

**AGENDA FOR A MEETING OF THE COUNCIL TO BE HELD AT WAITAKERE CENTRAL,
6 HENDERSON VALLEY ROAD, HENDERSON, WAITAKERE, ON WEDNESDAY,
15 AUGUST 2007, COMMENCING AT 9.30 AM**

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1 APOLOGIES



2 URGENT BUSINESS

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

- (i) the Council by resolution so decides; and
- (ii) the 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.



3 CONFLICTS OF INTEREST

The Council has acknowledged in its Code of Conduct that Elected Members 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. This note is provided as a reminder to members to check that no such conflicts arise in relation to any items on this Agenda.



4 PRESENTATION - WESTGATE AND HOBSONVILLE UPDATE REPORT

GLOSSARY

Hobsonville Land Company	HLC
IMF New Zealand Limited	IMF
Memorandum of Understanding	MoU
Auckland Regional Council	ARC
Metropolitan Urban Limit	MUL
Local Government (Auckland) Amendment Act 2004	LG(A)AA

PURPOSE OF THE REPORT

The purpose of this report is to update the Council on the proposed developments at Westgate and Hobsonville. Presentations will also be made by two of the Council's key development partners for Westgate and Hobsonville, IMF New Zealand Limited (IMF) and the Hobsonville Land Company (HLC).

BACKGROUND

The joint Hearings Panel recommendations and the subsequent Council and Auckland Regional Council (ARC) decisions on moving the Memorandum of Understanding (MoU) and plan changes were released by the ARC on 31 July 2007. There is a period of 30 days from the date of receipt of the decisions, for submitters to lodge an appeal. The focus of work now shifts to planning for the implementation of development in these areas. The Council has established relationships with two key stakeholders.

Hobsonville Land Company

HLC is committed to creating a flagship sustainable development that protects and enhances the vision for development. It will include the integration of latest thinking in urban design, transport, services infrastructure (including IT), social infrastructure, built-form and sustainability. There will be a mix of social and private market housing.

IMF New Zealand Limited

It is estimated that IMF now has assets valued at over \$400 million, which includes shopping centres at Westgate, Milford, Highbury, Hobsonville, Fraser Cove and Tauriko - a major town centre in Tauranga. IMF is unique in that it is a solely New Zealand-owned company based in Waitakere. The Council has been working cooperatively with IMF for the last three years through an MoU.

STRATEGIC CONTEXT

The integrated urban development of the Westgate and Hobsonville areas will contribute to the Urban and Rural Villages platform, the Integrated Transport and Communications platform, the Strong Innovative Economy Platform, the Strong Communities platform, the Green Network platform, the Three Waters platform, and the Sustainable Energy and Clean Air platform. This will be achieved through a greater level of self-sufficiency by the creation of local jobs, reduction in car travel and the incorporation of more sustainable methods during the construction of the developments.

ISSUES

A significant amount of work in developing the concept plans and development proposals for areas at either end of the corridor has been undertaken as part of preparing for the joint Hearings Panel process. Land owners for each of these areas are now in a position to present development plans to the Council for information.

HLC is holding Open Days for interested members of the public to have the opportunity to see and comment on the latest plans for the development of the area. These will be held on Thursday, 23 August 2007 from 2.00 pm to 6.30 pm, and Saturday, 25 August 2007, from 10.00 am to 2.00 pm at 5 Marlborough Crescent, Hobsonville (on the former airbase).

RESOURCES

Officers continue to work with the development industry and land owners to implement the policies, rules and concept plans established through the Local Government (Auckland) Amendment Act 2004 (LG(A)AA) process.

CONCLUSION

A large proportion of the strategic planning work for the Westgate and Hobsonville areas has been completed. The strategic direction for the future development of this area has been established through the recent plan changes to the District Plan. It is likely that there will be some appeals to these plan changes, but in the main the direction set will be retained. The focus now is on working through a range of issues in greater detail that will enable quality development in these key growth areas of the City. The presentations from IMF and the HLC demonstrate that future development of the area will be aligned with the strategic goals espoused by the Eco-City.

RECOMMENDATIONS

1. That the Westgate and Hobsonville Update report be received.
2. That the presentations from IMF New Zealand Limited and the Hobsonville Land Company be received.
3. That these presentations be made available to the Massey Community Board for its information.

Report prepared by: Yvonne Rust, Chief Advisor: Town Centre Development and Jeff Murray, Acting Manager Urban Design and Development.



5 POSITION OF CHIEF EXECUTIVE OFFICER

PURPOSE OF THE REPORT

The purpose of the report is to enable Council to confirm the appointment of a Chief Executive Officer, in view of the current contract expiring on 31 March 2008.

BACKGROUND

At the Extraordinary Meeting of Council held on Monday, 12 March 2007, Council resolved to commence a recruitment process for the position of Chief Executive Officer after considering that the current contract expires 31 March 2008.

