

AGENDA FOR A MEETING OF THE INFRASTRUCTURE AND WORKS COMMITTEE TO BE HELD IN THE COUNCIL CHAMBER AT WAITAKERE CENTRAL, 6 HENDERSON VALLEY ROAD, HENDERSON, WAITAKERE, ON WEDNESDAY, 7 APRIL 2010, COMMENCING AT 9.30 AM

<u>ITEM</u>	<u>TABLE OF CONTENTS</u>	<u>PAGE NO.</u>
1	APOLOGIES	1
2	URGENT BUSINESS	1
3	CONFLICTS OF INTEREST	1
4	CONFIRMATION OF MINUTES	1
5	NEW LYNN INTEGRATED PROGRAMME - STATUS UPDATE MID-MARCH 2010	2
6	BTHELLS BEACH SURF LIFESAVING PATROL INCORPORATED – NEW LEASE AT TE HENGA PARK, BTHELLS/ TE HENGA	11
7	WAITAKERE CRICKET CLUB INCORPORATED – NEW LEASE AT TE ATATU PENINSULA PARK, TE ATATU PENINSULA	14
8	PARRS PARK, ORATIA DEVELOPED DESIGN UPDATE	17
9	BRIDGE AVENUE PUBLIC TOILET	20
10	TE ATATU SOUTH PARK, TE ATATU SOUTH PUBLIC TOILET AND CHANGING ROOMS	23
11	PIHA DOMAIN, PIHA RETURNED AND SERVICES’ ASSOCIATION AND PIHA BOWLING CLUB - WASTEWATER SERVICES CONTRACT	26
12	RESOLUTION OF OBJECTIONS UNDER SECTION 181 LOCAL GOVERNMENT ACT 2002 TO PROPOSED STORMWATER DRAINAGE WORKS, 33-37 AND 19A SUNNYSIDE ROAD, SUNNYVALE	33
	<u>REPORT FROM THE SUBCOMMITTEES</u>	36
13	TOWN CENTRES SUBCOMMITTEE	36

AGENDA FOR A MEETING OF THE INFRASTRUCTURE AND WORKS COMMITTEE TO BE HELD IN THE COUNCIL CHAMBER AT WAITAKERE CENTRAL, 6 HENDERSON VALLEY ROAD, HENDERSON, WAITAKERE, ON WEDNESDAY, 7 APRIL 2010, COMMENCING AT 9.30 AM

1 APOLOGIES



2 URGENT BUSINESS

Section 46A(7) of the Local Government Official Information and Meetings Act 1987 provides that where an item of business is not on the agenda, it may only be dealt with at the meeting if:

- (i) the Committee by resolution so decides; and
- (ii) the Chairman has explained at the beginning of the meeting (when open to the public) that the item will be raised for discussion and decision, why the item is not on the agenda, and why it cannot be delayed until a subsequent meeting.

The Committee may make a decision on a matter determined to be urgent.

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



3 CONFLICTS OF INTEREST

The Council has acknowledged in its Code of Conduct that Members need to be vigilant to stand aside from decision making when a conflict arises between their role as a Member of the Council and any private or other external interest they might have. This note is provided as a reminder to Members to check that no such conflicts arise in relation to any items on this agenda.



4 CONFIRMATION OF MINUTES

Meeting Minutes – Wednesday, 3 March 2010

RECOMMENDATION

It is recommended that the Infrastructure and Works Committee resolve to:

Receive the minutes of the meeting of the Infrastructure and Works Committee held on Wednesday, 3 March 2010, as circulated, and that they be taken as read and now be confirmed.



5 NEW LYNN INTEGRATED PROGRAMME - STATUS UPDATE MID-MARCH 2010

GLOSSARY

Harker Underground Construction Limited	(Harkers)
Transit Oriented Development	(TOD)
Dempsey Wood Civil Contractors Limited	(Dempsey Wood)
Glass reinforced concrete	(GRC)
Draft New Lynn Urban Plan	(draft Urban Plan)
Business Improvement District	(BID)
Target Outturn Cost	(TOC)
Auckland Regional Transport Authority	(ARTA)
Public Works Act 1981	(PWA)

EXECUTIVE SUMMARY

The purpose of this report is to update the Infrastructure and Works Committee on the progress of the New Lynn Integrated Programme to mid-March 2010.

The main developments which have taken place since the last report to the Infrastructure and Works Committee are that:

- The target of having the first-train-in-trench on 1 March 2010 was achieved. This marks the achievement of one of the most significant project objectives for the New Lynn Town Centre redevelopment by entirely eliminating the conflict between the rail service with pedestrians and vehicular traffic. Alarm bells and boom controls will never again be a part of life in New Lynn Town Centre and full service double-tracking of the rail line can now be completed without hindrance to road traffic;
- Watercare's deep sewer contractor, Harker Underground Construction Limited (Harkers), has encountered more problems during its tunnelling operations in Clark Street, New Lynn. This matter is receiving focussed attention between senior officials of Watercare and the Council; and
- Two studies have been commissioned that investigate the on-street and off-street parking in the New Lynn West area.

RECOMMENDATIONS

It is recommended that the Infrastructure and Works Committee resolve to:

Receive the New Lynn Integrated Programme - Status Update Mid-March 2010 report.

BACKGROUND

1. The status of the New Lynn Integrated Programme was last reported to the Infrastructure and Works Committee at its meeting held on 3 March 2010.

DECISION MAKING

2. As this report is for information only, there is no decision making required.

Transport Infrastructure

3. The New Lynn Transit Oriented Development (TOD) Stage 1 construction contract was awarded to Dempsey Wood Civil Contractors Limited (Dempsey Wood) on 2 September 2009. Works are expected to be completed by the end of October 2010.

4. Designs for the New Lynn TOD Stage 2 (Clark Street Extension) and Stage 3 (Totara Avenue West Shared Street Concept) have been completed. Construction is expected to start in November 2010 following the completion of the Stage 1 works.
5. Designs for the proposed accessways at 8 Ambrico Place and 45 Totara Avenue, New Lynn (New Lynn Community Centre exit) are complete. Land acquisitions and consenting processes are being carried out and construction is expected to start approximately July/August 2010.
6. The complexity of the project and associated enabling works, including alternative access roads required for Ambrico Place and the New Lynn Community Centre, and the associated land acquisition negotiations, dealing with contaminated soils encountered in the road corridors and heritage issues in connection with the Ambrico Reserve, have increased the resource requirements for specialist services to investigate and undertake designs for these issues. The additional costs for these services are covered under the Risk and Escalation allowance provided in the budget and no additional budget requirement is foreseen.
7. Harkers encountered further problems during its deep sewer tunnelling operations in Clark Street between manhole 5 and manhole 4b. Thirteen pipes were found to be cracked during the pipe jacking process and have been removed from site for investigation by Harkers and replaced by new pipes. Harkers are behind programme and at a meeting between senior managers of Watercare and the Council, Watercare noted that they had authorised for Harkers to work double-shifts, six days per week until their works in Clark Street have been completed. The Council's Project Manager is working closely with Dempsey Wood to accommodate Harkers works in Clark Street to minimise the impact on the Council's programme. However, as the works draw closer to completion, the opportunities for rearranging Dempsey Wood's programmed work areas, without impact on the programme or costs are diminishing.
8. Two studies have been commissioned to investigate on-street and off-street parking in the New Lynn West area that is in the process of major redevelopment works. The results of these studies will be integrated into a report showing how the parking will be affected in the course of the development works. Both commuter parking and retail parking will be investigated.

Artworks Integration

9. Artwork designs on the New Lynn TOD are in progress as follows:
 - Production of the trench wall glass reinforced concrete (GRC) art panels continues on programme. The art panels on the south wall of the trench are complete. The artists have been asked to consider options to treat the areas around three fire hydrants on the South Wall of the trench to provide a more cohesive look and feel to the space surrounding each hydrant. Contractors are currently preparing the north wall of the trench for application of the panels. There are no hydrants along the north wall. Production of the panels is ongoing;
 - The Hetana Street markers, which are a way finding sculptural project, are in the final stages of detailed design. Fletcher Consortium is reviewing this work and is in discussions with the Council regarding the foundation design and pricing. A production contract for artists is currently being prepared;
 - The glass screen artwork is currently in production. The glass screens are being installed as the contractors complete sections of the areas around the open portions of the trench. The first panels carrying the artwork have been installed along the western side of the trench between Memorial Drive bridge and Hetana Street bridge, and at the temporary entry to the platform at Memorial Drive;

- The integration of brick artworks into the design for Stage 3 (Todd Triangle, Totara Avenue West) is progressing. Team members from Arts, Parks and Transport Assets have met with the artists and selected sites for the works. This information has been forwarded to the architects for inclusion into the detailed design plans for the space; and
- Tiled artwork located in the stairwell between ground level and platform level of the concourse has been finalised and information has been supplied to the contractors for production of this artwork. This work comprises substitution of the plain tiles specified, with a specific pattern of coloured tiles to create an embedded pattern into the tiled wall.

Land Acquisition

10. Work is progressing to finalise the full acquisition of properties in Stage 1 of the project (Clark Street road widening). Entry agreements are in place for all private properties in Clark Street enabling the works to proceed while sale and purchase agreements are finalised. 'Final settlement' has occurred for the frontage land at 18 – 22 Clark Street (a unit title development across three titles). Agreement has been reached and sale and purchase documentation is being prepared for the acquisition of frontage land at 7 Clark Street (the New World supermarket site).
11. Agreement has been reached between ONTRACK and the Council for sale of land at 1A Rankin Avenue, New Lynn and final settlement has been scheduled for July 2010, in line with the Council's programme.
12. The Public Works Act 1981 (PWA) acquisition process is underway for all properties in Stage 2 (Clark Street Extension). The PWA statutory process is continuing in parallel with seeking negotiated settlements. An update of the properties is as follows:
 - Meetings have been held with Cambridge Clothing and its legal adviser. Progress has been made and an agreement is being drafted that both enables the Council to obtain access to Cambridge Clothing land for construction and enables Cambridge Clothing to appropriately develop its property in the future;
 - Agreement has been reached between valuers and documentation is being prepared for the acquisition of land from 3 Totara Avenue, New Lynn (ex-Ceramco House). However, the owner is overseas until the end of March 2010 and has not yet confirmed approval;
 - Agreement has been reached and sale and purchase documentation is being prepared for the acquisition of land from 17 Totara Avenue (part of the Community Centre exit lane);
 - Agreement appears likely in the short term with the owners of 23 and 29 Totara Avenue (also part of the Community Centre exit lane);
 - Negotiations with Planet Kids for 1B Rankin Avenue continue, with the margin between valuations narrowing to the point at which a settlement in the near future appears likely; and
 - Negotiations with Auckland Kindergarten Association for 1 Totara Avenue continue. However, there is still a significant valuation gap between the parties' valuers and further resolution on the method of evaluation adopted by both parties is required.
13. The PWA acquisition process is under way for several properties in the Merchant Quarter section of the New Lynn Town Centre. A signed agreement has been received from St Vincent de Paul (28 Totara Avenue, New Lynn) and settlement is imminent. Section 23 notices have been sent to the owners of 24 and 30 Totara Avenue, New Lynn and negotiations continue. While there is still some difficulty in these negotiations, progress towards a conclusion appears to have been made.

