



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, 16 April 2008** **TIME:** **9.30 am**

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.

10 April 2008

Owena Schuster
**DEMOCRACY AND GOVERNANCE
TEAM MANAGER**

Telephone (09) 836 8000 extn 8864

MEMBERSHIP:

Mayor	RA	Harvey, QSO, JP
Deputy Mayor	PA	Hulse
Councillors	DQ	Battersby, JP
	BA	Brady, JP
	MFP	Chan, JP
	JM	Clews, QSO, JP
	RI	Clow
	LA	Cooper, JP
	AK	Corban, OBE, JP
	RP	Dallow, QPM, JP
	WW	Flaunty, QSM, JP
	MM	Jolley
	JP	Lawley, JP
	PG	Mitchell
	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,
16 APRIL 2008 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 WAITAKERE ENTERPRISE DRAFT STATEMENT OF INTENT 2008

GLOSSARY

Draft Statement of Intent (draft SOI)

EXECUTIVE SUMMARY

A1-A26

As a council-controlled organisation Waitakere Enterprise is required to prepare and deliver to its shareholders a completed Statement of Intent on or before 30 June each year. The content of the Statement of Intent is specified in Schedule 8 of the Local Government Act 2002. A draft Statement of Intent (draft SOI) for 2008 has been received from Waitakere Enterprise and has been reviewed by Directors. The draft SOI, with a number of revisions in accordance with officers' comments, is attached at pages A1 to A26 for comment by Council.

RECOMMENDATIONS

It is recommended that Council resolve to:

1. **Receive** the Waitakere Enterprise Draft Statement of Intent 2008 report.
2. **Invite** comments on the Waitakere Enterprise draft Statement of Intent for 2008 that will be formally referred back to the Board of Waitakere Enterprise.
3. **Approve** authority to the Director: Strategic Planning to formalise Council's feedback on the Waitakere Enterprise draft Statement of Intent 2008.

BACKGROUND

1. The Waitakere Enterprise Trust is a council-controlled organisation as defined by section 6 of the Local Government Act and is wholly owned by Waitakere City Council. The Director: Strategic Planning manages the relationship between Council and Waitakere Enterprise.
2. As a council-controlled organisation Waitakere Enterprise is required to prepare and deliver to its shareholders a completed SOI on or before 30 June each year. The content of the SOI is specified in Schedule 8 of the Local Government Act 2002. According to Schedule 8, the following procedure is to be followed:
 - a) The board of a council-controlled organisation must deliver to its shareholders a draft SOI on or before 1 March each year.
 - b) The shareholders have 2 months from 1 March to make comments on the draft SOI (i.e. till 30 April).
 - c) The board must consider any comments on the draft SOI that are made to it by the shareholders and deliver the completed SOI to the shareholders on or before 30 June each year.
3. A first draft SOI was received from Waitakere Enterprise in February 2008, and has been reviewed and commented on by officers and Directors. Waitakere Enterprise's responses to these comments have been included in the draft SOI.
4. As part of this review by officers of the draft SOI the Council's Chief Executive Officer has indicated a desire to review the governance of Waitakere Enterprise within the next few months, to ensure alignment with Council's strategic direction. This matter is being pursued with Waitakere Enterprise.

DECISION MAKING

Issues

5. The first draft SOI was considered by Council officers to require amendments in the following areas:
 - Closer alignment with Council's strategic economic development objectives;
 - More emphasis on the measurement of the impacts of the Trust's activities.
6. A number of specific amendments have been included in the draft SOI. Others are currently under consideration by the Board of Waitakere Enterprise. These are particularly in the areas of:
 - Prioritisation of the Trust's activities;
 - Adopting a more short term overall objective with regard to the percentage of the workforce leaving the City;
 - Closer alignment with Council's sustainability objectives;
 - Opportunities to expand service delivery targets by 2011 within the context of externally funded programmes.
7. A feature of the performance indicators is that the Council funded 'Business Attraction, Expansion and Retention' programme is expected to produce 200 new jobs and assist 20 businesses to locate in Waitakere. These are double the target levels in the previous SOI. Similarly, the performance objectives for June 2011 are for 500 new jobs and assisting 40 businesses to locate in Waitakere. These are significant objectives in view of the fact that in recent year's total Waitakere employment has expanded by roughly 1200 per year.

STRATEGIC CONTEXT

8. The 2008/2009 draft SOI has been amended to have a closer alignment with the Council's Strong Innovative Economy strategic platform.

OPTIONS

9. There are no options for consideration.

CONSULTATION

10. The Chief Executive of Waitakere Enterprise has been consulted throughout the process of developing officers' responses to the SOI. The Council's comments will be reported to the Board of Waitakere Enterprise before it issues a final SOI in June 2008 for further consideration by Council and its final adoption.

RESOURCES

11. There are no resource implications other than officers' time.

IMPLEMENTATION ISSUES

12. There are no implementation issues.

Report prepared by: Steve Wilcox, Manager: Economic Development Strategy.



5 WAITAKERE PROPERTIES LIMITED DRAFT STATEMENT OF INTENT 2008

GLOSSARY

WPL	(WPL)
Draft Statement of Intent	(draft SOI)

EXECUTIVE SUMMARY

A27-A44

As a council-controlled trading organisation Waitakere Properties Limited (WPL) is required to prepare and deliver to its shareholders a completed Statement of Intent on or before 30 June each year. The content of the Statement of Intent is specified in Schedule 8 of the Local Government Act 2002. A draft Statement of Intent (draft SOI) for 2008 has been received from WPL and has been reviewed by Directors. The draft SOI, with revisions in accordance with officers' comments, is attached at pages A27 to A44 for comment by Council.

