

**AGENDA FOR AN ORDINARY MEETING OF THE CITY DEVELOPMENT COMMITTEE
TO BE HELD IN THE CIVIC CENTRE, 6 WAIPAREIRA AVENUE, LINCOLN,
WAITAKERE CITY, ON THURSDAY, 3 JULY 2003,
COMMENCING AT 9.30 AM.**

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1 APOLOGIES



2 URGENT BUSINESS

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

- (i) the item is a minor matter; and
- (ii) the Chairperson has explained at the beginning of the meeting (when open to the public) that the item will be raised for discussion, why the item is not on the agenda, and why it cannot be delayed until a subsequent meeting; and
- (iii) the Committee resolves to deal with the item.

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

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



3 CONFIRMATION OF MINUTES

Ordinary - Thursday, 5 June 2003

RECOMMENDATION

That the minutes of the Ordinary Meeting of the City Development Committee held on Thursday, 5 June 2003, as circulated, be taken as read and now be confirmed.



4 **LIQUOR LICENSING POLICY**

PURPOSE OF THE REPORT

A8-A54

This report presents the draft Liquor Licensing Policy (the Policy), as attached at pages A8 to A54. The report includes key alcohol issues and proposed actions for addressing those issues, and presents a draft Liquor Licensing Policy to go out for consultation.

BACKGROUND

Waitakere City Council, in its capacity as District Licensing Agency, adopted a Sale of Liquor Policy in 1992. The Sale of Liquor Act 1989 was amended in 1999 and more decision-making has devolved to District Licensing Agencies.

District Licensing Agencies may now grant all uncontested licences and renewals. When applications are opposed the District Licensing Agency is required to forward them on to the Liquor Licensing Authority for determination. The District Licensing Agency has the authority to grant special licences - it does not have to forward opposed applications to the Liquor Licensing Authority.

If the District Licensing Agency refuses to grant an application, the applicant has the right to appeal to the Liquor Licensing Authority. Although the District Licensing Agency's policy is not binding on the Liquor Licensing Authority, the District Licensing Agency's opinion will receive extra weight where a policy decision follows full consultation with interested parties.

At its December 2002 meeting, the City Development Committee endorsed a two-stage process of policy development and consultation to develop a new Policy and identify and address wider alcohol-related issues for Waitakere City.

Since then a Reference Group comprised of representatives from Waitakere City Police, Alcohol Healthwatch and the Safe Waitakere Alcohol Project have been working together with the Sale of Liquor Inspector and Council Staff to develop a new Policy and to identify wider alcohol issues that could be addressed through other citywide policies and practices. A workshop for interested parties was held on 4 April 2003. Sixty people attended, representing a wide range of interests, including the Licensing Trusts, Council, Health, Industry and Community.

An analysis of the workshop discussions and reference group review has indicated that the Council needs to take some actions around some specific issues relating to the way alcohol issues are addressed in the City. The proposed policy addresses those issues and identifies some strategies for dealing with them at a citywide level.

STRATEGIC CONTEXT

The availability and use of alcohol has strong links to many of the Council's key objective areas: community safety, economic development, health and wellbeing, and First Call for Children. The Council has a range of relevant responsibilities and can have a major impact on the drinking environment, through its role as District Licensing Agency, developing District Plan regulations, making and enforcing bylaws and public health inspections.

The Policy should also be considered in the context of the wider legislative framework - including the Resource Management Act, the Local Government Act 2002 and the District Plan.

The World Health Organisation has accredited Waitakere City as a Safe Community. The Policy must be considered in the context of the four inter-agency community agency projects that come together under the Safe Waitakere goal of community safety

ISSUES

Summary of Key Alcohol Issues

The attached Policy includes a set of tables that show how key issues identified by the Reference Group and workshop participants have been addressed in the Policy. The tables also show how these issues could be addressed through a broader citywide approach, which may lead to a suite of policies and practices that the Council decides to undertake together with community stakeholders.

The key issues identified by the Reference Group and public workshop participants are:

- Noise from inside premises and from intoxicated patrons leaving premises;
- The Sale of Liquor Act and the Resource Management Act do not allow the District Licensing Agency to manage the location of licensed premises, nor can the District Licensing Agency restrict the number of licensed premises;
- The need to link hours of opening to District Plan designations;
- Under-Age Drinking;
- Host Responsibility;
- Public Notification and involvement;
- The link between gambling and premises with liquor licences.

Methods identified to address these issues are summarised as follows:

Noise

How we propose to address noise in the Policy:

- Impose noise management as one of the minimum host responsibility requirements attached to license conditions;
- Link the Policy with District Plan noise rules by requiring that the licensee complies with either the Human Environment Rule within which the premise operates or complies with the Resource Consent or Certificate of Compliance issued for the activity.

How we propose to address noise through other strategies:

- Research noise issues with a view to updating District Plan Rules;
- Research location issues with a view to updating the District Plan rules - eg. what is a reasonable distance for amplified music near a residential area (under the current District Plan rules licensed premises can have amplified music 50 metres from a residential area, but low bass sound is not taken into account);
- Develop a baseline “noise map” of the City and monitor trends over time;
- Ensure enforcement, response, and complaints related to noise and other matters are linked through to District Licensing Agency at the Council and stored in a centralised database (e.g. currently the District Licensing Agency has no centralised electronic database of complaints of any nature relating to licensed premises).

