

**MINUTES OF A MEETING OF THE COUNCIL HELD AT WAITAKERE CENTRAL,
6 HENDERSON VALLEY ROAD, HENDERSON, WAITAKERE,
ON WEDNESDAY, 10 OCTOBER 2007,
COMMENCING AT 9.33 AM**

PRESENT:

Mayor	RA	Harvey, QSO, JP
Councillors	DQ	Battersby, JP
	MFP	Chan, JP
	JM	Clews, QSO, JP
	RI	Clow
	LA	Cooper
	AK	Corban, OBE, JP
	RP	Dallow, QPM, JP
	C	Harding, JP
	JP	Lawley
	VS	Neeson, JP (until 10.24 am)

OBSERVERS:

GE Barnard	(Chairman, Massey Community Board)
EAG Grimmer, MNZM	(Chairman, Henderson Community Board)
P van der Voort	(Chairman, New Lynn Community Board)
GPJ Marshall	(New Lynn Community Board)

IN ATTENDANCE:

- Chief Executive Officer
- Director: Finance
- Director: Public Affairs
- Director: Quality Assurance
- Director: Strategic Performance
- Director: Strategic Planning
- Acting Director: Corporate & Civic Services
- Group Manager: Asset Management
- Group Manager: Democracy and Support Services
- Group Manager: Service Management
- Group Manager: Financial Operations
- Group Manager: Financial Management
- Manager: Strategic Projects Group
- Manager: Legal Services
- Manager: Government Relations
- Manager: Financial Projects
- Manager: Financial Reporting
- Civil Defence Manager
- HR Manager
- Project Manager: Strategic Property Projects
- Treasury Manager
- Arts Project Manager
- Library & Information Services Manager
- Senior Transport Engineer: Transport Assets
- Acting Democracy and Governance Team Manager
- Mayoral Executive
- Committee Secretary: N Delamere

**ALSO
IN ATTENDANCE:**

- B Hanford, Audit New Zealand
- S Jenson, Audit New Zealand

1 APOLOGIES

3614/2007

MOVED by Cr Clews, seconded Cr Harding:

That apologies from Crs Stone, Flaunty and Hulse for absence, and Cr Neeson for early departure be received and sustained.

CARRIED

3615/2007

MOVED by Mayor Bob Harvey, seconded Cr Clews:

That Councillor Penny Hulse be congratulated for being appointed to the Energy Efficiency Conservation Authority.

CARRIED

2 URGENT BUSINESS

2A SCOTT ROAD HOBSONVILLE - PROPOSED LAND ACQUISITION

3616/2007

MOVED by Cr Cooper, seconded Cr Clews:

That the matter of the property acquisition at 11 Scott Road, Hobsonville be considered as Urgent Business because property negotiations that have been taking place since late September 2007 have just concluded and an offer needs to be put to the property owner immediately, to avoid the property being placed on the open market.

CARRIED

2B WALKWAY OF FAME - ADDITIONAL INDUCTEE

MOVED by Mayor Bob Harvey, seconded Cr Clow:

That the matter of the Walkway of Fame - Additional Inductee be considered as Urgent Business as the inclusion of another dignitary from Waitakere City onto the proposed 2007 Walkway of Fame listing needs to be confirmed prior to the elections.

LOST

DEFERRED

3617/2007

MOVED by Mayor Bob Harvey, seconded Cr Dallow:

That the Scott Road, Hobsonville - Proposed Land Acquisition be deferred and be dealt with in the Public Excluded section of these minutes after Item 13: Report from the Creative Communities Scheme Allocation Subcommittee - Creative Communities Scheme Allocation - First Round 2007/2008.

CARRIED

3 CONFLICTS OF INTEREST

Elected Members were reminded via the agenda, of the need to be vigilant to stand aside from decision making when a conflict arises between their role as a member of the Council and any private or other external interest they might have.

4 ANNUAL REPORT 30 JUNE 2007

3618/2007

MOVED by Cr Clews, seconded Cr Clow:

That the Annual Report 30 June 2007 be received.

CARRIED

3619/2007

MOVED by Cr Clews, seconded Cr Dallow:

That the Annual Report for 30 June 2007 which has an unqualified audit opinion be adopted.

CARRIED

5 STURGES ROAD RAIL OVERBRIDGE REPLACEMENT - FIXING OF ROAD LEVEL - OBJECTIONS

3620/2007

MOVED by Cr Clews, seconded Cr Corban:

1. That the Sturges Road Rail Overbridge Replacement - Fixing of Road Level - Objections report be received.
2. That pursuant to Standing Order 27.18 resolution 1475/2006:
 - “2. *That the recommended Option 3 - “3 Lanes and Cycle Lanes each direction”, being the preferred option for the replacement of the Sturges Road Rail Overbridge be approved.*
 3. *That a report be submitted to the Finance and Operational Performance Committee on any funding issues with the preferred option for the replacement of the Sturges Road Rail Overbridge.”*be rescinded.
3. That the Sturges Road Rail Overbridge replacement include three traffic lanes and two footpaths.

