

**MINUTES OF A MEETING OF THE COUNCIL HELD AT WAITAKERE CENTRAL,
6 HENDERSON VALLEY ROAD, HENDERSON, WAITAKERE, ON
THURSDAY, 26 APRIL 2007, COMMENCING AT 5.32 PM.**

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**MINUTES OF A MEETING OF THE COUNCIL HELD AT WAITAKERE CENTRAL,
6 HENDERSON VALLEY ROAD, HENDERSON, WAITAKERE, ON
THURSDAY, 26 APRIL 2007, COMMENCING AT 5.32 PM.**

PRESENT:

| | | |
|--------------|-----|-----------------|
| Mayor | RA | Harvey, QSO, JP |
| Deputy Mayor | CA | Stone |
| Councillors | DQ | Battersby, JP |
| | MFP | Chan, JP |
| | JM | Clews, QSO, JP |
| | RI | Clow |
| | LA | Cooper |
| | AK | Corban, OBE, JP |
| | DE | Gilmour |
| | C | Harding, JP |
| | PA | Hulse |
| | JP | Lawley |
| | VS | Neeson, JP |

OBSERVERS:

| | |
|---------------------|---------------------------------------|
| M Te Huia | (Deputy Chairman, Te Taumata Runanga) |
| EAG Grimmer, MNZM | (Chairman, Henderson Community Board) |
| GE Barnard | (Chairman, Massey Community Board) |
| P van der Voort, JP | (Chairman, New Lynn Community Board) |
| CA Shepherd, JP | (Chairman, Waitakere Community Board) |
| GPJ Marshall | (New Lynn Community Board) |
| SF Davies | (Waitakere Community Board) |

IN ATTENDANCE:

Chief Executive Officer
Director: Corporate & Civic Services
Director: Finance
Director: Public Affairs
Director: Strategic Planning
Group Manager: Democracy and Support Services
Group Manager: Rates
Group Manager: Urban and Environmental Strategy
Manager: Legal Services
Manager: Transport Strategy
Manager: Government Relations
Manager: Security
Manager: Arts
Executive Manager
Democracy and Governance Team Manager
Mayoral Executive
Democracy Support and Sister City Officer
Committee Secretary: N Delamere
O Schuster
A Chan
Committee Administrator: D Tukutama

PART A - OPENING OF MEETING

1 OPENING PRAYER

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

2 APOLOGIES

697/2007

MOVED by Cr Cooper, seconded Cr Neeson:

That apologies from Crs Dallow and Flaunty for absence be received and sustained.

CARRIED

3 CONFIRMATION OF MINUTES

698/2007

MOVED by Cr Corban, seconded Cr Chan:

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

CARRIED

4 URGENT BUSINESS

There was no Urgent Business.

PART B - REPORT OF THE MAYOR

699/2007

MOVED by Cr Clews, seconded Cr Hulse:

1. That the Report of the Mayor be received.
2. That the New Lynn Community Board explore possible ways of acknowledging the late owner, Mrs Thora Conlon, outside of the Pinesong complex itself, and report back on the best option.
3. That the issues of difficulties around the policing of the City's trouble spots be referred to the May 2007 meeting of the Planning and Regulatory Committee.

CARRIED

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

5 NEW LYNN COMMUNITY BOARD

700/2007

MOVED by Cr Clews, seconded Cr Clow:

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

CARRIED

6 WAITAKERE COMMUNITY BOARD

701/2007

MOVED by Cr Hulse, seconded Cr Harding:

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

CARRIED

7 MASSEY COMMUNITY BOARD

702/2007

MOVED by Cr Cooper, seconded Cr Neeson:

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

CARRIED

8 HENDERSON COMMUNITY BOARD

703/2007

MOVED by Cr Corban, seconded Cr Gilmour:

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

CARRIED

PART D - REPORT OF THE CHIEF EXECUTIVE OFFICER

9 TENDERS SUBCOMMITTEE - REVISED DELEGATIONS

704/2007

MOVED by Cr Corban, seconded Cr Clow:

1. That the Tenders Subcommittee - Revised Delegations report be received.
2. That the revised delegations set out on pages A1 and A2 of the Agenda for the Tenders Subcommittee be approved.

CARRIED

10 REPRESENTATION ON TE TAUMATA RUNANGA

705/2007

MOVED by Cr Cooper, seconded Cr Lawley:

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.

CARRIED

11 AUCKLAND REGIONAL COUNCIL 2007/2008 DRAFT ANNUAL PLAN SUBMISSION

706/2007

MOVED by Cr Harding, seconded Cr Gilmour:

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 Waitakere City Council submission on the Auckland Regional Council draft 2007/2008 Annual Plan be signed off by the Chief Executive Officer and the Mayor.
4. That Council appoints Councillor Clews, with Councillor Hulse as alternate, to work with Council officers in finalising and presenting the Council's verbal submission to the Auckland Regional Council's draft 2007/2008 Annual Plan deliberations.

CARRIED

PART E - REPORTS FROM THE STANDING COMMITTEES

12 CITY DEVELOPMENT COMMITTEE

707/2007

MOVED by Cr Hulse, seconded Cr Cooper:

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

CARRIED

13 PLANNING AND REGULATORY COMMITTEE

708/2007

MOVED by Cr Neeson, seconded Cr Corban:

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

CARRIED

14 FINANCE AND OPERATIONAL PERFORMANCE COMMITTEE

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

709/2007

MOVED by Cr Clews, seconded Cr Gilmour:

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.