Location and Proliferation of Licensed Premises

How we propose to address location and proliferation issues in the Policy:

- Impose limits on days and hours of operation according to the type of licensed premise and with regard to the District Plan’s Human Environment in which it is located. Linking the conditions under the Policy to the District Plan in this way goes some way towards mitigating any adverse impacts of a licensed premise on the neighbouring community.

How we propose to address location and proliferation issues through other strategies:

- Review District Plan rules in relation to licensed premises e.g. we may ask questions like:
- Do we want licensed premises within 100 metres of a high school? OR How close to a residential area should a nightclub be allowed to operate?
- Look at international evidence about the location of licensed premises.

Under-Age Drinking

How we propose to address under-age drinking in the Policy:

- Reinforce and impose minimum host responsibility requirements that include signs placed at the point of sale of alcohol warning that -
 - Patrons aged 25 and under may be asked for ID;
 - If under 18, the penalty is a minimum fine of \$200;
 - It is illegal to buy alcohol for anyone under 18 unless purchaser is parent or legal guardian (fine up to \$2000); Indicating which part of the premises, if any, are restricted or supervised areas for persons under 18;
 - Discourage sale to minors by signs e.g. “Are you purchasing alcohol to minors outside the premises?” and/or providing staff in the car park to monitor sales by patrons to minors.

How we propose to address under-age drinking through other strategies:

- “Should you supply?” campaign and other activities;
- Collect local indicators and data;
- Involvement in Wellbeing/Collaboration project, Safety by Design project and Regional Alcohol project;
- Use existing research conducted by organisations such as the Centre for Social Health Outcomes Research and Evaluation and Injury Prevention Research Unit to assist with addressing youth and alcohol issues;
- Establish linkages to interested organisations - Coordination of Industry, Trusts, Council, Police, District Licensing Agency, and Medical Officer of Health;
- Youth Consultation;
- Look at pocket money alcohol issues, advertising issues and internet cafes;
- Explore the implications of liquor bans;
- Amend amusement galleries bylaw (discussed below).

Host Responsibility

How we propose to address host responsibility in the Policy:

- Reinforce and impose minimum host responsibility requirements as a condition of the licence, including -
 - The availability of non-alcoholic refreshments;
 - Signs at point of sale of alcohol regarding transport options, regime for dealing with intoxicated or disorderly patrons, under-age drinkers etc;
 - Host responsibility awareness on the part of staff, volunteers and management;
 - Noise management plan;
 - Security inside and outside premises.

How we propose to address host responsibility through other strategies:

- Look at wider issues such as drinking in public places and liquor bans, e.g. movement between bars - how to keep patrons and public safe through a coordinated effort between licensees, police, community organisations and Maori wardens;
- Co-ordination of relevant organisations across the city to promote a responsible drinking environment citywide (eg. through alcohol accords with Industry, Police, Council, Community, Maori Wardens, Trusts etc.);
- Establish star rating scheme for licensed establishments (eg. five stars for good host responsibility, publicly advertised).

Public Notification and Involvement

How we propose to address public notification and involvement in the Policy:

The Public can object to renewals and variations on a number of grounds, including whether or not the licensee has complied with the conditions imposed by the Policy. The Policy spells out the objections process, including the Public's right to object on the grounds that the licensee has not met the minimum host responsibility requirements conditions imposed by the Policy.

How we propose to address host responsibility through other strategies:

- Explore more ways to involve community in monitoring premises;
- Explore ideas for notification of proposed new premise - eg. letterbox drop in vicinity, letters to local community etc;
- Forums/accords with industry, police, community organisations;
- Improve systems through the Council's Call Centre - link to police, District Licensing Agency, noise control;
- Develop centralised, electronic complaints and objections database within the District Licensing Agency.

The Link Between Gambling and Licensed Premises

How we propose to address gambling in the Policy:

The Responsible Gambling Bill will become Law in a few months. The Bill requires Councils to develop gambling venue policies. The Council will be able to address many of the issues related to gambling and drinking through its gambling venue policy.

In the meantime, under the current legislative regime, an applicant (e.g. TAB) can get a liquor licence, apply for a designated area that will not allow under-age drinkers and then put in gaming machines. This makes it hard to control for the proliferation of gaming machines in the City. As a way to address this issue, the Reference Group has proposed that only Taverns and Hotels will be allowed to apply for designated restricted or supervised areas for people aged under 18. This is an indirect method to limit the number of licensed premises with gaming machines. It does not affect Clubs and with the current Trust monopoly, very few establishments will be affected.

How we propose to address gambling through other strategies:

- Explore ways in which we can link Alcohol Strategies with Gaming Venue Policy and National Plan for Minimising Gambling Harm;
- Youth and gambling - links with alcohol - access to gambling venues. Use Gambling Venue Policy to impose tough ID regime for gambling venues.

