

**AGENDA FOR AN ORDINARY MEETING OF THE HENDERSON COMMUNITY BOARD
TO BE HELD IN THE CIVIC CENTRE, 6 WAIPAREIRA AVENUE, LINCOLN,
WAITAKERE CITY, ON THURSDAY, 3 JUNE 2004,
COMMENCING AT 6.30 PM**

TABLE OF CONTENTS

<u>ITEM</u>		<u>PAGE NO.</u>
1	APOLOGIES	1
2	CONFIRMATION OF MINUTES	1
3	URGENT BUSINESS	1
4	PRESENTATION - NEW ZEALAND POLICE	1
5	PUBLIC FORUM	1
6	CHAIRPERSON'S REPORT	1
7	COMMITTEE SECRETARY'S REPORT	1
8	BOARD MEMBERS' REPORTS	1
9	ALTERATION OF PREVIOUS RESOLUTIONS RELATED TO PARKING CONTROLS	1
10	SABULITE ROAD, KELSTON - 'NO STOPPING AT ALL TIMES' CONTROL	1
11	NEW 'NO STOPPING AT ALL TIMES' CONTROL - TE ATATU ROAD, TE ATATU SOUTH	1
12	NEW RULE FOR SETTING SPEED LIMITS	1
13	44 MATUHI RISE, HENDERSON - WASTEWATER INFLOW INVESTIGATION	1
14	KEEP WAITAKERE BEAUTIFUL TRUST - 2004 COMMUNITY STREET TREE PLANTING PROGRAMME	1
15	TE PAI SKATE PARK EXTENSION	1
16	HARBOURVIEW - ORANGIHINA UPDATE	1
17	2004 ELECTIONS - GUIDELINES FOR USE OF COUNCIL RESOURCES IN THE PRE-ELECTION PERIOD	1

**AGENDA FOR AN ORDINARY MEETING OF THE HENDERSON COMMUNITY BOARD
TO BE HELD IN THE CIVIC CENTRE, 6 WAIPAREIRA AVENUE, LINCOLN,
WAITAKERE CITY, ON THURSDAY, 3 JUNE 2004,
COMMENCING AT 6.30 PM**

1 APOLOGIES



2 CONFIRMATION OF MINUTES

Ordinary - Thursday, 6 May 2004

RECOMMENDATION

That the minutes of the Ordinary Meeting of the Henderson Community Board held on Thursday, Thursday, 6 May 2004, as circulated, be taken as read and now be confirmed.



3 URGENT BUSINESS

Section 46A(7) and (7A) of the Local Government Official Information Act 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 item is a minor matter; and
- (ii) the Chairperson has explained at the beginning of the meeting (when open to the public) that the item will be raised for discussion, why the item is not on the agenda, and why it cannot be delayed until a subsequent meeting; and
- (iii) the Board resolves to deal with the item.

No resolution, decision, or recommendation may be made in respect of the item except to refer the item to a subsequent meeting for further discussion.

NOTE: Urgent Business need not be dealt with now and may be delayed until later in the meeting.



4 PRESENTATION - NEW ZEALAND POLICE

Provision has been made on this agenda for a representative from the New Zealand Police to update the Board on matters in the Henderson area.



5 PUBLIC FORUM

For guidance of Community Board Members, the Council's Standing Orders have the following provisions in regard to Public Forum.

- (i) Members of the public wishing to address the Board in Public Forum shall furnish their names to the Chairperson at the beginning of the meeting; and
- (ii) The Chairperson shall determine the order of speakers, and allow five minutes for speaking time.
- (iii) Questions by members are to be confined to obtaining information or clarification on matters raised by the speaker.

Section 46A(7A) of the Local Government Official Information and Meetings Act 1987 provides that no resolution, decision, or recommendation may be made in respect of any specific item of business not on the agenda except to refer the items to a subsequent meeting for further discussion. Therefore, no decision may be made on matters raised in Public Forum. However, written reports on matters raised may be requested from the Chief Executive.



6 CHAIRPERSON'S REPORT

It's hard to believe we are six months through the year already isn't it? Although the weather is definitely getting cooler and the days getting shorter, and I do take pleasure in the autumn weather.

I know one of the ways I mark the year's progress now is in specific scheduled events such as the Tree Planting for Babies and this year's event was well-attended, in spite of the light showers. As long as you had a light raincoat and gumboots there were no problems.

The event took place down at the Halyard Reserve and there were many parents with babies and young children in attendance, along with fairies, food and lots of digging and planting of some lovely strong young trees. Many photos were taken and I am sure that over the years parents will bring those babies back to the park to show them 'their' tree, as we have done with our family.

Every year, when these events take place, I think of how Elizabeth Francke began this event and how much it has brought neighbourhoods out together, and given families an opportunity to celebrate their children's safe arrival in the world. Thank you for giving us this, Elizabeth.

Another opportunity to celebrate our children occurred this past month when the inaugural Toddler's Day Out was held at the Corban Estate. What a great day! The weather was the star of the day - so were the children - hundreds of them.

There were balloons galore, the bubble machine worked overtime, the little cars were in great demand as was the bouncing castle, and the children and their parents had a great time. There were lots of interesting stalls with information and resources for the families. The face painting was enjoyed by my little great-niece immensely.

Thanks to the Waitakere City Council staff who worked together with the Early Childhood Education team to bring our city such a great event. The attendance reached over 4000 people - a very good turnout for the first such event. I am sure next year will be an even greater success. Well done!

Of course the past month has been busy for other reasons - it's Annual Plan time and the Henderson Community Board submission has been delivered to Council. The month of June is set for the hearing of submissions, followed by deliberations. Both I and our Deputy Chairperson will be attending submission hearings.

In recent weeks the members of the Board that were involved in last year's Christmas Cheer committee have met and given some thought to organizing a programme of events in Henderson Central Business District again this year. This time we intend to take a bit more time to plan such events, and to include some business owners and other interested individuals. It would be good if this could be led by the Board, and any members interested in participating are invited to let the Chairperson know. I would like to seek the endorsement of the Board for this group to proceed at this month's meeting.

Tomorrow I am attending a workshop on Corban Estate Arts Precinct: Into the Future; a workshop that I am looking forward to in regard to the future of the centre. There are some specific questions about the precinct that need to be looked at and answered:

- What will it look like?
- Who will use the precinct?
- What will be special about the precinct?
- How will we arrive at the vision?

I hope some of those questions will be answered tomorrow.

This Friday I will also be attending the Waitakere Crime Prevention Strategy workshop to consider the draft Crime Prevention Strategy. I believe it is important for community boards to be a part of the discussion and linkage into the strategy - we are very much part of our community and often have information or enquiries about what is happening in our neighbourhood very early on.

I understand that City Wide Alcohol Strategy is under development as well. I have been asked through our Board secretary whether the Board would like to have an update on the issues regarding restriction/bans of alcohol use, particularly in the Catherine Mall, given they are issues that have been part of previous Board discussions. If members are interested we can have a presentation at our next meeting, or a workshop can be convened for that purpose if members prefer.







RECOMMENDATIONS


1. That the Chairperson's report be received.
2. That the Henderson Community Board support and endorse the concept of a Henderson Christmas Events Committee.


