

MAIN AGENDA



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, 26 November 2008** **TIME:** **5.30 pm**

MEETING ROOM: **Council Chamber**

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.

NOTE: There is no Public Forum

20 November 2008

Owena Schuster
**DEMOCRACY AND GOVERNANCE
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)

★ ★ ★ ★ ★ ★ ★ ★ ★ ★

(Meeting Room could be subject to change)

(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 IN THE COUNCIL CHAMBER
AT WAITAKERE CENTRAL, 6 HENDERSON VALLEY ROAD, HENDERSON,
WAITAKERE, ON WEDNESDAY, 26 NOVEMBER 2008,
COMMENCING AT 5.30 PM**

TABLE OF CONTENTS

<u>ITEM</u>	<u>PAGE NO.</u>
<u>PART A - OPENING OF MEETING</u>	1
1 OPENING PRAYER	1
2 APOLOGIES	1
3 CONFIRMATION OF MINUTES	1
4 URGENT BUSINESS	1
5 CONFLICTS OF INTEREST	2
<u>PART B - REPORT OF THE MAYOR</u>	2
6 REPORT OF THE MAYOR	2
<u>PART C - REPORTS OF NEW LYNN COMMUNITY BOARD, WAITAKERE COMMUNITY BOARD, MASSEY COMMUNITY BOARD, HENDERSON COMMUNITY BOARD AND WAITAKERE YOUTH COUNCIL</u>	2
7 NEW LYNN COMMUNITY BOARD	2
8 WAITAKERE COMMUNITY BOARD	3
9 MASSEY COMMUNITY BOARD	3
10 HENDERSON COMMUNITY BOARD	4
11 WAITAKERE YOUTH COUNCIL	4
<u>PART D - REPORT OF THE CHIEF EXECUTIVE OFFICER</u>	5
12 CHANGE OF COUNCIL APPOINTMENT TO THE AUCKLAND REGIONAL PHYSICAL ACTIVITY AND SPORTS STRATEGY	5
<u>PART E - REPORTS FROM THE STANDING COMMITTEES</u>	6
13 INFRASTRUCTURE AND WORKS COMMITTEE	6
14 POLICY AND STRATEGY COMMITTEE	7
15 FINANCE AND OPERATIONAL PERFORMANCE COMMITTEE	7
16 PLANNING AND REGULATORY COMMITTEE	8
17 CULTURE AND COMMUNITY COMMITTEE	8

18	NORSGA URBAN DEVELOPMENT COMMITTEE	9
19	TE TAUMATA RUNANGA	9
20	LONG TERM COUNCIL COMMUNITY PLAN AND ANNUAL PLAN COMMITTEE	10
	<u>PART F - PRESENTATIONS</u>	10
	These presentations will take place at 6.30 pm.	10
21	CITATION	10
22	EDEN PARK REDEVELOPMENT	10
	<u>PART G - PROCEDURAL MATTERS</u>	10
23	QUESTIONS	10
24	NOTICES OF MOTION	11
	<u>PART H - PUBLIC EXCLUDED MATTERS</u>	11
25	HENDERSON VALLEY STUDIOS: SHAREHOLDERS' AGREEMENT AND COMPANY CONSTITUTION	11
26	WAITAKERE PACIFIC ARTS AND CULTURAL TRUST - ANNUAL REPORT 2007/2008	11
27	GREEN FASHION ROCKS PROPOSAL	11
28	INFRASTRUCTURE ASSETS WITHIN THE PLAN CHANGE 15 AREA	11

29	CLOSING PRAYER	12

**AGENDA FOR A MEETING OF THE COUNCIL TO BE HELD IN THE COUNCIL CHAMBER
AT WAITAKERE CENTRAL, 6 HENDERSON VALLEY ROAD, HENDERSON,
WAITAKERE, ON WEDNESDAY, 26 NOVEMBER 2008,
COMMENCING AT 5.30 PM**

PART A - OPENING OF MEETING

1 OPENING PRAYER

Reverend Don Battley from the Church of the Good Shepherd, Massey will say the Opening Prayer.



2 APOLOGIES



3 CONFIRMATION OF MINUTES

Meeting Minutes - Wednesday, 29 October 2008

RECOMMENDATION

It is recommended that the Council resolve to:

Receive the minutes of the meeting of the Council held on Wednesday, 29 October 2008, as circulated, and that they 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.