Possible District Plan Changes

The Noise Rules in the District Plan were formulated in the mid 1990's, and were based upon the current understanding of the issues as they were perceived at that time. Since then the emergence of low bass sound has become a matter of concern for many residents who live adjacent to noise making venues. The Low Bass noise does not necessarily exceed the decibel limits imposed by the District Plan, but can nevertheless cause a nuisance. It is considered that a review of the noise standards in the District Plan is appropriate, to address this new issue. Consultation on the Policy will provide a useful vehicle for commencing initial consultation on what are the appropriate District Plan noise standards for the City.

The District Plan also contains a City Wide Rule relating to the Sale of Liquor. This specifies hours of operation for licensed premises. These hours of operation may not accord with the hours of operation suggested in the Policy. Once the Policy has been finalised, it will be appropriate to incorporate any consequential changes to the Sale of Liquor City Wide Rule into any plan change that also amends the Noise Rules.

Proposed Changes to Amusement Galleries Bylaw

A1-A7

Under the current Bylaw relating to amusement galleries, every premise operating more than two amusement devices is required to have a licence and be subject to the Bylaw. An amusement gallery includes bowling alleys, billiard rooms, miniature golf etc. The Bylaw does not cover any premises licensed or chartered under the Sale of Liquor Act 1989. The Bylaw is attached as Appendix A1 to A7.

The Bylaw excludes any person under 15 from entering an amusement gallery during normal school hours. But if such an establishment has a liquor licence under the Sale of Liquor Act, a child under 15 can enter during normal school hours and operate amusement devices in the company of intoxicated adults. The Henderson Community Constable has proposed the following amendment to the Bylaw to enable it to cover establishments licensed under the Sale of Liquor Act 1989. The amendment sought is as follows:

1. The deletion of the line contained in article 10; "This bylaw shall not apply to premises licensed or chartered under the Sale of Liquor Act 1989, or its amendments".
2. This line should be replaced with the following:

"This bylaw shall apply to premises licensed or chartered under the Sale of Liquor Act 1989, or its amendments, with the following exceptions: Articles 14 and 17(b) and (c) shall not apply to those premises."

The above articles in the Bylaw cover hours of operation (article 14) and the consumption and supply of intoxicating liquor (articles 17(a) and (b)), which would instead be subject to the Sale of Liquor Act 1989 and Waitakere City Council Liquor Licensing Policy.

The proposed amendment would provide a uniform standard to all premises operating such devices and would remove the current loophole, without affecting the operation of premises licensed for the sale of liquor. It would also ensure that premises licensed for the sale of liquor as 'entertainment venues' have control over in the manner with which they operate their amusement devices.

Proposed Next Steps

If the Committee endorses the draft Policy, it is proposed to request comments from the parties who were invited to the public workshop and from the wider public on the following:

- The draft Liquor Licensing Policy;
- The proposals for dealing with alcohol issues through a city-wide strategy;
- The proposals to review District Plan rules relating to noise emanating from licensed premises and the location of licensed premises;
- The proposed changes to the Amusement Gallery Bylaw.

The draft Policy will be sent to all the parties who were invited to the workshop (approximately 800 people). Invitees included Police, all the Licensed Premises, the Licensing Trusts and Community, Health, Alcohol and Gambling organisations. Councillors, Community Board members and staff from across Council were also invited.

The wider public will be invited to make submissions on the draft Policy, which will be publicised through the Council's Internet site and local news media. No further workshops are planned for the Liquor Licensing Policy, but it is anticipated that several workshops and Hui will be held in the process of developing a citywide strategy. A final Policy and project plan for a citywide alcohol strategy will be brought back to the Committee in September 2003 for approval.

RESOURCES

Consultation costs and staff time for finalising the Policy and developing a citywide strategy or set of strategies are provided for in the 2003/2004 Annual Plan budget.

Subject to Ministry of Health approval, it is anticipated that the Safe Waitakere Alcohol Project will provide significant support to the development of a citywide alcohol strategy or set of strategies in the 2003/2004 financial year.

CONCLUSION

The draft Policy has addressed key issues identified by the Reference Group and workshop participants. Key issues include:

- Noise from inside premises and from intoxicated patrons leaving premises;
- The Sale of Liquor Act and the Resource Management Act do not allow the District Licensing Agency to manage the location of licensed premises, nor can the District Licensing Agency restrict the number of licensed premises;
- The need to link hours of opening to District Plan designations;
- Under-Age Drinking;
- Host Responsibility;
- Public Notification and involvement;
- The link between gambling and premises with liquor licences.

These issues also could be addressed through a broader citywide approach, which may lead to a suite of policies and practices that the Council decides to undertake together with community stakeholders.

The process of developing the Policy has revealed the need to review District Plan rules relating to noise emanating from licensed premises and the location of licensed premises. The process has also revealed the need to amend the current bylaw relating to Amusement Galleries. A proposed amendment to the Bylaw is included in this report.

RECOMMENDATIONS

1. That the information be received.
2. That the City Development Committee endorse the draft Liquor Licensing Policy, including the proposals for dealing with alcohol issues through a citywide strategy, as a document that can now go to interested organisations and the public for wider consultation.
3. That the City Development Committee endorse in principle the proposed changes to the 1990 Waitakere City Bylaw No. 20, relating to Amusement Galleries and recommends that the proposed changes be included as part of the consultation process.
4. That as part of the consultation process, comment is sought from the public on the District Plan rules relating to noise emanating from licensed premises, and the location of licensed premises.
5. That a final draft Liquor Licensing Policy and a project plan for a Citywide Alcohol Strategy be brought back to the City Development Committee at the September 2003 meeting.