Helen Jones
CHAIRPERSON



7 **COMMITTEE SECRETARY'S REPORT**

ISSUE	COMMENTS	REPORTING OFFICER
<p>Te Atatu Motorway - Traffic Management</p> <p>6 March 2003 Public Forum</p>	<p>Planning work and design work on road development will be completed in 2005/2006 but interim mitigatory measures may be identified this calendar year that could be implemented in 2005/2006. The report is now expected for 2 September 2004.</p>	<p>Ross Hill  836 8000 ext 8737</p>
<p>Edmonton Road - Traffic Study - Annual Report (through Secretary's Report)</p> <p>2 October 2003 Resolution 2018/2003</p>	<p>This is a request for an annual update following the last report, which was submitted to the Board on 2 October 2003. Due to the Local Government Elections on 9 October 2004, the reporting date will be brought forward to 2 September 2004.</p>	<p>Charlie Inggs  836 8000 ext 8854</p>
<p>Speed Humps in Colvil Avenue, Te Atatu South</p> <p>4 December 2004 Resolution 4302/2003</p>	<p>Until the Te Atatu Corridor Study outcomes are resolved Transport Assets are unable to report on this item.</p>	<p>Ross Hill  836 8000 ext 8737</p>
<p>Edmonton School, Progress of Tender and Works in School Road</p> <p>5 February 2004 Resolutions 50/2004 and 56/2004</p>	<p>The construction of the parking bay was completed.</p>	<p>Adam Moller  836 8000 ext 8750</p>
<p>Footbridge at Corban Estate to be named Opanuku Bridge</p> <p>4 February 2004 Resolution 266/2004 and 2 October 2003 Resolution 2018/2003</p>	<p>Henderson Community Board want Henderson High to participate in the naming. Public Affairs continue to liaise with the Principal to achieve this. Once the response from Henderson High School is forthcoming, a report will be submitted to Te Taumata Runanga before the matter comes back to the Henderson Community Board. This report has therefore been deferred to 8 July 2004.</p>	<p>Naomi McCleary  836 8000 ext 8550</p>
<p>Gunner Drive 15 Minute Restricted Parking</p> <p>8 April 2004 Resolution 588/2004</p>	<p>The Manager, Parking Services has visited the area where the restrictions are requested. He has spoken to one of the community members who raised the issue at public forum, and held a group meeting with the affected shop owners on 11 May 2004. They agreed with the Manager - Parking Services on a parking plan for the area. This report, regarding the provision of timed parking controls, will be ready for the Henderson Community Board to be held on 8 July 2004.</p>	<p>Colin Waite  836 8000 ext 8017</p>

ISSUE	COMMENTS	REPORTING OFFICER
Draft Waitakere Crime Prevention Strategy 2004 - 2007 City Development Committee 6 May 2004 Resolution 722/2004	The City Development Committee at its meeting on Thursday, 6 May 2004 resolved that the Community Board nominate a representative to attend the Council/Police Liaison Group.	Mike Mills  836 8000 ext 8421

REPORTS PENDING			
SUBJECT	DATE REQUESTED	REPORT DUE	REPORTING OFFICER
Reserved Parking for Citizens Advice Bureau Volunteers in the Edmonton Road Car Park	4 December 2003 and 6 May 2004 Resolution 728/2004	2 September 2004	Sharlene Grounds  836 8046 ext 8455

RECOMMENDATIONS

1. That the Committee Secretary's Report be received.
2. That the Henderson Community Board nominate a representative to attend the Council/Police Liaison Group.



8 BOARD MEMBERS' REPORTS

Provision has been made on this agenda for Board Members should they so wish to submit a report on their activities during the month in regard to matters within the scope and delegations of the Board. However, to comply with the provisions of the Local Government Official Information and Meetings Act 1987, no decision may be made on matters raised in Board Members' reports.

HENDERSON COMMUNITY BOARD APPOINTMENTS

OUTSIDE ORGANISATIONS	APPOINTMENT
Auckland Region Community Boards' Association Executive Committee	Helen Jones (Alternate: Barry Shaw)
Henderson Citizens Advice Bureau	Bill Postlewaight
Henderson Heritage Trust Inc.	Brenda Brady
Keep Waitakere Beautiful Committee	Camille Nakhid
Liaison Officer for Waitakere District of the New Zealand Police	Barry Shaw (Alternate: Bill Postlewaight)
Henderson Creek Reserves Management Plan	Camille Nakhid (Alternate: Barry Shaw)
Waitakere Road Safety Advisory Committee	Barry Shaw
Te Atatu Community House Committee	Bill Postlewaight (Alternate: Annette Fenton)
Henderson South/McLaren Park Action Group (Contact Person: Carolyn McCardie)	Helen Jones (Alternate: Annette Fenton)
Wai Care Programme	Camille Nakhid Wayne Davis
Herbicide Reduction Working Party	Annette Fenton
Sunnyvale Residents & Ratepayers Association	Barry Shaw
Te Atatu Residents & Ratepayers Association	Camille Nakhid
Henderson Business Association	Annette Fenton
Shopping Trolleys in Streams Steering Group	Barry Shaw
Project Twin Streams Steering Group	Camille Nakhid (Alternate: Barry Shaw)
Henderson Business Liaison Group	Helen Jones Barry Shaw (Alternate: Camille Nakhid)
Henderson and Sunnyvale Rail Station Upgrade Consultation	Wayne Davis

HENDERSON COMMUNITY BOARD SUBCOMMITTEES	
Street Events Subcommittee	Barry Shaw
Henderson Creek Reserves Management Subcommittee	Camille Nakhid
Lower Oratia Stream Reserve Management Plan Subcommittee	Camille Nakhid (Alternate: Bill Postlewaight)
COUNCIL COMMITTEES	
Community Sport Fund Allocation Subcommittee	Bill Postlewaight (Alternate: Camille Nakhid)
Hearings	Camille Nakhid (Alternate: Barry Shaw)



9 ALTERATION OF PREVIOUS RESOLUTIONS RELATED TO PARKING CONTROLS

PURPOSE OF THE REPORT

This report seeks the approval of the Henderson Community Board to alter resolutions made by the Board during the last twelve months, to comply with the requirements of the Local Government Act.

BACKGROUND

The Local Government Act 2002 repealed and replaced many sections of the Local Government Act 1974. However some sections of the Local Government Act 1974 remain in force including part XXI (Roads) and sections 591 and 591A. Council's powers to resolve parking restrictions are still contained within the Local Government Act 1974 and not covered by the new Act.

STRATEGIC CONTEXT

The Waitakere City Council's 'Integrated Transport and Communication' platform provides the strategic context for this report. The vision is for public transport and communications systems that provide fast, effective services, and for city travel facilitated by integrated, environmentally responsible, and innovative design, with a focus on meeting the essential needs of all, for access, communication, and safety.

Resolving parking restrictions facilitates safety, access and efficiency in the use of transport infrastructure.

ISSUES

During the last twelve months a number of reports have been brought to the Henderson Community Board on various parking issues. Some of these reports contained recommendations that incorrectly referenced the Local Government Act 2002 as the authority under which the resolutions were passed.

To prevent possible legal challenges regarding the validity of infringement notices issued at locations where the parking controls have been incorrectly resolved, it is necessary to correct these resolutions.

The Community Board may alter a previous resolution of the Board under Standing Order 27.18, which states that:

“A local authority meeting may, on a recommendation contained in a report by the Chairperson or chief executive, or the report of any committee, revoke or alter all or part of resolutions previously passed at meetings. At least two clear working days notice of any meeting to consider such a proposal shall be given to members, accompanied by details of the proposal to be considered.”

A1-A3 This report contains recommendations to correct four previous resolutions of the Henderson Community Board, copies of which are attached at pages A1 to A3.

RESOURCES

No additional resources will be required.

CONCLUSION

The recommended alterations to the previous resolutions are necessary to prevent possible legal challenges to enforcement of the resolutions.