Development and Implementation

14. The draft New Lynn Urban Plan (draft Urban Plan) was presented to the Town Centres Subcommittee at its meeting held on Monday, 15 March 2010. The purpose of the report was to advise the proposed vision, strategic objectives and key moves. Feedback from the workshop will be considered in the completion of the final New Lynn Urban Plan.
15. A New Lynn stakeholder consultation programme on the draft Urban Plan is underway and comments are being incorporated in the draft precinct plans that will form section 3 of the draft Urban Plan.

Crown Lynn Precinct

16. The Crown Lynn Precinct, including the Monier and Claypits sites, will form part of Stage 5 (Phase 2) of the New Lynn Integrated Programme. A budget was allocated for the delivery of road and open space infrastructure in the Crown Lynn Precinct through the Long Term Council Community Plan 2009-2019 process.
17. A contract for the design of the roads within the Crown Lynn Precinct has been advertised on Tenderlink. The Tender closed on 30 March 2010. The design work for the roads will be integrated with the design and planning required to deliver the high amenity New Lynn Park and stormwater pond and the wider precinct master planning process.

Communications

18. The event held to celebrate the first passenger train in the trench on 1 March 2010 was a huge success (despite the early hour) with more than 150 guests attending, including the Minister of Transport. Media activity will continue and the next issue of New Lynn Matters is planned for April 2010. The next big milestone will be the opening of the new station in August/September 2010. Waitakere News will feature regular stories about New Lynn and, as and when appropriate, other milestones and initiatives will be communicated.

Relationship Management and Investment

19. Major road works continue in Clark Street and on the at-grade bridge areas in Veronica Street, Hetana Street and Memorial Drive, New Lynn. Dempsey Wood continues to work around the activities of Harkers, who have been delayed due to adverse ground conditions encountered during their pipe tunnelling operations in Clark Street. The lowered crossing at Portage Street, New Lynn has reopened.
20. Dempsey Wood and the Council's Communications and Relationship Management teams continue to work closely as a team to listen to businesses and talk with operators to ensure they are kept up to date and informed. This process is working well and Dempsey Wood and the Council have a robust complaints process in place. A few complaints that have been raised by local businesses have been promptly addressed through this process, and amicable solutions have been engineered for all the complaints raised. Council officers have worked closely on a one to one basis with concerned businesses and property owners to resolve these matters. Dempsey Wood and the Council have undertaken to have informal meetings to talk about feedback and to ensure where possible risk is mitigated. Council are working closely with the businesses in the area to mitigate any risk. Some of the businesses in Clark Street are becoming a little frustrated at the length of time the project is taking. However, they do remain reasonably positive overall.

21. The Council's Relationship Management team have completed the work in visiting all businesses in the Business Improvement District (BID) area. New Lynn BID polling took place in February 2010 with the results published on Friday, 19 February 2010 indicating an approval for the New Lynn Town Centre to proceed as a BID. This will mean some funding for the New Lynn Town Centre marketing and management. As the New Lynn Town Centre will proceed as a BID, the New Lynn Business Association is being granted some funds to launch their marketing activities starting with an event in April 2010.
22. Negotiations continue with Planet Kids and Auckland Kindergarten Association representatives. This process is being managed by the Council's Development Investment Group. Council officers anticipate that as a result of a meeting held between Planet Kids and the Council on Tuesday, 16 March 2010, the Council may have a verbal agreement in place. The Auckland Kindergarten Association negotiations are with Legal Services to advise and establish a compensation methodology.
23. Positive meetings have been held with property owners in the New Lynn Town Centre. Owners continue to be positive about the New Lynn TOD Project. Council officers have taken this opportunity to further consider Waitakere's marketing and update the collateral for New Lynn which includes an investment brochure, fact sheet, folder and an updated multi-media DVD. This additional investment collateral is proposed to be available for investors and developers within the next four weeks.

Totara Avenue/Hetana Street Intersection and Associated Works

24. An agreement between the Council and AMP Capital Investors regarding the intersection alignment and land required for the footpath on Totara Avenue has been signed. These works are part of clustered works confirmed by the Auckland Transition Agency on 31 August 2009 for Phase 1 of the New Lynn Town Centre upgrade.

ONTRACK Target Outturn Cost (TOC) Status

25. The target of having the first-train-in-trench on 1 March 2010 has been achieved. This marks the achievement of one of the most significant project objectives for the New Lynn Town Centre redevelopment by entirely eliminating the conflict between the rail service with pedestrians and vehicular traffic. Alarm bells and boom controls will never again be a part of life in New Lynn Town Centre and full service double-tracking of the rail line can now be completed without hindrance to road traffic. Second-train-in-trench is scheduled to open on 8 June 2010.
26. Work continues on the north-side of the trench and also along Totara Avenue on the cantilever walkway and parapet. Portage Road was re-opened two weeks earlier than programmed, permitting finishing work to commence on the Veronica Street bridge.

New Zealand Transport Agency Funding Applications

27. The Council's application for category 1 funding from the New Zealand Transport Agency for the TOC 2 works (including bridge decks and interchange) was approved. Ongoing monthly meetings are scheduled with the New Zealand Transport Agency to discuss progress on the New Lynn TOD and TOC works and funding matters to enable future stages of works to be put in place.

28. Council officers are preparing a category 1 funding application to New Zealand Transport Agency for Stages 2 and 3 and are expected to lodge the application for funding in April 2010.

Legal Agreements

29. The Council continues to work with ONTRACK to obtain revised Deeds of Grant to allow bridges and services to cross the rail corridor through New Lynn. A Deed of Grant for services crossing the New Lynn rail corridor is currently being reviewed by ONTRACK. A Deed of Grant in respect of the bridges that will cross the New Lynn rail corridor will be completed when the final dimensions of these structures are made available to ONTRACK.

Risk Management

30. On an ongoing basis, identified risks are collated into a programme risk register and risk mitigation strategies are put into place for the most critical risks. Risk monitoring and reporting is an ongoing activity together with identification and management of new risks. As new risks are identified they are assessed and added to the risk register.
31. Portions of the project have entered their construction phase and an internal risk workshop was held on Tuesday, 10 November 2009 to identify construction related risks, controls and mitigation strategies from the Council's perspective. A second workshop, including the contractors was held on Wednesday, 25 November 2009 to capture construction related risks from the contractor's perspective. The risk register was updated as a result of these workshops.
32. The risk register was updated again during March 2010 to enable the quantity surveyor to determine the quantum of risk and escalation to be included in the category 1 funding application to the New Zealand Transport Agency for stages 2 and 3.

Consideration of Community Views

33. The Council continues its consultation programme with New Lynn landowners in proximity to the rail corridor with ongoing public consultation meetings. Council officers are working with communications advisors from both ONTRACK and the Auckland Regional Transport Authority (ARTA) to manage consultation, the media and general public concerns during the construction period to ensure that the views of the community are clearly relayed back to the Council.

STRATEGIC CONTEXT

34. The New Lynn TOD Project is identified as one of the Council's top five projects and represents a substantial investment in the Long Term Council Community Plan 2009-2019.
35. The New Lynn TOD Project delivers on the following community outcomes:
- Strong Economy;
 - Sustainable and Integrated Transport; and
 - Urban and Rural Villages.

36. The New Lynn TOD Project is aligned with the following strategies:
- Economic Wellbeing - a catalytic environment for a flourishing and resilient community;
 - Transport - a sustainable multi-modal transport system that is integrated with land use and contributes to Waitakere as an eco city;
 - Growth Management - a dynamic network of vibrant town centres and neighbourhoods with a social, physical and natural fabric providing housing choice and employment opportunities for all; and
 - The Auckland Regional Growth Strategy, whereby New Lynn has been identified as a regional growth centre.

CONSULTATION

37. Consultation and the updating of this report has taken place between the units of City Services, Public Affairs, Corporate and Business Services, Strategic Planning and Finance.
38. Council officers continue to liaise with affected property owners and tenants on Clark Street, Totara Avenue and Rankin Avenue with regard to the proposed land acquisitions required for the widening of Clark Street, Clark Street Extension and Totara Avenue upgrade.
39. Council officers continue to liaise with ONTRACK and ARTA in regard to matters affecting the community and assist ONTRACK and ARTA with community consultation where possible.