Report prepared by: Annika Lane, Senior Policy Analyst: Social Policy.



5 HARBOURVIEW MAORI NAME

PURPOSE OF THE REPORT

The purpose of this report is to bring back to the City Development Committee the resolution of Te Taumata Runanga regarding the Maori name to be included in the Harbourview Park.

BACKGROUND

An Open Space Management Plan process has been prepared to guide the future management of the Harbourview land on Te Atatu Peninsula. The Management Plan process involved extensive citywide public consultation and ecological, historical and landscape research.

People were invited to submit ideas for a name for the Park through the Open Space Management Plan consultation process. In addition, as required under the Parks Naming Policy, consultation was undertaken with Te Kawerau a Maki and Ngati Whatua.

All name proposals were taken to the Harbourview Park Working Party meeting, which was held on 21 January 2002. The group discussed the proposals and made a recommendation that the Park be named Harbourview and a Maori name, which it was suggested, be determined by Iwi. However, the Group was in favour of the name proposed by Te Kawerau a Maki, Orangihina.

The following Maori names were submitted by Iwi:

- Kuaka Park, by Ngati Whatua (Kuaka means bar tailed godwit).
- Orangihina, by Te Kawerau a Maki (Orangihina is an ancestor of Te Kawerau a Maki, known as the wife of the great warrior Te Au O Te Whenua).

The City Development Committee heard submissions on 18 February 2003 and made the following resolutions regarding naming the Park at a special meeting on 26 February 2003:

“That the name for the Park will be Harbourview and a Maori name determined by Iwi.”

279/2003

“That a report be taken to Te Taumata Runanga requesting guidance on an appropriate Maori name to be utilised in conjunction with Harbourview, for the Park.”

280/2003

“That the spelling for the name “Harbourview” is one word.”

282/2003

STRATEGIC CONTEXT

The process for naming the Park was followed in accordance with the Council's Parks Naming Policy. The following criteria from the Policy are appropriate to name a citywide park:

- Name after a significant natural feature, landscape, vegetation or fauna of the City.
- Name after an important historical use or personage associated with the City.
- Name in order to mark a significant event in the life of the City.

ISSUES

Te Taumata Runanga made the following resolution at the meeting held in April 2003:

“2. That Te Taumata Runanga advise the City Development Committee that it is inappropriate for Te Taumata Runanga to provide guidance regarding a Maori name being included in the Harbourview Park name.”

792/2003

It is therefore proposed that the City Development Committee make the final decision on which Maori name to be utilised for the Harbourview Park site. Both names fit the criteria in the parks naming strategy. However, based on the preference from the working party, it is recommended that Orangihina is the Maori name utilised for Harbourview.

CONCLUSION

Te Taumata Runanga does not believe the naming of Harbourview should be guided by their Committee and therefore the City Development Committee is asked to make a decision as to which of the two Maori name suggestions is utilised in conjunction with Harbourview. The Working Party preference is Orangihina.

RECOMMENDATIONS

1. That the information be received.
2. That Orangihina be the name utilised alongside Harbourview to describe the coastal park at Te Atatu Peninsula.

Report prepared by: Renee Lambert, Service Manager: Landscape Development.



6 RANUI RAIL STATION DEVELOPMENT

PURPOSE OF THE REPORT

The purpose of this report is to update the City Development Committee on consultation undertaken by the Council with the Ranui community over development of the Ranui rail station and the adjacent land owned by Council.

BACKGROUND

Since 1999 Council has been involved in projects to address the lack of community facilities in Ranui and the somewhat run-down and unattractive appearance of the area. In response to community visioning exercises, a new community house and library have been built, traffic calming measures have been introduced on Swanson Road, and street beautification and street-lighting renewals undertaken.

The need for an improved rail station and surrounding amenity had also been identified as part of the community visioning process, and \$100,000 was approved in the 2002/2003 Annual Plan for improved amenity in that area. Further, Ranui was identified as a possible station for early development by Auckland Regional Transport Network Limited and Council began to work with Auckland Regional Transport Network Limited over the complete redevelopment of the Ranui rail station.

At the May 2002 meeting of the City Development Committee it was resolved that Ranui be developed as a signature station:

“That the City Development Committee supports the use of Ranui station for design and implementation of a new station facility.”

882/2002

From workshops held with key stakeholders in mid 2002 preliminary concept designs for the station were developed, including a proposed new station location. It is not possible to retain the station in its current location as the corridor is of insufficient width to allow for future double tracking and platforms on both sides of the track. The new location is the only possible site for the station given rail constraints (corridor width and the need to have a platform on a straight) and safety issues (passive surveillance). To facilitate the development of the station, Council has purchased approximately 1,433m² of land at Carlas Way.

Auckland Regional Transport Network Limited has been granted funding from Infrastructure Auckland for the development of the station. Access to this funding requires that a number of conditions be fulfilled including one outstanding condition related to agreement between the Auckland Regional Council and Auckland Regional Transport Network Limited over access arrangements and funding the cost of renewals. The building of the Ranui Station is currently on hold until these issues are resolved.

