



Waitakere City Council  
*Te Taiao o Waitakere*

## NOTICE OF MEETING COUNCIL

I hereby give notice that a Meeting of the Council will be held on:-

**DATE:**            **Wednesday, 29 November 2006**            **TIME:**            **5.30 pm**

**VENUE:**        **Waitakere Central, 6 Henderson Valley Road, Henderson, Waitakere**

to consider the business as set out herein and to take any necessary action connected therewith.

**NOTE:**        No Public Forum will precede this Council meeting.

24 November 2006

Audrey Chan  
**COMMITTEE SECRETARY**

Telephone (09) 836 8000 extn 8603

### MEMBERSHIP:

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

(Quorum 8 members)

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(The reports and recommendations contained in all agendas are reports and recommendations only and are not to be construed, in any way, as Council policy until adopted.)

**AGENDA FOR A MEETING OF THE COUNCIL TO BE HELD AT WAITAKERE CENTRAL,  
6 HENDERSON VALLEY ROAD, HENDERSON, WAITAKERE, ON WEDNESDAY,  
29 NOVEMBER 2006 COMMENCING AT 5.30 PM**

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**AGENDA FOR A MEETING OF THE COUNCIL TO BE HELD AT WAITAKERE CENTRAL,  
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**PART A - OPENING OF MEETING**

**1 OPENING PRAYER**

Father David Mullins of Our Lady of Lourdes Church, Glen Eden, will say the Opening Prayer.



**2 APOLOGIES**



**3 CONFIRMATION OF MINUTES**

Meeting Minutes        - Wednesday, 18 October 2006  
                                     - Wednesday, 25 October 2006

**RECOMMENDATION**

That the minutes of the Meetings of the Council held on Wednesday, 18 October 2006 and Wednesday, 25 October 2006, including the public excluded minutes, as circulated, be taken as read and now be confirmed.

*Page 10  
Part H*

The public excluded minutes are attached at page 10 of the Confidential Supplement labelled Part H.



**4 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 Chairman 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.



## **PART B - REPORT OF THE MAYOR**

The report of the Mayor is circulated under separate cover with this agenda.

### **RECOMMENDATION**

That the Report of the Mayor be received.

RA Harvey, QSO, JP

**MAYOR OF WAITAKERE CITY**



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

### **5 NEW LYNN COMMUNITY BOARD**

**THE BOARD SUBMITS THE FOLLOWING REPORT OF ITS MEETING HELD ON MONDAY, 30 OCTOBER 2006**

#### **MATTERS CONSIDERED**

*1-11  
Part C*

The Board dealt with a number of items for which it has delegated powers to act and a copy of the minutes of the meeting is attached at pages 1 to 11 in the supplement labelled Part C.

#### **The Board Recommends:**

That the report of the Meeting of the New Lynn Community Board held on Monday, 30 October 2006 be received.

P van der Voort, JP

**CHAIRMAN**



### **6 WAITAKERE COMMUNITY BOARD**

**THE BOARD SUBMITS THE FOLLOWING REPORT OF ITS MEETING HELD ON TUESDAY, 31 OCTOBER 2006**

#### **MATTERS CONSIDERED**

*12-17  
Part C*

The Board dealt with a number of items for which it has delegated powers to act and a copy of the minutes of the meeting is attached at pages 12 to 17 in the supplement labelled Part C.

**The Board Recommends:**

That the report of the Meeting of the Waitakere Community Board held on Tuesday, 31 October 2006 be received.

CA Shepherd, JP  
**CHAIRMAN**



**7 MASSEY COMMUNITY BOARD**

**THE BOARD SUBMITS THE FOLLOWING REPORT OF ITS MEETING HELD ON WEDNESDAY, 1 NOVEMBER 2006**

**MATTERS CONSIDERED**

*18-24  
Part C*

The Board dealt with a number of items for which it has delegated powers to act and a copy of the minutes of the meeting is attached at pages 18 to 24 in the supplement labelled Part C.

**The Board Recommends:**

That the report of the Meeting of the Massey Community Board held on Wednesday, 1 November 2006 be received.

GE Barnard  
**CHAIRMAN**



**8 HENDERSON COMMUNITY BOARD**

**THE BOARD SUBMITS THE FOLLOWING REPORT OF ITS MEETING HELD ON THURSDAY, 2 NOVEMBER 2006**

**MATTERS CONSIDERED**

*25-35  
Part C*

The Board dealt with a number of items for which it has delegated powers to act and a copy of the minutes of the meeting is attached at pages 25 to 35 in the supplement labelled Part C.

**The Board Recommends:**

That the report of the Meeting of the Henderson Community Board held on Thursday, 2 November 2006 be received.

EAG Grimmer, MNZM  
**CHAIRMAN**



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

### **9 APPOINTMENT OF A THIRD ALTERNATE TO THE AUCKLAND REGIONAL GROWTH FORUM**

#### **PURPOSE OF THE REPORT**

The purpose of this report is to enable Council to appoint a third alternate Council representative to the Auckland Regional Growth Forum.

#### **BACKGROUND**

At the Council Meeting held on 28 October 2004, Councillor Stone was appointed to the Auckland Regional Growth Forum with Mayor Bob Harvey as the alternate Council representative, via resolution No. 1893/2004, which covers Council appointments of Councillors to other organisations. Subsequently Council also appointed Councillor Hulse as a second alternate to the Auckland Regional Growth Forum.

#### **STRATEGIC CONTEXT**

The appointment of Councillors to outside organisations assists implementation of both the Active Democracy and Strong Communities strategic platforms of the 2006-2016 Long Term Council Community Plan.

The Regional Growth Forum is a regional entity whose work is of considerable strategic significance to Waitakere.

#### **ISSUES**

Deputy Mayor Councillor Stone and alternates Mayor Bob Harvey and Councillor Hulse are not available to attend the next meeting of the Auckland Regional Growth Forum on Wednesday, 6 December 2006. Councillor Battersby has been approached and is available to act as an alternate.

#### **RESOURCES**

No additional resources are required.

#### **CONCLUSION**

Currently there are a number of regionally important processes underway making a high number of calls on Elected Members' time. This situation is unlikely to ease in the foreseeable future. For this reason it is requested that Council appoint a third alternate to the Auckland Regional Growth Forum.

#### **RECOMMENDATIONS**

1. That the Appointment of a Third Alternate to the Auckland Regional Growth Forum report be received.
2. That the Council appoint a Councillor to be a third alternate representative to the Auckland Regional Growth Forum.

Report prepared by: Max Harré, Senior Policy Advisor.



10 **COUNCIL REPRESENTATION ON AUCKLAND REGIONAL PHYSICAL ACTIVITY AND SPORTS STRATEGY (ARPASS) WORKING PARTY FOR REGIONAL FACILITIES**

**PURPOSE OF THE REPORT**

The purpose of this report is to seek a Council representative for the Auckland Regional Physical Activity and Sport Strategy (ARPASS) to provide governance on the Auckland Regional Facilities Working Party.

**BACKGROUND**

In January 2001 a ministerial taskforce produced a report defining a vision for sport, fitness and leisure in New Zealand for the next 25 years. This report included many recommendations and in February 2002 Sport and Recreation New Zealand (SPARC) was formed to implement these recommendations. SPARC was formed as a merger of the Hillary Commission, the New Zealand Sports Foundation and the policy arm of the Office of Tourism and Sport.

Sport and Recreation New Zealand developed the following mission statement:

*"By 2006 to be recognised as world leading in our approach to sport and physical recreation measured by: (1) being the most active nation, (2) having the most effective sport and recreation systems and (3) having athletes and teams winning consistently in events that matter to New Zealanders"*

Sport and Recreation New Zealand identified a number of key strategies for achieving this mission, one of which was:

*"The need for more effective regional coordination in the planning and provision of sport, recreation and leisure. Improved collaboration and cooperation across regions was identified as a priority to create a regional view that would bring the issues of the region into focus, reduce fragmentation of effort, leverage skills, grow leadership capability and better utilise resources."*

The four Auckland Regional Sports Trusts had already identified the need for a co-ordinated approach and as a result formed the Auckland Regional Sports Trust Alliance. The need for improved integration in the Auckland region was put to the seven Auckland City and District Councils, the Auckland Regional Council (ARC), the Regional Sports Trusts and the Ministry of Health, by SPARC. In 2003 these organisations came together and signed a Memorandum of Understanding that defined how they would work together as partners to develop a regional sport and recreation strategy for the Auckland region.