RESOURCES

40. Table 1 below provides a summarised financial status for the New Lynn Integrated Programme.

	Budget Cluster	Budget (August 2009)	Risk and Escalation Committed To Date		Revised Budget	Expenditure To Date	Balance
		\$	\$	%	\$	\$	\$
1	Land Acquisition, Development and Implementation	12,066,470	0		12,066,470	3,026,047	9,040,423
2	Strategic Planning and Coordination	229,553	0		229,553	77,411	152,142
3	ONTRACK Agreements (Works for the Council by ONTRACK)						
	• Council contribution to trench	20,000,000	0		20,000,000	18,000,000	2,000,000
	• Council-ONTRACK (TOC 2 Roading Agreement)	11,695,627	0		11,695,627	4,141,667	7,553,960
	• Council/ARTA (TOC 2 Interchange Agreement)	13,866,517	0		13,866,517	3,248,637	10,617,880
	• Risk and escalation	543,034	0		543,034	0	543,034
4	Professional Services and Consent Fees	11,532,679	445,000		11,977,679	6,766,962	5,210,717
5	Artworks	500,000	0		500,000	37,338	462,662
6	Physical Works						
	• Enabling Works	540,100	0		540,100	177,498	362,602

	Budget Cluster	Budget (August 2009)	Risk and Escalation Committed To Date		Revised Budget	Expenditure To Date	Balance
		\$	\$	%	\$	\$	\$
	• Stage 1 (Clark Street East and Associated Works)	19,704,523	0		19,704,523	4,709,811	14,994,712
	• Stage 2 (Clark Street Extension and road/rail bridge)	21,590,067	0		21,590,067	0	21,590,067
	• Stage 3 (Totara Avenue West and Todd Triangle)	3,627,633	0		3,627,633	0	3,627,633
	• Stage 4 (Interchange Option 2) post-electrification	9,380,000	0		9,380,000	0	9,380,000
7	Communications	231,000	197,407		428,407	232,733	195,673
8	Risk and Escalation	19,417,412	(642,407)	3.3%	18,775,005	0	18,775,005
	TOTALS	144,924,615	0		144,924,615	40,418,106	104,506,510

Table 1: Summarised Financial Status

IMPLEMENTATION ISSUES

Timeline/Milestones

41. Current established key milestones for the New Lynn Transport Interchange include:

Key Milestones	Timeline
Approval of TOC 2 contributions (Council/ARTA) by end of August 2009:	completed
First train track installed in trench and new rail station partially complete for single line public service:	achieved 1 March 2010
Completion of transport interchange including 2 nd train track:	October 2010

Table 2: Key Milestones for New Lynn Transport Interchange

42. Current established key milestones for the Council roading works include:

Key Milestones	Timeline
Council roading works (Stage 1) commenced:	September 2009
Council roading works (Stage 1) due for completion:	October 2010
Clark Street Extension and Totara Avenue West (Stages 2 and 3) due to commence:	November 2010
Clark Street Extension and Totara Avenue West (Stages 2 and 3) due for completion:	March 2012

Table 3: Key Milestones for Council Roding Works

Project Risks

43. Land/lease acquisitions for Stage 2 (Clark Street Extension) must be confirmed by 9 April 2010 in order for the Council's category 1 funding application process to be lodged with the New Zealand Transport Agency.

44. Certainty of 1A Rankin Avenue, New Lynn has been achieved. The settlement date has been set for 1 July 2010.
45. An alternative vehicle exit road from the New Lynn Community Centre car park is required. Additional land is needed to accommodate the alternative vehicle exit road and construction of the alternative access must be completed before construction of the Stage 2 (Clark Street Extension) can commence.
46. An alternative access road to 1B and 1C Rankin Avenue is also required off Ambrico Lane. Additional land is needed to accommodate this new road and construction of the new road must be completed before construction of Stage 2 (Clark Street Extension) can commence.
47. The Council has approved the purchase of the remainder of the current lease for 1B Rankin Avenue (Planet Kids) through the PWA. This must be achieved prior to 9 April 2010. The Council was advised on 16 February 2010 that a complaint had been laid by Planet Kids with the Minister, Hon. Paula Bennett regarding their situation. By 22 February 2010 the Council had responded to the complaint. No further action has been advised.
48. The Council has approved the purchase of the remainder of the current lease for 1 Totara Avenue (New Lynn Kindergarten) through the PWA. Agreement could be not reached over the two valuations obtained - a third valuation is being sought and negotiations continue.
49. Traffic delays and associated complaints are likely to increase as the construction of new signalised intersections (as part of TOC 1) are completed and construction of both Stage 1 and the Interchange progress. However, now that the trains are running in the trench, a significant point of conflict has been removed.
50. Harkers are still behind the programme agreed between the Council and Watercare for construction of the new sewer in Clark Street. Various setbacks on the Harker programme are now affecting Dempsey Wood, Fletchers and the proposed re-routing of buses down the new Memorial Drive bridge. At a meeting with senior officials of Watercare, the Council was advised that Watercare has authorised Harkers to work double shifts six days per week until the sewer works conflicting with Dempsey Wood's works are complete. Provided no further equipment breakdowns occur with Harkers machines and they keep to the double shift operations, Harkers should be clear of the Council's site by July 2010.
51. Concerns have been raised by local business owners over the proposed removal of car parking spaces from the New Lynn Community Centre car park and from Totara Avenue West. A year-by-year transition plan showing parking availability throughout the various phases of the project is being prepared and will be communicated with affected businesses.

AUCKLAND COUNCIL TRANSITION ISSUES

52. The Local Government (Tamaki Makaurau Reorganisation) Act 2009 section 31(4)(b) imposes restrictions on Waitakere City Council's decision making capabilities in respect of a decision to adopt or amend a long-term council community plan or to adopt an annual plan.
53. The Auckland Transition Agency notified Council on 29 June 2009 that it approved the Long Term Council Community Plan 2009-2019, but issued a notice under section 20 and 31(1)b of the Local Government (Tamaki Makaurau Reorganisation) Act 2009, that any decision with regards to the wider New Lynn project required specific Auckland Transition Agency confirmation prior to implementation.

54. Subsequently the Auckland Transition Agency notified Council on 31 August 2009 of approved expenditure on the New Lynn project (ATA No. 0099) and thus the recommendations in this report do not require confirmation by the Auckland Transition Agency.

Report prepared by: John Schermbrucker, Special Projects Manager (Programme Director: New Lynn Integrated Programme).



6 **BTHELLS BEACH SURF LIFESAVING PATROL INCORPORATED – NEW LEASE AT TE HENGA PARK, BTHELLS/ TE HENGA**

GLOSSARY

Bethells Beach Surf Lifesaving Patrol Incorporated	(BBSLP)
Te Henga Reserve Management Plan	(RMP)
Waitakere Ranges Heritage Area Act 2008	(WRHA)

EXECUTIVE SUMMARY

The purpose of this report is to seek approval from the Infrastructure and Works Committee to grant Bethells Beach Surf Lifesaving Patrol Incorporated (BBSLP) a new lease at Te Henga Park, Bethells/Te Henga and to recommend classifying the parcel of land on which BBSLP's clubhouse is located as recreation reserve under section 16(2A)(a) of the Reserves Act 1977.

RECOMMENDATIONS

It is recommended that the Infrastructure and Works Committee resolve to:

1. **Receive** the Bethells Beach Surf Lifesaving Patrol Incorporated – New Lease at Te Henga Park, Bethells/ Te Henga report.
2. **Agree** that the Chief Executive Officer be authorised to negotiate and conclude with Bethells Beach Surf Lifesaving Patrol Incorporated a new lease at Te Henga Park, Bethells/ Te Henga for the footprint of their existing building located on Part Old Bed Waitakere River under section 54(1)(b) of the Reserves Act 1977.
3. **Agree** it be recommended to Council that Part Waitakere 1B1 Block comprising 2.7569 hectares and Part Old Bed Waitakere River comprising 1.4164 hectares be classified under section 16(2A)(a) of the Reserves Act 1977 to be held for the purposes of a recreation reserve as defined in section 17 of the Reserves Act 1977.

BACKGROUND

1. On 14 September 1976, the Waitemata City Council granted BBSLP a lease to occupy part of Te Henga Park for 33 years from 1 April 1976 and permission to erect and maintain a clubhouse and headquarters of a Surf Life Saving Patrol. BBSLP is seeking a new lease for the footprint of their clubhouse.
2. BBSLP has long been a feature of Bethells Beach and is mentioned several times in Te Henga Reserve Management Plan (RMP). Their presence pre-dates ownership of the reserve by Council, incorporating in October 1958 and registering as a charity on 30 June 2008.

3. BBSLP is affiliated with Surf Life Saving Northern Region and Surf Life Saving New Zealand. They have 217 members, half of whom are aged from five to 13. Only seven are over 50. Their primary activity is as a first response volunteer rescue service but they also provide beach awareness to their junior surf members. BBSLP's volunteer service includes patrols during set hours through the summer and an after hours call out structure is available at all times throughout the year. The main objectives of their constitution are:
- a) the preservation and safeguarding of lives by the study and practice of all methods of life saving;
 - b) to minimise loss of life from drowning;
 - c) the promotion of demonstrations and the arrangement of classes of instruction in life saving and swimming; and
 - d) to assist and co-operate with any local or government bodies or authorities by appointing patrols to render all possible aid to those in distress.

DECISION MAKING

- A1
4. Part of Te Henga Park consists of two parcels of land which are subject to the Reserves Act 1977 but which have not been classified under the Reserves Act 1977. These two parcels are edged in blue in the plan attached at page A1 and BBSLP's location is on the area edged in red on Part Old Bed Waitakere River. The remainder of Te Henga Park (partly shown edged in yellow on the plan) is still held by Council in fee simple.
5. It is proposed that a new lease be negotiated and concluded with BBSLP and that Part Waitakere 1B1 Block and Part Old Bed Waitakere River be classified as recreation reserve under the Reserves Act 1977.

Issues

Classification

6. The existing lease was created prior to the Reserves Act 1977 and the land on which BBSLP's clubhouse is located was acquired by the former Waitemata County Council under the Public Works Act 1928 for use as a recreation ground. This makes the land subject to the Reserves Act 1977. In order to grant a new lease under section 54(1)(b) of the Reserves Act 1977, the land needs to be classified in accordance with its principal use as a recreation reserve. Although the clubhouse is located on only one of the two parcels which are subject to the Reserves Act 1977, namely Part Old Bed Waitakere River, it makes sense to classify both parcels.

Lease

7. It is proposed that the new lease be in accordance with the revised Community Leases Policy for a term of ten years with one right of renewal of five years.
8. The consent of the Minister of Conservation for this lease is not required under section 54(1)(b) of the Reserves Act 1977 as the Minister's authority is delegated to Council as the administering authority because the proposed use is contemplated in the RMP. The activity is both an existing use and provided for in the RMP, and the effects of the proposed continued use will be the same or similar in character, intensity and scale as before.
9. Public notice is not required under section 54(2) of the Reserves Act 1977 for the reasons stated in paragraph 8 above.

STRATEGIC CONTEXT

10. The proposal is in keeping with Council's Environment Strategy. BBSLP is regarded in the RMP as having a role in the development and management of Te Henga Park. The RMP's policies include Dune and Vegetation Management, Access and Use, and Conservation. Objective 3 of the RMP is *"To encourage greater community input into the development and management of Te Henga Park."*
11. The proposal is also in keeping with Council's Social Strategy. Objective 8 of the RMP is *"To ensure community organisations such as the Surf Life Saving Patrol are encouraged to continue at Te Henga Park and to be an effective part of the Park community."*
12. The RMP explains:

"The Surf Life Saving Club (Bethells Beach Surf Life Saving Patrol Inc.), performs a valuable community function, for both the regional, and the local, residential communities. The continued presence of such a community organisation ensures safer use of the beach."
13. BBSLP's continued presence at Te Henga Park is consistent with Council's Sustainable Development, First Call for Children and Safe City Priorities.