STRATEGIC CONTEXT

Station location, development, and linkages are an important part of developing the rail network. Stations are the key interface between the rail corridor and town centres and communities. Their location and design is critical, in terms of the tone they set for the rail corridor and the way in which they interface with the town centre or community. Therefore, it is important that stations are sited in the best possible location and that design work is undertaken to a high standard. It should be borne in mind that Ranui is currently the third most highly patronised station in Waitakere City, and that future use is expected to expand significantly. Achieving an optimum location now with good amenity and opportunity for future facilities will have benefits for Ranui far into the future.

The purchase of the land at Carlas Way, in addition to providing for the best possible pedestrian access for the local community, also allows for the development of a community space. However, any development of this land should be considered in the context of other facilities being developed within the Ranui area as well as station needs.

ISSUES

To expedite the building of the Ranui station, Council and Auckland Regional Transport Network Limited agreed to separate the development of the rail station into two areas of work - the building of the platform (an operational task for Auckland Regional Transport Network Limited) and the design/building of the station building and use/development of adjacent land (involving community input). Therefore, Council has undertaken consultation with the Ranui community over the design of the Ranui Rail Station building and the use of the land adjacent to the rail station. This included:

- A public meeting to update the community on work and request input into design issues and land use;
- Distribution of a flyer to 3000 residents identifying ways of inputting into the process - including contacts for Council, the Ranui Action Project and Ranui Community Centre;
- Updates with local stakeholders including community police, local shopkeepers and interested parties;
- Reports to Massey and Waitakere Community Boards.

The proposal for consultation was presented to the May meetings of the City Development Committee, Waitakere Community Board and Massey Community Board, which all requested public input prior to their decision. Items will be presented to the July 2003 meetings of the Massey and Waitakere Community Boards and their comments will be provided to the Committee verbally.

A public meeting was held on the evening of Tuesday, 27 May 2003 at the Ranui Community Centre. The meeting was advertised through the distribution of 3000 brochures as well as posters in shops, information in the library, community Centre, RAP Office and at the station. The meeting was attended by approximately 30 people who were very supportive of the development of the station. The meeting was clear with its desires, these being:

- Land Use
 - Unanimous desire to have a toilet located close to the station;
 - Desire for a drinking fountain and telephone near the station;
 - That the land be developed for passive recreation in the short to medium term;
 - Ensuring opportunities for future use of the land are not foreclosed.
- Station Building
 - That the station building be based on the Auckland Regional Transport Network Limited design but be modified to -
 - Ensure the building provides good quality shelter from the weather including taking into account prevailing winds;
 - Roof design is curved so that it fits with pedestrian shelter to be built on Ranui Station Road and reduces the desire to throw objects onto the roof.

A number of other options for the use of the land were discussed as these had been raised through separate forums. The community felt that it was not the appropriate time to be considering the development of a café, e-centre or community facility on this site given the development that is currently being undertaken around the Ranui Action Project Office and Library/Community Centre. However, the community wanted to ensure that options for these or similar type developments are not foreclosed, should they be considered appropriate in the future. A majority of the public meeting did not favour a playground at this location, given its close proximity to Ranui Domain and Pooks Reserve.

Individual contacts since the meeting reinforce the desires of the community meeting. They also focussed on ensuring good quality linkages with the community, ensuring quality and timely rail services, provision of information on rail, quality access for all users and safety issues. While the public meeting and much of the other communication over the station has placed a strong emphasis on functionality and services, there have been a number of requests for the inclusion of some form of community art in the vicinity of the station. The community has requested that this feedback be incorporated into the station design process and that the new station design be provided to the community as information, through existing networks.

It would be appropriate at this stage to provide Auckland Regional Transport Network Limited with the information from the consultation Council has conducted with the Ranui community, to enable the station building design to be altered. The alterations could be considered in consultation with a small group of key stakeholders including Ranui Action Project, Chairs of Massey and Waitakere Community Boards and Council representation.

RESOURCES

Auckland Regional Transport Network Limited has allocated \$120,000 from the Infrastructure Auckland funding for the development of the rail station. Should the cost of the shelter be greater than this, it is likely that this would need to be funded by Council. Auckland Regional Transport Network Limited has also been indicated that Council may need to take responsibility for that portion of shelter maintenance and renewal above what would be expected from a standard Auckland Regional Transport Network Limited structure. It is likely that the design changes suggested by the public can be incorporated within the existing budget. However, this issue will need to be addressed in an iterative way with Auckland Regional Transport Network Limited as station design proposals progress.

In the review of the draft Annual Plan Council agreed to roll over the existing \$100,000 capital expenditure budget for Ranui and to add a further \$100,000. Therefore, \$200,000 is provided for this project. Preliminary costings indicate that this would be sufficient to cover the costs of a toilet, drinking fountain and landscaping, as requested by the Ranui community.

CONCLUSION

Ranui is a highly patronised rail station with a large walking catchment. It is located at a key pedestrian access between Pooks Road and Ranui Station Road. Therefore it is critical that any development of this site occurs in a manner that reflects the local community and meets their needs as rail users and local residents. The Ranui community have been consulted over the development of the station and surrounding land and it would be appropriate for Council to provide the outcomes of the consultation to Auckland Regional Transport Network Limited for incorporation into the designs for the Ranui Rail Station.