CARRIED

6 NEW LYNN TRANSIT ORIENTED DEVELOPMENT PROJECT - PROGRESS REPORT AND CONCEPT DESIGN APPROVAL

10.24 am Cr Neeson left the meeting.

3621/2007

MOVED by Cr Clews, seconded Cr Battersby:

1. That the New Lynn Transit Oriented Development Project - Progress Report and Concept Design Approval report be received.
2. That the Concept Design be approved.
3. That as necessary due to the upcoming election process, the Chief Executive Officer be delegated authority to act in all matters relating to the New Lynn TOD project, including:

- Lodgement of any consents or regulatory applications that may be required under the Resource Management Act;
 - Submission of any funding applications to LTNZ and ARTA;
 - Taking of any land identified as necessary for the project that has not already been specifically approved by Council;
 - Letting of any contracts; and
 - Finalising any financial agreements between Council and ONTRACK or ARTA.
4. That the draft partnering and funding agreement with ONTRACK be approved.
5. That a further report be submitted to Council in December 2007 on implementation and funding issues for the New Lynn Transit Orientated Development project.

CARRIED

7 REVISED SCHEDULE OF FEES FOR WATER SUPPLY, WASTEWATER AND STORMWATER SERVICE CONNECTIONS AND OTHER SERVICES

3622/2007

MOVED by Cr Battersby, seconded Mayor Bob Harvey:

1. That the Revised Schedule of Fees for Water Supply, Wastewater and Stormwater Service Connections and Other Services report be received.
2. That the schedule of fees for water supply, wastewater and stormwater service connections and other services as set out in the attached pages at A26 to A29 to the Agenda, be adopted and take effect from 1 November 2007.

CARRIED

8 AUCKLAND MOTORWAY RAMP SIGNALS

3623/2007

MOVED by Cr Clow, seconded Cr Chan:

1. That the Auckland Motorway Ramp Signals report be received
2. That the Group Manager: Asset Management be delegated authority to enter into an Agreement with Transit New Zealand for the Auckland Motorway Ramp Signals project.

CARRIED

9 METROPOLITAN URBAN LIMIT SHIFT - INTEGRATED CATCHMENT MANAGEMENT PLAN RESOURCE CONSENTS AND APPEALS

3624/2007

MOVED by Cr Cooper, seconded Cr Dallow:

1. That the Metropolitan Urban Limit Shift - Integrated Catchment Management Plan Resource Consents and Appeals report be received.
2. That the action taken in lodging appeals with the Environment Court, regarding the Metropolitan Urban Limit Shift - Integrated Catchment Management Plan Resource Consents be endorsed.

CARRIED

10 **GREAT NORTH ROAD, HENDERSON TOWN CENTRE STREETScape AND TRANSPORT IMPROVEMENTS**

3625/2007

MOVED by Cr Corban, seconded Cr Cooper:

1. That the Great North Road, Henderson Town Centre Streetscape and Transport Improvements report be received.
2. That a 440 square metre (approximate) of land adjacent to Great North Road, Henderson at Henderson Primary School Montel Avenue (PT ALLOT 8 PSH OF WAIPAREIRA) be acquired for road under the Public Works Act 1981.
3. That the Chief Executive Officer be authorised to carry out negotiations and sign all documentation necessary to complete the acquisition of land either by agreement or by compulsory acquisition.
4. That the amended budget of \$4,200,000 for the Henderson Town Centre Streetscape and Transport Improvements be approved.
5. That additional funding of \$1,383,000 be provided by adjusting the Annual Plan 2007/2008, line item for Marinich Drive Financial Contribution; that is from \$1,947,000 to \$564,000.

CARRIED

NOTE: Pursuant to Standing Order 32.12 Cr Chan requested that his vote against resolution 3625/2007 no.5 be recorded.

11 **WAITAKERE UNITED FOOTBALL CLUB - REQUEST FOR GRANT, FRED TAYLOR PARK**

DECLARATION OF INTEREST

11.04 am Cr Clow declared an interest and withdrew from table and took no part in the debate or decision on Item 11: Waitakere United Football Club - Request for Grant, Fred Taylor Park.

3626/2007

MOVED by Cr Dallow, seconded Cr Corban:

1. That the Waitakere United Football Club - Request for Grant, Fred Taylor Park report be received.
2. That subject to the Waitakere United Football Club obtaining appropriate consent and approval from Council for the proposed works and providing evidence of the cost of the works, Council officers are authorised to grant a sum of up to \$21,550 GST inclusive (being the insurance sum received for the destruction of the shade structure at the Waitakere Stadium), towards the cost of complying with NZ Soccer and FIFA venue requirements at Fred Taylor Park for the forthcoming 2007/2008 summer season.