The City Development Committee made the following resolutions at their May 2002 meeting:

- "1. That Waitakere City approves the Terms of Reference for the Auckland Regional Sport and Recreation Strategy in principle.*
- 2. That Waitakere City commits staff time as outlined in the Agenda report for the coming financial year towards the development of the Strategy.*
- 3. That regular reports on the progress of the development of the strategy be provided to the City Development Committee.*
- 4. That it be recommended to Council that \$10,000 be included in the Annual Plan process for the Auckland Regional Sport and Physical Activity Strategy."*

In March 2005 the draft Auckland Regional Sport and Recreation Strategy was presented to the City Development Committee and the following resolutions were made:

2. *That the City Development Committee supports the Auckland Regional Sport and Recreation Strategy being put out for stakeholder consultation.*
3. *That the City Development Committee recommends to the Long Term Council Community Plan and Annual Plan Special Committee that funding for the implementation of the Strategy to the value of \$19,184 per annum for the next five years starting 1 July 2005 be included in the final deliberations of the 2005/2006 Annual Plan.*

324/2005

Consultation took place over four weeks and included the draft Auckland Regional Physical Activity and Sports Strategy (the Strategy) being sent to all identified stakeholders inviting feedback either through written response or through a number of workshops held around the Auckland region. Public notification occurred through the New Zealand Herald and Councils' internet and intranet sites. The Stakeholder consultation resulted in the Strategy evolving to reflect the feedback and as such there have been a number of format and content changes. One particular change is that the title of the Strategy has changed from the Auckland Region Sport and Recreation Strategy to Auckland Regional Physical Activity and Sport Strategy.

The Strategy has been endorsed by the project group, the reference group, SPARC and the Project Sponsor. Waitakere City Council's Chief Executive Officer is the Project Sponsor for the ARPASS project, appointed by the Auckland region's Chief Executive Officers Forum.

## ISSUES

A1-A8

ARPASS wrote to Council's Chief Executive in November 2006 (letter attached at pages A1 to A8) with the following request:

*"ARPASS is requesting from each Council Partner a political representative to sit on a working party that will provide governance to the project."*

The project relates to Goal 4 of the ARPASS Strategy which is concerned with facilities and which states:

*' "Current and future regional facilities are planned, developed and managed to serve the current and future needs of all Aucklanders."*

Strategy 4.1 - The development and management of regional facilities is planned collaboratively by partner organisations and key stakeholders:

- Develop a set of Regional Facilities principles that record the framework and guiding principles that local authorities, regional sports trust, codes and other key facility providers will use to work together to plan, develop and manage Regional Facilities.

Strategy 4.2 - Proactive and collaborative planning of new regional facilities in response to identified gaps is undertaken:

- Develop and prioritise an action plan for new Regional Facilities and Amenities that are required within the Auckland region over the next 20 years. This will include an equitable resourced implementation plan and detail of how the benefits can be delivered and shared across the region.'

The ARPASS structure consists of the ARPASS Board which is concerned with governance, a Strategic Partners Group which provides strategic governance and direction to the Strategy Director and the Regional Project Team which consists of partner officers. Waitakere City Council has two representatives sitting on the Strategic Partners Group, Councillor Dallow and Council's Chief Executive Officer who is the Chairman.

It is recommended that Councillor Dallow be appointed to the Regional Facilities Working Party as Council's representative as he has intimate knowledge of Auckland Regional issues, on these matters, through his position on the ARPASS Strategic Partners Group.

### **STRATEGIC CONTEXT**

Council's support of the ARPASS strategy also supports Council's own strategic platforms such as Strong Communities, Urban and Rural Villages and Strong Economy.

### **RESOURCES**

There are no additional financial or staffing requirements and all costs are provided for in the Annual Plan 2006/2007.

### **CONCLUSION**

ARPASS is seeking Council representation to sit on the Regional Facilities Working Party to advance Goal 4 of the ARPASS Strategy. It is recommended that Councillor Dallow be appointed.

### **RECOMMENDATIONS**

1. That the Council Representation on Auckland Regional Physical Activity and Sports Strategy (ARPASS) Working Party for Regional Facilities report be received.
2. That Councillor Ross Dallow be appointed as Council's representative on the ARPASS Regional Facilities Working Party for the remainder of the 2004-2007 Council term.

Report prepared by: Louis Rattray, Leisure Services Manager.



11 **REVIEW OF TE TAUMATA RUNANGA APPOINTMENT TO THE CITY DEVELOPMENT COMMITTEE**

**PURPOSE OF THE REPORT**

The purpose of this report is to inform the Council of the process of reviewing Te Taumata Runanga's appointment to the City Development Committee with a view to seeking a decision regarding the current appointment, and also invites the Council to consider other opportunities by which Maori input into decision making can be improved.

**BACKGROUND**

The Finance and Operational Performance Committee on the 10 October 2005, whilst discussing recommendations on the Triennial Representation Review (Maori Wards) report, resolved in part:

*"12 Triennial Representation Review (Maori Ward/s)*

*That the Council hold a workshop with Members of Te Taumata Runanga to explore ways for Maori to become more involved in Local Government decision-making through Te Taumata Runanga working alongside the Council and to review the capacity of Te Taumata Runanga to become more involved in Council decision making and that the workshop report to the next appropriate Council meeting.*

1996/2005

A9-A17

*"That a report on the appointment of two representatives from Te Taumata Runanga to the City Development Committee, Finance and Operational Performance Committee and Planning and Regulatory Committee be presented to the workshop for consideration." (This report is attached at pages A9 to A17).*

1997/2005

A workshop between Te Taumata Runanga and the Council was held on Monday, 28 November 2005, to consider involvement of Maori in Local Government decision making in Waitakere, including the appointment of Te Taumata Runanga representatives to the City Development Committee, Finance and Operational Performance Committee and Planning and Regulatory Committee.

At the subsequent Extraordinary Council meeting, the Council resolved as follows:

*"That the Council invite Te Taumata Runanga to nominate a representative for Council appointment to the City Development Committee for a period of 12 months with a review regarding such appointments to be undertaken in 12 months."*

2315/2005

As required by this resolution, a review process has been undertaken. The approach to this review has been to consider the mechanism of appointing representatives from Te Taumata Runanga to Council Committees as a way of improving opportunities for Maori to contribute to decision making, as opposed to merely evaluating the current appointment.

The outcomes sought from the review were:

1. A process that allows key stakeholders (Councillors and members of Te Taumata Runanga) to have their views considered.
2. Statutory requirements and context and strategic objectives are considered as part of the review.
3. The review report aids Council in making a decision in relation to this matter.

The review process has involved the following steps:

1. An analysis of attendance at meetings of the City Development Committee by Te Taumata Runanga appointee.
2. An interview with the appointee to obtain her views on how the appointment is working and how effective it is in improving opportunities for Maori to contribute to local government decision making.
3. An interview with the Chairman of the City Development Committee to obtain her views on how the appointment is working and how effective it is in improving opportunities for Maori to contribute to local government decision making.
4. A discussion with Members of the Council via the Coordination and Facilitation Group to obtain their views on how the appointment is working and how effective it is in improving opportunities for Maori to contribute to local government decision making.
5. A workshop with Members of Te Taumata Runanga to obtain their views on how the appointment is working and how effective it is in improving opportunities for Maori to contribute to local government decision making.
6. A workshop between Te Taumata Runanga and the Council to discuss the current appointment, as well as options for improving opportunities for Maori to contribute to local government decision making, including the possible appointment of Te Taumata Runanga representatives to the Finance and Operational Performance Committee and Planning and Regulatory Committee.
7. An analysis of the information gathered from the above in the context of the statutory requirements and strategic objectives affecting Council, leading to the preparation of a report to Council to enable formal consideration of the issue in line with resolution 2315/2005.

The outcomes from this process are outlined in this report.

A18-A25

A separate process of reviewing Te Taumata Runanga (as required in the Committee's delegations) is currently taking place. As part of this review, the Committee will consider ways of improving opportunities for Maori to contribute to local government decision making, including appointments to other Council Standing Committees. Outcomes and recommendations from this review will be presented to the Council upon completion (estimated August 2007). For further information on Te Taumata Runanga review, see the recent report to Te Taumata Runanga at its meeting held on 16 October 2006 attached at pages A18 to A25.

## **STRATEGIC CONTEXT**

Active Democracy is one of the Council's nine strategic platforms identified in its Long Term Council Community Plan. This platform supports involvement of citizens and Council's decision-making process through education, removing barriers, developing partnerships, improving information flows and supporting the communities' own ways on interacting with the Council.

Furthermore, the Local Government Act 2002 requires that the Council establish and maintain opportunities for Maori to contribute to local government decision making, and consider ways in which it can foster the development of Maori capacity to contribute to local government decision making (see sections 4, 14(1)(d), and 81).

## ISSUES

### Review Outcomes

#### Analysis of Meeting Attendance

At the meeting of Te Taumata Runanga, December 2005, it was resolved as follows:

*“The Chairperson **DECLARED** M Te Huia be appointed to the City Development Committee for a period of 12 months.”*

2499/2005

Since the time of M Te Huia’s appointment to the City Development Committee, she has attended all meetings of the Committee, as well as a number of workshops.