RECOMMENDATIONS

1. That the information be received.
2. That the resolutions of the Henderson Community Board listed below be altered by deleting the words “Local Government Act 2002” substituting the words “Local Government Act 1974” in each case:

Resolution	Date	Subject
1858/2003	4 September 2003	Robert Burke Place - Traffic Issues
4310/2003	4 December 2003	Taikata Road - No Stopping at All Times Control
53/2004	5 February 2004	Divich Avenue/Metric Place - “No stopping at all times” controls
268/2004	4 March 2004	Geordie Street Give Way and no Stopping at all times controls

Report prepared by: Adam Moller, Principal Transport Engineer: Development Transport Assets.



10 SABULITE ROAD, KELSTON - 'NO STOPPING AT ALL TIMES' CONTROL

PURPOSE OF THE REPORT

The purpose of this report is to seek approval from the Henderson Community Board to extend the existing 'No Stopping At All Times' control around the corner of Great North Road and Sabulite Road further along the western kerb line of Sabulite Road.

BACKGROUND

A resident who owns a business in Sabulite Road raised the issue at the Henderson Community Board meeting held on 4 February 2004 of obstruction to moving traffic caused by the vehicles parked too close to the intersection.

The Henderson Community Board considered these matters and resolved as follows:

“That the Chief Executive be requested to prepare a report, through the Secretary’s Report, on parking congestion enforcement issues on Sabulite Road issues near its intersection with Great North Road.”

63/2004

STRATEGIC CONTEXT

The Waitakere City Council's 'Integrated Transport and Communication' platform provides the strategic context for this report. The vision is for public transport and communications systems that provide fast, effective services, and for city travel facilitated by integrated, environmentally responsible, and innovative design, with a focus on meeting the essential needs of all, for access, communication, and safety.

'No Stopping At All Times' controls can be applied to ensure efficient, safe movement on roads by keeping traffic lanes and visibility lines clear.

ISSUES

A Transport Engineer and the Manager: Parking Services visited the site to understand the problem. During this visit they talked to the manager of the Car Sales Centre on the western side of the road. The investigation was mainly focussed on the congestion created by vehicles parked too close to the signalised intersection. The area is a commercial and industrial area, and a large number of vehicles including some heavy vehicles can be seen manoeuvring around and parked on the road. This has a huge effect on the free movement of traffic on Sabulite Road especially close to the Great North Road Intersection. There is a Clear Way Control on the western side of the road from 7.00 to 9.00 AM and from 4.00 - 6.00 PM. However, Transport Assets Staff have witnessed serious congestion outside these times.

A4 In order to reduce the congestion and improve the safety and efficiency it is recommended to extend the existing 'No Stopping At All Times' control on the western side of the road, see attached map at page A4.

The proposed no stopping controls mean that there will be a loss of two possible parking spaces but alternate parking spaces are available in the surrounding area in a safer environment.

Businesses and residents whose frontages are affected have been consulted and no objections have been raised.

As Sabulite Road is on the boundary between New Lynn and Henderson Wards, a separate report has been forwarded to the New Lynn Community Board seeking the approval to extend the “No stopping At All Times” control on the eastern side of the road.

RESOURCES

As the work involves a minimal cost, it can be accommodated within the 2003/2004 maintenance budget.

CONCLUSION

The proposed 'No Stopping At All Times' control in Sabulite Road is desirable from a safety perspective and will have only a minor effect on parking in the vicinity. No objections have been received as a result of consultations. The work can be accommodated within the 2003/2004 maintenance budget.

RECOMMENDATIONS

1. That the Sabulite Road- 'No Stopping' Control report be received.
2. That in relation to **SABULITE ROAD, KELSTON**:
 - (a) All existing parking restrictions or limitations affected, or superseded, or replaced by this resolution applicable to Sabulite Road imposed by any prior resolution (including resolution of any former authority) cease to have any force and effect as from the date of this resolution. That any current enforcement action by way of prosecution arising from, or infringement notice issued in relation to, any non-compliance with or breach of any such parking restriction or limitation be authorised to be concluded in the normal manner.
 - (b) That, in accordance with the powers conferred by virtue of the Local Government Act 1974, The Transport Act 1962 and the Waitakere City Council Bylaw No. 7, 1991 - Traffic, the following parking limitations and restrictions be now resolved to be specified and imposed namely:
 - on the western kerb line of Sabulite Road starting from the end of the existing no stopping line outside 4135 Great North Road and ending at a point 13 metres south of the northern boundary of 4135 Great North Road for a length of 18 metres a **'NO STOPPING AT ALL TIMES'** control be put in place.
3. That the appropriate signage and/or markings, in accordance with the Traffic Regulations 1976, be hereby approved to be put in place to properly establish, delineate and record the said parking limitations and restrictions.

Report prepared by: Upali Ileperuma, Transport Engineer: Transport Assets.



11 **NEW 'NO STOPPING AT ALL TIMES' CONTROL - TE ATATU ROAD, TE ATATU SOUTH**

PURPOSE OF THE REPORT

This report seeks the Henderson Community Board's approval for a new 'No Stopping At All Times' control in Te Atatu Road.

BACKGROUND

Council staff have identified a short section of Te Atatu Road where a parking restriction would have safety benefits.

STRATEGIC CONTEXT

The Waitakere City Council's 'Integrated Transport and Communication' platform provides the strategic context for this report. The vision is for public transport and communications systems that provide fast, effective services, and for city travel facilitated by integrated, environmentally responsible, and innovative design, with a focus on meeting the essential needs of all, for access, communication, and safety.

'No Stopping At All Times' controls can be applied to ensure efficient, safe movement on roads by keeping traffic lanes and visibility lines clear.

ISSUES

There are currently 'No Stopping At All Times' controls both on the corner of Tirimoana Road and Te Atatu Road and also further north on the outside of a bend in Te Atatu Road approximately 100 metres further north. In between these two existing controls there is a short section of unrestricted parking. It is proposed that the Community Board resolves that a new control be installed to create a continuous parking restriction between Tirimoana Road and the bend in Te Atatu Road to the north.

The proposed new restriction would have a number of safety benefits as parked vehicles in this location block sight distance for drivers turning out of Tirimoana Road. The southbound lane of Te Atatu Road is 3.8 metres wide in this location and when a vehicle parks in the lane passing vehicles are forced out onto the painted median when passing. This limits the ability of drivers turning right out of Tirimoana Road to safely use the flush median to wait for a gap in the northbound traffic to merge into.

The residents of the properties adjacent to the proposed controls have been consulted by letter about the proposed changes. No replies were received.

A5 The location and extent of the proposed no stopping line is indicated on the attachment on page A5.

RESOURCES

The proposed new parking control markings can be implemented under the 2003/2004 maintenance budgets.

CONCLUSION

The proposal to install a new 'No Stopping At All Times' control at the south end of Te Atatu Road is desirable to improve road user safety, and no objection has been received in response to consultation

RECOMMENDATIONS

1. That the information be received.
2. That in relation to **TE ATATU ROAD, TE ATATU SOUTH**:
 - (a) That all existing parking restrictions or limitations affected, or superseded, or replaced by this resolution applicable to Te Atatu Road imposed by any prior resolution including resolutions of any former authority cease to have any force and effect as from the date of this determination provided however, that any current enforcement action by way of prosecution arising from, or infringement notice issued in relation to, any non-compliance with or breach of any such parking restriction or limitation be authorized to be concluded in the normal manner.
 - (b) That, in accordance with the powers conferred by virtue of the Local Government Act 1974, The Transport Act 1962 and the Waitakere City Council Bylaw No.7, 1991 - Traffic, the following controls be now resolved to be specified and imposed, namely,
 - on the east kerb line of Te Atatu Road starting a point 11.5 metres north of where the kerb meets Tirimona Road to a point a further 28.5 metres north, a new '**NO STOPPING AT ALL TIMES**' control be put in place.
3. That the appropriate marking, in accordance with the Traffic Regulations 1976, be hereby approved to be put in place to properly establish, delineate and record the said no stopping at all times restriction.