Waitakere Ranges Heritage Area Act 2008

14. Te Henga Park is within the Waitakere Ranges heritage area protected by the Waitakere Ranges Heritage Area Act 2008 (WRHA). Section 3 of the WRHA describes its purpose as recognising the national, regional, and local significance of the Waitakere Ranges heritage area and promoting its protection and enhancement. Amongst the heritage features of the area are the dune systems, coastal areas, distinctive local communities and recreational resources.
15. Section 8 of the WRHA imposes on Council an obligation to carefully consider the risks and uncertainties associated with any particular course of action and endeavour to protect the heritage feature.
16. The continued presence of BBSLP at Te Henga Park will not prejudice the Waitakere Ranges heritage area. It will not be a change of use or impact.
17. Objective 3 of the RMP is *"To encourage greater community input into the development and management of Te Henga Park."*
18. Objective 3 is achieved by two policies in the RMP, one of which is:

"To support the Te Henga/Bethells Community Group, the Beach Care Group, and the Bethells Beach Surf Club partnership with the Auckland Regional Council. The Waitakere City Council and local community members will work together on local coastal management issues."

CONSULTATION

19. Council's Lease Assessment Group has been consulted and is agreeable to the proposal.
20. The Community Relations officer confirmed that Part Waitakere 1B1 Block Old Bed Waitakere River could both be classified under section 16(2A) of the Reserves Act 1977.

RESOURCES

21. No Council resources will be required to implement the new lease or to complete the classification of the two parcels of land other than staff time.

IMPLEMENTATION ISSUES

22. The Department of Conservation will need to be notified of the classification of the two parcels of land as recreation reserve under the Reserves Act 1977.

AUCKLAND COUNCIL TRANSITION ISSUES

23. The decision making proposed in this report is not constrained by section 31 of the Local Government (Tamaki Makaurau Reorganisation) Act 2009, as it does not directly or because of its consequences: significantly prejudice the reorganisation, significantly constrain the powers or capacity of the Auckland Council or any subsidiary of the Auckland Council following the reorganisation, or have a significant negative impact on the assets or liabilities that are transferred to the Auckland Council as a result of the reorganisation.

Report prepared by: Odette Pepers, Community and Reserves Lease Officer.



7 WAITAKERE CRICKET CLUB INCORPORATED – NEW LEASE AT TE ATATU PENINSULA PARK, TE ATATU PENINSULA

GLOSSARY

Waitakere Cricket Club Incorporated	(WCCI)
Te Atatu Peninsula Park	(the Park)
Te Atatu Peninsula Park Reserve Management Plan	(Management Plan)

EXECUTIVE SUMMARY

The purpose of this report is to seek the Infrastructure and Works Committee's approval to grant Waitakere Cricket Club Incorporated (WCCI) a new lease at Te Atatu Peninsula Park, Te Atatu Peninsula (the Park) on part of Lot 1 DP 44347 and part of Lot 47 DP 45411.

RECOMMENDATIONS

It is recommended that the Infrastructure and Works Committee resolve to:

1. **Receive** the Waitakere Cricket Club Incorporated – New Lease at Te Atatu Peninsula Park, Te Atatu Peninsula report.
2. **Approve** that a new lease be granted to the Waitakere Cricket Club Incorporated for a term of 10 years with one right of renewal for five years at \$633.00 + GST per annum, in accordance with Council's Community Leases Policy.
3. **Agree** that the Chief Executive Officer be authorised to negotiate and conclude with the Waitakere Cricket Club Incorporated a new lease at Te Atatu Peninsula Park under section 54(1)(b) of the Reserves Act 1977.

BACKGROUND

1. WCCI was incorporated in March 1969 as Te Atatu District Cricket Club Incorporated and after several changes of name, became known as WCCI in October 1995. According to the Te Atatu Peninsula Park Reserve Management Plan (Management Plan), WCCI has been present on the site since 1989 when it shared the Te Atatu Association Football Club's facilities and is one of three clubs which have an historical association with the Park.
2. WCCI's clubhouse was opened in the 1993/1994 season and plans are currently in place to improve and expand the existing building to enable WCCI to provide the level of facilities for premier league clubs, as required by their governing body the Auckland Cricket Association. This development is known as "Operation Pop Top" and will provide for the addition of a partial second storey and an increase to the kitchen and bar area of the clubrooms. According to the promotion of the development, "overall the extensions reinforce the premier status of the club and mean that the building will be a much more valuable asset for hire by the community."
3. On the 5 August 2009, the Infrastructure and Works Committee resolved as follows:

"The Infrastructure and Works Committee resolved to:

2. *Agree to approve Option One as set out in this report to increase the size of the footprint by 1.9 metres along 9.4 metres of the southern side of the building to accommodate the increased kitchen and bar area."*

1342/2009

- A2
4. An outline of the proposed lower floor plan attached at page A2 identifies the proposed increase to the size of the footprint edged in yellow.
 5. WCCI's current lease is of the footprint of WCCI's clubhouse located on land being part Lot 1. DP 44347 and part Lot 47, DP 45411 classified as recreation reserve. The current lease dated 7 February 2000 expired on 31 January 2006 and has been continuing on a monthly basis.

DECISION MAKING

6. It is proposed that a new lease be negotiated and concluded with WCCI of the existing footprint of the existing clubhouse plus an increase to the footprint as agreed by the Infrastructure and Works Committee on 5 August 2009 to enable WCCI to proceed with "Operation Pop Top."

Issues

Lease

7. It is proposed that the new lease be in accordance with the Community Leases Policy for a term of 10 years with one right of renewal of five years.
8. The consent of the Minister of Conservation for this lease is not required under section 54(1)(b) of the Reserves Act 1977. The Minister's authority is delegated to Council as the administering authority because the proposed use is contemplated in the Management Plan, is an existing use and the effects of the continued use will be the same or similar in character, intensity and scale as before.

9. Public notice is not required under section 54(2) of the Reserves Act 1977 because the proposed use is in conformity with and contemplated by the Management Plan.
10. Letters in support of WCCI's application for a new lease have been received from Sports Waitakere and Halberg Trust, as well as thank you letters for WCCI's contributions to cricket from Peninsula Primary School, Kelston Boys High School, Massey High School and Te Atatu Intermediate School. WCCI has plans for disabled cricketers to participate in their own tournament and become an integral part of the club. Operation Pop Top will provide a family and club juniors' lounge, a meeting area for the club teams and club officials, a spectator viewing platform, a cricket scorer's box, rooms for visiting cricket umpires, an administration room and storage space for juniors. WCCI permit their practice facilities to be used by the public.

STRATEGIC CONTEXT

11. The proposal is in keeping with Council's First Call for Children Strategic Priority and Social Strategy. WCCI's objectives include, among other things:
 - (i) *To promote, foster and develop the sport of cricket within the boundaries of the Te Atatu District and to provide all necessary facilities for the youth of the district to play cricket.*
12. WCCI's activities include coaching cricket as well as playing cricket in all age groups.
13. Through the Strong Communities Community Outcome, the Council outlines its commitment to undertaking initiatives that will contribute to improving local leisure and recreation opportunities and choices.
14. Key objectives and policies of the Management Plan include:
 - Objective 1- to provide for and enhance the continued use and enjoyment of the Park by a range of City wide uses.*
 - Objective 2 - to ensure that the management and administration of Te Atatu Peninsula Park provides maximum benefit to the sporting codes."*
15. Policy 1.7 of Objective 1 of the Management Plan is: *"To allow the existing sports clubs to develop their present building facilities."*
16. Although the Management Plan goes on to state that any development is to be limited to existing building footprints, the Infrastructure and Works Committee at its meeting on 5 August resolved to waive this requirement when it approved Option One of the concept design for WCCI's Operation Pop Top which will increase the size of the clubhouse footprint by 1.9 metres along 9.4 metres of the southern side of the building.
17. Policy 2.1 of Objective 2 of the Management Plan is: *"To manage leases according to the Reserves Act 1977 and existing lease agreements."*
18. Implementation includes ensuring current leases are in place for the existing formal users of the Te Atatu Peninsula Park and encouraging shared leases/use of buildings where practicable. WCCI is prepared to share the facilities with other groups, and already do share with schools and the public. Council's Lease Assessment Group will require WCCI to consider some kind of collaboration agreement with Te Atatu Association Football Club when Te Atatu Association Football Club's current lease expires in 2013.

19. Policy 2.2 of Objective 2 of the Management Plan is to: *“Ensure the allocation of playing fields to each sports code is fair and equitable and based on membership.”*
20. Implementation of this includes ensuring that field allocation to codes is based on annual membership and also recognising that Te Atatu Peninsula Park is designated as one of two premier cricket parks in the City. WCCI regards itself as the principal and premier cricket club in Waitakere serving the wider community. WCCI has 981 members including affiliated members from schools in the five to 13 year age group. The number of users is 746 including users in the Auckland Cricket national, regional and district tournaments.

CONSULTATION

21. Council's Lease Assessment Group has been consulted and is agreeable to the proposal with the proviso that WCCI actively collaborates with Te Atatu Association Football Club in 2013, when Te Atatu Association Football Club's lease expires, with a view to possible co-sharing facilities.

RESOURCES

22. No Council resources will be required to implement the new lease, other than staff time.

IMPLEMENTATION ISSUES

23. There are no implementation issues apart from staff time negotiating and agreeing the new lease.

AUCKLAND COUNCIL TRANSITION ISSUES

24. The decision making proposed in this report is not constrained by section 31 of the Local Government (Tamaki Makaurau Reorganisation) Act 2009, as it does not directly or because of its consequences: significantly prejudice the reorganisation, significantly constrain the powers or capacity of the Auckland Council or any subsidiary of the Auckland Council following the reorganisation, or have a significant negative impact on the assets or liabilities that are transferred to the Auckland Council as a result of the reorganisation.

Report prepared by: Stephanie Willcox, Community and Reserves Lease Officer.



8 **PARRS PARK, ORATIA DEVELOPED DESIGN UPDATE**

GLOSSARY

Parrs Park, Oratia

(the Park)

EXECUTIVE SUMMARY

The purpose of this report is to seek approval from the Infrastructure and Works Committee for the developed design for the Parrs Park, Oratia (the Park) north-east development.