5 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.



PART B - REPORT OF THE MAYOR

6 REPORT OF THE MAYOR

The report of the Mayor will be circulated under separate cover with this agenda.

RECOMMENDATION

It is recommended that the Council resolve to:

Receive the Report of the Mayor.

RA Harvey, QSO, JP

MAYOR OF WAITAKERE



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

7 NEW LYNN COMMUNITY BOARD

THE BOARD SUBMITS THE FOLLOWING REPORT OF ITS MEETING HELD ON MONDAY, 3 NOVEMBER 2008

MATTERS CONSIDERED

*Pages 1-7
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 7 in the supplement labelled Part C.

It is recommended that the Council resolve to:

Receive the report of the meeting of the New Lynn Community Board held on Monday, 3 November 2008.

GPJ Marshall

CHAIRMAN



8 **WAITAKERE COMMUNITY BOARD**

THE BOARD SUBMITS THE FOLLOWING REPORT OF ITS MEETING HELD ON TUESDAY, 4 NOVEMBER 2008

MATTERS CONSIDERED

*Pages 8-10
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 8 to 10 in the supplement labelled Part C.

It is recommended that the Council resolve to:

Receive the report of the meeting of the Waitakere Community Board held on Tuesday, 4 November 2008.

KJP Witten-Hannah, JP
CHAIRMAN



9 **MASSEY COMMUNITY BOARD**

THE BOARD SUBMITS THE FOLLOWING REPORT OF ITS MEETING HELD ON WEDNESDAY, 5 NOVEMBER 2008

MATTERS CONSIDERED

*Pages 11-14
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 14 in the supplement labelled Part C.

It is recommended that the Council resolve to:

Receive the report of the meeting of the Massey Community Board held on Wednesday, 5 November 2008.

JG Riddell
CHAIRMAN



10 **HENDERSON COMMUNITY BOARD**

THE BOARD SUBMITS THE FOLLOWING REPORT OF ITS MEETING HELD ON THURSDAY, 6 NOVEMBER 2008

MATTERS CONSIDERED

*Pages 15-19
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 15 to 19 in the supplement labelled Part C.

It is recommended that the Council resolve to:

Receive the report of the meeting of the Henderson Community Board held on Thursday, 6 November 2008.

EAG Grimmer, MNZM
CHAIRMAN



11 **WAITAKERE YOUTH COUNCIL**

THE WAITAKERE YOUTH COUNCIL SUBMITS THE FOLLOWING REPORT OF ITS MEETING HELD ON MONDAY, 3 NOVEMBER 2008

MATTERS CONSIDERED

*Pages 20-22
Part C*

The Waitakere Youth Council dealt with a number of items for which a copy of the minutes of the meeting is attached at pages 20 to 22 in the supplement labelled Part C.

It is recommended that the Council resolve to:

Receive the report of the meeting of the Waitakere Youth Council held on Monday, 3 November 2008.

A Wadsworth
CHAIRMAN



PART D - REPORT OF THE CHIEF EXECUTIVE OFFICER

12 CHANGE OF COUNCIL APPOINTMENT TO THE AUCKLAND REGIONAL PHYSICAL ACTIVITY AND SPORTS STRATEGY

GLOSSARY

Auckland Regional Physical Activity and Sports Strategy (ARPASS)
Councillor (Cr)

EXECUTIVE SUMMARY

The purpose of this report is to seek Council's approval for a change to the appointed Council representative to the Auckland Regional Physical Activity and Sports Strategy (ARPASS), from Councillor (Cr) Linda Cooper to Cr Ross Dallow.

RECOMMENDATIONS

It is recommended that the Council resolve to:

1. **Receive** the Change Of Council Appointment To The Auckland Regional Physical Activity And Sports Strategy report.
2. **Agree** to appoint Councillor Ross Dallow to replace Councillor Linda Cooper as Council's representative to the Auckland Regional Physical Activity and Sports Strategy and its subsidiary subcommittees or working groups, for the remainder of this Council's term.