The Performance Review Committee was delegated the task of dealing with the recruitment process and recommended to Council on Wednesday, 11 July 2007, the preferred candidates for the role. Council subsequently resolved at that meeting that the Mayor and Deputy Mayor have delegated authority to negotiate with the preferred candidate. Council is now required to formally confirm the appointment of the successful candidate.

Legal Requirements

The Council was legally required to advertise the position of Chief Executive Officer, as a further extension of the current contract was not permitted under current legislation.

RECOMMENDATIONS

1. That the Position of Chief Executive Officer report be received.
2. That in terms of Section 42 as read with Sections 33 and 34 of Schedule 7 of the Local Government Act 2002, Vijaya Vaidyanath be appointed as Chief Executive Officer Designate for Waitakere City Council, effective from 1 February 2008 until 31 March 2008.
3. That in terms of Section 42 as read with Sections 33 and 34 of Schedule 7 of the Local Government Act 2002, Vijaya Vaidyanath be appointed as Chief Executive Officer for Waitakere City Council effective from 1 April 2008. The contract term is for a period of five years.

Report prepared by: Ray Day, Executive Manager.



6 RESIGNATION OF COUNCILLOR EWEN GILMOUR

PURPOSE OF THE REPORT

The purpose of this report is to advise Council of the resignation of Councillor Ewen Gilmour as an Elected Member of the Council, and to consider any reallocation of appointments that may be necessary.

BACKGROUND

A1

Councillor Ewen Gilmour, representative for the Henderson Ward, submitted his resignation from that position, for family and business reasons, to the Chief Executive Officer on 3 August 2007. The resignation took effect on the day it was received by the Chief Executive Officer (Local Government Act 2002, Schedule 7, Clause 4 (2)). The letter of resignation is attached at page A1.

ISSUES

Vacancy

The resignation of Councillor Ewen Gilmour has created an extraordinary vacancy in accordance with Clause 5 of Schedule 7 of the Local Government Act 2002 and Sections 117 to 120 of the Local Electoral Act 2001.

Section 117 (2) provides that, as the vacancy has occurred 12 months or less before the next triennial election, the Council must be notified of the vacancy and section 117 (3) gives the Council the option of determining whether:

- (a) To fill the vacancy by the appointment of a person qualified to be elected as a Member; or
- (b) To not fill the vacancy.

Appointments

Appointments held by Councillor Ewen Gilmour at the time of his resignation included:

(a) Council Committees and Special Committees

- Council;
- City Development Committee;
- Finance and Operational Performance Committee;
- Planning and Regulatory Committee;
- Long Term Council Community Plan and Annual Plan Special Committee;
- Culture, Arts and Events Special Committee; and
- Youth Council.

(b) Community Board

- Henderson Community Board.

(c) Ad Hoc/External Organisations

- Corban Estate Arts Centre;
- Glen Eden Playhouse Theatre;
- Community Action on Youth and Drugs;
- Henderson Heritage Trust Incorporated;
- Te Atatu South Library Working Group; and
- Waitakere Action on Climate Change and Energy and Work Programme Working Group.

The Council may wish to consider appointing a Councillor to some or all of these appointments.

RESOURCES

No additional resources are required.

CONCLUSION

The resignation of Councillor Ewen Gilmour has created an extraordinary vacancy which the Council must decide whether to fill or not. With less than two months to the next triennial election, it would be appropriate to not fill the vacancy by appointment.

It is also not considered necessary to fill the vacancy left on Council Committees and the Community Board for the short time left in this term, but the Council may want to consider making appointments of replacement representatives to Ad Hoc/external organisations.

RECOMMENDATIONS

1. That the Resignation of Councillor Ewen Gilmour report be received.
2. That, with the resignation of Councillor Ewen Gilmour, the Council determine not to fill the vacancy, in accordance with the provisions of Section 117 (3) (b) of the Local Electoral Act 2001.
3. That, with the resignation of Councillor Ewen Gilmour, the Council consider making appointments of a replacement representative to the following organisations until Election Day, Saturday, 13 October 2007.

Ad Hoc/External Organisations

- Corban Estate Arts Centre;
- Glen Eden Playhouse Theatre;
- Community Action on Youth and Drugs;

- Henderson Heritage Trust Incorporated;
- Te Atatu South Library Working Group; and
- Waitakere Action on Climate Change and Energy and Work Programme Working Group.

Report prepared by: Darryl Griffin, Group Manager: Democracy and Support Services.



PUBLIC EXCLUDED MATTER

7 CHIEF EXECUTIVE OFFICER EMPLOYMENT PROCESS MATTERS

This item will be considered in the Confidential Supplement of the agenda, and will be circulated separately to the Agenda.

PROCEDURAL MOTION TO EXCLUDE THE PUBLIC

That the public be excluded from the following part of the proceedings of this meeting, namely, Chief Executive Officer Employment Process Matters.

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.
Chief Executive Officer Employment Process Matters	The withholding of information is necessary in order to: <ul style="list-style-type: none"> • protect the privacy of natural persons, including that of deceased natural persons. 	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)(a) 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 relating to the Chief Executive Officer employment contract.*

