

MINUTES OF A MEETING OF THE COUNCIL HELD IN THE COUNCIL CHAMBER AT
WAITAKERE CENTRAL, 6 HENDERSON VALLEY ROAD, HENDERSON,
WAITAKERE, ON WEDNESDAY, 29 SEPTEMBER 2010, COMMENCING
AT 5.38 PM AND RECONVENED ON THURSDAY, 30 SEPTEMBER
2010, COMMENCING AT 9.35 AM

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WAITAKERE, ON WEDNESDAY, 29 SEPTEMBER 2010, COMMENCING
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2010, COMMENCING AT 9.35 AM**

PRESENT:

| | | |
|--------------|-----|---------------------------------|
| Mayor | RA | Harvey, QSO, JP |
| Deputy Mayor | PA | Hulse |
| Councillors | DQ | Battersby, QSM, JP |
| | BA | Brady |
| | MFP | Chan, JP |
| | JM | Clews, QSO, JP |
| | RI | Clow |
| | LA | Cooper, JP |
| | AK | Corban, OBE, JP |
| | RP | Dallow, QPM, JP (until 6.20 pm) |
| | WW | Flaunty, QSM, JP |
| | MM | Jolley |
| | PG | Mitchell |
| | VS | Neeson, JP |

OBSERVERS:

| | |
|-----------------------|---------------------------------------|
| W Paki | (Chairman, Te Taumata Runanga) |
| EAG Grimmer, MNZM | (Chairman, Henderson Community Board) |
| JG Riddell | (Chairman, Massey Community Board) |
| GPJ Marshall | (Chairman, New Lynn Community Board) |
| KJP Witten-Hannah, JP | (Chairman, Waitakere Community Board) |
| A Hawea | (Chairman, Waitakere Youth Council) |
| M Te Huia | (Deputy Chairman, Te Taumata Runanga) |
| SA Savage | (Henderson Community Board) |
| AE Davies | (Massey Community Board) |
| B Neeson | (Massey Community Board) |
| AK Hartnett | (Massey Community Board) |
| WR Davis | (New Lynn Community Board) |
| S Taylor | (New Lynn Community Board) |
| EG Francke | (Waitakere Community Board) |

IN ATTENDANCE:

Chief Executive Officer
Director: Strategic Planning
Director: Community Wellbeing
Director: Finance
Director: City Services
Director: Public Affairs
Acting Director: City Services
Associate Director: Finance
Deputy Director: Finance
Deputy Director: Strategic Planning
Acting Director: Public Affairs
Special Projects Manager
Group Manager: Democracy and Support Services
Group Manager: Social and Cultural Strategy
Group Manager: Rates and Financial Transactions
Group Manager: HR and Organisational Development
Group Manager: Planning and Community Services

Group Manager: Library and Information Services
Group Manager: Customer Services
Group Manager: Project Services
Manager: Legal Services / General Counsel
Manager: Government Relations
Manager: Arts
Manager: Economic Development
Manager: Field Services
Events and Special Projects Manager
Executive Manager
Acting Manager: Public Affairs
Acting Manager: Maori Relations - G Parata
Acting Manager: Maori Relations - R Spraggon
Principal Engineer: Special Projects
Senior Engineer: Special Projects - J Schady
Project Manager: Urban Planning and Design
Solicitor / Team Leader: Regulatory - S Masoud-Ansari
Team Leader: Resource Consents - R Dimery
Solicitor: J Lamm
Democracy and Governance Manager
Acting Democracy and Governance Manager
Programme Manager: PMU - C Inggs
Administration Team Manager
Executive Liaison Manager
Principal Advisor: Heritage
Consultant - Mayoral Media
Resource Planner: N Pollard
Strategic Advisor: Children and Youth
Public Affairs Advisor: External Communications
Strategic Planner
Project Manager: S Projects - N Plunkett
Director's Group Coordinator
Personal Assistant to the Mayor
Personal Assistant to the Chief Executive Officer
Executive Assistant to Deputy Mayor
Personal Assistant to Acting Director: City Service
Members' Liaison Officer
Maori Project Officer
Civic Event Management and Corporate Support
Committee Secretary: C Fernandes
E Joyce
M Petherick
D Tukutama
Senior Committee Administrator
Administration Assistant - T Viliamu