Report prepared by: Paul Schischka, Transport Engineer.



12 NEW RULE FOR SETTING SPEED LIMITS

PURPOSE OF THE REPORT

The purpose of this report is to provide a summary to the Henderson Community Board of the provisions of the new rule regarding the setting of speed limits.

BACKGROUND

In early 2003 the Minister of Transport signed a new rule altering the way speed limits are set in New Zealand. The new rule came into force in April 2004. Under the new rule Councils and other road controlling authorities take over many of the Land Transport Safety Authority's responsibilities for setting speed limits.

There have been numerous reports in the media about the changes, many of which give a misleading impression of the changes. The elected members are often the first point of contact for members of the public with traffic concerns, and it is desirable that they are well informed of the process and rules for setting speed limits.

STRATEGIC CONTEXT

The Waitakere City Council's 'Integrated Transport and Communication' platform provides the strategic context for this report. The vision is for public transport and communications systems that provide fast, effective services, and for city travel facilitated by integrated, environmentally responsible, and innovative design, with a focus on meeting the essential needs of all, for access, communication, and safety.

Safe and appropriate speed limits play an essential role in ensuring motorist safety when using Council's road network.

ISSUES

A6 Under the new rule Council is legally required to follow a certain procedure set out in the rule when setting or reviewing speed limits. This process comprises three steps, firstly conducting a speed limit rating survey, then conducting consultation, then finally passing a bylaw and registering the speed limit, refer to attachment at page A6. The detail of each step is elaborated on below.

Speed Limit Rating Survey

In this survey the road is divided into a series of 100 metre sections each of which is given a development rating and a roadway rating which are then combined together to get a total rating.

The development rating is based on the number of houses and businesses that have direct access onto the road combined with a value based on the development in any side road. A residence with its own driveway is worth one rating point while businesses and other facilities or several houses sharing a driveway are worth between one and four rating points based on the scale and type of the development. Only schools and kindergartens can be worth more than four rating points, their value being based on the number of pupils.

The roadway rating is based on the number of pedestrians, the availability of a footpath, the number of cyclists, the number of cars parked on street and their distance from the traffic lanes, the forward visibility for drivers, the presence of a flush median or median barrier, the presence of traffic control devices like "Stop" and "Give Way" controls and pedestrian crossings, road classification and the type of development adjacent to the road. Each of these factors is considered and a number of rating points assigned. These are totalled and compared to the total number of development rating points. If there are more roadway rating points than development points then the roadway rating is reduced to equal the development rating.

The combined total rating is then used to find a speed limit for the section of road: the attached chart shows the number of rating points required for a particular speed limit as well as other criteria. The speed limits for all the sections within a road are then compared with a view to achieving a consistent speed limit throughout the road. A small section of developed land within an undeveloped area will not warrant a reduced speed limit, neither will a small undeveloped section within an urban area warrant an increased speed limit. Rules for the minimum distance between speed limit changes and where to place the boundaries are included within the new rule. Thus the final limit chosen for a road will be the same for the entire road or large sections of the road. The speed limits in connecting roads also need to be taken into account.

It is important to note that since the roadway rating cannot exceed the development rating, regardless of other factors, the development adjacent to the roadway is the driving factor in determining speed limits. A well developed urban area will have 50km/h limit regardless of other factors, whilst an undeveloped rural area will have a 100km/h limit. This means that a 100km/h limit may apply on a road where, because of a number of curves in the road or other geometric features, it is unsafe or impossible to travel at the speed limit. Mountain Road is a good example of a road with a 100km/h limit which cannot be safely traversed at 100km/h. In situations like these roadway delineation and warning measures like curve warning signs, chevron signs, advisory speed signs, edge marker post and edge lines can be used to improve motorist safety.

Consultation

The new rule requires that Council consult the following parties in writing before setting a new speed limit, as follows:

- the Land Transport Safety Authority;
- the Police;
- the Automobile Association;
- the Road Transport Forum;
- any other road controlling or territorial authority affected by the change;
- *'Persons which may be affected by the proposed speed limit'* (In practice this will normally mean members of the public or business whose properties are adjacent to the road or use the road regularly).

Council is obliged to take into account any submissions received during consultation when setting speed limits, however this does not relieve Council of the requirement to set limits according to the rigid procedure laid down in the rule.

Bylaw and Registration of Speed Limits

The final step in setting a speed limit is for Council to make a bylaw setting the new limit. Council is also required to keep an up to date register of all speed limits in the city and all correspondence and other documentation relating to speed limits for seven years. Council must inform the Land Transport Safety Authority of any change in the speed limit at least 14 days before the new limits come into effect.

The new rule requires that road controlling authorities pass a bylaw ensuring that all existing speed limits are retained before any new speed limits are set. The Land Transport Safety Authority are currently producing a model bylaw for councils which is expected to be released in the near future.

Role of the Land Transport Safety Authority

The role of the Land Transport Safety Authority under the new rule is to oversee the application of the rule by road controlling authorities. A consistent national approach is essential and the Director of the Land Transport Safety Authority has the power to compel Council to review or change a speed limit or by notice in the New Zealand Gazette change a speed limit if Council refuses to do so.

Differences when Compared with the Old Method for Setting Speed Limits

The method by which speed limits are set has not changed significantly. The speed limit ratings survey which is the determining factor in choosing a limit is the same method previously used by the Land Transport Safety Authority. The consultation requirements are new, but as the limit chosen is determined by the survey result this makes little practical difference. The main change is an administrative one, Council rather than the Land Transport Safety Authority is now responsible for the bulk of the administration of speed limits and this will enable faster processing of reviews and requests.

Timeframe for Setting New Speed Limits

After the bylaw has been passed the process for changing a speed limit is still likely to be rather lengthy. The speed limit rating survey can be undertaken quite quickly, but consultation and the process required to pass a new bylaw whenever a speed limit is changed are both likely to take some time. The 14 days notice that must be given to the Land Transport Safety Authority before a new limit comes into effect will also add another two weeks to the time needed to change a speed limit.

The new rule requires Council to review all non-50 limits in urban areas and all non-100 limits in rural areas before 1 July 2005, for this reason there are likely to be a number of speed limit changes within the next year.

Pilot Study

At the request of the Waitakere Community Board Transport Assets is conducting a pilot application of the new rule in Candia Road. Final outcomes of the pilot will be distributed to all Community Boards and the City Development Committee.

RESOURCES

The requirement to review a number of speed limits before 1 July 2005 will require approximately three person months of time. This can be absorbed into existing budgets through the use of Transport Assets staff time and consultants paid for from the transport planning budget.

CONCLUSION

The new rule for setting speed limits represents more of an administrative change than a major shift in the philosophy of setting speed limits in New Zealand. Council will take over much of the administrative workload to do with speed limits from the Land Transport Safety Authority but the actual limits that can be set will still be determined by the necessarily rigid rules used previously to set limits. For this reason it is unlikely that there will be many extensive changes to speed limits within the city.

The main benefit of the new rule to Council is that Council may now review limits when it feel that a change may be warranted rather than wait for the Land Transport Safety Authority to process a review the limit. The speed limit review process was also very drawn out when it was conducted by the Land Transport Safety Authority. Council now has the ability to ensure that speed limit reviews are conducted promptly where constituents consider that there is a discrepancy.

The main disadvantage to Council is that the majority of the cost of administering the speed limits must now be borne by Council.

RECOMMENDATION

That the New Rule for Setting Speed Limits report be received.

Report prepared by: Paul Schischka, Transport Engineer.