BACKGROUND

1. At the inaugural meeting of Council on 31 October 2007, Cr Linda Cooper was appointed to the ARPASS Regional Facilities Working Party. At that meeting, Council resolved:

"1. *That the Appointment of Councillors to External and Other Organisations report be received.*

"2. *That Council determine appointments to the organisations set out below, with the tenure of office being effective within Council's current term:*

(B) *COUNCIL APPOINTMENTS PURSUANT TO DEED OF TRUST, OR MANAGEMENT OR SHAREHOLDERS AGREEMENT, OR EQUIVALENT DOCUMENT OR AGREEMENT*

Organisation	Aim/ Purpose	Meetings	Number to be appointed	Proposed Appointments 2007-2010
<i>Auckland Regional Physical Activity and Sports Strategy (ARPASS) Regional Facilities Working Party</i>	<i>Regional collaborat ion of sports and recreation .</i>	<i>Quarterly</i>	<i>1 Councillor</i>	<i>Cr Cooper</i>

3673/2007

2. During the previous Council term, Cr Ross Dallow was appointed as Council's appointee to the ARPASS.

DECISION MAKING

3. Cr Cooper has agreed to stand down from her appointment to the ARPASS Regional Facilities Working Party, in favour of Cr Dallow continuing his role with ARPASS and its subsidiary subcommittees and working groups.
4. The proposed change of appointment requires Council's approval by resolution.

STRATEGIC CONTEXT

4. Strategic context is not required for this report.

CONSULTATION

5. Consultation has taken place with staff of Democracy and Support Services.

RESOURCES

6. There are no resource implications arising from this report.

IMPLEMENTATION ISSUES

7. There are no implementation issues arising from this report.

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

Vijaya Vaidyanath
CHIEF EXECUTIVE OFFICER



PART E - REPORTS FROM THE STANDING COMMITTEES

13 INFRASTRUCTURE AND WORKS COMMITTEE

YOUR COMMITTEE SUBMITS THE FOLLOWING REPORT OF ITS MEETING HELD ON WEDNESDAY, 5 NOVEMBER 2008

MATTERS CONSIDERED

*Pages 1-3
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 3 in the supplement labelled Part E.

It is recommended that the Council resolve to:

Receive the report of the meeting of the Infrastructure and Works Committee held on Wednesday, 5 November 2008.

DQ Battersby, JP
CHAIRMAN



14 **POLICY AND STRATEGY COMMITTEE**

YOUR COMMITTEE SUBMITS THE FOLLOWING REPORT OF ITS MEETING HELD ON THURSDAY, 6 NOVEMBER 2008

MATTERS CONSIDERED

*Pages 4-10
Part E
Page 13
Part H*

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 4 to 10 in the supplement labelled Part E. The public excluded minutes are attached at page 13 of the Confidential Supplement labelled Part H.

It is recommended that the Council resolve to:

Receive the report of the meeting of the Policy and Strategy Committee held on Thursday, 6 November 2008.

PA Hulse
CHAIRMAN



15 **FINANCE AND OPERATIONAL PERFORMANCE COMMITTEE**

YOUR COMMITTEE SUBMITS THE FOLLOWING REPORT OF ITS MEETING HELD ON MONDAY, 10 NOVEMBER 2008

MATTERS CONSIDERED

*Pages 11-23
Part E
Page 14
Part H*

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 23 in the supplement labelled Part E. The public excluded minutes are attached at page 14 of the Confidential Supplement labelled Part H.

It is recommended that the Council resolve to:

Receive the report of the meeting of the Finance and Operational Performance Committee held on Monday, 10 November 2008.

RI Clow
CHAIRMAN



16 **PLANNING AND REGULATORY COMMITTEE**

YOUR COMMITTEE SUBMITS THE FOLLOWING REPORTS OF ITS MEETINGS HELD ON TUESDAY, 11 NOVEMBER 2008 AND MONDAY, 17 NOVEMBER 2008

MATTERS CONSIDERED

*Pages 24-30
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 meetings are attached at pages 24 to 30 in the supplement labelled Part E.

It is recommended that the Council resolve to:

Receive the reports of the meetings of the Planning and Regulatory Committee held on Tuesday, 11 November 2008 and Monday, 17 November 2008.

VS Neeson, JP
CHAIRMAN



17 **CULTURE AND COMMUNITY COMMITTEE**

YOUR COMMITTEE SUBMITS THE FOLLOWING REPORT OF ITS MEETING HELD ON WEDNESDAY, 12 NOVEMBER 2008

MATTERS CONSIDERED

*Pages 31-33
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 31 to 33 in the supplement labelled Part E.