**ALSO
IN ATTENDANCE:**

Dr David Warburton, Interim Chief Executive, Auckland Transport
Patricia Reade, Chief Operating Officer, Auckland Council
Tim Shadbolt, Mayor of Invercargill
Brian Mogridge, Waitakere City Holdings Limited
Denise Yates, Past Waitakere City Councillor
Yvonne Copland, Past Waitakere City Councillor
Taha Fasi, Chairman, Waitakere Pacific Board
Amail Habib, President, Waitakere Ethnic Board
Noel Rugg, Herald Island Residents and Ratepayers Association

Dave Pocock, Waiatarua Residents and Ratepayers Association
Neil Allport, Oratia Residents and Ratepayers Association
Graeme Barnard, Whenuapai Residents and Ratepayers Association
Rob Richards, South Titirangi Residents and Ratepayers Association
June Kearney, Hobsonville Residents and Ratepayers Association
Jo Quatermass, Huia Residents and Ratepayers Association

PART A - OPENING OF MEETING

1 OPENING PRAYER

Sister Mary Foy from the Auckland Sisters of Mercy - Ranui said the Opening Prayer.

2 APOLOGIES

There were no apologies.

3 CONFIRMATION OF MINUTES

1397/2010

MOVED by Cr Neeson, seconded Cr Mitchell:

The Council resolved to:

Receive the minutes of the meetings of the Council held on Wednesday, 25 August 2010 and Wednesday, 15 September 2010, as circulated and amended, and that they be taken as read and now be confirmed.

CARRIED

4 URGENT BUSINESS

There was no Urgent Business.

5 CONFLICTS OF INTEREST

Members were reminded via the agenda of the 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.

PART B - REPORT OF THE MAYOR

6 REPORT OF THE MAYOR

1398/2010

MOVED by Mayor Harvey, seconded Cr Hulse:

The Council resolved to:

Receive the Report of the Mayor.

CARRIED

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

1399/2010

MOVED by Cr Clews, seconded Cr Lawley:

The Council resolved to:

Receive the report of the meeting of the New Lynn Community Board held on Monday, 30 August 2010.

CARRIED

8 WAITAKERE COMMUNITY BOARD

1400/2010

MOVED by Cr Hulse, seconded Cr Jolley:

The Council resolved to:

Receive the report of the meeting of the Waitakere Community Board held on Tuesday, 31 August 2010.

CARRIED

9 MASSEY COMMUNITY BOARD

1401/2010

MOVED by Cr Flaunty, seconded Cr Chan:

The Council resolved to:

Receive the report of the meeting of the Massey Community Board held on Wednesday, 1 September 2010.

CARRIED

10 HENDERSON COMMUNITY BOARD

1402/2010

MOVED by Cr Jolley, seconded Cr Brady:

The Council resolved to:

CHAIRMAN'S REPORT

1. **Agree** that a road/avenue/street/open space within the Whenuapai Development Area (previously known as NorSGA) be named in honour of the former Chief Executive Officer, Mr Harry O'Rourke.
2. **Agree** that Council take any action required to preserve the Council Chamber for the use of the community of Waitakere and formal ceremonies and local board meetings of the Western area.

3. **Note** that confirmation from the Auckland Transition Agency has been received that the Council Chambers will continue to be used as a community space.
4. **Agree** that the Peace Bell gifted to Waitakere by our Sister City Kakogawa, Japan and located in the Japanese Garden adjacent to Waitakere Central, be placed under the co-management of the West-based Local Boards, to be led by the Henderson-Massey Local Board.

OTHER MATTERS CONSIDERED

5. **Receive** the report of the meeting of the Henderson Community Board held on Thursday, 2 September 2010.

CARRIED

11 WAITAKERE YOUTH COUNCIL

1403/2010

MOVED by Cr Cooper, seconded Cr Brady:

The Council resolved to:

Receive the report of the meeting of the Waitakere Youth Council held on Monday, 30 August 2010.

CARRIED

PRECEDENCE OF BUSINESS

1404/2010

MOVED by Cr Cooper, seconded Cr Brady:

The Council resolved to:

Agree that Item 27: Te Taumata Runanga be accorded precedence at this time.