13 **44 MATUHI RISE, HENDERSON - WASTEWATER INFLOW INVESTIGATION**

PURPOSE OF THE REPORT

The purpose of this report is to update the Henderson Community Board on action taken relating to a wastewater overflow from the wastewater manhole located in front of 44 Matuhi Rise, Henderson which occurred on 10 February 2004 during a rainstorm event.

BACKGROUND

At the 1 February meeting of the Henderson Community Board, a local resident had raised a concern about the wastewater overflow. The matter was also reported with the Waitakere City Council on 10 February 2004.

It was reported that the wastewater manhole had overflowed twice in a week. The concern was the health hazard, with children playing in the cul-de-sac where the mixture of stormwater and wastewater effluent was present.

The overflows on these occasions had occurred during inclement weather with high intensity rainstorms.

STRATEGIC CONTEXT

Waitakere takes an innovative approach in managing drinking water supply, wastewater and stormwater together. This is to ensure that the services in all three areas are efficient, reliable and high quality and minimise impacts on the environment over the long term.

EcoWater is committed to managing wastewater in ways which will:

- protect public health;
- enhance environmental values; and
- use financial resources wisely.

ISSUES

There are a number reasons why wastewater overflows occur from the network. These include:

- foreign object causing blockage in the network;
- build up with grease and fat which reduces the pipe capacities;
- root intrusion causing blockage;
- broken pipelines;
- dips in the pipeline; and
- high flows due to stormwater inflow and infiltration into wastewater system during a rain event.

It is possible that a combination of several of the above reasons may also cause an overflow.

Closed circuit television inspections assist in determining the structural conditions of the pipeline. It is a valuable tool to determine the cracks, broken pipe sections, root intrusions, illegal connections and other defects.

A closed circuit television inspection of the wastewater pipeline downstream of the manhole from 44 Matuhi Rise through 91 Edmonton Road to 116 Edmonton Road was carried out on 20 February 2004.

The closed circuit television of pipeline downstream confirmed that there were no major root intrusions, fat build-ups or any physical obstructions in the pipeline ruling these out as the cause of the overflow.

The next step therefore is to assume the overflow is due to the increased wastewater flow as a direct result of stormwater inflow into the wastewater network. Inflow is rainwater which enters the wastewater network via low lying gully traps and stormwater from roofs that have been diverted into gully traps via illegal down pipe connections.

The catchment size upstream of the manhole in front of 44 Matuhi Rise is 224 properties, 3924m public sewer and 89 manholes.

Council has programmed the survey work to investigate the low lying gully traps and stormwater from roofs that have been diverted into gully traps via illegal down pipe connections for all the properties identified which contribute to the catchment.

INFLOW PROGRAMME

An inflow programme is now underway with the following milestones:

- Posted the Survey Notices to the property owners and tenants - 21 April 2004;
- Started surveying the properties - 27 April 2004;
- Expected date of completion for survey - 25 May 2004.

RESOURCES

The Inflow Survey work for the catchment can be accommodated within the current annual capital budget.

The work has been assigned to Project Services Section of the Waitakere City Council.

CONCLUSION

Identifying direct inflows from the properties and fixing these problems at the gully traps will reduce the inflow of stormwater entering the wastewater network. This will assist in reducing the peak wet weather flow in pipeline and resultant overflows.

RECOMMENDATION

That the 44 Matuhi Rise, Henderson - Wastewater Inflow Investigation report be received.

Report prepared by: Jayesh Solanki, Drainage Operations Engineer: EcoWater Solutions.



14 **KEEP WAITAKERE BEAUTIFUL TRUST - 2004 COMMUNITY STREET TREE PLANTING PROGRAMME**

PURPOSE OF THE REPORT

The purpose of this report is to update the Henderson Community Board on streets that have been nominated for planting as part of the Keep Waitakere Beautiful Trust's Community Street Tree Planting Programme for 2004.

BACKGROUND

Keep Waitakere Beautiful Trust (KWB) is a community based, environmental trust funded by Waitakere City Council. Keep Waitakere Beautiful has been working in partnership with Council since 1993, and for the past 11 years the Community Street Tree Planting Programme has been a successful core programme of Keep Waitakere Beautiful.

Keep Waitakere Beautiful delivers a wide variety of environmental projects as part of its annual calendar of events including Trees for Babies, Operation Spring Clean and Clean Stream Waitakere.

STRATEGIC CONTEXT

The Community Street Tree Planting Programme is an important component in implementing Council's Green Network and Well-being Support goals by involving the community in creating and improving their neighbourhoods. The planning of this annual programme takes into account requests from residents received throughout the year, recommendations from the Council Arborist, and budget constraints.

ISSUES

Keep Waitakere Beautiful is currently planning the 2004 Community Street Tree Planting Programme. The programme aims to:

- Complete at least 15 suburban street tree plantings each year;
- Involve the local community in planning, executing and maintaining street tree plantings;
- Provide a forum for community building;
- Provide a forum for promoting Waitakere City Council partnerships.

Historically, Keep Waitakere Beautiful has endeavoured to plant an equal number of trees in each of the four wards.

The 2004 Keep Waitakere Beautiful Community Street Tree Planting Programme will be carried out during the months of June/July 2004, when there is optimum rain to maximise survival rates of the trees. As in previous years, wherever possible a local resident Street Co-ordinator will be appointed for each planting. This person is supported by Keep Waitakere Beautiful to liaise with and encourage the support of residents to undertake the planting and ideally oversee the long term care of the trees.

NOMINATIONS FOR 2004

Nominations received for Community Street Tree Planting in the Henderson Ward for 2004 are:

- Yeovil Road;
- Gloria Avenue;

- Kona Crescent;
- Charlene Close.

Keep Waitakere Beautiful has been liaising with residents on the streets nominated to gauge support and to determine the suitability of the streets (power lines, underground services, etc) and will be bringing final recommendations for streets to be planted in the Ward to the June Community Board meeting for ratification.

Dates for the Community Street Tree Plantings will be set with the community prior to the meeting and Board members will be advised of these dates at the meeting.

RESOURCES

The funds for this project have been provided for in Council's grant to Keep Waitakere Beautiful for 2003/2004 and Keep Waitakere Beautiful is working with a landscape contractor who will provide trees, equipment, guidance and technical assistance at each planting event.

Each planting begins with a welcome from representatives of Keep Waitakere Beautiful and the Community Board; a planting demonstration follows and the planting day concludes with a community BBQ organised by residents and Keep Waitakere Beautiful.

CONCLUSION

Keep Waitakere Beautiful will be delivering its annual Community Street Tree Planting Programme for the 11th consecutive year in June/July 2004. Nominations have been received for streets to be planted in the Ward and Keep Waitakere Beautiful is liaising with the community to gauge support for the plantings. A final list of recommended streets will be presented at the June Community Board meeting.

Dates for the Community Street Tree Plantings will be set with the community prior to the June Community Board meeting and Board members will be advised of these dates at the meeting. Community Board members are welcome and encouraged to attend the plantings in their Wards.

RECOMMENDATIONS

1. That the Keep Waitakere Beautiful Trust - 2004 Community Street Tree Planting Programme report be received.
2. That the recommended streets tabled at the meeting be accepted for this years Keep Waitakere Beautiful Street Tree Planting Programme.
3. That a Community Board Representative be appointed to attend the street tree planting as arranged.

Report prepared by: Jacki Byrd, Parks & Community Projects Co-ordinator.



15 TE PAI SKATE PARK EXTENSION

PURPOSE OF THE REPORT

The purpose of this report is to present to the Henderson Community Board the results of the public consultation process of the concept plan for the extension of the Te Pai Skate Park.