The developed design includes a vehicle connection through the north-eastern area of the Park which was not shown in the revised concept plan presented at the May 2009 meeting of the Infrastructure and Works Committee.

The developed design has been approved by the Park's stakeholders and has the approval of the Parks Design Review Committee.

RECOMMENDATIONS

It is recommended that the Infrastructure and Works Committee resolve to:

1. **Receive** the Parrs Park, Oratia Developed Design Update report.
2. **Approve** the developed design for the Parrs Park, Oratia north-east development.

BACKGROUND

1. At the May 2009 meeting of the Infrastructure and Works Committee, a report was presented seeking approval of the revised Park concept plan where it was resolved as follows:

“The Infrastructure and Works Committee resolved to:

2. **Approve** the revised concept plan update for the Parrs Park Reserve Management Plan, including the leased footprint extensions proposed by the Aquatic and Ice Centre Trust, Waitemata Table Tennis Association and Oratia United Association Football Club (Inc), and that amendments to the Parrs Park Reserve Management Plan be undertaken accordingly.”

664/2009

DECISION MAKING

- A3
2. The developed design includes some modifications from the revised concept plan presented at the May 2009 meeting of the Infrastructure and Works Committee. The developed design is attached at page A3.

Issues

Developed Design Amendments

3. The developed design includes the following modifications:
 - The car park to the north of the Waterhole has been removed and vehicle access now connects through to the existing road within the Park;
 - The existing cypress shelter belt at the north end of the fields will be retained; and
 - Possible gating of the vehicle access if disorderly behaviour becomes an issue in this area.
4. The developed design shows that vehicles will now be able to access the existing road within the Park from Seymour Road, Oratia. This vehicle access will be approximately five metres wide and will contain traffic calming infrastructure. Parallel parking will be provided along the vehicle access and the existing car park in front of Waterhole will be extended to provide additional parking spaces. Including the vehicle connection will improve the accessibility through the north east area of the park to the public. This will increase passive surveillance of the area as more people will be using it.

5. Approximately five trees will be removed from the cypress shelter belt to allow the vehicle access through the park. The cypress shelter belt will be retained and tree maintenance will be undertaken.
6. The stakeholders advised that they would support the installation of gates at either end of the vehicle access if disorderly behaviour becomes an issue. It is proposed that these gates would be locked from 7pm-7am in winter months and 9pm-7am in summer months to be consistent with Park's locking schedule. The location of the gate near Seymour Road has been agreed with Kidi Corp to ensure they can access their facilities at any time.

Consideration of Community Views

7. Meetings were held in February 2010 with the stakeholders of the Park to obtain feedback on the developed design. The feedback obtained from this meeting was used to make amendments to the developed design.

Preferred Option

8. The developed design reflects the views of the stakeholders on the north-east development of the Park.

STRATEGIC CONTEXT

9. The developed design has been prepared within the context of the Council's Environmental and Social Strategies. This project will develop the Park to provide walking and cycle connections through which will reduce the carbon footprint of the city. This project will improve green networks through the Park and develop the north-east area. This project will also create sustainable, vibrant, safe accessible spaces for people to enjoy.

CONSULTATION

10. Meetings were held in February 2010 with representatives from Waitemata Table Tennis, Waterhole Swimming Centre, Kidi Corp, Hoani Waititi Marae, Oratia United AFC, the Leisure and Safe Waitakere units of Council and Parks to discuss the developed design. Issues identified were incorporated into the developed design.

RESOURCES

11. The Long Term Council Community Plan 2009-2019 has the following budget allocations provided for the Park:

Project Name	Project Description	Year	Development Budget
Parrs Park North East Development	Stage 1	2010/2011	\$762,940
	Stage 2	2011/2012	\$669,587
Total			\$1,477,527

Table 1: Budget for Parrs Park Development

IMPLEMENTATION ISSUES

12. There are no implementation issues relating to the recommendations.

AUCKLAND COUNCIL TRANSITION ISSUES

13. The decision making proposed in this report is not constrained by section 31 of the Local Government (Tamaki Makaurau Reorganisation) Act 2009, as it does not directly or because of its consequences: significantly prejudice the reorganisation, significantly constrain the powers or capacity of the Auckland Council or any subsidiary of the Auckland Council following the reorganisation, or have a significant negative impact on the assets or liabilities that are transferred to the Auckland Council as a result of the reorganisation.

Report prepared by: Tracey Hamilton, Parks Project Development Officer.



9 BRIDGE AVENUE PUBLIC TOILET

GLOSSARY

Bridge Avenue Public Toilet	(the public toilet)
Te Atatu Boating Club	(the Boat Club)
Waitakere Outrigger Canoe Club	(the Canoe Club)

EXECUTIVE SUMMARY

The purpose of this report is to seek approval from the Infrastructure and Works Committee on the design and location of the public toilet renewal at Bridge Avenue, Te Atatu South.

RECOMMENDATIONS

It is recommended that the Infrastructure and Works Committee resolve to:

1. **Receive** the Bridge Avenue Public Toilet report.
2. **Approve** the design and location for the renewal of the public toilet on Bridge Avenue, Te Atatu South.

BACKGROUND

1. The Bridge Avenue public toilet (the public toilet) is currently located within the road reserve of Bridge Avenue, Te Atatu South and is approximately ten metres from the main entrance to Bridge Avenue Reserve.
2. As the public toilet is located within the road reserve jurisdiction for development of this asset resides with the Infrastructure and Works Committee.
3. Te Atatu Boating Club (the Boat Club) is located at the end of Bridge Avenue and provides launching facilities to the public for a small fee. Waitakere Outrigger Canoe Club (the Canoe Club) hires an area of the boat club to store their equipment. The Canoe Club is based out of the Boat Club and has over 700 members. The Canoe Club operates seven days a week. The hours of operation are from 3:15pm until 8:00pm Monday to Friday, and during the day on weekends and school holidays. The Canoe Club members and their families have access to the public toilet during training.

4. The public toilet has come to the end of its serviceable life and is incurring ongoing maintenance costs and vandalism such as graffiti. The current public toilet facility is not fully accessible and is designed in an unsafe layout. The public toilet requires an upgrade and funding has been provided in the Annual Plan 2010/2011 for physical works.
5. Public consultation on the current use of the public toilet was undertaken during September and October 2009. A sign was installed on the external wall of the Public Toilet and mail drop flyers were distributed to residents within a 400 metre walking distance of the public toilet.
6. At the December 2009 meeting of the Infrastructure and Works Committee it was resolved as follows:

“The Infrastructure and Works Committee resolved to:

2. **Approve** to proceed to the design phase for the renewal of the public toilet on Bridge Avenue, Te Atatu South.”

1927/2009

DECISION MAKING

Issues

7. The current public toilet facility contains two pans in the female block and one pan and one urinal in the male block. The current public toilet block is not fully accessible and has an undesirable layout for safety.

Location

8. The existing public toilet block is located approximately ten metres east of Bridge Avenue Reserve along the footpath of Bridge Avenue. It is proposed to relocate the toilet to the front of Bridge Avenue Reserve.

- A4
9. The proposed location is currently designated as road reserve but is within the maintained area associated with Bridge Avenue Reserve. Transport Assets have approved the proposed location. The property boundaries can be seen on the map attached at page A4.

10. The toilet doors will face out onto Bridge Avenue and the public toilet will be visible to visitors and residents vehicles driving down Bridge Avenue. The public toilet is also well positioned for members of the Canoe Club as family members usually spend time at the playground at Bridge Avenue Reserve while Canoe Club members are training.

Toilet Design

- A5
11. Parks' standard toilet design has been developed through significant product research into durability and sustainability. The Parks standard toilet design is appropriate for the proposed location and consists of one all accessible unisex toilet and a unisex changing room. The proposed design of the public toilet is attached at page A5 of the agenda.

12. The following sustainable features have been incorporated into the public toilet design to reduce vandalism, graffiti and ongoing costs to Council:
 - Tilt slab concrete wall;
 - All fixtures and fittings are stainless steel;
 - All services (plumbing and electrical) are hidden in the walls;

- Use of vandalite or similar vandalism-resistant lighting;
 - Maximum use of natural lighting to reduce power;
 - Maximum use of natural ventilation through the roof design to reduce power;
 - Use of dual flush buttons and spring loaded shut off taps for efficient water use; and
 - Steel doors, trim and ventilation louvers.
13. It is proposed to have one unisex changing room included in the toilet block. The changing room will be the same size as the all accessible unisex public toilet and provide the Canoe Club with a place to change during their training sessions. The changing room will allow for plumbing to be retrofitted if the use of the public toilet block increases and another toilet cubicle is required.
14. The changing room will be managed in a similar way to how sports field changing rooms and store rooms are managed. The Canoe Club will be required to sign a user agreement and will be given a key to open the changing room during their trainings. The Canoe Club will be responsible for the changing room while it is being used by them and are responsible for locking the facility at the end of their training. The Canoe Club have advised that they will sign an agreement if the proposal is approved.
15. The roof of the public toilet block has been designed to incorporate the activities in the area. The uses of curves in the roof mimic the canoes and dinghies situated at the end of Bridge Avenue.

STRATEGIC CONTEXT

16. This project contributes to Council's Social Strategy which aims to develop community infrastructure. There is currently a public toilet provided in this area and the upgrade of the existing public toilet would be in accordance with the Parks and Open Space Strategic Plan 2009.

CONSULTATION

17. Consultation was undertaken with the Canoe Club, the Boat Club and residents within a 400 metre walking distance. This consultation involved a sign installed on the front wall of the public toilet and a mail drop. The majority of feedback was in favour of retaining a public toilet facility at Bridge Avenue with 88% in favour of retaining the public toilet and 12% requesting the removal of the facility. The Boat Club and the Canoe Club have approved the location and design of the public toilet.
18. A second mail drop was undertaken to residents within a 400 metre walking distance in mid March 2010. This mail drop showed the proposed location and design of the public toilet. Feedback from this mail drop will be discussed at the meeting of the Infrastructure and Works Committee to be held on 7 April 2010.

RESOURCES

19. Budget has been provided in the Annual Plan 2009/2010 to carry out the professional services component of the toilet upgrade. Budget of \$130,000 has been provided in the Annual Plan 2010/2011 for the construction of the Bridge Avenue public toilet block.