CARRIED

27 TE TAUMATA RUNANGA

1405/2010

MOVED by Cr Cooper, seconded Cr Clow:

The Council resolved to:

Receive the report of the meeting of Te Taumata Runanga held on Monday, 20 September 2010.

CARRIED

The Order of Business resumed at Item 12: Summary of Forecasted Financial Position as at 31 October 2010.

PART D - REPORT OF THE CHIEF EXECUTIVE OFFICER

12 SUMMARY OF FORECASTED FINANCIAL POSITION AS AT 31 OCTOBER 2010

6.20 pm Cr Dallow left the meeting.

1406/2010

MOVED by Cr Hulse, seconded Cr Clow:

The Council resolved to:

Receive the Summary of Forecasted Financial Position as at 31 October 2010 report.

CARRIED

1407/2010

MOVED by Cr Hulse, seconded Cr Clow:

The Council resolved to:

Approve, subject to resolution 4 below, that additional loan funding be made available to provide for the accommodation and property capital works up to \$1.2 million in order to fund local board accommodation requirements.

CARRIED

DIVISION

A Division was called for:

FOR

Cr Brady, JP
Cr Jolley
Cr Cooper, JP
Cr Clews, QSO, JP
Cr Clow
Cr Hulse
Mayor Bob Harvey, QSO, JP

AGAINST

Cr Corban, OBE, JP
Cr Chan, JP
Cr Flaunty, QSM, JP
Cr Neeson, JP
Cr Battersby, QSM, JP
Cr Lawley, JP
Cr Mitchell, JP

Pursuant to Standing Order 32.2 the Mayor exercised the casting vote in support of the motion.

CARRIED

1408/2010

MOVED by Cr Hulse, seconded Cr Clow:

The Council resolved to:

Approve additional budget for McCahon House Renewal, Shadbolt House Renewal, Solar Panel Consent Incentive and EnviroSchools Funding to be funded by operational surpluses.

CARRIED

1409/2010

MOVED by Cr Hulse, seconded Cr Clow:

The Council resolved to:

Note that the additional loan funding for the provision of accommodation and property capital works up to \$1.2 million in order to fund local board accommodation requirements is subject to confirmation from the Auckland Transition Agency.

CARRIED

13 **CONTRACT NO. NL08002ZZH - NEW LYNN TRANSIT ORIENTED DEVELOPMENT - CONSTRUCTION OF STAGES 2 AND 3 - APPROVAL TO AWARD**

DEFERRED

The Chairman with the consent of the meeting deferred this item to be considered after Item 40: Closing Prayer.

14 **SHADBOLT HOUSE**

1410/2010

MOVED by Cr Clow, seconded Cr Lawley:

The Council resolved to:

1. **Receive** the Shadbolt House report.
2. **Agree**, subject to resolution 5 below, that Shadbolt House be transferred to the Going West Charitable Trust for development as a writer's residence.
3. **Agree** to recommend, subject to resolution 5 below, that a memorandum of encumbrance is entered into between the Going West Charitable Trust and Auckland Council.
4. **Agree** that consideration of an amount of \$50,000 be available for Shadbolt House being developed as a writer's residence following any identification from the 2010/2011 year end budget surplus.
5. **Note** that resolutions 2 and 3 above are subject to confirmation by the Auckland Transition Agency.

CARRIED

15 **PROPOSED GOVERNMENT FINANCIAL ASSISTANCE PACKAGE FOR LEAKY HOMEOWNERS**

DEFERRED

The Chairman with the consent of the meeting deferred this item to be considered after Item 13: Contract No. NL08002ZZH - New Lynn Transit Oriented Development - Construction of Stages 2 and 3 - Approval to Award.