BACKGROUND

A submission was received to the 2003/2004 Draft Annual Plan on behalf of the skaters of Waitakere requesting improved skateboarding facilities at Te Pai Park. The submission included over 100 signatures from local skaters.

The 2003/2004 Annual Plan provided funding of \$30,000.00 for consultation and to obtain feedback from the local community, interest groups and from amateur and professional local skate-boarders in order to assess the need for improved skating facilities and for input in to the extension of the skate park. The funding was also provided to produce a concept plan resulting from the consultation.

The existing Te Pai Skate Park facility consists of a concrete structure with an area of approximately 1000 square metres. The proposed new facility would add a further 750-900 square metres.

STRATEGIC CONTEXT

In 2002 a Waitakere City Skate Plan was produced which identified the need to provide quality skate facilities in Waitakere City to cater for the recreational and leisure needs of the cities youth. The plan identified that extensions to existing skate facilities in the city could help meet some of these needs.

The vision statement of the Council nine strategic platforms 2020 vision within the Long Term Council Community Plan in regards to Urban and Rural villages states that:

"Town centres are thriving, providing exiting options for people to live, work and play. Public facilities and places and the streets are alive and busy".

In addition, the Council Strong Communities strategic platform states that: "People are active, happy and content. They feel safe and there is a strong sense of community. Our City is a great place for children. We enjoy our diversity of lifestyles and people."

The proposed extension of the Te Pai Skate Park fits in well with these particular Strategic platform visions by providing a challenging recreational opportunity for a wide range of children's age groups in a relatively safe environment whilst causing minimal negative environmental impact or nuisance to residences or nearby businesses.

The Te Pai facility is strategically located on a reserve which has high passive surveillance from passing vehicles, has residential properties located relatively far from the site, is clustered with other recreational activities and is easily accessible. Locations for new skateboarding facilities on other parks within the city are limited, mainly due to associated noise factors and close proximity to residential properties. The extension of this skate facility will increase the size to a regional facility and cater for a wider range and greater capacity of users.

ISSUES

The initial phase of the consultation involved a letter drop delivered to residential addresses and businesses adjoining and surrounding the park up to a 1km radius. The letter included a location map with the expected extent of the development, a form for submissions and an invitation to attend a public meeting. A description of the proposal was also included on the Council website requesting submissions on the proposed skate park extension.

Sixteen (16) submissions were received. Four (4) opposed the development, or raised specific concerns or considerations on the development.

Some positive feedback included the following:

- *“Really enjoying the current facility and would appreciate an upgrade”;*
- *“This upgrade will keep skaters away from the streets and carparks in this area”;*
- *“This proposed upgrade is supported, but council should also have a responsibility to maintain it”;*
- *“Great place for kids to stimulate their bodies and minds”.*

Other feedback mainly from one submission against included:

- *“This upgrade will take away valuable green open space. Skate park should be placed elsewhere in a light industrial area”;*
- *“This upgrade will only be tagged and wrecked again”;*
- *“Wasting taxpayers’ money”;*
- *“This is such a small upgrade. It is waste of money and time”.*

A7 A copy of the summary of submissions is attached at page A7.

A8 A public meeting was then held at the Te Pai Netball Court Clubrooms on 10 December 2003. Total attendance at the meeting was low with only three skateboarders attending. Feedback from this meeting has been incorporated as part of the attached design at page A8.

Following this initial meeting a public design workshop was held in February 2004 which involved local skate-boarders to provide input into the design and a forum for user group consultation. The workshop was advertised at a number of venues and media including:

- Flyers and submission forms handed out at the Waitakere City Council “Summer Slamz” outdoors events and skateboarding competitions.
- Flyers and submission forms at Cheapskates West skate boarding retail shop
- Information posted on the Council website.
- Signs located at local skate parks

The workshop was held at the Te Pai Netball Court Clubrooms with 15 skateboarders and BMX bike riders attending. A sketch design was used as a discussion point during this process to assist in identifying key elements and desires for the final draft design. The design was refined following the receipt of the submissions and comments received during this process.

The revised design was produced into a presentation model which was displayed at the local Cheapskates West shop with a register inviting feedback in regards to the design. Photos of the model and a submission form were also posted on the Council website. Feedback received related to design only with no negative feedback received, and was incorporated as part of the attached design.

From all stages of the consultation a contacts database was developed and constantly updated. Any one who left their name and contact details was added to the database and updated with information on the development. The consultation list included 110 skaters and other submission respondents.

PROPOSAL

A well known New Zealand champion skater (Chey Ataria) was involved in developing the initial design, which was used as a starting point for the design development. The design was further developed and refined with input from design workshops and submission forms. Local BMX bike riders also attended the workshops.

The design includes a new area beside the existing facility with minor changes to the existing facility. The predominant desire was for the new area to be of a new "street-skating" style. This requirement was incorporated into the design with an emphasis on low platforms, banks and rails for "grinding" or sliding along the edges, rather than the older style of tall or deep bowls and ramps.

One traditional element of the older style of skating, called a half pipe, was a specific request from many of the earlier submissions and this element has been included. Some older skaters and BMX bike riders also preferred the elements of the older style parks so some features of this nature were also included. These items are integrated into the park but functionally separated from the main skateboard traffic areas to minimise the potential for bike riders to collide with skaters and resulting safety issues.

The design is integrated with the existing facility and grassed earth mounding. A wire mesh fence is proposed to separate the development from the neighbouring business owner as a result of the consultation process.

Tree planting is also included in the design, to provide shade and to soften the appearance with the park setting.

The attached concept design is a clear outcome from the consultation process that will meet the needs and desires of the user groups.

RESOURCES

A cost estimate for the park has been prepared which shows that the development will cost approximately \$200,000. In the 2004/2005 draft Annual Plan \$180,000 has been included. Additional funding of \$30,000 is available from the removal of the skate park at Royal Reserve. The inclusion of these funds will enable the full project to proceed.

The current construction industry is experiencing high prices for construction works. The design has been developed to enable certain items to be removed without impacting heavily on the overall outcome of the skate park extension if tenders are received that are over the allocated funds.

Items to be removed for cost savings were prioritised in principle at the design workshops.

CONCLUSION

Te Pai Skate Park is situated in an ideal location for a regional skate park to cater for the youth in Waitakere City. The park is easily accessible to Massey and Henderson youths and has minimum adverse impact on surrounding residences and businesses.

The consultation process undertaken indicates that there was relatively low level of opposition to the development while there was a high level of support.

RECOMMENDATION

That the Te Pai Skate Park Extension report be received.

Report prepared by: Alan Duxfield Parks Assets Project Manager.



16 HARBOURVIEW - ORANGIHINA UPDATE

PURPOSE OF THE REPORT

The purpose of this report is to provide an update to the Henderson Community Board on progress with Harbourview - Orangihina development project and outline the works proposed for the coming year.

BACKGROUND

At the Council meeting of 29 May 2001 Council received a proposal from the Te Atatu Residents and Ratepayers Association in relation to the then 'People's Park' on the Harbourview land. As a result of that meeting Council resolved to undertake the planning process for an Open Space Management Plan and to develop the land as park alongside investigation into a marae site in Te Atatu and appropriate reserve classification and District Plan environment identification for the project.

At the Council meeting of 27 February 2002 Council received the report and recommendations regarding site options for a marae at Te Atatu Peninsula. As a result of that meeting Council resolved to provide 2.5 hectares on Harbourview for the Te Atatu Marae.

An Open Space Management Plan for the remaining 80 ha of park land was adopted in February 2003. This plan outlined proposed development of Harbourview - Orangihina as a park with an associated concept plan which all subsequent park development would be based upon.