IMPLEMENTATION ISSUES

20. There are no implementation issues associated with this report.

AUCKLAND COUNCIL TRANSITION ISSUES

21. The decision making proposed in this report is not constrained by section 31 of the Local Government (Tamaki Makaurau Reorganisation) Act 2009, as it does not directly or because of its consequences: significantly prejudice the reorganisation, significantly constrain the powers or capacity of the Auckland Council or any subsidiary of the Auckland Council following the reorganisation, or have a significant negative impact on the assets or liabilities that are transferred to the Auckland Council as a result of the reorganisation.

Report prepared by: Tracey Hamilton, Parks Project Development Officer.



10 TE ATATU SOUTH PARK, TE ATATU SOUTH PUBLIC TOILET AND CHANGING ROOMS

EXECUTIVE SUMMARY

The purpose of this report is to seek approval from the Infrastructure and Works Committee on the design of the public toilets and changing rooms for Te Atatu South Park. The proposed public toilets and changing rooms would replace the public toilet and changing room facilities currently at Te Atatu South Park, Te Atatu South and the public toilet at Neville Power Memorial Park, Te Atatu South.

RECOMMENDATIONS

It is recommended that the Infrastructure and Works Committee resolve to:

1. **Receive** the Te Atatu South Park Public Toilet, Te Atatu South and Changing Rooms report.
2. **Approve** the design and location for the replacement public toilet and changing rooms at Te Atatu South Park, Te Atatu South and the permanent removal of the existing toilet and changing room facilities at Te Atatu South Park, Te Atatu South and toilet facilities at Neville Power Memorial Park, Te Atatu South.

BACKGROUND

1. Funding has been provided in the Annual Plan 2009/2010 for the design and consenting of a new public toilet and changing room facility for Te Atatu South Park. The existing public toilet and changing room facility is located in an undesirable location in a corner of Te Atatu South Park and is not fully accessible.
2. Te Atatu South Park is connected to Neville Power Memorial Park. Neville Power Memorial Park provides public toilet facilities which are located just south of the playground. The Neville Power Memorial Park public toilet contains two pans in the female toilet and one pan and one urinal in the male toilet. This toilet is not fully accessible and its design results in an unsafe layout.
3. Both toilet facilities have reached the end of their serviceable life and are incurring ongoing maintenance costs and vandalism. The Essex Street Neighbourhood Support Group have advised that users of the Te Atatu South Park do not feel safe when walking past the changing rooms and that local schools advise their students not to walk down the path located next to the changing rooms due to safety concerns.

DECISION MAKING

Issues

4. Te Atatu South Park is a Citywide park. Therefore, jurisdiction for development resides with the Infrastructure and Works Committee. Neville Power Memorial Park is a local park and the Henderson Community Board has approved combining the two facilities at Te Atatu South Park.
- A6 5. Due to the close proximity of both the Te Atatu South Park public toilet and changing rooms and the Neville Power Memorial Park public toilet it is proposed to demolish both blocks and incorporate the facilities in a centralised building within Te Atatu South Park. The proximity of both public toilet facilities is attached at page A6 of the agenda.

Location

- A7 6. It is proposed to locate the public toilet and changing rooms at the southern end of the car park within Te Atatu South Park. This location is in close proximity to the main car park area and is located between the two existing toilet facilities. The proposed location for the new facility can be seen at page A7 of the agenda.
7. This location provides sufficient fall to underground services without the need for pumping the wastewater and has good access to water mains. The proposed location is in an area of Te Atatu South Park, which would not otherwise be developed.
8. The public toilet facility design is orientated so that parents could see children go into the public toilets from the playground or the sports fields. This location also provides safe connections to the playground and sports fields without the need to cross the car park or driveway. The proposed location also optimises passive surveillance as the building can be seen from various locations around Te Atatu South Park.

Toilet Design

- A8-A9 9. The Parks standard toilet design has been developed through significant product research into durability and sustainability. The Parks standard toilet design is appropriate for the public toilet and changing room proposed at Te Atatu South Park. The proposed design of the public toilet is attached at pages A8 to A9 of the agenda.
10. The proposed design includes two fully accessible unisex toilets that will be open to the public during the day. The design also includes two mirror image changing rooms. The changing rooms include a changing bench area and two additional toilet pans and showers. The changing rooms will only be accessed by clubs which have agreed to the Parks Sports Fields Policy which is signed annually. The clubs are provided with a key to access the changing rooms and are responsible for them during this time.
11. The following sustainable features have been incorporated into the public toilet and changing room design to reduce vandalism, graffiti and ongoing costs to Council:
- Tilt slab concrete wall;
 - All fixtures and fittings are stainless steel (with the exception of the changing benches);

- All services (plumbing and electrical) are hidden in the walls;
 - Use of vandalite or similar vandalism-resistant lighting;
 - Maximum use of natural lighting to reduce power;
 - Maximum use of natural ventilation through the roof design to reduce power; and
 - Use of dual flush buttons and spring loaded shut off taps for efficient water use.
12. The facility makes use of natural lighting and ventilation by the use of perforated screens between the concrete walls and the roof. The roof gradient falls towards the middle of the building where the water is collected in an internal gutter which feeds into the service core to reduce vandalism.
13. The exterior front and back walls of the facility have a protruding relief to them to break up the solid concrete wall and provide an interesting element which makes the block aesthetically pleasing. Both exterior and interior walls will be graffiti guarded to reduce maintenance costs.

STRATEGIC CONTEXT

14. This project contributes to Council's Social Strategy which aims to develop community infrastructure. There is currently public toilet and changing room facilities provided in this area and the upgrade of the existing public toilet would be in accordance with the Parks and Open Space Strategic Plan 2009.

CONSULTATION

15. The proposed location and design of the facility was sent to Waitakere City Rugby, Te Atatu Rugby League, Girl Guides and the Essex Street Neighbourhood Support to obtain feedback. The Essex Street Neighbourhood Support Group and Waitakere City Rugby Club have advised that they support the location and the design of the proposed toilet block. Feedback from the Te Atatu Rugby League Club and Girl Guides has not been received. Any late feedback received will be discussed at the meeting of the Infrastructure and Works Committee to be held on 7 April 2010.
16. A mail drop was delivered to residents within a 400 metre walking distance of Te Atatu South Park in March 2010. This mail drop showed the proposed location and design of the public toilet. No feedback has been received to date. Any late feedback from this mail drop will be discussed at the meeting of the Infrastructure and Works Committee on 7 April 2010.

RESOURCES

17. Budget has been provided in the Annual Plan 2009/2010 to carry out the professional services component of the toilet upgrade. Budget of \$310,000 has been provided in the draft Annual Plan 2010/2011 for the construction of Te Atatu South Park public toilet and changing room facility.

IMPLEMENTATION ISSUES

18. There are no implementation issues associated with this report.

AUCKLAND COUNCIL TRANSITION ISSUES

19. The decision making proposed in this report is not constrained by section 31 of the Local Government (Tamaki Makaurau Reorganisation) Act 2009, as it does not directly or because of its consequences: significantly prejudice the reorganisation, significantly constrain the powers or capacity of the Auckland Council or any subsidiary of the Auckland Council following the reorganisation, or have a significant negative impact on the assets or liabilities that are transferred to the Auckland Council as a result of the reorganisation.

Report prepared by: Tracey Hamilton, Parks Project Development Officer.

11 **PIHA DOMAIN, PIHA RETURNED AND SERVICES' ASSOCIATION AND PIHA BOWLING CLUB - WASTEWATER SERVICES CONTRACT**

GLOSSARY

Auckland Regional Council	(ARC)
Piha Domain	(the Domain)
Cubic metres per day	(m ³ /d)
Public Health Act 1953	(PHA)
Local Water Agenda Group	(LWAG)
Milligrams per litre	(mg/l)
Net Present Value	(NPV)
On-site Wastewater Liaison Group	(WLG)
Resource Management Act 1991	(RMA)
Royal New Zealand Returned and Services' Association	(RSA)
total nitrogen	(TKN mg/l)
Wastewater collection, treatment and disposal plant	(the Plant)

EXECUTIVE SUMMARY

The purpose of this report is to seek approval from the Infrastructure and Works Committee to enter into negotiations with the Piha Royal New Zealand Returned and Services' Association (RSA) and Piha Bowling Club to provide wastewater services.

Council operates a wastewater collection, treatment and disposal plant (the Plant) at the Piha Domain (the Domain) serving local public toilets, the campground and library facilities. In recent years, the Plant has struggled to cope with summer inflows due to the increasing holiday population of Piha. The Plant's resource consent expired on 31 May 2007. However, the Auckland Regional Council (ARC) agreed to a temporary pumpout scheme during peak months while a permanent solution was developed. The consent application for the Plant's upgrade was finally submitted to the ARC in November 2009. The ARC has agreed to consider the consent on a non-notified basis and is currently finalising the consent conditions. The Domain wastewater system upgrade work is planned for completion in November 2010, before the next summer tourist season.

In 2008, Council's On-Site Wastewater Liaison Group (WLG), through its Local Water Agenda Group (LWAG) for the Piha-Karekare Community, identified that the Piha RSA and Bowling Club had defective on-site wastewater treatment systems that were contributing to pollution of the Piha Stream and lagoon. Through a technical investigation and consultative process, it was established that the most effective and economically sound solution for both clubs is to connect into the upgraded Domain Plant and pay ongoing user charges to Council. Both clubs recently agreed to this, in principle, and are awaiting a formal approach from Council.

A draft contract agreement is being prepared but cannot be finalised until the ARC's resource consent conditions are issued, probably in April 2010. At that time, Council will then need to undertake formal negotiations and enter into an agreement with the clubs for the provision of ongoing wastewater collection, treatment and disposal services.

RECOMMENDATIONS

It is recommended that the Infrastructure and Works Committee resolve to:

1. **Receive** the Piha Domain, Piha Returned and Services' Association and Piha Bowling Club Wastewater Services Contract report.
2. **Agree**, subject to resolution 3 below, that the Acting Director: City Services be authorised to undertake formal negotiations and conclude an agreement with the Piha Returned and Services' Association and the Piha Bowling Club for the provision by Council of ongoing wastewater services.
3. **Note** that recommendation 2 above be subject to approval by the Auckland Transition Agency.