16 **SALE OF LAND - 490 SOUTH TITIRANGI ROAD, TITIRANGI**

1411/2010

MOVED by Cr Battersby, seconded Cr Clow:

The Council resolved to:

1. **Receive** the Sale of Land - 490 South Titirangi Road, Titirangi report.
2. **Agree:**
 - (a) subject to resolution 4 below, to sell Section 1 on SO plan 67597 to the owner of the adjoining land (part lot 3 DP 15745) for the purposes of undertaking the development depicted in resource consent RMA at a price enterprise recommended by a registered value employed by the Council but

- reserving to the Council the right to occupy 18 car parks on the site protected by an appropriate legal mechanism;
- (b) subject to resolution 4 below, to transfer Section 2 on SO plan 67597 to the owner of the adjoining land (part lot 3 DP 15745) without consideration so as to provide physical road frontage to the adjoining land.
 - (c) to negotiate for rights to occupy additional car parking spaces within the proposed development; and
 - (d) subject to resolution 4 below, to investigate the practicality of and, if appropriate, to grant an easement over the adjoining land owned by the Council (lot 17 DP 6678) in favour of lots 2 and 3 on DP 15745.
3. **Agree** to delegate to the Chief Executive authority to settle the commercial terms, including the price to be paid, in respect of each of the transactions referred to in resolutions 2 (a), (b) and (d) and to sign all documents necessary to give effect to all of the transactions authorised by resolution 2.
4. **Note** that resolutions 2(a), (b) and (d) require confirmation from Auckland Transition Agency in accordance with the Local Government (Tamaki Makaurau Reorganisation) Act 2009.

CARRIED

PRECEDENCE OF BUSINESS

1412/2010

MOVED by Cr Clow, seconded Cr Corban:

The Council resolved to:

Agree that Item 28: Councillor's Valedictory Speeches, Item 29: Certificates, Item 30: Removal of Council Crest, Item 31: Formal Handover of Council Chambers and Waitakere Central to Auckland Transport, Item 32: Formal Handover of the Treaty of Waitangi / Te Tiriti O Waitangi to Doug Mckay and Auckland Council and Item 40: Closing Prayer be accorded precedence at this time.

CARRIED

PART F - PRESENTATIONS

These presentations took place at 6.48 pm.

28 COUNCILLORS' VALEDICTORY SPEECHES

Current Councillors each gave a four-minute valedictory speech and were presented with a certificate by the Mayor in recognition of their service to Waitakere City Council.

29 CERTIFICATES

The Mayor presented certificates from Waitakere's Sister City, Kakogawa, Japan to Tracy Haggio and Rewi Spraggon in recognition of their role in fostering the Sister City relationship between Waitakere and Kakogawa.

30 REMOVAL OF COUNCIL CREST

The Chairman of the Waitakere Youth Council, Alex Hawea, on behalf of Waitakere City Council removed the Council crest from the wall of the Council Chambers.

31 FORMAL HANDOVER OF COUNCIL CHAMBERS AND WAITAKERE CENTRAL TO AUCKLAND TRANSPORT

32 FORMAL HANDOVER OF THE TREATY OF WAITANGI / TE TIRITI O WAITANGI TO DOUG MCKAY AND AUCKLAND COUNCIL

The Treaty of Waitangi was removed from the Council Chambers and handed to Patricia Reade, Chief Operating Officer, Auckland Council to be displayed in the Auckland Council Chambers.

40 CLOSING PRAYER

Mayor Bob Harvey said the Closing Prayer.

ADJOURNMENT

1413/2010

MOVED by Mayor Harvey, seconded Cr Hulse

The Council resolved to:

Agree that the meeting stand adjourned until 9.30 am on Thursday, 30 September 2010.

CARRIED

8.18pm The meeting adjourned.

9.35 am The meeting reconvened. Crs Chan, Dallow and Jolley were not present.

13 CONTRACT NO. NL08002ZZH - NEW LYNN TRANSIT ORIENTED DEVELOPMENT - CONSTRUCTION OF STAGES 2 AND 3 - APPROVAL TO AWARD

1414/2010

MOVED by Cr Clews, seconded Cr Clow:

The Council resolved to:

1. **Receive** the Contract No. NL08002ZZH - New Lynn Transit Oriented Development - Construction of Stages 2 and 3 - Approval to Award report.
2. **Approve** that Contract No. NL08002ZZH - New Lynn Transit Oriented Development - Construction of Stages 2 and 3 be awarded to other than the lowest priced tender, as the Price Quality Method of tender evaluation requires the tendering authority to enter into a contract only with the tenderer that scores the lowest Adjusted Evaluation Price.