RECOMMENDATIONS

1. That the information be received.
2. That the outcomes of the consultation with the Ranui community, as outlined in this report be forwarded to Auckland Regional Transport Network Limited for incorporation in their design of the Ranui Rail Station building.
3. That the Committee support further investigation of including a toilet, drinking fountain and telephone along with landscaping on the land adjacent to the Ranui Rail Station.

Report prepared by: Glenda Lock, Project Manager: Transport Projects.



7 FERRY AND BUS CONSULTATION

PURPOSE OF THE REPORT

The purposes of this report are to:

- Seek guidance on the City Development Committee's preferred consultation approach for ferry and bus options at Te Atatu;
- Report back a process for safeguarding bus and ferry options for Te Atatu Peninsula.

BACKGROUND

Investigations into bus and ferry options for Te Atatu have been undertaken by Sinclair Knight Merz. The purpose of the investigations was to identify options for the location of a bus facility including a route between the motorway and a park and ride, as well as identifying where a ferry berth and associated parking and road access should be located. These investigations had to take into account reserve development, land use, pedestrian access, road transport issues, heritage values and coastal planning issues. Identifying possibilities for integrating these services was also included.

At the June 2003 City Development Committee a report was presented to the Committee on possible ferry and bus options for Te Atatu. The Committee resolved that:

- “1. That Council Officers report back to the City Development Committee a process for safeguarding bus and ferry options at Harbourview, including park-and-ride.
2. That the options for buses, as identified within the agenda report be included in city-wide bus planning work for consideration and prioritisation.”

1105/2003

The Committee was also concerned about how the public will be consulted on the options for bus and ferry developments for Te Atatu. This report focuses on how and when to consult the public.

STRATEGIC CONTEXT

The draft Auckland Regional Ferry Strategy 2000 identifies Hobsonville, Te Atatu, and West Harbour as possible locations for ferry facilities within Waitakere City. Te Atatu is identified in the draft Ferry Strategy as an area where population growth is required before a ferry service is expected to be feasible.

The current plan for the development of a park at Harbourview means that houses and businesses will not be developed within easy walking distance of a ferry wharf. This site is not currently generating the level of interest from operators that West Harbour and Hobsonville are.

Officers have begun planning for the development of a bus strategy for the city. That strategy will look at how to leverage more bus usage within the context of the already agreed rail and ferry investments and proposals.

ISSUES

Bus

It is suggested that consultation on the Te Atatu Peninsula bus options be undertaken once city-wide investigations are complete. At this stage it is unknown whether the options outlined for Te Atatu Peninsula will fit or be a priority within the city-wide context. It is not seen to be appropriate to consult on options that may not be feasible or necessary once city-wide planning has occurred. However, it will be important to talk with the Marae Coalition prior to wider consultation occurs as some proposals affect the Marae development.

Ferry

Although it is unlikely that a ferry service will be feasible in the short or medium-term for Te Atatu Peninsula (at Harbourview), it would be prudent for the Council to safeguard possible future options.

The best option for the Council to protect ferry and bus options would be to designate under the Resource Management Act 1991 the appropriate areas for the facilities that are required. The statutory process of a designation is:

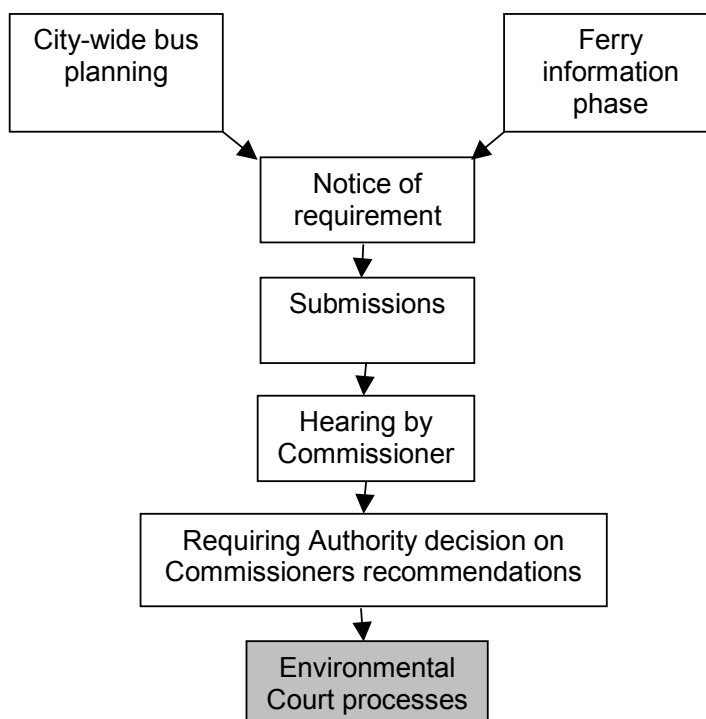
- Designate area(s) by issuing of a Notice of Requirement;
- Submissions are invited;
- Independent Commissioner is engaged to hear submissions and make recommendations to the Requiring Authority (in this case the Council will be the Requiring Authority);
- Requiring Authority makes a decision to accept or reject the Commissioners recommendations;
- Requiring Authority decision is released; and
- Submitters have a period of time to appeal the Requiring Authority decision to the Environment Court.

