

AGENDA FOR A MEETING OF THE COUNCIL TO BE HELD AT WAITAKERE
CENTRAL, 6 HENDERSON VALLEY ROAD, HENDERSON, WAITAKERE,
ON THURSDAY, 26 APRIL 2007 COMMENCING AT 5.30 PM

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ON THURSDAY, 26 APRIL 2007 COMMENCING AT 5.30 PM**

PART A - OPENING OF MEETING

1 OPENING PRAYER

Reverend Ben Goodall from the New Lynn Bible Chapel will say the Opening Prayer.



2 APOLOGIES



3 CONFIRMATION OF MINUTES

Meeting Minutes - Wednesday, 21 March 2007
- Wednesday, 28 March 2007

RECOMMENDATION

That the minutes of the Meetings of the Council held on Wednesday, 21 March 2007 and Wednesday, 28 March 2007, as circulated, be taken as read and now be confirmed.



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 will be circulated under separate cover with this agenda.

RECOMMENDATIONS

1. That the Report of the Mayor be received.
2. That the New Lynn Community Board explore an acknowledgement of the late Pinesong owner, Mrs Thora Conlon, outside of the complex itself, and report back on the best option.

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, 2 APRIL 2007

MATTERS CONSIDERED

1-5
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 5 in the supplement labelled Part C.

The Board Recommends:

That the report of the Meeting of the New Lynn Community Board held on Monday, 2 April 2007 be received.

P van der Voort. JP

CHAIRMAN



6 WAITAKERE COMMUNITY BOARD

THE BOARD SUBMITS THE FOLLOWING REPORT OF ITS MEETING HELD ON TUESDAY, 3 APRIL 2007

MATTERS CONSIDERED

6-10
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 6 to 10 in the supplement labelled Part C.

The Board Recommends:

That the report of the Meeting of the Waitakere Community Board held on Tuesday, 3 April 2007 be received.

CA Shepherd, JP
CHAIRMAN



7 MASSEY COMMUNITY BOARD

THE BOARD SUBMITS THE FOLLOWING REPORT OF ITS MEETING HELD ON WEDNESDAY, 4 APRIL 2007

MATTERS CONSIDERED

*11-20
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 11 to 20 in the supplement labelled Part C.

The Board Recommends:

That the report of the Meeting of the Massey Community Board held on Wednesday, 4 April 2007 be received.

GE Barnard
CHAIRMAN



8 HENDERSON COMMUNITY BOARD

THE BOARD SUBMITS THE FOLLOWING REPORT OF ITS MEETING HELD ON THURSDAY, 5 APRIL 2007

MATTERS CONSIDERED

*21-24
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 21 to 24 in the supplement labelled Part C.

The Board Recommends:

That the report of the Meeting of the Henderson Community Board held on Thursday, 5 April 2007 be received.

EAG Grimmer, MNZM
CHAIRMAN



PART D - REPORT OF THE CHIEF EXECUTIVE OFFICER

9 TENDERS SUBCOMMITTEE - REVISED DELEGATIONS

PURPOSE OF THE REPORT

The purpose of this report is to review and approve revised delegations for the Tenders Subcommittee.

BACKGROUND

Following Audit New Zealand comment on Council's tendering process, Steve McDowell Consulting Limited was engaged to review those comments and recommend possible improvements. That report suggested implementation solutions in respect of the recommendation to review the membership and function of the Tenders Subcommittee to clearly separate the procurer and the decision-maker.

Steve McDowell Consulting Limited recommendations, insofar as the Tenders Subcommittee is concerned, are quoted from the report as follows:

"7 Specific initiatives such as an active declaration and management assessment process should be considered to raise awareness of senior staff and members of the Council's Tenders Committee of the conflict of interest policy

Recommendation

- 7.1 Should recommendation 6.1 - 6.4 be adopted then no further action is proposed for this issue (6.1 to 6.4 refer to raising awareness of staff of conflicts of interest policy especially with procurement and key decision-making issues)*
- 7.2 That if voting members of the Tenders Sub Committee have, or believe they may have, a position of conflict of interest, that it be declared at the meeting and recorded in the minutes*
- 10 Council should review the membership and/or function of the Tenders Committee in relation to the desirability of a separation between procurer and the decision maker.*