#### Interviews with the City Development Committee Chairman and Te Taumata Runanga Appointee

Below is a summary of responses from both interviewees regarding how well the appointment has worked over the past year, and how the appointment can be further supported:

1. The City Development Committee Chairman (the Chair) and Te Taumata Runanga Appointee (the Appointee) agreed that the appointment has been an effective way of improving Maori input into Council decision making.
2. Presence of the Appointee has provided Council with insights into perspectives and approaches of the Maori community/Maori world view.
3. Participation by the Appointee over the past year has allowed both the Council and Te Taumata Runanga to settle in to the new process. This should make participation easier for any future appointments.
4. Information provided to the Appointee has been timely and adequate.
5. Staff and Elected Members have provided good support to the Appointee, for example by way of pre-briefings with the Chair.
6. An induction for future Te Taumata Runanga Appointees, which provides an overview of Council processes and key staff, would be very valuable, though the current Appointee is already familiar with these.
7. The Chair and the Appointee agreed that the Appointee’s views are being taken into account in decision making. The Appointee is feeling more confident in providing input to discussions.
8. A view was expressed that the Council needs be clear that the Appointee is there to represent Te Taumata Runanga views and not the Maori community as such, whom Te Taumata Runanga Members collectively are responsible for representing.
9. The appointment has improved the provision of information to Te Taumata Runanga when appropriate; however there is no clear guideline as to what issues Te Taumata Runanga might be interested in to ensure that this happens in a more timely fashion. Also, timing of meetings means that Te Taumata Runanga often only has an opportunity to provide input after decisions have been made.
10. It was felt that the process of conveying information between the City Development Committee and Te Taumata Runanga could be improved, e.g. what is the best format for Appointee to report back to Te Taumata Runanga; verbal or written, etc. It was suggested that this could be assisted by having more than one Appointee, and by support from Councillors who are Members of Te Taumata Runanga.

11. In the Appointee's view, the Te Taumata Runanga Appointee should be a Member of the Committee rather than being co-opted.
12. The role has required significant commitment by the Appointee in terms of time and energy, and this should be taken into account when Appointees are selected in the future.

### Coordination and Facilitation Group (CAF)

Councillors were briefed on this review process at an October 2006 CAF meeting. It was suggested that consideration of Te Taumata Runanga representation on other standing Committees should coincide with the broader review of Te Taumata Runanga occurring over the next few months. It was noted that Te Taumata Runanga would invite Councillors to attend a workshop to discuss the review of the Te Taumata Runanga Appointment further.

### Te Taumata Runanga Workshop

Te Taumata Runanga held a workshop to discuss this review. The outcomes and recommendations from this workshop were unavailable at the time of writing this report. A verbal report will be provided in this regard.

### Combined Te Taumata Runanga/Council Workshop

Te Taumata Runanga and the Council held a workshop on 22 November 2006 to discuss this review. The outcomes and recommendations from this workshop were unavailable at the time of writing this report. A verbal report will be provided in this regard.

### Information Available for Analysis

According to the information available for analysis at the time of writing this report, the practical implications of this review process have been broken down into the broad categories outlined below:

#### 1. Link between Te Taumata Runanga and City Development

Recommended Action	Responsible
Establish process for Te Taumata Runanga to be able to identify areas of interest within the delegated authority of City Development	Te Taumata Runanga Maori Relationships
Inform report writers of this process, so that reports are able to be received by Te Taumata Runanga as appropriate	Maori Relationships
Establish formal process for Appointee to report back to Te Taumata Runanga on key City Development Issues	Te Taumata Runanga Chair/Appointee Maori Relationships
Appoint an additional Te Taumata Runanga representative to City Development to support conveyance of information between Committees and input into decision making	Council
Discuss how Councillors appointed to Te Taumata Runanga can provide support to Te Taumata Runanga Appointee	Councillors on Te Taumata Runanga Appointee

## 2. Appointments as a Method of Improving Maori Participation

Recommended Action	Responsible
Provide any future appointments from Te Taumata Runanga to other Council Standing Committees with an induction, outlining Council processes, the role of the Committee, key projects, key staff etc.	Democracy and Support Services Maori Relationships
Note that appointees should be from Te Taumata Runanga, as opposed to being co-opted from outside the Committee.	Te Taumata Runanga
Note that appointees should have the time available to give such appointments the commitment required.	Te Taumata Runanga
Incorporate Te Taumata Runanga Appointment to CD into Te Taumata Runanga Delegated Authorities	Democracy and Support Services

## 3. Further Appointments to Standing Committees

Recommended Action	Responsible
That Council consider appointment of Te Taumata Runanga representatives to other Standing Committees as a way of improving opportunities for Maori to contribute to local government decision making (See Options below).	Council

### Options

Below are a number of options that the Council may like to consider in response to the outcomes and recommended actions from this review:

- Maintain Te Taumata Runanga appointment to the City Development Committee for the period until the Council goes into recess for the 2007 Local Body Elections, with Te Taumata Runanga being invited to re-nominate their representative (as the current appointment was only for a twelve month period); Council to make a further determination on the appointment upon reconvening after the 2007 Local Body Elections.
- Review opportunity for further appointments from Te Taumata Runanga to Council Standing Committees upon completion of the Te Taumata Runanga review and post 2007 Local Body Elections.
- Invite Te Taumata Runanga to nominate an additional representative for Council appointment to the City Development Committee for the period until the Council goes into recess for the 2007 Local Body Elections, with a review of the appointment to occur after that period; Council to make a further determination on the additional appointment upon reconvening after the 2007 Local Body Elections.
- Invite Te Taumata Runanga to nominate a representative (or representatives) for Council appointment to the Planning and Regulatory Committee and Finance and Operational Performance Committee, with a review of the appointment to occur after twelve months.
- Incorporate Te Taumata Runanga Appointment to the City Development Committee into Delegated Authorities of Te Taumata Runanga, such that the appointment is reconsidered on a triennial basis, post Local Body Elections, at the same time as Council determines to reconvene Te Taumata Runanga; Te Taumata Runanga invited to re-nominate a representative for the period until the Council goes into recess for the 2007 Local Body Elections.

### RESOURCES

The resources required for this review have been provided for in the 2006/2007 Annual Plan.

Should the Council approve further appointments from Te Taumata Runanga to various Standing Committees, additional resources will be required and have not been budgeted for in the current Annual Plan for the payment of salaries and/or meeting fees to appointees but can be accommodated in the Democracy and Support Services area.

The Council at its meeting on 21 December 2005 resolved, following discussion on a recommendation from the Finance and Operational Performance Committee on 12 December 2005, as follows:

*“That Council remunerate the Appointed Member to Council’s City Development Committee as follows:*

- 1. Meeting Fee, \$60.00 per hour for meetings and associated workshops of the City Development Committee.*
- 2. Technology and allowances as per the Remuneration Authority schedule for Elected Members.”*

2547/2005

All payments made to appointed (non-elected) Members of Council Committees and Subcommittees are outside the pool provided for by the Remuneration Authority and it is the Council that needs to determine the appropriate sum or sums involved. It is recommended that for all appointments made, that consideration of any annual salary payment and/or meeting fees be determined as part of the annual review of remuneration, including reimbursement of expenses, following advice from the Remuneration Authority.

## **CONCLUSION**

The Council is to review the appointment of Te Taumata Runanga to the City Development Committee, in accordance with its resolution made in November 2005 (2315/2005). This review occurs in the context of establishing and maintaining opportunities for Maori to contribute to local government decision making, as required by the Local Government Act 2002. The approach to this review has been to consider the mechanism of appointing representatives from Te Taumata Runanga to Council Committees as a way of improving opportunities for Maori to contribute to decision making, as opposed to merely evaluating the current appointment.

According to feedback from the City Development Committee Chairman and Te Taumata Runanga Appointee to the City Development Committee, the appointment has been an effective way of improving opportunities for Maori to contribute to decision making.

A number of recommended actions have emerged from the review process. These include consideration of further appointments from Te Taumata Runanga to Standing Committees by the Council, and the Council are invited to make a determination in this regard.

## **RECOMMENDATIONS**

1. That the Review of Te Taumata Runanga Appointment to the City Development Committee report be received.
2. That the Council approve the incorporation of the Appointment of a Te Taumata Runanga representative to the City Development Committee into the Delegated Authorities of Te Taumata Runanga, such that the appointment is reconsidered on a triennial basis, post Local Body Elections, and, that Te Taumata Runanga be invited to nominate a representative for Council appointment to the City Development Committee for the remainder of the current Council’s term.

3. That the Council determine the remuneration for appointed Members of Committees and Subcommittees at the same time as it reviews Elected Member Remuneration each year.
4. That the Council consider the options presented in this report and make a determination in respect of their preferred options:
  - a) That the Council invite Te Taumata Runanga to nominate an additional representative for Council appointment to the City Development Committee for the remainder of the current Council's term, with a review of the appointment to occur after that period.
  - b) That the Council invite Te Taumata Runanga to nominate representatives for Council appointment to the Planning and Regulatory and Finance and Operational Performance Committees for the remainder of the current Council's term, with a review of the appointments to occur after that period.