3. **Approve** that the tender from Dempsey Wood Contractors Limited for Contract No. NL08002ZZH - New Lynn Transit Oriented Development - Construction of Stages 2 and 3 in the sum of \$18,534,689.18 plus \$2,316,836.15 GST, totalling \$20,851,525.33 from 30 September 2010 to 24 December 2011 be accepted.
4. **Note** that GST increases from 12.5% to 15% on 1 October 2010.
5. **Approve** the commitment of \$7,488,158.10 excluding GST for the 2011/2012 financial year for Contract No. NL08002ZZH - New Lynn Transit Oriented Development - Construction of Stages 2 and 3.
6. **Approve** that authority to enter into Contract No. NL08002ZZH - New Lynn Transit Oriented Development - Construction of Stages 2 and 3 on behalf of the Council be delegated to the Acting Director: City Services.
7. **Approve** that authority to award cumulative contract variations to Contract No. NL08002ZZH - New Lynn Transit Oriented Development - Construction of Stages 2 and 3, up to the value of the contingency sum of \$1,853,468.92 excluding GST on behalf of the Council be delegated to the Programme Director: New Lynn Integrated Programme or the Auckland Council from 1 November 2010.

CARRIED

16 SALE OF LAND - 490 SOUTH TITIRANGI ROAD, TITIRANGI

This item was considered after Item 14: Shadbolt House.

15 PROPOSED GOVERNMENT FINANCIAL ASSISTANCE PACKAGE FOR LEAKY HOMEOWNERS

9.44 am Cr Cooper entered the meeting.

1415/2010

MOVED by Cr Hulse, seconded Cr Lawley:

The Council resolved to:

1. **Receive** the Proposed Government Financial Assistance Package for Leaky Home Owners report.
2. **Agree**, subject to resolution 4 below, to participate in the Financial Assistance Package subject to:
 - (a) Third-party legislation protection being introduced and passed to the satisfaction of the Chief Executive; or if legislation is not passed, an alternative agreement being reached that indemnifies Council for all liability and associated costs (to the satisfaction of the Chief Executive).
 - (b) Eligibility criteria not being extended beyond the current class of eligible claimant, including through evolution of case law.
 - (c) The government and territorial authorities entering into a side agreement whereby neither the Crown nor territorial authorities would attempt to access the Financial Assistance Package for their own residential rental housing stock.
 - (d) Eligibility issues around other commercial residential property owners who are not currently accessing the existing claims service, being resolved.

3. **Agree**, subject to resolution 4 below, to delegate to the Chief Executive authority to sign an agreement relating to the Council's participation in the Financial Assistance Package.
4. **Note** that resolutions 2 and 3 are subject to confirmation by the Auckland Transition Agency in accordance with the Local Government (Tamaki Makaurau Reorganisation) Act 2009.

CARRIED

The Order of Business resumed at Item 17: Notice of Requirement by the Minister of Defence for alteration of designation MD1 within the Waitakere District Plan.

17 NOTICE OF REQUIREMENT BY THE MINISTER OF DEFENCE FOR ALTERATION OF DESIGNATION MD1 WITHIN THE WAITAKERE CITY DISTRICT PLAN

1416/2010

MOVED by Cr Corban, seconded Cr Brady:

The Council resolved to:

1. **Receive** the Notice of Requirement by the Minister of Defence for alteration of designation MD1 within the Waitakere District Plan report.
2. **Agree** that the Minister of Defence RNZAF Base Auckland - Whenuapai and Hobsonville Airbases Designation within the Waitakere District Plan be amended in accordance with the plan titled "Figure 3-1A, Kauri Road Landfill Closure" dated 30 July 2010, and contained within the attached Notice of Requirement.
3. **Approve** that the Ministry of Defence be advised that the Council agrees with the alteration to the Minister of Defence RNZAF Base Auckland - Whenuapai and Hobsonville Airbases Designation within the Waitakere District Plan.

CARRIED

9.53 am Cr Clow left the meeting.