CARRIED

11.06 am Cr Clow returned to the table.

12 DELEGATED AUTHORITY TO REPRESENT COUNCIL

3627/2007

MOVED by Cr Clews, seconded Cr Dallow:

1. That the Delegated Authority to Represent Council report be received.
2. That the Chief Executive Officer be authorised to prepare, and to sign-off and lodge a submission on behalf of the Council that supports Council's position on the Auckland Regional Amenities Funding Bill.
3. That the submission on the Auckland Regional Amenities Funding Bill be referred to the incoming Council for endorsement and decisions about representation before the Select Committee.

CARRIED

13 REPORT FROM THE CREATIVE COMMUNITIES SCHEME ALLOCATION SUBCOMMITTEE - CREATIVE COMMUNITIES SCHEME ALLOCATION - FIRST ROUND 2007/2008

3628/2007

MOVED by Cr Lawley, seconded Cr Battersby:

That the 2007/2008 First Round Creative Communities Scheme Allocation funding as set out below be approved subject to all accountabilities being assured:

App. No	Applicant (NAR)	Funding Requested	Funding Allocated
1	Living Works Trust	\$2,819	\$2,819
3	Vaitupu Association Trust	\$1,308	\$768
4	West Coast Community Arts Trust	\$5,000	\$5,000
5	Ezekiel 33 Trust	\$5,000	\$5,000
7	Auckland Festival Of Photography Trust	\$2,750	\$2,000
10	Mau Dance Ltd	\$4,830	\$4,830
11	Waitakere City Orchestra	\$1,920	-
12	Waitakere Pacific Arts & Cultural Trust	\$5,000	-
15	Te Rautahi Maori Culture Group	\$2,900	\$2,900
16	Interacting Trust	\$5,000	\$2,948
18	Te Ukaipo Mercy Initiatives Rangatahi	\$5,000	\$5,000
20	Massey High School	\$3,800	\$3,800
22	Te Runanga O Te Kura O Waitakere	\$2,520	\$2,000
25	Antique Fabric & Lace	\$4,668	-
26	Splore Dynamics Ltd	\$3,500	\$3,500
27	Miranda Brown	\$2,800	\$2,800
2	Thaumatology Visual Associates	\$5,000	\$4,000
29	Stage Challenge Foundation	\$5,000	\$4,000
30	Ranui Community House	\$2,106	\$1,553
13	Ohomairangi Ltd	\$2,840	-
19	Tokelau Community - Waitakere City	-	-
23	Antique Fabric & Lace	-	-
6	Filipino Society Inc	-	-
8	Chinese New Settlers Services Trust	-	-
9	West Auckland Primary Schools Multicultural Festival	-	-
17	Klapa Dalmatina	-	-
21	Kelly King	-	-

App. No	Applicant (NAR)	Funding Requested	Funding Allocated
24	Harmonic Overtone Workshop	-	-
28	New Zealand Comedy Trust	-	-
14	Massey Community House Inc	-	-
	Total	\$73,761	\$52,918

CARRIED

PUBLIC EXCLUDED MATTER

2A SCOTT ROAD HOBSONVILLE - PROPOSED LAND ACQUISITION

PROCEDURAL MOTION TO EXCLUDE THE PUBLIC

3629/2007

MOVED by Cr Dallow, seconded Cr Harding:

That the public be excluded from the following part of the proceedings of this meeting namely, Scott Road Hobsonville - Proposed Land Acquisition.

The general subject of the matter to be considered while the public is excluded, the reason for passing this resolution in relation of the matter, 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.
Scott Road Hobsonville - Proposed Land Acquisition.	The withholding of information is necessary in order to: <ul style="list-style-type: none"> enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations). 	That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist

This resolution is made in reliance on Section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by Section 7(2)(i) of that Act which would be prejudiced by the holding of the relevant part of the proceedings of the meeting in public as follows:

- *The report contains information which if released could affect Council's negotiations.*

CARRIED

11.17 am The public were excluded.

Minute Number 3630/2007 is recorded in the Confidential Section of these Minutes.

11.25 am The public were readmitted.

RESTATEMENT

Council resolved while the public were excluded:

Scott Road Hobsonville - Proposed Land Acquisition

(Moved by Cr Cooper, seconded Cr Dallow) (resolution 3630/2007 no. 4) *"That the Scott Road Hobsonville: Proposed Land Acquisition Agenda report and associated resolutions remain confidential until such time as the reasons for confidentiality no longer exist."*

11.26 am

The Chairperson thanked Members for their attendance and attention to business and declared the meeting closed.

CONFIRMED AS A TRUE RECORD.

DATE:.....

CHAIRMAN:.....

CHIEF EXECUTIVE OFFICER:.....