Report prepared by: Wayne Knox, Maori Relationships Manager and Darryl Griffin, Group Manager: Democracy and Support Services.



## 12 **PROPOSED DISTRICT PLAN CHANGE 22: WHENUAPAI AIRPORT SPECIAL AREA**

### **PURPOSE OF THE REPORT**

The purpose of this report is to present to the Council the Proposed Plan Change relating to the creation of a Policy and Special Area Rule framework for Whenuapai Airport in the District Plan and seeks approval from the Council to enable the Proposed Plan Change to be publicly notified.

### **BACKGROUND**

At its meeting on 17 August 2005, the Council resolved:

- “1 That the Whenuapai Airport report be received.
2. That work commences on a District Plan change for Whenuapai Airbase to:
  - a) Provide for the existing activities and operations of the New Zealand Defence Force.
  - b) Provide a resource consent process for establishing a civil and joint use airport operation.
  - c) Amend the policies and objectives of the District Plan as necessary to protect the commercial/civil airport potential of Whenuapai in accordance with Council's policy that Whenuapai be used in the future for commercial airport activities.
  - d) Provide for other potential uses, provided that they do not compromise the commercial/civil potential of the land to be used for commercial airport uses.
  - e) Establish a zone that better reflects existing activities and potential future activities.
3. That the Whenuapai Airport Agenda report and associated resolutions be made public as the Council now decides to proceed with the proposed Plan Change.”

At its meeting on 9 May 2006, the Planning and Regulatory Committee resolved:

- “1. That the Waitakere City District Plan Draft Plan Change: Whenuapai Airport Special Area report be received.
2. That the Planning and Regulatory Committee endorses the draft Plan Change and draft Section 32 Report for the Whenuapai Airport Special Area.
3. That the Planning and Regulatory Committee directs Council staff to make the draft Plan Change and draft Section 32 Report for the Whenuapai Airport Special Area publicly available to enable consultation with the relevant agencies and local groups.
4. That the Planning and Regulatory Committee notes that following the completion of the consultation, the draft Plan Change will be presented to the Committee again and approval sought from the Committee for its public notification under Clause 5 of the First Schedule of the Resource Management Act 1991.
5. That the Waitakere City District Plan Draft Plan Change: Whenuapai Airport Special Area agenda report and associated resolutions remain confidential until such time as the reasons for confidentiality no longer exist.”

835/2006

Comment was then sought from the public on the Draft Plan Change, and the response from the public is summarised below.

### **STRATEGIC CONTEXT**

A leading strategic priority for Waitakere City Council is the creation of a strong local economy and more local jobs. The future development of the Whenuapai area is a key project for the City in relation to this objective.

The Whenuapai Airbase represents a substantial physical resource in a strategic location. Because of the combination of its existing and historical use and the current infrastructure, it would be difficult, if not impossible to replicate this resource elsewhere in the Auckland region. The Proposed Plan Change sets the framework to protect this important resource and its future potential.

The City has a clear policy position on Whenuapai which it has been pursuing for a number of years. While Waitakere City has no control over any decision by the Crown to pursue joint use of the Airbase, or how it decides to dispose of the land under the options available to it (i.e. Airport Authorities Act or Public Works Act) the Council is responsible for the management of the natural and physical resources within its boundaries. Specifically, the Council can decide to initiate a District Plan Change process to re-identify the land in order to protect its potential as an airport.

Following Resolution 1553/2005, the Proposed Plan Change has been prepared as part of an on-going process to secure the future use of the Airbase for commercial airport activities. This process has been occurring since 2002. Given the length of time required to complete statutory processes under the Resource Management Act 1991, the Council has chosen to initiate those processes now, so that they will be completed by 2014 at the latest. The New Zealand Defence Force currently indicates that 2014 will be when the transferral of the Air Force from Whenuapai will occur. To commence this process in 2014 would mean that the existing Airbase facilities could remain idle and derelict while the statutory processes under the Resource Management Act 1991 are completed.

## ISSUES

### Comments On The Draft Plan Change

A26-A27

The Draft Plan Change was available for public comment from 29 May 2006 to 12 July 2006. A total of 612 comments were received, and these are summarised in Appendix 1 at pages A26 to A27. Of the 612 comments received, 480 were made by completing a standard form available from the Whenuapai Action Group (WAAG) web site.

Overall there were 80 unique comments made. Of these, 15 were supportive and 65 opposed the draft Plan Change.

The original consultation period was to end on 28 June 2006. Following requests from several people, the period for comment was extended to 12 July 2006. As at 28 June 2006, 269 comments had been received by Council. A further 343 comments were received during the period 29 June - 12 July 2006. A further 14 comments, including one from the Auckland Regional Council were received after this extended closing date.

Fourteen comments were received twice, via electronic mail and then via the postal system. Six comments were neutral, but sought an extension of time for comments on the draft Plan Change.

Overall, 94% of the total comments made opposed the draft Plan Change.

### Discussion Of Comments Received

#### Comments in Support

Comments in support expressed the following views:

- The Airbase is an existing facility, a valuable asset and a resource that should be used - negligent and short sighted for future generations to lose facility;
- Mangere is a monopoly and it would give it some healthy competition;
- Will help establish strong business growth for the Auckland region - complementary to new Massey North and Hobsonville hubs and would attract new business;
- Not sure what the future is so it should be protected as a possible future airport;
- Too good an opportunity to pass up;
- Joint defence/civilian use is feasible;
- People have always known it was an airport;
- Auckland needs a second airport and it is a badly needed asset for West Auckland;
- People need to think about the big picture, need to create a balance between social and environmental and economic issues.

#### Comments in Opposition

Many of the comments received from individuals were concerned with perceived adverse effects, such as noise arising from aircraft movements, traffic, and a drop in property values of surrounding land.

A28-A34

A number of the comments made related to issues that are outside the scope of the District Plan process under the Resource Management Act. These included the financial viability of the airport, the need for a second airport and the desire for the airbase to remain. These non-District Plan issues have already been dealt with in the lengthy consideration and debate that Council has been involved in since the Government announced in 2002 that Base Auckland would be closed and the RNZAF integrated at Ohakea. This debate has preceded this notification report and resulted in the Council resolution 1553/2005 referred to at the beginning of this report. A discussion of each of the non-District Plan issues is provided in Appendix 2 that is attached at pages A28 to A34.

Some issues such as the need for the airport and transportation congestion have been discussed in this report.

The following table summarises the main issues raised in the comments in opposition:

	<b>Non District Plan Issues</b>	<b>District Plan Issues</b>
1	<p><b>CENTRAL GOVERNMENT</b></p> <ul style="list-style-type: none"> <li>• Keep Airforce at Whenuapai</li> <li>• Use Whenuapai for Civil Defence purposes</li> <li>• Waitakere City Council work with Central Government and the Auckland Regional Council to find an alternative use</li> </ul>	<p><b>NOISE</b></p> <ul style="list-style-type: none"> <li>• Noise in homes / sleep disturbance</li> <li>• No restrictions on operating hours / engine testing hours</li> <li>• Effects on North Shore City - Waitakere City not seen by many to be concerned about this</li> <li>• Effects on schools (Whenuapai Primary, Pinehurst, Kristen, Albany Junior High, and others) and effects on children's ability to learn given the increased noise.</li> <li>• Frequency of aircraft movements</li> <li>• Existing airbase flight numbers have been overstated and are really as low as 5000 movements per year. Currently there are 6500 movements per annum</li> </ul>
2	<p><b>REGIONAL</b></p> <ul style="list-style-type: none"> <li>• Duplication of airport infrastructure and services (customs, border control etc) is unnecessary</li> <li>• Mis-diagnosis of problem - transport congestion in Auckland region is the problem - fix that rather than duplicate airports</li> </ul>	<p><b>ENVIRONMENTAL EFFECTS</b></p> <ul style="list-style-type: none"> <li>• Airport out of character with existing residential development</li> <li>• Visual effects of terminal buildings</li> <li>• Impact on coastal margins and how these are to be protected</li> </ul>
3	<p><b>ECO-CITY ISSUES</b></p> <ul style="list-style-type: none"> <li>• Is the airport clean / green?</li> <li>• Does having an airport at Whenuapai airport align with Eco-City principles?</li> </ul>	<p><b>TRAFFIC EFFECTS</b></p> <ul style="list-style-type: none"> <li>• Congestion as commuters travel from Mangere to Whenuapai and vice versa, and commuters from Waikato</li> <li>• Local traffic congestion</li> </ul>