It is recommended that the Council resolve to:

Receive the report of the meeting of the Culture and Community Committee held on Wednesday, 12 November 2008.

JP Lawley, JP
CHAIRMAN



18 **NORSGA URBAN DEVELOPMENT COMMITTEE**

YOUR COMMITTEE SUBMITS THE FOLLOWING REPORT OF ITS MEETING HELD ON MONDAY, 13 OCTOBER 2008

MATTERS CONSIDERED

*Pages 34-36
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 34 to 36 in the supplement labelled Part E.

It is recommended that the Council resolve to:

Receive the report of the meeting of the NorSGA Urban Development Committee held on Monday, 13 October 2008.

LA Cooper, JP
CHAIRMAN



19 **TE TAUMATA RUNANGA**

I NOHO TE TAUMATA RUNANGA KOMITI RAHINA, TE KAU MA WHITU O WHIRINGA-A-RANGI 2008

YOUR COMMITTEE SUBMITS THE FOLLOWING REPORT OF ITS MEETING HELD ON MONDAY, 17 NOVEMBER 2008

MATTERS CONSIDERED

*Pages 37-41
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 37 to 41 in the supplement labelled Part E.

NGA TAKE E WHIRIWHIRIA

E whakatau ana Te Taumata Runanga i nga take i whakamanangia i te ture he whakaahua o nga tuhi kua tohoa ki nga mema o te Kaunihera.

It is recommended that the Council resolve to:

Receive the report of the meeting of Te Taumata Runanga held on Monday, 17 November 2008.

W Paki, JP
CHAIRMAN



20 **LONG TERM COUNCIL COMMUNITY PLAN AND ANNUAL PLAN COMMITTEE**

YOUR COMMITTEE SUBMITS THE FOLLOWING REPORT OF ITS MEETING HELD ON TUESDAY, 18 NOVEMBER 2008

MATTERS CONSIDERED

*Pages 42-45
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 42 to 45 in the supplement labelled Part E.

It is recommended that the Council resolve to:

Receive the report of the meeting of the Long Term Council Community Plan and Annual Plan Committee held on Tuesday, 18 November 2008.

JM Clews, QSO, JP
CHAIRMAN



PART F - PRESENTATIONS

These presentations will take place at 6.30 pm.

21 **CITATION**

Mayor Bob Harvey will make a presentation to Christine Finlay in recognition of her commitment to the prevention of family violence.

22 **EDEN PARK REDEVELOPMENT**

Mayor Bob Harvey has asked the Eden Park Redevelopment Board to attend and to make a presentation updating the Council on the Eden Park redevelopment.



PART G - PROCEDURAL MATTERS

23 **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.



24 NOTICES OF MOTION

Pursuant to Standing Order 28.1, notices of motion shall be in writing by the mover, stating the meeting at which it is proposed that the notice of motion be considered, and shall be delivered to the Chief Executive Officer at least five clear days before such meeting.



PART H - PUBLIC EXCLUDED MATTERS

25 HENDERSON VALLEY STUDIOS: SHAREHOLDERS' AGREEMENT AND COMPANY CONSTITUTION

26 WAITAKERE PACIFIC ARTS AND CULTURAL TRUST - ANNUAL REPORT 2007/2008

27 GREEN FASHION ROCKS PROPOSAL

28 INFRASTRUCTURE ASSETS WITHIN THE PLAN CHANGE 15 AREA

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, Henderson Valley Studios: Shareholders' Agreement and Company Constitution; Waitakere Pacific Arts and Cultural Trust - Annual Report 2007/2008; Green Fashion Rocks Proposal and Infrastructure Assets Within The Plan Change 15 Area.

The general subject of the matters to be considered while the public is excluded, the reason for passing these resolutions 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 these resolutions 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.
Henderson Valley Studios: Shareholders' Agreement and Company Constitution	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

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.
Waitakere Pacific Arts and Cultural Trust - Annual Report 2007/2008	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
Green Fashion Rocks Proposal	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
Infrastructure Assets Within The Plan Change 15 Area	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 parts of the proceedings of the meeting in public as follows:

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



29 CLOSING PRAYER