18 PROPOSED EASEMENTS OVER RUSH CREEK RESERVE, MASSEY - TRANSPOWER NEW ZEALAND LIMITED

1417/2010

MOVED by Cr Mitchell, seconded Cr Cooper:

The Council resolved to:

1. **Receive** the Proposed Easements over Rush Creek Reserve, Massey - Transpower New Zealand Limited report.
- A28 2. **Agree**, subject to resolution 6 below, to grant an easement under section 48(1)(d) of the Reserves Act 1977 over area A in favour of Transpower New Zealand Limited in general accordance with the plan attached at page A28 to prevent buildings being constructed in a no-build area over a portion of area A within the Rush Creek Reserve, Massey.
- A28 3. **Agree**, subject to resolution 6 below, to grant an easement under section 48(1)(d) of the Reserves Act 1977 over area B in favour of Transpower New Zealand Limited in general accordance with the plan attached at page A28 for the purpose of locating underground electricity cables within the Rush Creek Reserve, Massey.

4. **Agree**, subject to resolution 6 below, that the Chief Executive Officer is authorised to finalise the terms and the areas of the easements under section 48(1)(d) of the Reserves Act 1977 over areas A and B within Rush Creek Reserve, Massey, in favour of Transpower New Zealand as outlined in resolutions 2 and 3 above.
5. **Agree**, subject to resolution 6 below, that public notice is not required under section 48(2) of the Reserves Act 1977 in respect of granting the easements over areas A and B as referred to in resolution 2 and 3 on the basis that Rush Creek Reserve, Massey, is not likely to be materially altered or permanently damaged and the rights of the public are not likely to be permanently affected by the easements.
6. **Note** that resolutions 2 to 5 above are subject to confirmation from the Auckland Transition Agency.

CARRIED

19 **TE ATATU ROAD AND LINCOLN ROAD CORRIDORS IMPROVEMENTS**

1418/2010

MOVED by Cr Clews, seconded Cr Neeson:

The Council resolved to:

1. **Receive** the Te Atatu Road and Lincoln Road Corridors Improvements report.
2. **Agree** that the Council's preferred option for Te Atatu Road Corridor Improvements is as outlined in this report, and that this is the basis for further design work on the Te Atatu Road Corridor Improvements project.
3. **Agree** that the Council's preferred option for Lincoln Road Corridor Improvements is Option 3, as outlined in the Lincoln Road Corridor Scheme Assessment Report dated April 2008, and that Option 3 is the basis for further design work on the Lincoln Road Corridor Improvements project.
4. **Agree** it be recommended to the new Auckland Council to include further funding for the Te Atatu Road and Lincoln Road Corridor Improvements projects in its draft Annual Plan 2011/2012 and Long Term Council Community Plan 2012-2022, in accordance with the timeline shown on table 1 and 2 in the Te Atatu Road and Lincoln Road Corridor Improvements report.

CARRIED

20 **PURCHASE OF LAND FOR STORMWATER MANAGEMENT PURPOSES - 2 KEDGLEY DRIVE**

1419/2010

MOVED by Cr Cooper, seconded Cr Flaunty:

The Council resolved to:

1. **Receive** the Purchase of Land for Stormwater Management Purposes - 2 Kedgley Drive report.
2. **Agree**, subject to resolution 4 below, to purchase under the Public Works Act 1981, for stormwater management purposes, that part of the property at 2 Kedgley Drive (Lot 6 on deposited plan 96884, certificate of title NA52C/1142) containing approximately 8,500 square metres, subject to final survey, and is the marked "riparian margin" (coloured green), "reserve beyond riparian margin" (coloured orange) and "development area to become ecological open space" (coloured purple) on the plan attached at page A29.

3. **Agree** to delegate to the Chief Executive Officer full authority:
 - to negotiate the purchase of the land at a price recommended by registered valuer employed by the Council; and
 - to issue a notice under s 18 of the Public Works Act 1981, and to issue a notice under s 23 of the Public Works Act 1981, should either action become necessary.
4. **Note** that resolution 2 above requires confirmation from the Auckland Transition Agency in accordance with the Local Government (Tamaki Makaurau Reorganisation) Act 2009.