STRATEGIC CONTEXT

Due to the size and proposed use of the Harbourview - Orangihina, the area meets the criteria for a City-wide park.

The City Development Committee has the delegated authority to hear submissions and make decisions on the Open Space Management Plan and associated detailed concept design and implementation work for the park.

The Open Space Management Plan for Harbourview - Orangihina (hereafter referred to as OSMP) has been prepared in the context of the Parks Strategy, which provides guidelines on the management of parks within the City. The Parks Strategy aims to improve the quality of parks and provide parks services in a fair and equitable way for Waitakere people within financial constraints.

The Open Space Management Plan has also been compiled within the context of the Greenprint, Leisure Strategy, Weed Strategy as well as other statutory and strategic documents for the City and, where appropriate, the region.

ISSUES

Open Space Management Plan

Since the last update report to the Henderson Community Board, the Open Space Management Plan has been formatted and printed. Hard copies are available for the public at request and are also available on the Council's website.

Stage One Works

Stage one works were completed in June 2003. The stage one works provided an entrance to the park from Gloria Avenue round-about and a small carpark area for access to the existing path network and the heritage timber villa. It also included planting of swale drainage areas and specimen tree planting.

Near the completion of the stage one works a community planting day was held (Saturday, 31 May 2003). This event was organised to celebrate the nearing completion of stage one works and the opening up of the northern part of the park for public use. Approximately 100 interested residents attended.

Unfortunately some of the planting from stage one was not successful. Planting during May/June 2004 will occur to replace unsuccessful plants. Part of the replacement work will be carried out under the maintenance requirements of the contract for the planting works. It is believed that weather, soil conditions and drainage are likely contributors to the unsuccessful planting.

Work to rectify the problem areas will include:

A9 Removing the planting beds in the middle of the large open grassed area as indicated on the map attached at page A9. These will be reverted back to grass for the short to medium term.

It is likely that these planting beds have been unsuccessful due to unanticipated wet conditions and soil compaction during construction of stage one. Significant work is required to raise the planting beds and provide better drainage and soil conditions. Due to budget constraints it is thought that money would be better spent elsewhere to develop new park areas.

Planted areas near the entrance have also been partially unsuccessful. This again is likely related to drainage issues, in which selected plant species have struggled. These species will be replaced with plants that have been particularly successful on the site to date i.e. *Carex secta*, in order to provide the dramatic planting display at the park entrance.

Remaining plants from these gardens will be replanted in more suitable locations within Harbourview - Orangihina.

Stage Two Works

Stage two works are near completion. Stage two consisted of developing a path that runs from the carpark (developed in stage one) south along the escarpment to the southern end of Harbourview. It is a 2m wide path with four bridges. The bridges will soon have unique bridge railings installed.

At the time of writing the report the path and bridge bases were completed. However, due to safety reasons, the path remains closed until the bridge railings are installed.

The path will open up the entire length of Harbourview - Orangihina for access by the public.

A9 Council is taking over another large area in the centre of the park and opening it up for public access, as indicated on the map attached at page A9. This was previously leased to the Te Atatu Pony Club. During May/June 2004 the Te Atatu Pony club will be removing all improvements and materials placed on the land by the club. Remaining fences will be removed and Council will begin mowing the area.

The vandalised information sign adjacent to the carpark will also be replaced during this period (May/June 2004) and a park sign will be installed at the entrance.

Furniture Design

An artist has been commissioned to develop concepts which will add a unique component specific to Harbourview - Orangihina to standard Council park furniture elements. It includes developing modifications to the standard designs for bridge railings, seating (bench and backed) and picnic tables.

New bridge railings will be installed as part of stage two works (as mentioned above).

Painted Apple Moth

Weed control was undertaken on the southern end of Harbourview - Orangihina as part of the Painted Apple Moth control in 2002. The Ministry of Agriculture and Forestry has allocated resources to allow revegetation to occur on the site.

Approximately 5000 plants have been allocated for the southern escarpment end of Harbourview - Orangihina. Planting is expected to be undertaken in June 2004.

Weed Control and Planting Plan

Consultants have been commissioned to update previous work, and to develop a long term planting and weed control plan for Harbourview - Orangihina. This is to help establish a work and maintenance programme for the whole site and to assist in prioritisation of work.

District Plan Variation

The Council notified Plan Change 2 to the District Plan on 9 June 2003. Copies of this Plan Change were sent to all Henderson Community Board Members prior to notification. Copies were also sent to all District Plan holders, all those who made a submission on the Open Space Management Plan, all those who have properties that front onto the Harbourview - Orangihina, and the usual statutory bodies and Iwi Authorities.

This Plan Change seeks to change the current Harbourview South and Living Environment into Open Space Environment and Marae Special Area. Submissions closed on 7 July 2003, and the Council held a hearing of submissions during December 2003 and made decisions on 16 December 2003. One Environment Court Appeal has been received from the Te Atatu Residents and Ratepayers Association. One preliminary meeting between Council and the Association's representatives has been held to discuss the appeal. The first Environment Court facilitated mediation is scheduled for 16 June 2004.

The Plan Change is separate to the work that is progressing the integrated public transport interchange and ferry. If, following consultation and further consideration by the Council, it decides to proceed with the interchange, that will be progressed as a separate process to Plan Change 2 under the Resource Management Act 1991 (most likely via a designation under section 168A of the Act).

Conservation Plans

Draft Conservation Plans have been prepared for the Auckland Brick and Tile Company Site and the Te Atatu Heavy Anti Aircraft Gun Emplacements.

By the time of the Committee Meeting it is expected that the plans would have been publicly notified for submissions. The plans will be open for Submissions from May to Friday, 30 July 2004.

The Open Space Management Plan will allow for implementation of recommendations from Conservation Plans for the preservation and management of historical sites in the Park.

Forthcoming Work

The following work will be progressed over the next financial year with regard to this project:

- Undertake detailed design and contract documentation for stage three and four;
- Stage three works - Second roundabout and park entrance (to be undertaken and funded by the traffic and roading section of Council) opposite Toru Street into a small carparking area;
- Stage four works - Boardwalk developments, minor path developments, new seating and plantings;
- Update Harbourview - Orangihina requirements for eco-sourcing contract for plant supply for next three years;
- Work with Forest and Bird to investigate opportunity for wetland sponsorship to enhance project work on wetland rehabilitation education and interpretation;
- Investigate options and processes for establishing a community group to work with Council on the implementation of the park concept and maintenance;
- Investigation of heritage restoration requirements and costings for the timber cottage;
- Investigation of heritage restoration requirements and stabilisation (erosion control) of the Auckland Brick and Tile Company site.

RESOURCES

The Harbourview - Orangihina development is being resourced from the separate rate of \$9 and provides approximately \$400,000 per year for expenditure on capital works. There are two years remaining for the separate rate.

Once the separate rate fund ends, Council will need to decide how to fund any future works. To this end, work is underway to establish a work programme for the remaining funds, options for new works and ongoing budget implications for maintenance and depreciation.

CONCLUSION

The Harbourview - Orangihina project has a number of elements which are being progressed. Work completion and site maintenance over the next month will significantly increase the access and public usage of the park.

There are a number of projects planned for the next financial year which will further develop the park.

RECOMMENDATION

That the Harbourview - Orangihina Update report be received.

Report prepared by: Gyles Bendall, Strategic Parks Planner; Parks Planning.



17 **2004 ELECTIONS - GUIDELINES FOR USE OF COUNCIL RESOURCES IN THE PRE-ELECTION PERIOD**

PURPOSE OF THE REPORT

The purpose of the report is to present to the Community Boards the Office of the Controller and Auditor-General's "Suggested Guidelines for Public Communications by Local Authorities" which contain aspects that are particularly relevant to the pre-election period. The guidelines have been adopted by the Council as 'good practice' and that the Council's Code of Conduct has been amended to be consistent with the Guidelines. The Guidelines will apply to all Elected Members including Community Board Members.