CARRIED

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

- 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.

DEFERRED

710/2007

MOVED by Clews, seconded Gilmour:

That the Public Excluded Report from the Finance and Operational Performance Committee be deferred at this time and considered as Item 19: Report from the Finance and Operational Performance Committee in the Confidential Section.

CARRIED

3. OTHER MATTERS CONSIDERED

711/2007

MOVED by Cr Clews, seconded Cr Corban:

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

CARRIED

15 TE TAUMATA RUNANGA

712/2007

MOVED by Cr Lawley, seconded Cr Cooper:

That the report of the Meeting of Te Taumata Runanga held on Monday, 23 April 2007 be received.

CARRIED

PRECEDENCE OF BUSINESS

713/2007

MOVED by Cr Cooper, seconded Cr Neeson:

That Part G - Procedural Matters, Item 17: Questions and Item 18: Notice of Motion be accorded precedence at this time.

CARRIED

PART G - PROCEDURAL MATTERS

17 QUESTIONS

There were no Questions.

18 NOTICE OF MOTION

That the following resolution 588/2007 passed at a meeting of the City Development Committee held on 5 April 2007 be rescinded:

- "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 at pages S5 to S6 in the supplement to the Agenda and that the funding issues be referred to the Annual Plan process."*

Cr Battersby stated that he wished to alter his original notice of motion to include an additional point and this was agreed to by the Council in accordance with Sanding Order 28.4.

ALTERATION TO THE NOTICE OF MOTION

Moved by Cr Battersby, seconded Cr Harding:

1. That the following resolution 588/2007 passed at a meeting of the City Development Committee held on 5 April 2007 be rescinded:
 - (a) That the Trash to Fashion® 2007 report be received.
 - (b) That the City Development Committee approves the implementation of (Option 2) of the report from Dazzle Events attached at pages S5 to S6 in the supplement to the Agenda and that the funding issues be referred to the Annual Plan process.
- 2. That consideration of the options be the subject of a further report to the City Development Committee at its meeting on 3 May 2007.**

Cr Clews requested that the resolutions be put individually.

The Chairman put the resolutions individually.

714/2007

Moved by Cr Battersby, seconded Cr Harding:

1. That the following resolution 588/2007 passed at a meeting of the City Development Committee held on 5 April 2007 be rescinded:
 - (a) That the Trash to Fashion® 2007 report be received.
 - (b) That the City Development Committee approves the implementation of (Option 2) of the report from Dazzle Events attached at pages S5 to S6 in the supplement to the Agenda and that the funding issues be referred to the Annual Plan process.

DIVISION

A Division was called for:

| FOR | AGAINST |
|--------------|----------------|
| Mayor Harvey | Cr Stone |
| Cr Clow | Cr Lawley |
| Cr Corban | Cr Hulse |
| Cr Battersby | Cr Clews |
| Cr Gilmour | Cr Cooper |
| Cr Harding | |
| Cr Chan | |
| Cr Neeson | |

CARRIED

715/2007

MOVED by Cr Battersby, seconded Cr Harding:

2. That consideration of the options be the subject of a further report to the City Development Committee at its meeting on 3 May 2007.

DIVISION

A Division was called for:

FOR
Mayor Harvey
Cr Stone
Cr Clow
Cr Corban
Cr Lawley
Cr Battersby
Cr Gilmour
Cr Hulse
Cr Clews
Cr Harding
Cr Cooper
Cr Chan
Cr Neeson

CARRIED

The Order of Business resumed at Part F - Presentation, Item 16: Citation.

PART F - PRESENTATION

16 CITATION

Mayor Bob Harvey gave a Citation to Tai and Stephanie Harawira of the Ezekiel 33 Trust, in recognition of their commitment to the families, children and community of Waitakere.

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**

PROCEDURAL MOTION TO EXCLUDE THE PUBLIC

716/2007

MOVED by Cr Clews, seconded Cr Lawley:

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.*

CARRIED

7.10 pm The public were excluded.

Minute Numbers 717/2007 to 719/2007 are recorded in the Confidential Section of these Minutes.

7.11 pm The public were readmitted.

RESTATEMENTS

The Council resolved while the public were excluded:

Glenview Road Rail Crossing - Proposed Acquisition of Land for Road

(Moved by Cr Clews, seconded Cr Corban) (resolution 717/2007) *"That the Glenview Road Rail Crossing - Proposed Acquisition of Land for Road report and resolutions remain confidential until such time as the reasons for confidentiality no longer exist."*

Proposed Land Acquisitions: New Lynn Transit Oriented Development Project

(Moved by Cr Clews, seconded Cr Corban) (resolution 718/2007) *"That the Proposed Land Acquisitions: New Lynn Transit Oriented Development Project report and resolutions remain confidential until such time as the reasons for confidentiality no longer exist."*

530 to 568 Te Atatu Road Encroachment

(Moved by Cr Clews, seconded Cr Corban) (resolution 719/2007) *"That the 530 to 568 Te Atatu Road Encroachment report and resolutions remain confidential until such time as the reasons for confidentiality no longer exist."*

20 CLOSING PRAYER

Cr Hulse said the Closing Prayer.

7.13 pm

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

CONFIRMED AT A MEETING OF THE COUNCIL
HELD ON

DATE:.....

CHAIRMAN:.....