BACKGROUND

1. Council, through the Parks and Open Spaces Department, operates the Plant at the Domain, under ARC Discharge Permit No. 27130 for a maximum discharge of 13 cubic metres per day (m³/d). The Plant currently services the Domain toilets, library, campground showers, kitchen, laundry and manager's residence. It consists of a variety of septic and flow buffering tanks, grease traps, sand filters and packed bed reactors. Treated effluent is piped to a sub-surface drip irrigation system in the "Trees for Babies" reserve area east of the Domain, between the Piha Lagoon and South Piha beach.
2. The Domain Plant is no longer suitable for the flows and effluent quality now occurring at the Domain. The ARC Discharge Permit expired on 31 May 2007. In accordance with sections 37 and 92 of the Resource Management Act 1991 (RMA), the ARC agreed to delay the permit renewal process while Council carried out investigations to determine the best option for upgrading the plant to meet current and future demands. The proposed upgrade design, for a new capacity of 40m³/d (including the South Piha toilet block, Bowling Club and RSA), was submitted for ARC resource consent on 23 November 2009 and this is expected to be granted on a non-notified basis in April 2010. The upgraded Plant is expected to be completed and operational by 30 November 2010, at an estimated cost of \$371,000.
3. Council is responsible under the RMA, the Local Government Act 2002 and the Public Health Act 1953 (PHA) for identifying public health and environmental risks, and for taking or requiring action to be taken in order to mitigate or minimise these risks. This responsibility extends to regulation of various human activities with respect to public health and the environment in rural areas, including existing and proposed on-site wastewater disposal systems.

DECISION MAKING

Issues

4. In the summer of 2007/2008, as part of ongoing risk mitigation strategies by the Council-community LWAG for Piha-Karekare, Council conducted site investigations of 123 properties with on-site wastewater systems – around 18% of all properties in the Piha-Karekare Community. The investigation consisted of physical inspection of the visible components and surrounding buildings, dye and borehole-percolation tests. Of the properties tested, around 60% were simple septic tank systems. 13% of the systems surveyed were below an acceptable standard for on-site treatment and disposal of wastewater, including the Piha RSA and Bowling Club.
5. A similar investigation was conducted at Huia and Cornwallis, with similar results. These investigations were requested by the two communities, through the LWAG forum, because of elevated pollution levels in their streams, lagoons and beach waters. The investigations confirmed that aging and/or poorly maintained on-site wastewater systems are one of the main sources of water-borne pollution in rural water bodies.
6. The RSA septic tank system showed clear evidence of failure and effluent 'break-out' at the ground surface, very near Piha Stream leading into the Piha lagoon and beach area. In view of the Club's busy food service activities, the septic tank was considered too small and did not have a grease trap. The overall score for the RSA septic tank system was "Failed" and its assessed health risk was "Serious".
7. The Piha Bowling Club septic tank was found to be structurally weak and the disposal field was boggy with clear signs of effluent 'break-out' at the ground surface, very near the Piha Stream. In view of the Piha Bowling Club's food service activities, the septic tank was considered too small, did not have a grease trap, and there were no means of preventing vehicles or people from accessing the disposal area. The overall score for the Piha Bowling Club system was "Poor" and its assessed health risk was "Minor".
8. Through the LWAG, a temporary solution was negotiated with the Piha RSA and Bowling Club, each agreeing to replace their existing on-site wastewater systems with 20,000 plus litre storage tanks, to be pumped out and trucked away by each party at their cost. The understanding was that this approach was only temporary while the Council and clubs completed a review of the potential long-term options available to them. ARC will not permit a tank-pumpout approach as a permanent solution for on-site wastewater disposal.
9. The review of available options, completed in late 2009, showed that the most expedient and economically sound solution was for both clubs to connect into the Domain wastewater treatment plant as part of the upgrade works later this year, and to pay ongoing user charges to Council. This was presented to the two parties through the LWAG forum, and both have agreed in principle, subject to review and agreement of the final contract document.

A10-A12

10. This report proposes that Council will enter into an agreement to provide ongoing wastewater collection, treatment and disposal services to the Piha RSA and Bowling Clubs, via the soon-to-be-upgraded Domain Plant. The information attached at pages A10 to A12 illustrates the following:

- Plan of Service Area;
- Roles and Responsibilities;
- Connection Point; and
- Calculation of the Piha RSA and Bowling Club's Wastewater User Charges.

11. The Piha RSA occupies its own land and the Piha Bowling Club is situated on Domain land leased from Council.
12. While both clubs are very popular and fulfil a clear demand in the community, they can not continue to operate on the current tank-pumpout system, which was only a temporary solution. However, both clubs have stated that they would struggle to meet the capital and running costs of new on-site wastewater treatment plants, either individually or as a shared system.
13. Both clubs would pay their share of the Domain plant upgrade cost, on a flow-proportion and nitrogen-strength basis, and pay annual operational costs. In other words they would be purchasing a minor portion of the upgraded treatment plant's new capacity.

Options Identified

14. Two investigative reports were commissioned by the Council in relation to the Domain system upgrade consent and of the Piha RSA and Piha Bowling Club's on-site wastewater problems:
 - "Cost Options For Wastewater Treatment At Piha Domain And Camp Ground, South Piha Toilets, Piha RSA And Piha Bowling Club" – June 2009; and
 - "Piha Bowling Club and RSA On-site and Combined Wastewater Treatment and Disposal Options Report" – August 2009.
15. These reports examined various options for upgrading the existing Piha Domain Plant, including the possibility of connecting the two clubs. The reports considered the available options for each club in more detail, including connection to the upgraded treatment plant.
16. The "do nothing" option can not be seriously considered for the following reasons:
 - The existing wastewater system of both the Piha RSA and Piha Bowling Club were defective and represented a public health and environmental pollution risk;
 - Not addressing the existing situation could result in closure of both clubs under both the PHA and RMA. It is assumed that neither the community nor the Council wants this outcome; and
 - The current tank-pumpout system is only permitted by ARC as a temporary solution until a sustainable, permanent solution is found.
- A13 17. The reports identified the main options and capital costs for permanent resolution of the Piha RSA and Piha Bowling Club wastewater problems, as shown in Table 1 below. These original cost estimates are broader than the more detailed calculations attached at page A13.

<i>Option</i>	<i>Description</i>	<i>Bowling Club</i>	<i>RSA</i>	<i>Combined</i>
1	High quality on-site treatment with disinfection and on-site irrigation disposal.	\$75,400	\$200,000	-
2	High quality on-site treatment with disinfection and on-site disposal to the Bowling Club greens	\$80,300	\$172,800	\$228,000
3	Buffer septic storage on site, treatment and disposal via the Domain treatment plant including irrigation to the Trees for Babies (no disinfection)	\$49,200	\$81,450	-
4	High quality combined treatment close to Bowling Club, including irrigation at Trees for Babies	-	-	\$200,000

Table 1: Capital Cost Options

18. Option 3 – connection of the Piha RSA and Piha Bowling Club to the Domain plant – represented the lowest cost for each club. Options 1, 2, and 4 are considerably more expensive.

A14

19. Option 3 is also the most economic approach when considering operational costs over a 25-year period Net Present Value (NPV), as shown in Table 2 below. These original cost estimates are broader than the more detailed calculations attached at page A14.

<i>Option</i>	<i>Description</i>	<i>Piha Bowling Club</i>	<i>Piha RSA</i>	<i>Combined</i>
1	High quality on-site treatment with disinfection and on-site disposal:	\$98,200	\$233,300	-
2	High quality on-site treatment with disinfection and on-site disposal to the Bowling Club greens	\$103,100	\$222,500	\$
3	Buffer septic storage on site, treatment and disposal via the Domain treatment plant including irrigation to the Trees for Babies (no disinfection)	\$60,900	\$98,050	-
4	High quality combined treatment close to Bowling Club, including irrigation at Trees for Babies	-	-	\$234,400

Table 2: 25-Year NPV Costs

20. Under option 3, the Domain Plant upgrade would have the ability to accept up to 3.3 m³/day from each the Piha RSA and Piha Bowling Club. However, with its existing buffering tank, the Piha Bowling Club maximum daily flow is reduced to 1.5 m³/day and it is only on that flow that the Club's contribution to the capital improvements in the Domain plant has been calculated. The remaining 1.8m³/d remains available for later use by other parties, or if the Piha Bowling Club planned to expand its activities it could purchase the remaining capacity from the Council. A similar arrangement would apply to the Piha RSA – their capital contribution is based on purchasing 2.0m³/d of a total available capacity of 3.3m³/d.
21. Any wastewater flows in addition to their above allowance would accumulate in their existing buffer tanks. Rarely if ever would the Piha RSA and Piha Bowling Club have to pump the tanks out, unless their activities and patronage increased beyond current allowable limits.

Assessment of Options

22. Option 3 below represents the most expedient and economic way forward for the clubs and would enable them to continue operating at a sustainable cost – both have indicated that the other options would be beyond their financial capability. Since they would pay user charges, including a capacity-related portion of the Domain Plant upgrade, then this option is also cost-neutral to Council.
23. Option 3 also eliminates the considerable maintenance responsibility and operational cost that would otherwise fall to the Piha RSA and Piha Bowling Club if individual on-site wastewater treatment and disposal was the selected method. By connecting each club to the Domain system, this maintenance function can be undertaken by the Council's contractor as part of the overall Domain system maintenance contract, and reimbursed by the clubs at a considerable saving to them.
24. While the Council is not obligated to provide a wastewater solution for the Piha RSA and Piha Bowling Club, adopting option 3 does recognise the community demand that both clubs fulfil and enables them to continue meeting this demand into the future. The Domain Plant upgrade is required whether or not the two clubs are connected and the modular design approach enables their inclusion with minor size increases to the modules.

25. Table 3 provides a qualitative assessment of options:

	<i>Disadvantages</i>	<i>Advantages</i>	<i>Risk</i>
OPTION 1			
Social	Results in closure of clubs and loss of amenity to community	None	High
Economic	Considerably more expensive, uneconomic for clubs to continue operating	None – all options cost-neutral to Council	High
Cultural	Less culturally acceptable to iwi given that disposal of treated effluent is adjacent to Piha Stream	None	Med
Environment	Greater risk of malfunction and close proximity to Piha Stream	None	Med
OPTION 2			
Social	Results in closure of clubs and loss of amenity to community	None	High
Economic	Considerably more expensive, uneconomic for clubs to continue operating	None – all options cost-neutral to Council	High
Cultural	Less culturally acceptable to iwi given that disposal of treated effluent is adjacent to Piha Stream	None	Med
Environment	Greater risk of malfunction and close proximity to Piha Stream	None	Med
OPTION 3			
Social	None	Two popular Piha clubs enabled to continue operating and meeting clear need in community	Low
Economic	None	Cost-neutral to Council, as clubs pay daily usage and annual operations costs	Low
Cultural	None	Utilises existing consented disposal area	Low
Environment	None	Clubs' wastewater given state-of-art treatment	Low
OPTION 4			
Social	Results in closure of clubs and loss of amenity to community	None	High
Economic	Considerably more expensive, uneconomic for clubs to continue operating	None – all options cost-neutral to Council	High
Cultural	Less culturally acceptable to iwi given that disposal of treated effluent is adjacent to Piha Stream	None	Med
Environment	Greater risk of malfunction and close proximity to Piha Stream	None	Med

Table 3: Qualitative Options Assessment

Consideration of Community Views

26. Both the Piha RSA and Piha Bowling Club regularly achieve their maximum occupancy allowances, showing that there is an ongoing demand for their services in the Piha Community.
27. Through the WLG and LWAG activities since 2005, Council has worked collaboratively and consulted with the Piha-Karekare Community, facilitating a number of environmental initiatives for improvement of water quality in the area and providing advisory assistance to individual residents and organisations with on-site wastewater problems. The community supports this proactive and collaborative approach by Council.