BACKGROUND

The Office of the Controller and Auditor-General has recently circulated "Suggested Guidelines for Public Communications by Local Authorities". Among other things, the Guidelines cover the use of Council resources in the pre-election period.

STRATEGIC CONTEXT

Council is committed to increasing community participation in democratic processes. Elections are a key democratic process. Elected Member behaviour, particularly during the lead up to Elections, is considered to be a factor in contributing to the validity and integrity of the election process.

ISSUES

Guidelines from the Office of the Controller and Auditor-General

A10-A34 The Guidelines contain 14 Principles. A full copy of the Guidelines is attached at pages A10 to A34.

Those Principles that are relevant to the pre-election period (Principles 12 - 14) are described below.

PRINCIPLE	EXAMPLES
<p><i>Principle 12</i> Communication of a Member's personal views or opinions using Council resources is unacceptable during a pre-election period.</p>	<p>Not permitted: - communicating personal views using Council stationery, email, postage or fax/phone facilities or any other Council resource</p>
<p><i>Principle 13</i> A Council's communications policy should also recognise the risk that communications by or about Members, whether in their capacities as spokespersons for Council or otherwise, during a pre-election period, could result in the Member achieving electoral advantage at ratepayers' expense. The Chief Executive Officer (or his delegate) should actively manage the risk in accordance with the relevant electoral law.</p>	<p>Permitted: - photographs of members where it is the practice to include them, such as the Annual Report or website</p> <p>Not permitted: - anything that could be construed as giving a sitting member an unfair advantage through a raised profile, such as a photo-opportunity or chairing a public meeting.</p>
<p><i>Principle 14</i> The use of Council resources (including stationery and internet, e-mail and telephone communications facilities) for re-election purposes is unacceptable.</p>	<p>Not permitted: - using, for re-election purposes, Council stationery, email, postage, fax/phone facilities or any other Council resource.</p>

The Guidelines define the "pre-election period" to be 3 months before the close of polling day (10 July 2004 to 10 October 2004). The Guidelines also note that a Council may decide to apply restrictions over a longer period. An example of this was the decision in December 2003 to discontinue the monthly columns by elected members in the Waitakere City News.

Election irregularity

The Local Electoral Act 2001 sets out a number of principles in section 4:

"4 Principles

- (1) *The principles that this Act is designed to implement are the following:*
- (a) *fair and effective representation for individuals and communities:*
 - (b) *all qualified persons have a reasonable and equal opportunity to—*
 - (i) *cast an informed vote:*
 - (ii) *nominate 1 or more candidates:*
 - (iii) *accept nomination as a candidate:*
 - (c) *public confidence in, and public understanding of, local electoral processes through—*
 - (i) *the provision of a regular election cycle:*
 - (ii) *the provision of elections that are managed independently from the elected body:*
 - (iii) *protection of the freedom of choice of voters and the secrecy of the vote:*

- (iv) *the provision of transparent electoral systems and voting methods and the adoption of procedures that produce certainty in electoral outcomes:*
- (v) *the provision of impartial mechanisms for resolving disputed elections and polls.”*

In a case last year the District Court established that a breach of the principles can lead to an election “irregularity” and result in the election result being over-turned. Particularly relevant is the principle that all qualified persons have a reasonable and equal opportunity to accept nomination as a candidate. There should not be a perception that any candidate has an unfair advantage through being able to use Council resources.

Re-election purposes

There may be instances where the use of Council resources would normally be entirely legitimate but doubts are raised because of the pre-election period. Two concepts that are used in the Guidelines and in the Local Electoral Act may be of assistance:

- whether there is a perceived electoral advantage through the use of Council resources;
- whether the activity is being carried out by the member in their capacity as a candidate or in their capacity as a member of the authority

It is also important to note the activities that need to be accounted for in terms of declaring electoral expenses. The Local Electoral Act 2001 defines “electoral activity” to be (s 104):

- “electoral activity, in relation to a candidate at an election, means an activity—*
- (a) *that is carried out by the candidate or with the candidate’s authority; and*
 - (b) *that relates to the candidate solely in the candidate’s capacity as a candidate and not to the candidate—*
 - (i) *in his or her capacity as a member of the local authority or community board, or as the holder of any other office; or*
 - (ii) *in any other capacity; and*
 - (c) *that comprises—*
 - (i) *advertising of any kind; or*
 - (ii) *radio or television broadcasting; or*
 - (iii) *publishing, issuing, distributing, or displaying addresses, notices, posters, pamphlets, handbills, billboards, and cards; or*
 - (iv) *any electronic communication to the public, including (without limitation) the establishment or operation of a website or other method of communication to the public using the Internet; and*
 - (d) *that relates exclusively to the campaign for the election of the candidate; and*
 - (e) *that takes place within the applicable period before the close of polling day.”*

The “applicable period” is the three months prior to polling day.

Complaints

In order to support the principles in the Act referred to above that elections need to be managed independently it is important that any complaints are dealt with independently, outside of the political realm.

Complaints about the integrity of the elections should be made to the Electoral Officer. The Electoral Officer would, in turn, bring any complaints about the use of Council resources to the attention of the Chief Executive.

RESOURCES

There are no additional resources required to action the recommendations contained in this report.

CONCLUSION

The "Suggested Guidelines for Public Communications by Local Authorities" produced by the Office of the Controller and Auditor-General is good practice and has been adopted by the Council. The particular aspects of the Guidelines that relate to elections have also been included in the Council's Code of Conduct. The guidelines will also apply to Community Board Members.

RECOMMENDATIONS

1. That the information be received.
2. That the Henderson Community Board note that the "Suggested Guidelines for Public Communications by Local Authorities" produced by the Office of the Controller and Auditor-General have been adopted as 'good practice' by the Council and apply to all Elected members.
3. That the following has been included in the Council's Code of Conduct: and will apply as policy to all Community Board Members:

"Pre-election period

During the three months prior to polling day for local body elections Council resources should not be used in any way that could be deemed to give any sitting member an electoral advantage or by any sitting member solely in their capacity as a candidate for the elections.

During this period the following practice will be observed:

PRINCIPLES	EXAMPLES
<i>Communication of a Member's personal views or opinions using Council resources is unacceptable during a pre-election period.</i>	Not permitted: <i>communicating personal views using Council stationery, email, postage or fax/phone facilities or any other Council resource.</i>

PRINCIPLES	EXAMPLES
<p><i>There is a risk that communications by or about Members, whether in their capacities as spokespersons for Council or otherwise, during a pre-election period, could result in the Member achieving electoral advantage at ratepayers' expense. The Chief Executive Officer (or his delegate) should actively manage the risk in accordance with the relevant electoral law.</i></p>	<p>Permitted:</p> <p><i>photographs of members where it is the practice to include them, such as the Annual Report or website</i></p> <p>Not permitted:</p> <p><i>anything that could be construed as giving a sitting member an unfair advantage through a raised profile, such as a photo-opportunity or chairing a public meeting.</i></p>
PRINCIPLES	EXAMPLES
<p><i>The use of Council resources (including stationery and internet, e-mail and telephone communications facilities) for re-election purposes is unacceptable.</i></p>	<p>Not permitted:</p> <p><i>the use, for re-election purposes, of Council stationery, email, postage, fax/phone facilities or any other Council resource.</i></p>

Complaints in regard to any matter relating to the conduct of the elections are to be made through the Electoral Officer. If any complaint involves the use of Council resources the Electoral Officer will bring the complaint to the attention of the City Manager."

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