RECOMMENDATIONS

It is recommended that Council resolve to:

1. **Receive** the Waitakere Properties Limited Draft Statement of Intent 2008 report.
2. **Invite** comments on the Waitakere Properties Limited draft Statement of Intent for 2008 that will be formally referred back to the Board of WPL.
3. **Approve** authority to the Director: Strategic Planning to formalise Council's feedback on the Waitakere Properties Limited draft Statement of Intent 2008.

BACKGROUND

1. WPL is a council-controlled trading organisation as defined by section 6 of the Local Government Act and is wholly owned by Waitakere City Council. The Director: Strategic Planning manages the relationship between Council and WPL.
2. As a council-controlled trading organisation WPL is required to prepare and deliver to its shareholders a completed Statement of Intent on or before 30 June each year. The content of the SOI is specified in Schedule 8 of the Local Government Act 2002. According to Schedule 8, the following procedure is to be followed:
 - a) The board of a council-controlled trading organisation must deliver to its shareholders a draft SOI on or before 1 March each year.
 - b) The shareholders have 2 months from 1 March to make comments on the draft SOI (i.e. till 30 April).
 - c) The board must consider any comments on the draft SOI that are made to it by the shareholders and deliver the completed statement of intent to the shareholders on or before 30 June each year.
3. A first draft SOI was received from WPL in February 2008, and has been reviewed and commented on by officers and Directors. WPL's responses to these comments are included in the draft SOI.
4. As part of this review by officers of the draft SOI the Council's Chief Executive Officer has indicated a desire to review the governance of WPL within the next few months, to ensure alignment with Council's strategic direction. This matter is being pursued with WPL.

DECISION MAKING

Issues

5. The first draft SOI was considered by Council officers to require amendments in the following areas:
 - Closer alignment with Council's strategic objectives in the area of urban design and sustainable building;
 - More emphasis on the measurement of the outcomes of individual projects.
6. These amendments have been included in the draft SOI.

STRATEGIC CONTEXT

7. The 2008/2009 draft SOI has been amended to have a closer alignment with the Council's Urban & Rural Villages strategic platform.

OPTIONS

8. There are no options for consideration.

CONSULTATION

9. The Chief Executive of WPL has been consulted throughout the process of developing officers' responses to the SOI. The Council's comments will be reported to the Board of WPL before it issues a final SOI in June 2008 for further consideration by Council and its final adoption.

RESOURCES

10. There are no resource implications other than officers' time.

IMPLEMENTATION ISSUES

11. There are no implementation issues.

Report prepared by: Steve Wilcox, Manager: Economic Development Strategy.



6 RECOMMENDATION FROM THE POLICY AND STRATEGY COMMITTEE

The Committee Recommends:

LOCAL ACTION FOR BIODIVERSITY PROJECT UPDATE

A45-A47

That the adoption of the Durban Commitment: Local Government for biodiversity as attached at pages A45 to A47 be approved.



7 **RECOMMENDATIONS FROM THE FINANCE AND OPERATIONAL PERFORMANCE COMMITTEE**

The Committee Recommends:

1. **HOANI WAITITI MARAE CARETAKER REQUEST**

That a \$60,000 grant be provided to the Hoani Waititi Marae Trust for maintenance and caretaking of the Hoani Waititi Marae and co-ordination of the stream restoration and environmental issues.

2. **TOWN CENTRE STRATEGIC PARTNERSHIP PROGRAMME: TE ATATU PENINSULA BUSINESS IMPROVEMENT DISTRICT POLL RESULT**

That the Council's Revenue and Financing Policy be amended to permit the raising of a targeted rate to fund the budget requirements of Business Improvement Districts within the City and that a Statement of Proposal be prepared for Council's consideration.



8 **RECOMMENDATION FROM THE CULTURE AND COMMUNITY COMMITTEE**

The Committee Recommends:

SHADBOLT HOUSE UPDATE

That approval be given for a return to the original plan to establish a writers' residency at Shadbolt House and for an independent trust to be formed to further the project.



9 **RECOMMENDATION FROM THE TENDERS SUBCOMMITTEE**

The Subcommittee Recommends:

CONTRACT NO. TA07023A - PROFESSIONAL SERVICES FOR ALDERMAN DRIVE AND PIONEER PARK DEVELOPMENT

That any decision regarding construction, related to Contract No. TA07023A - Professional Services for Alderman Drive and Pioneer Park Development, should not commence until an investigation of work, including feasibility of the Trading Place bridge and urban design, is complete.



10 RECOMMENDATION FROM THE MASSEY COMMUNITY BOARD

The Board Recommends:

NOTICE OF MOTION

That one member and an alternate of the Massey Community Board be appointed to the NorSGA Urban Development Committee.



PUBLIC EXCLUDED MATTER

11 HENDERSON VALLEY STUDIO RESTRUCTURING PROPOSAL

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 parts of the proceedings of this meeting namely, Henderson Valley Studio Restructuring Proposal.

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.
Henderson Valley Studio Restructuring Proposal	The withholding of information is necessary in order to: <ul style="list-style-type: none"> • maintain legal professional privilege; • 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 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 legal advice and information which if released could affect Council's negotiations.*