Preferred Option

28. The preferred option is Option 3, to connect the Piha RSA and Piha Bowling Club into the upgraded Domain Plant.

29. This option addresses two known sources of pollution to the Piha Stream and lagoon, and assists two popular community services to continue operating into the future.
30. Under Option 3, the Piha RSA and Piha Bowling Club estimated capital and annual operational user charges would be as shown in Table 4.

<i>Description</i>	<i>Piha Bowling Club</i>	<i>Piha RSA</i>
Capital construction contribution	\$41,700	\$70,000
Annual operational cost	\$2,550	\$4,050

Table 4: Clubs' User Charges

31. Capital cost includes site-specific components, allowance for increased irrigation and 10% contingency. Annual charges include maintenance, monitoring and asset renewal over 25 years, but exclude design and consent costs which are covered by the Council's consent application to ARC. All costs are estimates only at this stage – actual costs and charges will be finalised upon completion of the Domain system upgrade.

STRATEGIC CONTEXT

32. Council is committed to finding a sustainable path for all of the services it provides. This commitment is captured in the 'eco city' vision; whereby Waitakere will be known internationally as a sustainable city that:
- Celebrates and sustains its people;
 - Has a strong sustainable economic base;
 - Honours its environment; and
 - Builds on its cultures and heritage.
33. Under Council's Environment Strategy, one of the key targets is "integrated water management". Sub-targets that are supported by the preferred option:
- Ensure that stormwater is treated to a level that maintains and improves stream and ground water quality to protect natural water resources;
 - Sustainable long-term wastewater management and treatment with reuse of biosolids and the water component; and
 - Innovative management of on-site wastewater treatment and disposal.

CONSULTATION

34. Considerable community consultation has occurred in the establishment and running of WLG and the LWAGs since 2005, and direct consultation with the Piha RSA and Piha Bowling Club has been ongoing since their wastewater problems came to light in late 2007. To the present time, the LWAG consultation has included:
- Local resident and ratepayers associations;
 - Private clubs and institutions in rural communities;
 - Individual residents in rural communities, through public meetings, community newsletters and one-to-one liaison;
 - Auckland Regional Council – Parks and Consents departments;
 - Auckland Health and the Ministry of Health;
 - Ministry for the Environment;
 - City Services – Ecowater, Parks; and
 - Strategic Planning, Community Well-Being, Public Affairs

35. Since WLG was established in 2005, there has been support for the process, its objectives and outcomes to date, and for the manner in which this particular issue has been managed.

RESOURCES

36. The preferred option requires no additional resources above those already required approved in the Annual Plan 2009/2010 for design, consenting and construction of the Domain Plant upgrade work.

IMPLEMENTATION ISSUES

37. Accepting the preferred option, means that the Council takes on the responsibility of inspection, monitoring and maintenance of the Piha RSA and Piha Bowling Club's wastewater systems up to the Connection Point. This would be carried out as part of the overall Piha Domain Plant maintenance work, paid for by the Clubs as annual user charges.

AUCKLAND COUNCIL TRANSITION ISSUES

38. The Local Government (Tamaki Makaurau Reorganisation) Act 2009 imposes restrictions on Waitakere City Council's decision making capabilities in respect of entering into any contract that imposes, or will continue to impose, any obligation on the existing local authority after 30 June 2011; and the consideration for which is, or is equivalent to, \$20,000 or more (Section 31 (4) (i) (i) (ii)).

Report prepared by: Tony Miguel, Acting Director: City Services.



12 RESOLUTION OF OBJECTIONS UNDER SECTION 181 LOCAL GOVERNMENT ACT 2002 TO PROPOSED STORMWATER DRAINAGE WORKS, 33-37 AND 19A SUNNYSIDE ROAD, SUNNYVALE

EXECUTIVE SUMMARY

The purpose of this report is to seek the Infrastructure and Works Committee's approval to construct stormwater drainage at 33-37 and 19A Sunnyside Road, Sunnyvale as originally proposed by Council officers. Two objections were received to the proposed works at the Infrastructure and Works Committee meeting of 3 March 2010. As these objections have been withdrawn, the Infrastructure and Works Committee can now approve the proposed works.

RECOMMENDATIONS

It is recommended that the Infrastructure and Works Committee resolve to:

1. **Receive** the Resolution of Objections Under Section 181 Local Government Act 2002 to Proposed Stormwater Drainage Works, 33-37 and 19A Sunnyside Road, Sunnyvale report.
2. **Agree** to approve the proposed construction of stormwater drainage works at 19A to 37 Sunnyside Road, Sunnyvale as shown on the plan attached at page A11.

BACKGROUND

A15

1. Council proposes to construct stormwater drainage works at 33-37 and 19A Sunnyside Road. The extent of works is shown on the plan attached at page A10.
2. Notices were served on land owners in accordance with procedures in s.181 and Schedule 12 of the Local Government Act 2002.

DECISION MAKING

Issues

3. Two objections were received from the owners of 19A Sunnyside Road and 35 Sunnyside Road and presented to the Infrastructure and Works Committee meeting of 3 March 2010, as detailed below.
4. Ray Elder (Elder Family Trust), of 35 Sunnyside Road, spoke to his submission opposing the proposed stormwater drainage work at 33-37 and 19A Sunnyside Road, and proposed that a drain be built around the property at 35 Sunnyside Road. He recommended that any decision on the matter be deferred until the Elder Family Trust have received all correspondence in respect of the proposed works.
5. Craig McKenzie, of 19A Sunnyside Road, proposed an alternative scheme for stormwater works at 19A Sunnyside Road to safeguard likely future subdivision of the property; and proposed that an agreement be made between himself and Council whereby allowing the proposed drainage works on his land would permit him to undertake drainage works on his property without incurring Council costs (excepting any appropriate development contributions arising from any future subdivision consent).
6. Following on from hearing the submissions the Infrastructure and Works Committee resolved as follows:

“The Infrastructure and Works Committee resolved to:

1. **Receive** the Hearing of Objections to Proposed Stormwater Drainage Works, 33-37 and 19A Sunnyside Road report and receive submissions from the objectors.
2. **Agree** to adjourn the hearing of objections and defer any decision on proposed stormwater drainage works at 33-37 and 19A Sunnyside Road, Sunnyvale pending a site visit, as per section 181(4) of the Local Government Act 2002, and a further report to be considered by the Infrastructure and Works Committee at its meeting scheduled to be held on Wednesday, 7 April 2010.”

(231/2010)

7. Subsequently Ray Elder advised in writing on 15 March 2010 that he wished to withdraw his objection.
8. A site meeting was held on Thursday 18 March 2010 between the Chairman of the Infrastructure and Works Committee, Mr Craig McKenzie and Council officers. At that meeting Mr McKenzie was provided with an explanation of the proposed works and an agreement was reached that his objection had been addressed. Since that meeting, the objection has been withdrawn.

Options Identified

9. Section 181 and Schedule 12 of the Local Government Act 2002 enables the Infrastructure and Works Committee to hear the objections, and the Infrastructure and Works Committee may, after hearing any person making any objection, determine to abandon the works proposed, or to proceed therewith, with or without such alterations that the Council thinks fit.

Assessment of Options

10. Since the objections have been withdrawn, the construction of the stormwater drainage works should proceed.

Consideration of Community Views

11. The statutory notification process has identified community views on the proposed works, and an agreement has been reached with affected parties.

Preferred Option

A16

12. The preferred option is to proceed with the proposed stormwater drainage works, as shown on the plan attached at page A11.

STRATEGIC CONTEXT

13. Council's strategy is to provide stormwater services while ensuring that there is minimum impact on the receiving environment.
14. Under Council's Environment Strategy, one of the key targets is "integrated water management". Sub-targets that are supported by the preferred option:
 - Ensure that stormwater is treated to a level that maintains and improves stream and ground water quality to protect natural water resources;
 - Sustainable long-term stormwater management and treatment with reuse of biosolids and the water component; and
 - Innovative management of stormwater.

CONSULTATION

15. There has been no internal consultation for this project.

RESOURCES

16. A budget of \$60,000 has been provided in the stormwater capital works projects in the Annual Plan 2009/2010. The cost of the project will eventually be recovered from developers.

IMPLEMENTATION ISSUES

17. Implementation of the proposed stormwater works requires completion of detailed design and awarding a contract for physical works.

AUCKLAND COUNCIL TRANSITION ISSUES

18. The decision making proposed in this report is not constrained by section 31 of the Local Government (Tamaki Makaurau Reorganisation) Act 2009, as it does not directly or because of its consequences: significantly prejudice the reorganisation, significantly constrain the powers or capacity of the Auckland Council or any subsidiary of the Auckland Council following the reorganisation, or have a significant negative impact on the assets or liabilities that are transferred to the Auckland Council as a result of the reorganisation.

Report prepared by: Tony Miguel, Acting Director: City Services.



REPORT FROM THE SUBCOMMITTEES

13 TOWN CENTRES SUBCOMMITTEE

THE SUBCOMMITTEE SUBMITS THE FOLLOWING REPORT OF ITS MEETING HELD ON MONDAY, 15 MARCH 2010.

MATTERS CONSIDERED

A17-A19

The Subcommittee dealt with a number of items for which it has delegated powers to act and a copy of the minutes of the meeting is attached at pages A17 to A19.

It is recommended that the Infrastructure and Works Committee resolve to:

Receive the meeting report of the Town Centres Subcommittee held on Monday, 15 March 2010.

DQ Battersby, QSM, JP

CHAIRMAN