This process allows for public involvement during the submission and appeal periods. However, it is suggested that communication with the public, an information phase, should also occur. It is suggested that this be in the form of a flyer/letter to Te Atatu residents and a display (open day) prior to a Notice of Requirement for a designation, to inform the public of the proposals and the process. This consultation would be additional to the normal statutory designation process.

The initial information phase would not involve submissions. The information phase would clearly outline the proposal and the designation process.

Although there will be different consultation processes undertaken for the bus and the ferry work, it is suggested that the designation process be aligned to help simplify the process for the public.

The following diagram illustrates the proposed process:



The timing of the ferry information phase should be after the completion of the city-wide bus planning work, this would likely occur in mid to late 2004.

Ferry consultation could occur now, however this would be disjointed in terms of the bus consultation, unless a designation for the ferry site also occur separately. As there may be public concern about the proposal in relation to Harbourview it is recommended that bus and ferry designation processes be aligned to reduce confusion and public anxiety. Further to this, Plan Change 2 (reidentifying the Harbourview land as Open Space and Marae Special Area) is currently open for submission, with the hearing of those submissions expected to be held later this year. Undertaking the Plan Change process and the ferry designation consultation at the same time may also unnecessarily confuse members of the public.

RESOURCES

No budget is allocated in the 2003/2004 Annual Plan or the Long Term Council Community Plan for consultation and/or designation of the ferry options at Te Atatu Peninsula. However, if consultation and designation occurs after the city-wide bus planning work it would likely sit within the 2004/2005 financial year.

It is envisaged that the cost of the consultation and designation processes would be approximately \$20,000.

CONCLUSION

Consultation on bus options for Te Atatu is premature until city-wide planning work is complete. Initial ferry communications should be undertaken separately. However this should be timed to align with the city-wide bus planning so that the designation processes occur together. This should help simplify the process for the public.

RECOMMENDATIONS

1. That the information be received.
2. That the City Development Committee endorses the timing and type of consultation outlined in the report for bus and ferry options.
3. That once the City Development Committee has confirmed a preferred bus option a report is taken to the Environmental Management Committee outlining the required areas for designation for both ferry and bus services.

Report prepared by: Gyles Bendall, Project Manager; Transport Projects.



8 TE TIRITI O WAITANGI/TREATY OF WAITANGI FRAMEWORK

PURPOSE OF THE REPORT

The purpose of this report is to present the Treaty of Waitangi framework for the City Development Committee's consideration and feedback.

BACKGROUND

Over the last ten years Council's commitment to developing its Treaty of Waitangi partnership relationships between the iwi groups; Ngati Whatua and Te Kawerau A Maki, and the wider Maori community is demonstrated by all parties largely through a mutual willingness of goodwill, learning and actions.

In 1992, the establishment of Te Taumata Runanga created an opportunity for Council, iwi and the Maori community to work closely, to meet Council's local territorial obligations and responsibilities. i.e. resource management duties. Since then Council has continued to take a leadership role and to build on its Treaty of Waitangi partnership relationships to ensure iwi and the Maori community have an opportunity to participate in local government democracy through a range of arrangements; Memorandum of Understanding agreements, work programmes, various City wide strategies, District Plan, Management Plans, Council's Annual Plan Budget process and Council's Long Term Council Community Plan. Furthermore, Te Taumata Runanga continues to provide significant policy advice to Council on areas of specific interest for Maori such as the establishment of the Waikumete Urupa and Council's Marae support policy.

In 2002, as part of Council's consultation process with the wider community, including iwi and the Maori community on the review of the Local Government Act, provided further opportunity for Council to consider ways in progressing the Treaty of Waitangi partnership relationships for the City. Specifically in August 2002, both members of Council and Te Taumata Runanga attended workshops on understanding the Treaty of Waitangi articles, principles, local government's role, and reviewing "Waitakere's way," and how the Treaty partnership relationships between Council, iwi and Maori may be developed for the City's future vision.

A further briefing was held on 22 October 2002, between members of Council and Te Taumata Runanga on progressing how the future Treaty partnership relationships for the City may be examined within a framework. At this briefing a Treaty of Waitangi framework was proposed for consideration.

At Te Taumata Runanga 19 May 2003 meeting, the Committee resolved,

“That Te Taumata Runanga approves the Treaty of Waitangi framework to be forwarded to City Development Committee as a basis for further development”

983/2003

STRATEGIC CONTEXT

The Local Government Act 2002 requires Local Government to not only consult Maori, but also to encourage Maori participation in the Decision Making processes of Local Authorities.

Part 1, section 4 of the Local Government Act 2002 states:

“In order to recognise and respect the Crown’s responsibility to take appropriate account of the principles of the Treaty of Waitangi and to maintain and improve opportunities for Maori to contribute to local government decision making processes, Parts 2 and 6 provide principles and requirements for local authorities that are intended to facilitate participation by Maori in local authority decision-making processes.”