	<b>Non District Plan Issues</b>	<b>District Plan Issues</b>
4	<p><b>FINANCIAL ISSUES</b></p> <ul style="list-style-type: none"> <li>Concerns about financial costs and risk to Council</li> <li>Concerns about financial viability of airport</li> <li>No need for a second airport, existing airport at Mangere can cope with anticipated air traffic</li> <li>Whenuapai will be a "B Grade" airport</li> <li>Large expenditure by Council amounts to lost opportunities for other development</li> <li>Upgrade infrastructure (roads, drainage) in Whenuapai rather than spend it on airport</li> </ul>	<p><b>DISTRICT PLAN</b></p> <ul style="list-style-type: none"> <li>Alignment with Regional Growth Strategy / Regional Policy Statement</li> <li>Specific comments on wording of Draft Plan Change</li> <li>Plan change unclear as to what is provided for - lack of information to undertake a proper analysis of the effects</li> <li>Definition of "airport activities"</li> <li>Consultation on Draft Plan Change</li> <li>"Why the rush"</li> </ul>
5	<p><b>ECONOMIC ISSUES</b></p> <ul style="list-style-type: none"> <li>No evidence that this is best use of ratepayer funds to achieve economic growth in Waitakere City</li> <li>Comparisons to Hamilton Airport for identification of economic benefit</li> <li>V8 motor sport - loss of this motor sport event costly to Waitakere City and Auckland region</li> </ul>	<p><b>PROCESS</b></p> <ul style="list-style-type: none"> <li>No consideration of alternatives</li> <li>No consultation with community on alternatives suggested (University, Cemetery, Residential, Industrial, Commercial )</li> <li>Any decision to have an airport should be made at a regional level with the involvement of all Councils and not just the decision of Waitakere City Council</li> <li>Concern that not enough information had been provided in the Draft Plan Change to allow for the effects arising from it to be properly assessed</li> </ul>
6	<p><b>SAFETY ISSUES</b></p> <ul style="list-style-type: none"> <li>Jet fuel dumping on residential areas / tank water contamination / Upper Harbour water pollution</li> <li>Aircraft accidents in residential areas</li> <li>Fog in Whenuapai a regular event</li> </ul>	<p><b>OTHER</b></p> <ul style="list-style-type: none"> <li>Air and water pollution from jet fuel</li> <li>Allow recreational activities as a "permitted activity"</li> <li>Effects on property values</li> </ul>
7	<p><b>GENERAL ISSUES</b></p> <ul style="list-style-type: none"> <li>Effects on existing lifestyles</li> <li>Effects on property values</li> <li>Stress on people in the community from worrying about this issue</li> </ul>	

### District Plan Issues

A discussion addressing each of the District Plan issues that were raised through the consultation process follows:

## 1. Noise

A main issue raised in comments by those opposed to the airport was that of noise arising from aircraft movements. It is acknowledged that the operation of the airbase as a commercial airport has the potential to create adverse effects on adjacent residents and the surrounding community from aircraft noise. It is intended that noise arising from aircraft operations is managed through the use of the existing District Plan Whenuapai Airbase noise contours (which will be slightly decreased in size to reflect the results of new measurement techniques). The proposed Plan Change would include a requirement for a Comprehensive Development Plan (CDP) to be prepared. The CDP would require comprehensive noise management planning and monitoring to ensure that the activities at the airport meet the contour controls. The CDP would also include provision for an ongoing consultation process to be set up with the local community.

The figure of 20,000 aircraft movements, quoted in the section 32 analysis released with the draft Plan Change, was derived from the figures supplied in the appendices to the report by the Joint Officials Group in 2004. However more recent figures suggest that the number of current aircraft movements may be somewhat lower. However, as discussed, the existing noise contours will not change substantially. Any aircraft movements generated by a commercial airport or a joint defence/commercial use airport will need to meet the noise levels sets out in those contours. The contours are based on 24 hour averaging of noise generated by aircraft. They allow for different numbers of movements based on the type and size of aircraft i.e. large aircraft will be more restricted in the number of movements in order to stay within the noise levels than smaller aircraft. Movements at night will also ensure that the noise contours are more easily exceeded and may mean substantial restrictions on night flying. Despite this, it is understood that a commercial airport could operate viably within such restrictions.

## 2. Environmental Effects

The airport has been in existence for over 70 years and as such is an established part of the landscape in Whenuapai. The landscape assessment within the section 32 report clearly shows that the airport and its components represent a unique landscape characteristic within the City. The Proposed Plan Change also includes landscaping and design requirements (within the Comprehensive Development Plan framework), that any further development including buildings within the Whenuapai Airport Special Area would need to meet.

Mechanisms to protect the coastal margins are already in place in the Waitakere City District Plan. The size of the Whenuapai Airport Special Area has also been reduced so that it no longer extends to the coast, but is bordered by Kauri Road to the east.

## 3. Traffic Effects

Issues such as:

- congestion as commuters travel from Mangere to Whenuapai and vice versa;
- commuters from Waikato; and
- local traffic congestion

were raised in the comments.

The proposed Plan Change requires traffic management for both regional and local traffic (refer to the requirement for a 'Transport Audit'), through the Comprehensive Development Plan framework. Traffic modelling undertaken for the Council by David Young Traffic Consultants (attached to the section 32 Report) also shows a potential Net Positive Value to the regional road network of between \$230 and \$600 million, dependant on the number of passenger movements that will occur at Whenuapai. This is largely due to people and freight not having to travel through the Auckland Isthmus if the airbase was to be used as a commercial airport.

Waitakere City, North Shore City and Rodney District are seeking to reduce the amount of people that need to travel through the Auckland Isthmus to employment locations. Whenuapai Airport will provide a stimulus for the economies of the Northwest and will help achieve these goals.

#### 4. District Plan Matters

##### (a) Alignment with Regional Growth Strategy / Regional Policy Statement

The section 32 Report discusses the way in which the proposed Plan Change aligns to the Regional Growth Strategy and Regional Policy Statement. The establishment of a commercial airport at Whenuapai was considered by the JOG Report 2004 to be consistent with the Regional Policy Statement:

*“insofar as it continues the use of regionally significant infrastructure located outside the MUL, and provides for the protection and continued use of this infrastructure. Moreover the retention of an airport activity would reinforce the RGS (Regional Growth Strategy), by ensuring that the whole peninsula (approximately 1500 hectares) does not come under pressure for urban expansion.”*

##### (b) Definition of “Airport Activities”

The definition of “Airport Activities” has been revised to limit retailing and commercial activities to small convenience shops servicing air travel needs only and any other activities are limited to those related to aircraft using the airport (including maintenance). This should ensure that a quasi-aeronautical industry precinct cannot establish on the site.

Concerns were expressed by the Auckland Regional Council and IMF Westland that the Draft Plan Change did not sufficiently restrict the level of commercial and industrial activities that could establish at the airport as “ancillary activities”. This concern is acknowledged and a new policy (Policy 11.56) has been proposed to ensure that the integrity of the Auckland Regional Council Metropolitan Urban Limit is not undermined.

##### (c) Consultation on Draft Plan Change

Council has fulfilled its statutory duty under Clause 3 of the First Schedule of the Resource Management Act 1991 by consulting with statutory agencies and the public on the Draft Plan Change. Additional consultation is detailed in the section 32 Report. The Council responded to public comment and extended the consultation timeframe by two weeks, to enable people to have adequate time to comment on the Draft Plan Change. Comments and issues arising from this consultation are discussed in this report.

(d) “Why the rush”

The proposed Plan Change has been prepared as part of an on-going process to secure the future use of the Airbase for commercial airport activities. This process has been occurring since 2002. Given the length of time required to complete statutory processes of this nature under the Resource Management Act 1991, the Council has chosen to initiate the plan change processes now, so that they will be completed by 2014 at the latest. This is the date that the New Zealand Defence Force currently indicates that the transferral of the Air Force will occur. To commence this process in 2014 would mean that the existing Airbase facilities could remain idle and derelict while the statutory processes under the Resource Management Act 1991 are completed.

**5. Process Issues**

(a) No consideration of alternatives

The consideration of alternatives has already occurred, through the work of the Joint Officials Group. This Group reported to the Regional Growth Forum in June 2004 on alternatives for the use of the Whenuapai Airbase. Of the seven options considered, the Airport Option was considered to not be contrary to regional and district planning strategies, and had the potential to replace the economic loss to Waitakere City as a result of the departure of the military presence from Whenuapai Airbase. This report was endorsed by the Regional Growth Forum at a meeting on 24 June 2004.

(b) No consultation with community on alternatives (University, Cemetery, Residential, Industrial, Commercial were suggested)

The work of the Joint Officials Group identified and considered seven options for the use of the airbase land. The consideration of those options and the conclusions reached has guided the Council.