CARRIED

21 **NORSGA TRANSPower LINE DEVIATION AGREEMENT**

1420/2010

MOVED by Cr Cooper, seconded Cr Neeson:

The Council resolved to:

1. **Receive** the NorSGA Transpower Line Deviation Agreement report.
2. **Agree**, subject to resolution 3 below, to delegate authority the Chief Executive Officer to enter into the Line Deviation Agreement (LDA) with Transpower to effect the undergrounding of the existing overhead lines through the Plan Change 15 area and a back to back cost-sharing agreement with NZRPG Management Limited and Cannuck Holdings Limited.
3. **Note** that resolution 2 above is subject to confirmation by the Auckland Transition Agency.
4. **Agree** to thank Council officers for their diligent work towards an agreement with Transpower to underground the existing overhead lines through the Plan Change 15 area.

CARRIED

PART E - REPORTS FROM THE STANDING COMMITTEES

22 **INFRASTRUCTURE AND WORKS COMMITTEE**

1421/2010

MOVED by Cr Battersby, seconded Cr Brady:

The Council resolved to:

1. **CERAMCO PARK - CLASSIFICATION AS RECREATION RESERVE UNDER SECTION 16(2A) RESERVES ACT 1977**

Agree that Lot 1 DP 35583, and Lot 3-4 DP 93761 contained in certificate of title NA58B/145 and Lot 1 DP 93760 contained in certificate of title NA55B/647 and Lot 2 DP 93760 and Lot 30 DP 87058 be classified under section 16(2A) of the Reserves Act 1977 to be held for the purposes of a recreation reserve as defined by section 17 of the Reserves Act 1977, and that the Department of Conservation be notified of this classification pursuant to Section 16 (2B) of the Reserves Act 1977.

2. PIHA RATEPAYERS AND RESIDENTS ASSOCIATION INCORPORATED - NEW LEASE AT PIHA DOMAIN AND CLASSIFICATION OF LAND

Agree that the land as surveyed described as Part Lot 1 DP 31269 and Part Lot 71 DP 25709 for the location of the Piha Post Office on Piha Domain be classified under section 16(2A) of the Reserves Act 1977 to be held for the purposes of a local purpose (community buildings) reserve as defined by section 23 of the Act.

3. PIHA DOMAIN MOTOR CAMP - NEW LEASE TO FIONA ANDERSON AND CLASSIFICATION OF LAND

Agree that the portion of the land described as Part Piha Block, DP 24231, Part Lot 71, DP 25709 and Part Lots 1 and 2 DP 31269 at Piha Domain be classified under section 16(2A) of the Reserves Act 1977 to be held for the purposes of a recreation reserve as defined by section 17 of the Act.

4. OTHER MATTERS CONSIDERED

Receive the report of the meeting of the Infrastructure and Works Committee held on Wednesday, 1 September 2010.

CARRIED

23 POLICY AND STRATEGY COMMITTEE

1422/2010

MOVED by Cr Hulse, seconded Cr Cooper:

The Council resolved to:

Receive the report of the meeting of the Policy and Strategy Committee held on Thursday, 2 September 2010 as amended.

CARRIED

24 FINANCE AND OPERATIONAL PERFORMANCE COMMITTEE

1423/2010

MOVED by Cr Clews, seconded Cr Mitchell:

The Council resolved to:

Receive the report of the meeting of the Finance and Operational Performance Committee held on Monday, 6 September 2010.

CARRIED

25 PLANNING AND REGULATORY COMMITTEE

1424/2010

MOVED by Cr Neeson, seconded Cr Brady:

The Council resolved to:

Receive the report of the meeting of the Planning and Regulatory Committee held on Tuesday, 7 September 2010.

CARRIED

26 CULTURE AND COMMUNITY COMMITTEE

1425/2010

MOVED by Cr Lawley, seconded Cr Corban:

The Council resolved to:

Receive the report of the meeting of the Culture and Community Committee held on Wednesday, 8 September 2010.

CARRIED

27 TE TAUMATA RUNANGA

This item was considered after Item 16: Sale of Land - 490 South Titirangi Road, Titirangi.

PART G - PROCEDURAL MATTERS

33 QUESTIONS

There were no Questions.

34 NOTICES OF MOTION

There were no Notices of Motion.