This sets the theme of the other references to Maori participation in the Act, in particular sections 77(1)(c), 81, and 82. The Act goes further, in Section 81(1)(b), to require a local authority to:

“Consider ways in which it may foster the development of Maori Capacity to contribute to the decision-making processes of the local authority...”

Council has undertaken to consider ways to maintain and improve opportunities for Maori capacity to contribute to local government decision-making processes, as outlined in Council’s, Long Term Council Community Plan.

Council has set a clear goal for the City’s vision for 2020, *“People in the City are proud to uphold the Treaty of Waitangi.”* This goal has provided a basis for further development for Council to progress its commitment to the Treaty of Waitangi partnership relationships for the City’s future.

In addition Te Taumata Runanga has also undertaken a review of its strategic direction and has also identified the Treaty of Waitangi as a priority and supports Council’s initiatives to improve Maori participation in local government decision-making.

ISSUES

A55-A58

The Treaty of Waitangi framework is essentially a “Waitakere way,” based on partnerships, collaboration and joint responsibility for working through issues, and would provide a framework by which Council, iwi and the Maori community can consider each other’s role and responsibilities in progressing the City’s future Treaty of Waitangi partnership relationships. See Treaty of Waitangi framework, as attached at pages A55 to A58.

Article 1: Kawanatanga (Governance),

Article 2: Tino Rangatiratanga (Right to control all iwi and Maori value, eg. land)

Article 3: Citizenship (What are the citizenship rights and obligations of Maori and are these different to any citizen)

The Treaty of Waitangi framework clearly outlines what is currently being provided by Council to give effect to the Treaty partnership relationships, and to outline where there is opportunity for future development.

The Treaty of Waitangi framework does not prescribe what and how Council, iwi and Maori should respond to develop a future Treaty of Waitangi partnership relationship. Rather, the framework provides scope for the City to explore and build upon its Treaty of Waitangi partnership relationship in an open honest and accountable way.

A key issue for Council in considering the Treaty of Waitangi framework is to ensure ongoing dialogue continues with both iwi groups; Ngati Whatua and Te Kawerau A Maki, and Te Taumata Runanga to work through issues and to create practical solutions. It is equally important for Council and Te Taumata Runanga to undertake to promote the Treaty of Waitangi framework to the wider community in a positive manner.

RESOURCES

The level of resourcing required investigating the Treaty of Waitangi framework is provided for in the 2002/2003 financial year. There are further resource issues that will need to be considered as the Treaty of Waitangi framework is worked through. The draft Long Term Council Community Plan and Council's draft Annual Plan Budget for 2003/2004 indicates that \$10,000.00 has been allocated for developing the Treaty of Waitangi framework over 2003/2004.

CONCLUSION

The Treaty of Waitangi framework provides further opportunity for Council to build on the last ten years of Treaty of Waitangi partnership relationships and achievements with iwi and Maori in the City. Council's Long Term Council Community Plan recognises the Treaty of Waitangi as a strategic priority and as such both iwi groups, Ngati Whatua and Te Kawerau a Maki, and Te Taumata Runanga are keen to work alongside Council to strengthen their Maori interests and aspirations. The Treaty of Waitangi framework is a mechanism to enable Council to achieve its Treaty partnership relationships for the City's future development.

RECOMMENDATIONS

1. That the information be received.
2. That the City Development Committee approve the Treaty of Waitangi framework as a basis for progressing Council's Long Term Council Community Plan, Treaty of Waitangi strategic priority.

Report prepared by: Georgina Parata, Senior Policy Analyst.



9 PROJECTS SPECIAL COMMITTEE

THE COMMITTEE SUBMITS THE FOLLOWING REPORT OF ITS ORDINARY MEETING HELD ON WEDNESDAY, 4 JUNE 2003.

MATTERS CONSIDERED

A59-A62

The Committee dealt with a number of items for which it has delegated powers to act and a copy of the minutes of the meeting is attached at pages A59 to A62 in the Attachments supplement.

The Committee Recommends:

That the Ordinary Meeting report of the Projects Special Committee held on Wednesday, 10 June 2003 be received.

RP Dallow, QPM, JP
CHAIRPERSON



10 RAIL STATION UPDATE AND WORK PROGRAMME

This item will be considered in the Confidential Supplement of the agenda, and has been circulated to members separately with this agenda.

PROCEDURAL MOTION TO EXCLUDE THE PUBLIC

1. That the public be excluded from the following of the proceedings of this meeting, namely Rail Station Update and Work Programme

The general subject of the matter to be considered while the public is excluded, the reason for passing this resolution in relation of the matter, and the specific grounds under Section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

General subject of the matter to be considered.	Reason for passing this resolution in relation to the matter.	Ground(s) under Section 48(1)(a) for the passing of this resolution.
<ul style="list-style-type: none">• Rail Station Update and Work Programme	<p>The withholding of information is necessary in order to:</p> <ul style="list-style-type: none">• Enable any local authority holding the information to carry on without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).	<p>That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist.</p>

This resolution is made in reliance on section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by Section 7(2)(i) of that Act which would be prejudiced by the holding of the relevant part of the proceedings of the meeting in public as follows:

- The report contains information which if released would affect the Council's negotiations.