Recommendation

- 10.1 That the quorum of the Tenders Sub Committee be changed from four members to three but that at least one elected members form part of the quorum*
- 10.2 That Directors not vote at the Tenders Sub Committee meeting where they have approved reports or recommendations from within their directorate, but that Directors provide advice at the meetings on relevant matters relating to those contracts.
The effect of this is that Directors can vote on matters arising from their Directorate at the Tenders Sub Committee provided that they have not been part of the approval process for that report to be placed on the agenda.*
- 10.3 That the Director: Quality Assurance not be an appointed member of the Tenders Sub Committee to recognise the importance in separating the decision-making and audit/monitoring functions of contract procurement and management.*
- 10.4 That the Director Quality Assurance be authorised to attend meetings of the Tenders Sub Committee and be granted speaking rights on the invitation of the Chair."*

ISSUES

The recommendation reducing the quorum to three with at least one Elected Member of the Council forming part of the quorum has been included in the revised delegations.

The recommendation that Directors not vote at the Tenders Subcommittee when they have approved reports, has been included in the revised delegations. That Director will be able to present and offer advice to the Tenders Subcommittee in support of that report.

There is a recommendation that the Director: Quality Assurance not be an appointed member of the Tenders Subcommittee but that that Director be authorised to attend meetings. This is to recognise the importance of separating decision-making and audit/monitoring functions of contract and procurement. It is suggested that this be accommodated by appointing the Director: Quality Assurance, or an alternate acting with his delegated authority, to be the officer providing management support to the Tenders Subcommittee. This is the equivalent process to the role of the Director: Finance to the Finance and Operational Performance Committee, for example.

With the review of the Delegations to the Tenders Subcommittee the opportunity has also been taken to change the membership. The recommendation is to add the Directors of Strategic Performance and Strategic Planning (replacing the Director: Strategy and Development as that position has now been split), to add the Director: Public Affairs who is the only other Director not a member and to remove the Maori Relationships Manager from the membership.

Other changes to the Delegated Powers are editorial only.

CONCLUSION

A1-A2

The Council is requested to consider and approve changes to the Delegations to the Tenders Subcommittee. A revised Delegation for the Tenders Subcommittee is attached at pages A1 to A2.

RECOMMENDATIONS

1. That the Tenders Subcommittee - Revised Delegations report be received.
2. That the revised delegations set out on pages Axx to Axx for the Tenders Subcommittee be approved.

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



10 REPRESENTATION ON TE TAUMATA RUNANGA

PURPOSE OF REPORT

The purpose of this report is to request Council to formally appoint replacement representatives to Te Taumata Runanga.

BACKGROUND

Formal advice has been received from Te Wahine Maori Toko I Te Ora regarding the replacement of Evelyn Taumaunu as the representative on Te Taumata Runanga. Formal advice has also been received from Hoani Waititi Marae recommending Warahi Paki as the representative for that organisation.

ISSUES

Te Wahine Maori Toko I Te Ora has advised that June Mariu will be its new representative. June Mariu was the alternative representative for Te Wahine Maori Toko I Te Ora and the Council will be advised of its replacement alternative representative at a later date.

Hoani Waititi Marae has advised that Warahi Paki will be its new representative as this position was left vacant after the passing of Fraser Delamere.

CONCLUSION

The nominations of a replacement member for Te Wahine Maori Toko I Te Ora and a replacement member for Hoani Waititi Marae are brought before the Council for formal appointment.

RECOMMENDATIONS

1. That the Representation on Te Taumata Runanga report be received.
2. That June Mariu be appointed as Te Wahine Maori Toko I Te Ora representative on Te Taumata Runanga replacing Evelyn Taumaunu.
3. That Warahi Paki be appointed as Hoani Waititi Marae representative on Te Taumata Runanga.

Report prepared by: Ngareta Delamere, Committee Secretary.

HV O'Rourke
CHIEF EXECUTIVE OFFICER



11 **AUCKLAND REGIONAL COUNCIL 2007/2008 DRAFT ANNUAL PLAN SUBMISSION**

PURPOSE OF THE REPORT

The purpose of this report is to outline the proposed written submission to the Auckland Regional Council's 2007/2008 draft Annual Plan as Year 2 of its Long Term Council Community Plan and to seek the Council's endorsement of the submissions.