**6. Other**

Effects on property values

The Whenuapai Airbase is an existing airport that has been in operation for over 60 years. People who have purchased properties in the area over that time have done so in full knowledge of the existence of the airport, and there is no evidence to suggest that the operation of the airport has had any significant impact on the prices paid for property in this vicinity. It is anticipated that the proposal will not adversely affect property values.

Air and Water Pollution from Dumping of Jet Fuel and from normal aircraft operations

Any commercial airport operating at Whenuapai must comply with the proposed Regional Air Land Water Plan regarding air pollution from all aircraft operations. In terms of fuel dumping, despite public perception, jet fuel dumping is not a common practice as it makes no economic sense to dump expensive aviation fuel. Only a select few long haul types of aircraft have the capacity to dump fuel and it is only done in emergencies when it is necessary to land relatively soon after takeoff. Due to the quantity of fuel carried, the maximum take off weight of these aircraft exceeds their maximum landing weight and some fuel must therefore be jettisoned to ensure a safe landing in an emergency. Such dumping is always carried out at least 5000 feet above ground level to ensure that fuel has vaporised before it reaches the ground and it is carried out over water wherever possible.

In terms of air pollution from normal aircraft operations, commercial jet aircraft are also substantially cleaner than current military aircraft.

Not enough information provided for a proper assessment of the effects to be made.

It is acknowledged that the noise, traffic and landscaping reports had not been finalised at the time of the draft Plan Change. However regardless of the lack of these reports it is not intended that the proposed Plan Change have all these details finalised. The proposed Plan Change is intended to protect a strategic unique resource that it would be difficult if not impossible to replicate elsewhere in the Auckland region. It is intended that the details relating to the operation of an actual airport would be presented in the application for a Comprehensive Development Plan which would be a notified application.

The proposed Plan Change recognises that a commercial airport can only proceed if economic circumstances permit, and all Civil Aviation permits are obtained. However the specialist reports provided as part of the section 32 Analysis have demonstrated that a viable commercial airport would be able to operate at Whenuapai.

Concern for the viability of a second airport and need for a second airport

The financial viability of the airport is a matter to be addressed by any private sector investor seeking to establish operations. Council is advised by Infracore (who own and operate a number of airports internationally) that there is a commercial opportunity and potential available at Whenuapai. Council is not intending to contribute to operating costs so therefore has no exposure to risk. The proposed Plan Change recognises that a commercial airport can only proceed if economic circumstances allow and other civil aviation approvals are obtained. If it is not viable and airport activities cease, then the proposed Plan Change provides a default position that enables District Plan Countryside Environment activities to proceed.

In terms of the "need" for an airport, there is no statutory or resource management requirement to demonstrate a need for a proposed activity. Under section 32 of the Resource Management Act, Council must demonstrate that the special area zoning is the most appropriate zoning for the land and the proposed provisions are the most appropriate provisions for achieving the sustainable management of natural and physical resources. This has been elaborated on within the section 32 report accompanying this report.

The proposed Plan Change is not about a need for a second Auckland Airport but is focused on protecting an existing resource, in this case an existing piece of infrastructure. The opportunity cost of not using or destroying Auckland's second and functioning airport is significant. The cost and difficulty of creating a second airport for Auckland in the future would be significant.

Allow Recreational Activities as a Permitted Activity

The Whenuapai Golf and Recreational Club Incorporated is located within the proposed Whenuapai Airport Special Area. It has requested that provision be made for the continued use of the Golf Club in the proposed Plan Change. However it is considered unnecessary to do so. The Club may have existing use rights under the Resource Management Act to continue to function, but whether or not it could stay would be dependent on negotiations with the new operator/owner of the airport and any requirements of the Civil Aviation Authority.

## Comments from Groups/Organisations/Companies

A copy of the full comments has been sent to Members separately. A summary of the comments is set out as follows:

### Massey Community Board, Waitakere City Council

Comment was received from **Massey Community Board** (Comment 22/462) supporting the draft Plan Change but not supporting a commercial airport. The Community Board highlighted the need for expert advice, protecting the existing uses on the Airbase, the effects of noise and further consideration of alternative uses.

### Auckland Territorial Local Authorities and Auckland Regional Council

**Auckland Regional Council** (Comment 22/619) provided a late comment. The future use of the Whenuapai Airbase is considered regionally significant by the Auckland Regional Council. Issues identified in relation to the draft Plan Change were as follows:

- Concern that a further report by the Joint Officials Group had not been provided;
- Concern that the objectives and policies were not sufficiently clear enough to guide decision makers;
- Need more clarity that only ancillary activities to an airport are allowed and there is no pressure for general industrial and commercial zones to establish outside the Metropolitan Urban Limits;
- Need mechanisms to protect coastal margins;
- No provision for a Transport Audit as required by Change 6 to the Regional Policy Statement;
- Integrated Catchment Management Plans have not been completed for the catchments in which the airport is situated.

**Auckland City Council** (Comment 22/397) did not express a view either way about the Airport, however it did suggest that a decision about an airport should be one taken regionally rather than by Waitakere City Council on its own. Auckland City also raised transport issues and uncertainty and lack of information about the scale of activities at the airport.

**Manukau City Council** (Comment 22/404) officers expressed the view that there is no need for a second airport in the region, and indicated that further analysis on regional benefits needs to occur. Officers considered that the draft Plan Change is premature, and suggested that other activities on the Whenuapai Airbase site may be of greater benefit to the region. Clarification of several matters within the draft Plan Change such as the continued or joint use of the airbase by Defence, anticipated noise levels and the scale and intensity of proposed activities were sought. It was also considered that the objectives and policies did not give clear guidance for the assessment of a civilian airport. These matters have been addressed in this report and the Plan Change amended to address the issues.

**North Shore City Council** (Comment 22/547), via its Strategic Management Committee, resolved on 13 June 2006 to support the public notification of the proposed Plan Change, to allow the residents of both Waitakere and North Shore Cities to be involved in the Resource Management Act's statutory process for this proposed Plan Change.

**Rodney District Council** (Comment 22/611) expressed its support for the Whenuapai Airport, and commented that the use of a Special Area approach is appropriate. It also suggested specific amendments to the text of the draft Plan Change, and these have been addressed in the proposed Plan Change.

### Other Auckland Agencies

Comment was received from the **Auckland Regional Transport Authority** (ARTA), (Comment 22/293) stating that they could make no comment as they considered that there was insufficient information available to enable them to do so. ARTA sought a copy of the section 32 report and a Transport Audit.

**Albany Junior High School** (Comment 22/218) provided a comment in opposition to the draft Plan Change.

**The West Auckland Green Party** (Comment 22/316) provided a comment in opposition to the draft Plan Change.

### Aviation Related Organisations

Comment was received from **Air New Zealand Limited** (Comment 22/398), and its view that it would not use Whenuapai Airport as a regional airport has not changed. It recommends using the land for residential or light industrial uses. It also notes the cost of bringing the existing infrastructure and facilities up to the appropriate aviation standards, and the effects on Māngere Airport in terms of competition.

Comment was received from **Auckland International Airport Limited**, (Comment 22/333) addressing a perceived lack of regional assessment of the Airport, the perceived absence of need for the Airport, the perceived lack of benefits to Waitakere City, and challenges to the Council's draft section 32 Report.

Comments were received from the **Board of Airline Representatives New Zealand** (Comment 22/511 and 22/399) in which they consider that the planning work is premature and that the location of an airport must be handled at the regional and strategic level. While the Board is not opposed to planning for the development of Whenuapai as a commercial airport at the right time, it considers that the commercial viability of the airport should be established prior to the planning framework being placed in the District Plan. It also raises issues around traffic being accommodated within the noise contours and the possibility of cross town trips by travellers from Whenuapai to Māngere.

### Non-Governmental Groups

Comment was received from the **Whenuapai Golf and Recreational Club** (Comment 22/348) Incorporated, and while it was neutral about the draft Plan Change, it sought the protection of existing recreational facilities on the Airbase.

The **Whenuapai Airport Action Group** (Comment WAAG) (22/340) provided one official comment in opposition to the draft Plan Change.

**Whenuapai Ratepayers and Residents Association** (Comment 22/310) provided one official comment in opposition to the draft Plan Change.

**Greenhithe Residents, Ratepayers and Community Hall Association** (Comment 22/15) provided one official comment in opposition to the draft Plan Change.

**Massey and Birdwood Settlers Association** (Comment 22/460) provided one official comment in support of the draft Plan Change.

## Standard Comments

The Whenuapai Airport Action Group (WAAG) placed a standard comment form on its website, and 480 completed comment forms were received. 471 of those comments opposed the draft Plan Change. It appears that the original format and content of the form was amended at some time during the commentary period. A copy of this amended form is attached at pages Axx to Axx. When the answer to the fundamental question about whether the commentator supported the proposal was “no”, the consequential options chosen by the commentator reflected that view. The issues identified within this form were:

- noise;
- frequency of aircraft movements (which results in noise);
- that travel to the Mangere Airport was acceptable; and
- an expectation that the completion of the Western Ring Route and a branch rail line to Mangere Airport would reduce travel time.

