted.

22 CLOSING PRAYER

Councillor Clews gave the closing address.

19 **HENDERSON VALLEY STUDIOS - INVESTOR APPROVAL**

1241/2006

MOVED by Cr Chan, seconded Cr Clow:

1. That the Henderson Valley Studios - Investor Approval report be received.
2. That Council resolves to accept the investor Tony Tay Group and his associated entities as shareholders in Prime West Limited and Prime West Management Limited.
3. That Council agrees to sell all the land situated at 40 Henderson Valley Road, Henderson being all the land comprised in Certificates of Title 363/45, 360/233, 261/10, 819/28, 820/275, 1128/265, 1126/181 and 126A/59 (North Auckland Registry), to Prime West Limited on such terms and conditions contained in the property Sale and Purchase Agreement.
4. That Council recommends to Waitakere City Holdings Limited the appointment of Ross Jewell as an interim director on Prime West Limited.
5. That a further report be brought back to Council on any governance issues in respect of Council's investment in Prime West Limited and Prime West Management Limited.
6. That in the event Council is required to initially subscribe for the investment in Prime West Limited Council delegates signing authority for the subscription agreement (and any related documents) to Council's Chief Executive Officer.
7. Council delegates to the Chief Executive Officer authority to do anything which may be necessary on behalf of the Council to give effect to the proposed structure, and in particular to make the necessary financial provision within the Council's financial accounts and to arrange for documentation of the advances, in accordance with the taxation advice to be received.
8. That the Henderson Valley Studios - Investor Approval report and attachments remain confidential but the associated resolutions be made available in the public arena.

CARRIED

RESTATEMENTS

The Council resolved while the public were excluded:

Henderson Valley Studios - Investor Approval

(Moved by Cr Corban, seconded Cr Hulse) (resolution 1243/2006) *"That the Henderson Valley Studios - Investor Approval report and attachments remain confidential but the associated resolutions be made available in the public arena."*

Report from Finance and Operational Performance Committee - Land Purchase - Central Park Drive Extension

(Moved by Cr Clews, seconded Cr Battersby) (resolution 1242/2006) *"That the Report from Finance and Operational Performance Committee - Land Purchase - Central Park Drive Extension resolutions remain confidential until such time as the reasons for confidentiality no longer exist."*

Wilsher Village - Potential Re-development and Proposed Acquisition

(Moved by Cr Corban, seconded Cr Hulse) (resolution 1243/2006) *"That the Wilsher Village - Potential Re-development and Proposed Acquisition Agenda report and associated resolutions remain confidential until such time as the reasons for confidentiality no longer exist."*

7.12 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:.....