BACKGROUND

The Auckland Regional Council has released a draft 2007/2008 Annual Plan for public consultation. This plan describes a number of key activities that are of particular interest to this Council.

STRATEGIC CONTEXT

The areas for submission from this Council to the draft ARC Annual Plan are made within the strategic context of this Council's nine strategic platforms and the Community Outcomes for Waitakere.

The draft submissions are in line with Council's Transport Strategy and the agreed commitment to work regionally on the Long Term Sustainability Framework and the review of the Auckland Regional Growth Strategy.

ISSUES

A3-A5 The draft submissions to Auckland Regional Council's draft 2007/2008 Annual Plan are attached at pages A3 to A5.

The main areas the Council wishes to submit on are:

1. Transport funding.
2. The development of the Long Term Sustainability Framework and the related activity areas in the Regional Growth Strategy, the Regional Land Transport Strategy and the Auckland Regional Economic Development Strategy.
3. Built Environment deliverables.

Waitakere will also request to present these at the Auckland Regional Council Annual Plan Hearings.

RESOURCES

No additional resources apart from staff time are required.

CONCLUSION

The Auckland Regional Council has released a draft 2007/2008 Annual Plan for public consultation.

The Council wishes to make submissions on Transport funding and the development of the Long-Term Sustainability Framework.

RECOMMENDATIONS

1. That the Auckland Regional Council 2007/2008 Draft Annual Plan Submission report be received.
2. That comments on the draft submissions be included in the final submission to the Auckland Regional Council's 2007/2008 Annual Plan.
3. That the final submissions be signed off by the Chief Executive and the Mayor.
4. That Council appoint Councillor _____ to work with officers in finalising and presenting the Council's verbal submission to the Auckland Regional Council's draft 2007/2008 Annual Plan deliberations.

Report prepared by: Graeme Campbell, Director: Strategic Planning.



PART E - REPORTS FROM THE STANDING COMMITTEES

12 CITY DEVELOPMENT COMMITTEE

YOUR COMMITTEE SUBMITS THE FOLLOWING REPORT OF ITS MEETING HELD ON THURSDAY, 5 APRIL 2007

MATTERS CONSIDERED

*1-10
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 10 in the supplement labelled Part E.

Your Committee Recommends:

That the report of the Meeting of the City Development Committee held on Thursday, 5 April 2007 be received.

PA Hulse
CHAIRMAN



13 PLANNING AND REGULATORY COMMITTEE

YOUR COMMITTEE SUBMITS THE FOLLOWING REPORT OF ITS MEETINGS HELD ON TUESDAY, 10 APRIL 2007,

MATTERS CONSIDERED

*11-16
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 11 to 16 in the supplement labelled Part E.

Your Committee Recommends:

That the report of the Meeting of the Planning and Regulatory Committee held on Tuesday, 10 April 2007 be received.

VS Neeson, JP
CHAIRMAN



14 **FINANCE AND OPERATIONAL PERFORMANCE COMMITTEE**

YOUR COMMITTEE SUBMITS THE FOLLOWING REPORT OF ITS MEETING HELD ON MONDAY, 16 APRIL 2007

1. **DON BUCK ROAD AND RED HILLS ROAD INTERSECTION, MASSEY - PROPOSED ACQUISITION OF LAND FOR ROADING PURPOSES**

Your Committee Recommends:

That the Chief Executive Officer be authorised to proceed with the acquisition for road by way of declaration under Section 114 of the Public Works Act 1981 of approximately 98 square metres of land being part Section 5 Block XIV Waitemata Survey District, held by the Crown for a Local Purpose Reserve and administered by the Massey Birdwood Settlers Association Incorporated.

Your Committee Recommends:

That the report of the Meeting of the Finance and Operational Performance Committee held on Monday, 16 April 2007 be received.