The document also disputes the expected economic growth that would be derived from the operation of the Whenuapai Airport. A final statement seeks that the Council put people before profits and ecology before economic growth. Many commentators who filled in the WAAG form also chose to add their own views in the space provided. WAAG also provided one comment as its unique comment, generally opposing the draft Plan Change.

Two other standard comment forms were received, of unknown origin. They appear to be written by an individual, and then copied and signed by others. Thirteen copies of these two forms were received (7 of one, and 6 of the other). This form states that:

- a second airport in the Auckland region is not needed;
- disputes whether a second airport in the Auckland region would improve traffic congestion;
- the roading required to service the new airport is deficient;
- that a branch rail line to Mangere Airport is referred to as a measure to assist reaching Mangere Airport;
- duplication of airport facilities is inefficient;
- disputes the number of aircraft movements;
- states that most of the environmental effects will fall on Auckland and North Shore Cities; and
- raises funding issues associated with building the airport and the related infrastructure.

## Other Comments

### **IMF Westland New Zealand Limited** (Comment 22/555)

IMF Westland New Zealand Limited had a concern with the definition of “*Airport Activities*” in that it was considered to be too broad and could enable the development of a pseudo-retail zone. This has been addressed in the proposed Plan Change through the introduction of a new policy and by referring to specific retail services. .

### District Plan Policy Framework And Rules

The District Plan has a well established policy and rule framework. The District Plan includes a number of Special Areas, which have been utilised to provide an appropriate planning framework for unique resources. Special Area Policies and Rules are site specific, in that they only apply to the defined special area as indicated on the District Plan Maps. As noted above the Whenuapai Airbase represents a significant, unique resource in a strategic location that once lost would be very hard to replicate in the City. It is therefore considered appropriate to utilise the existing Special Area Policy and Rule framework of the District Plan to enable the future use of the Airbase as an airport.

### **Proposed Amendments To The Proposed Plan Change Arising From Issues Identified In The Comments**

As a result of the issues raised in the comments received, the following changes have been made to the proposed Plan Change;

- Additions to existing noise policies to ensure that Whenuapai Airport Special Area is referred to as well as the Airbase - Policies 10.15, 10.24 and 10.25;
- Addition of new policies and explanation text relating to the continued use of the Airbase by NZ Defence Force and provision for the airbase land to be used as a commercial airport either jointly with the NZ Defence Force or on its own, restrictions on retail and ancillary activities in the special area, the Comprehensive Development Plan framework, amenity, traffic and noise - Policies 11.17(d), 11.52,11.53,11.54, 11.56, .11.57, and 11.58;
- Amendments to the definition of “*airport activities*” to use existing District Plan terminology and to tighten the controls on ancillary activities such as retailing and other industrial activities; and
- Recognition of the landscape qualities of the existing airbase/airport.

### **The Proposed Plan Change**

A35-A53

The proposed Plan Change is attached at pages A35 to A53. The proposed Plan Change (which incorporates the above amendments) includes:

- Addition of a reference to Whenuapai Airport Special Area in Objective 11;
- Seven new policies and explanations to support the new Special Area;
- A new Special Area Rule - Rule 29, Whenuapai Airport Special Area;
- This rule enables the development of airport facilities within the Special Area as a Discretionary Activity. This Rule includes the requirement for the approval by the Council of a Comprehensive Development Plan for the whole Special Area;
- A new definition - “*Airport Activities*”;
- An amendment to the District Plan Maps to identify the Special Area which at the request of the Ministry of Defence has been slightly reduced in size;
- An amendment to the District Plan Noise Map to slightly decrease in size the existing noise contours to take into account new measuring techniques; and
- Consequential amendments throughout the District Plan.

The proposed changes are summarised below:

### **Policy Section**

- Recognition of the landscape elements of the airport in Part 3, the City’s Environment;
- Addition of the Whenuapai Airport Special Area in Part 3;
- The addition of a new bullet point to Objective 11 which specifically refers to the Whenuapai Airport Special Area.

Objective 11 is “concerned with protecting those aspects of the environment that are particularly valued by the community and recognising the varying character of each part of the City”. This Objective also “recognises the importance of maintaining and enhancing the particular elements and characteristics that define the various landscapes, local areas and neighbourhoods of the City”. It is considered appropriate that reference to the Airport Special Area which is a unique and substantial physical resource in a strategic location, should be specifically added to this Objective.

- The addition of seven new Policies and Explanation of those Policies

New Policies 11.52, 11.53, 11.54, 11.55, 11.56, 11.57 and 11.58 and related explanation refer to the Comprehensive Development Plan framework of the Whenuapai Airport Special Area Rules, the continued and joint use of the airbase by Defence, ensuring that the integrity of the Auckland Metropolitan Urban Limits is not undermined by inappropriate commercial and industrial activities, and efficient access and storage of hazardous substances at the Airport.

- Consequential and additional changes within the Policy Section to four existing Policies (Policies 10.15, 10.24, 10.25 and 11.17(d)) to recognise the implications of the Whenuapai Airport Special Area in relation to noise, other emissions and the retail hierarchy in the City

### Rules Section

- The addition of a new Special Area Rule 29, entitled the Whenuapai Airport Special Area. This enables the development of airport facilities within the Special Area as a Discretionary Activity. This Rule includes the requirement for the approval by the Council of a Comprehensive Development Plan for the whole Special Area;
- The addition of a definition of “Airport Activities”;
- Consequential changes within the Rules Section.

### Maps Section

- Amendment of the existing District Plan Maps to identify the Whenuapai Airport Special Area;
- Amendment of the District Plan Map Appendix III RNZAF Base Auckland Noise Control Area, to include a revised noise Ldn65 contour for the airport.

### Statutory Considerations and Section 32 Analysis

The purpose of a district plan, as outlined in Section 72 of the Resource Management Act, is to assist Council to carry out its functions. Councils’ functions are outlined in Section 31 as the control of actual and potential effects of the use, development or protection of land and associated natural and physical resources in order to achieve the purpose of the Act. Council is to establish, implement and review the objectives, policies and methods to achieve this and can also include rules, which prohibit, regulate or allow activities.

Section 5 describes the purpose of the Resource Management Act:

*“The purpose of this Act is to promote the sustainable management of natural and physical resources.*

(2) *In this Act, “sustainable management” means managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural well being and for their health and safety while -*

- (a) *Sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and*
- (b) *Safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and*
- (c) *Avoiding, remedying, or mitigating any adverse effects of activities on the environment.”*

Environment is defined in Section 2 of the Act as follows:

*"Environment" includes -*

- (a) *Ecosystems and their constituent parts, including people and communities; and*
- (b) *All natural and physical resources; and*
- (c) *Amenity values; and*
- (d) *The social, economic, aesthetic, and cultural conditions which affect the matters stated in paragraphs (a) to (c) of this definition or which are affected by those matters.”*

Section 74(1) of the Act is the statutory basis on which Council undertakes changes to its Plan. Section 74(1) states that:

*“A territorial authority shall prepare and change its district plan in accordance with its functions under section 31, the provisions of Part II, its duty under section 32, and any regulations.”*

Section 32 of the Act requires a rigorous test to ensure that before any objective, policy, rule or other method is adopted, a local authority has had regard to

- (3) *An evaluation must examine -  
the extent to which each objective is the most appropriate way to achieve the purpose of this Act; and  
whether, having regard to their efficiency and effectiveness, the policies, rules, or other methods are the most appropriate for achieving the objectives.*
- (3A) *The subsection applies to a rule that imposes a greater prohibition on an activity to which a national environmental standard applies than any prohibition or restriction in the standard. The evaluation of such a rule must examine whether the prohibition or restriction it imposes is justified in the circumstance of the region or the district.*
- (4) *For the purposes of the examinations referred to in 3 and 3A, an evaluation must take into account -  
the benefits and costs of policies, rules, or other methods; and  
the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the policies, rules, or other methods.*
- (5) *The person required to carry out an evaluation under subsection (1) must prepare a report summarising the evaluation and giving reasons for that evaluation.*
- (6) *The report must be available for public inspection at the same time as the document to which the report relates is publicly notified or the regulation is made.”*

A Section 32 analysis for the proposed Plan Change has been prepared and will be provided at the Council meeting. The Resource Management Act 1991 requires, via section 32(6), that the Section 32 report is made available at the time of public notification of the proposed Plan Change.

## RESOURCES

All specialist studies required for this proposed Plan Change have been completed and the resources required to progress the proposed Plan Change are available in existing budgets. Progressing the proposed Plan Change through the statutory process once it is publicly notified can be adequately resourced from existing budgets.