PART H - PUBLIC EXCLUDED MATTERS

35 CROWN LYNN DEVELOPMENT ZONE UPDATE

36 NEW RANUI LIBRARY

37 ACQUISITION OF LAND FOR ROAD - 17 - 23 STATE HIGHWAY 16

38 ACQUISITION OF LAND FOR ROAD - 63 - 71 STATE HIGHWAY 16

39 PRESENTATION - BRISBANE FACT FINDING TRIP

1426/2010

MOVED by Cr Flaunty, seconded Cr Hulse:

That the public be excluded from the following parts of the proceedings of this meeting, namely, Crown Lynn Development Zone Update, New Ranui Library, Acquisition of Land for Road - 17-23 State Highway 16, Acquisition of Land for Road - 63-71 State Highway 16 and Presentation - Brisbane Fact Finding Trip.

The general subject of the matters 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. |
|---|---|--|
| Crown Lynn Development Zone Update | 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. |
| New Ranui Library | 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. |
| Acquisition of Land for Road - 17 - 23 State Highway 16 | 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. |
| Acquisition of Land for Road - 63 - 71 State Highway 16 | 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. |
| Presentation - Brisbane Fact Finding Trip | 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 Council's negotiations.*

CARRIED

10.43 am The public were excluded.

Minute numbers 1427/2010, 1428/2010, 1429/2010, 1430/2010 and 1431/2010 are recorded in the confidential section of these minutes.

11.04 am The public were re-admitted.

RESTATEMENTS

The Council resolved while the public were excluded:

Crown Lynn Development Zone Update

(Moved by Cr Battersby, seconded Cr Clews) (resolution 1427/2010 no.3) “Agree that the Crown Lynn Development Zone Update report and associated resolutions remain confidential until such time as the reasons for confidentiality no longer exist.”

New Ranui Library

(Moved by Mayor Harvey, seconded Cr Neeson) (resolution 1428/2010 no.7) “Agree that the New Ranui Library report and associated resolutions remain confidential until such time as the reasons for confidentiality no longer exist.”

Acquisition of Land for Road - 17 - 23 State Highway 16

(Moved by Mayor Harvey, seconded Cr Cooper) (resolution 1429/2010 no.9) “Agree that the Acquisition of Land for Road - 17 - 23 State Highway 16 report and associated resolutions remain confidential until such time as the reasons for confidentiality no longer exist.”

Acquisition of Land for Road - 63 - 71 State Highway 16

(Moved by Cr Cooper, seconded Cr Neeson) (resolution 1430/2010 no.5) “Agree that the Acquisition of Land for Road - 63 - 71 State Highway 16 report and associated resolutions remain confidential until such time as the reasons for confidentiality no longer exist.”

Presentation - Brisbane Fact Finding Trip

(Moved by Cr Battersby, seconded Cr Clews) (resolution 1431/2010 no.2) “Agree that the Presentation - Brisbane Fact Finding Trip and associated resolutions remain confidential until such time as the reasons for confidentiality no longer exist.”

ACKNOWLEDGEMENT

It is customary for the minutes of Waitakere City Council meetings to record only the decisions of the meeting. However, on the occasion of this last full meeting of the Council, Mayor Bob Harvey, the Councillors and the Chief Executive Officer agreed that it was appropriate that there be a formal record in the minutes noting the many expressions of appreciation to fellow Councillors, Community Board Members, Council officers and various community organisations voiced at this final meeting.

Councillors stated their gratitude to their colleagues who have supported them in their roles as Committee Chairmen. It was often stated that the achievements of the Council rested on the collaboration between Councillors.

Acknowledgement was also made of the numerous Council officers, particularly those who have helped progress major Council projects such as NorSGA and the New Lynn Transit Oriented Development, but also all those officers throughout the organisation who have advised and supported Councillors in their decision making roles.

There was strong support expressed of the work undertaken by the four Waitakere Community Boards in representing their communities.

This meeting is the final full meeting of the Waitakere City Council before the Auckland Council comes into being. It is also the Council's 21st birthday. At this time of both sadness and celebration, it is appropriate to recognise the formal and informal partnerships between Elected Members, Council officers, iwi and the community who have all contributed to the legacy of success in the West now passed on to the Auckland Council.

11.04 am

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:.....