2. **PUBLIC EXCLUDED REPORT FROM THE FINANCE AND OPERATIONAL PERFORMANCE COMMITTEE**

1-2
Part H

The recommendations on the following matters will be considered in the Public Excluded section of the meeting as Item 19 (attached at pages 1 and 2 in the Confidential Supplement labelled Part H):

- i) Glenview Road Rail Crossing - Proposed Acquisition of Land for Road.
- ii) Proposed Land Acquisitions: New Lynn Transit Oriented Development Project.
- iii) 530 To 568 Te Atatu Road Encroachment.

3. **OTHER MATTERS CONSIDERED**

17-25
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 17 to 25 in the supplement labelled Part E.

JM Clews, QSO, JP
CHAIRMAN



15 TE TAUMATA RUNANGA

The meeting scheduled to be held on Monday, 16 April 2007 lapsed due to want of a Quorum. Accordingly, it has been rescheduled to Monday, 23 April 2007. Recommendations from this meeting will be circulated separately.



PART F - PRESENTATION

These presentations are scheduled to take place at 6.30 pm

16 CITATION

Mayor Bob Harvey will give a Citation to Tai and Stephanie Harawira, in recognition of their contribution to the Ezekiel 33 Trust.



PART G - PROCEDURAL MATTERS

17 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.



18 **NOTICE OF MOTION**

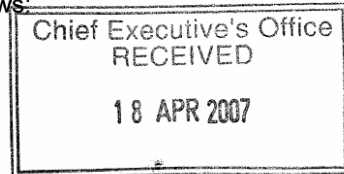
Pursuant to Standing Order 28.1 the following Notice of Motion has been received requesting the revocation of resolution no. 588/2007 previously passed at the meeting of the City Development Committee held on 5 April 2007. Pursuant to Standing Order 27.17 the previous resolution may be revoked or altered by the consent of 75% of Members present and voting.

12 April 2007

Notice to go to Council Meeting Scheduled for Thursday 26 April 2007 D.D. Satterly

NOTICE OF MOTION

We the undersigned Councillors wish to rescind resolution 588/2007 passed at a meeting of the City Development Committee held on 5 April 2007 as follows:



TRASH TO FASHION® 2007

588/2007
MOVED by Cr Lawley, seconded Cr Cooper:

1. That the Trash to Fashion® 2007 report be received.
2. That the City Development Committee approves the implementation of (Option 2) of the report from Dazzle Events attached to the Agenda and that the funding issues be referred to the Annual Plan process.

CARRIED

D. Satterly
A. Cooper
Peter Chan
[Signature]
[Signature]
Carl [Signature]
[Signature]

Received 8:43 AM
[Signature]

To DG for ACTION to COUNCIL
copy for Rem MCL



PART H - PUBLIC EXCLUDED MATTERS

19 REPORT FROM FINANCE AND OPERATIONAL PERFORMANCE COMMITTEE -

- 1. GLENVIEW ROAD RAIL CROSSING - PROPOSED ACQUISITION OF LAND FOR ROAD**
- 2. PROPOSED LAND ACQUISITIONS: NEW LYNN TRANSIT ORIENTED DEVELOPMENT PROJECT**
- 3. 530 TO 568 TE ATATU ROAD ENCROACHMENT**

These items will be considered in the Confidential Supplement of the agenda, and have been circulated to members separately with this agenda.

PROCEDURAL MOTION TO EXCLUDE THE PUBLIC

That the public be excluded from the following parts of the proceedings of this meeting, namely, Report from Finance and Operational Performance Committee - Glenview Road Rail Crossing - Proposed Acquisition of Land for Road; Proposed Land Acquisitions: New Lynn Transit Oriented Development Project and 530 to 568 Te Atatu Road Encroachment

The general subject of the matters to be considered while the public is excluded, the reason for passing this resolution in relation of the matters, and the specific grounds under Section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

General subject of the matters to be considered.	Reason for passing this resolution in relation to the matters.	Ground(s) under Section 48(1)(a) for the passing of this resolution.
Glenview Road Rail Crossing - Proposed Acquisition of Land for Road	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.
Proposed Land Acquisitions: New Lynn Transit Oriented Development Project	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.
530 to 568 Te Atatu Road Encroachment	The withholding of information is necessary in order to: <ul style="list-style-type: none"> • enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations). 	That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist.

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

- *The reports contain information which if released could affect the Council's negotiations.*



20 **CLOSING PRAYER**