## CONCLUSION

The purpose of this report is to present to the Council the analysis of the comments received on the draft Plan Change and seek approval to publicly notify the Proposed Plan Change to establish an Airport Special Area at Whenuapai. The proposed Plan Change outlines the amendments to the Policy, Rules and Maps Sections of the District Plan that are required to enable the development of an airport at the existing Whenuapai Airbase.

An important part of processing a proposed Plan Change is enabling enough time for interested parties to prepare their submissions. In light of the comments received on the draft Plan Change, it is considered appropriate to double the period of time available for submissions from the statutory minimum of 20 working days to 40 working days. This ability is provided to the Council via Section 37(1)(a) of the Resource Management Act 1991.

A35-A53 This report seeks approval from the Council to publicly notify Proposed Plan Change 22, as attached at pages A35 to A53.

## RECOMMENDATIONS

1. That the Proposed District Plan Change 22: Whenuapai Airport Special Area report be received.
- A35-A53 2. That pursuant to the First Schedule to the Resource Management Act 1991, the Council resolve to publicly notify proposed Plan Change 22 relating to the Whenuapai Airport Special Area as set out in pages A35 to A53.
3. That the statutory period for public submissions for proposed Plan Change 22, Whenuapai Airport Special Area, be 40 working days from the date it is notified.

Report prepared by: Philip Brown, Group Manager: Planning & Community Services.

HV O'Rourke, MNZM, JP  
**CHIEF EXECUTIVE OFFICER**



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

### **13 CITY DEVELOPMENT COMMITTEE**

**YOUR COMMITTEE SUBMITS THE FOLLOWING REPORT OF ITS MEETING HELD ON THURSDAY, 2 NOVEMBER 2006**

#### **1. OBJECTION TO THE RE-CLASSIFICATION OF PART OF MOIRE PARK**

##### **Your Committee Recommends:**

- A54
1. That the Chief Executive Officer be given authority to apply to the Minister of Conservation under section 24 of the Reserves Act 1977 to re-classify part of Lot 241 Deposited Plan 83562 as marked on the plan as attached at page A54 as a local purpose (community buildings) reserve as specified in section 23 of that Act for the purposes of permitting the proposed extensions to the crèche building and for the purposes of granting a lease of that area of the extensions to the Leataata O Le Lumanasa'i Trust.
  2. That the Chief Executive Officer be given authority in accordance with section 24(2) of the Reserves Act 1977 to forward to the Minister of Conservation the objection received by Council in respect of the proposed re-classification of reserve land attached at page A54 together with a copy of the resolutions relating to such objections once Council has completed its consideration of the current objections.

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

1-9  
Part E

Your Committee dealt with a number of items for which it has delegated powers to act and a copy of the minutes of the meeting is attached at pages 1 to 9 in the supplement labelled Part E.

##### **Your Committee Recommends:**

That the report of the Meeting of the City Development Committee held on Thursday, 2 November 2006 be received.

PA Hulse  
**CHAIRMAN**



### **14 FINANCE AND OPERATIONAL PERFORMANCE COMMITTEE**

**YOUR COMMITTEE SUBMITS THE FOLLOWING REPORT OF ITS MEETING HELD ON MONDAY, 6 NOVEMBER 2006**

#### **MATTERS CONSIDERED**

10-18  
Part E  
Page 11  
Part H

Your Committee dealt with a number of items for which it has delegated powers to act and a copy of the minutes of the meeting is attached at pages 10 to 18 in the supplement labelled Part E. The public excluded minutes are attached at page 11 of the Confidential Supplement labelled Part H.

**Your Committee Recommends:**

That the report of the Meeting of the Finance and Operational Performance Committee held on Monday, 6 November 2006 be received.

JM Clews, QSO, JP

**CHAIRMAN**



**15 PLANNING AND REGULATORY COMMITTEE**

**YOUR COMMITTEE SUBMITS THE FOLLOWING REPORT OF ITS MEETING HELD ON TUESDAY,**

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**MATTERS CONSIDERED**

19-22  
Part E

Your Committee dealt with a number of items for which it has delegated powers to act and a copy of the minutes of the meeting is attached at pages 19 to 22 in the supplement labelled Part E.

**Your Committee Recommends:**

That the report of the Meeting of the Planning and Regulatory Committee held on day, date be received.

VS Neeson, JP

**CHAIRMAN**



**16 TE TAUMATA RUNANGA**

**I NOHO TE TAUMATA RUNANGA KOMITI MANE TE KAU MA TORUO WHIRINGA-A-RANGI 2006**

**YOUR COMMITTEE SUBMITS THE FOLLOWING REPORT OF ITS MEETING HELD ON MONDAY, 13 NOVEMBER 2006**

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**MATTERS CONSIDERED**

23-25  
Part E

Your Committee dealt with a number of items for which it has delegated powers to act and a copy of the minutes of the meeting is attached at pages 23 to 25 in the supplement labelled Part E.

**NGA TAKE E WHIRIWHIRIA**

E whakatau ana Te Taumata Runanga i nga take i whakamanangia i te ture he whakaahua o nga tuhi kua tona ki nga mema o te Kaunihera.

**Your Committee Recommends:**

That the report of the Meeting of Te Taumata Runanga held on Monday, 13 November 2006 be received.

TW Taua, MNZM  
**CHAIRMAN**



**PART F - PRESENTATIONS**

**These presentations will take place at approximately 6.30 pm.**

**17 CITATIONS**

**A NORTH HARBOUR RUGBY UNION**

The Mayor will present a Citation to the North Harbour Rugby Union in recognition of their winning the Ranfurly Shield during the 2006 Season.

**B PHILIP REVELL**

The Mayor will present a Citation to Philip Revell in recognition of his 20 years of dedication and service on the West Auckland Hospice HomeCare. Mr Revell is stepping down from Board membership.

**18 PRESENTATION BY WESTERN UNDERWATER RESEARCH TEAM**

On behalf of the Western Underwater Research Team, Mike Percy (Chairperson) and Dave Moran (Editor of Dive New Zealand Magazine) will present to Waitakere City Council a print artwork by artist Ron Steven (known also as Rogest).

**19 SIGNING OF PARTNERSHIP AGREEMENT WITH COMMUNITY WAITAKERE (FORMERLY KNOWN AS WEST AUCKLAND DISTRICT COUNCIL OF SOCIAL SERVICES)**

The City Development Committee approved a Partnering Agreement with West Auckland District Council Social Services (WADCOSS) on 6 November 2006. At the WADCOSS AGM held on 15 November 2006 Members voted to change the name under which the organisation operates to Community Waitakere. The new name will better brand the organisation as it positions itself as an agency promoting sustainable community development in the City.

The Partnering Agreement reflects the nature of the relationship with this key organisation in the community and voluntary sector and recognises its critical role in relation to social wellbeing. The agreement also reflects the shared outcomes both organisations are seeking and clarifies the respective roles of the Council and Community Waitakere in areas where both organisations have a mutual interest.

The Partnering Agreement reflects effective practice in partnering agreements as developed from the "Strengthening Communities through Local Partnerships" research undertaken in Waitakere. This agreement represents a new maturity in the relationship between the two organisations and is a 'first' in terms of shifting the formal relationship with a major community organisation to being based on a partnering agreement.

Tony Mayow (Chairperson) and Lisa Howard-Smith (Manager) will be signing on behalf of Community Waitakere.

The Mayor and the Chief Executive Officer will sign on behalf of the Waitakere City Council.



**PART G - PROCEDURAL MATTERS**

**20 QUESTIONS**

Pursuant to Standing Order 39.2, any member of the local authority may at any meeting of the local authority at the appointed time, put a question to the Mayor as Chairman of the local authority, or through the Mayor to the Chairman of any standing or special committee, or to any officer of the local authority concerning any matter relevant to the role or functions of the local authority concerning any matter that does not appear on the order paper, nor arises from any committee report or recommendation submitted to that meeting.



**21 NOTICES OF MOTION**

Pursuant to Standing Order 28.1, Notices of motion shall be in writing by the mover, stating the meeting at which it is proposed that the notice of motion be considered, and shall be delivered to the Chief Executive Officer at least five clear days before such meeting.



**PART H - PUBLIC EXCLUDED MATTER**

**22 2006 INSURANCE RENEWAL AND RELATED ISSUES**

This item will be considered in the Confidential Supplement of the agenda, and has been circulated to members separately with this agenda.

**PROCEDURAL MOTION TO EXCLUDE THE PUBLIC**

That the public be excluded from the following part of the proceedings of this meeting, namely, 2006 Insurance Renewal and Related Issues.

The general subject of the matter 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 matter 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.
2006 Insurance Renewal and Related Issues.	The withholding of information is necessary in order to: <ul style="list-style-type: none"> <li>• maintain legal professional privilege;</li> <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)(g) 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 report contains information which if released will result in loss of legal professional privilege and could affect the Council's negotiations.*



23 **CLOSING PRAYER**

