



Waitakere City Council
Te Taiao o Waitakere

NOTICE OF EXTRAORDINARY MEETING

CITY DEVELOPMENT COMMITTEE

I hereby give notice that an Extraordinary Meeting of the City Development Committee will be held on:-

DATE: **Thursday, 11 November 2004** **TIME:** **9.30 am**

VENUE: **Civic Centre, 6 Waipareira Avenue, Lincoln, Waitakere City**

to consider the business as set out herein and to take any necessary action connected therewith.

5 November 2004

Owena Schuster
COMMITTEE SECRETARY

Telephone (09) 836 8000 extn 8864

MEMBERSHIP:

Councillors	PA	Hulse (Chairperson)
	LA	Cooper (Deputy Chairperson)
	DQ	Battersby, JP
	JP	Booth, OBE
	MFP	Chan, JP
	JM	Clews, QSO, JP
	RI	Clow
	AK	Corban, OBE, JP
	RP	Dallow, QPM, JP
	WW	Flaunty, QSM, JP
	DE	Gilmour
	JP	Lawley
	VS	Neeson, JP
	CA	Stone

Mayor Bob Harvey, QSO, JP (ex officio)

(Quorum 5 members)

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(The reports and recommendations contained in all agendas are reports and recommendations only and are not to be construed, in any way, as Council policy until adopted.)

AGENDA FOR AN ORDINARY MEETING OF THE CITY DEVELOPMENT COMMITTEE TO BE HELD IN THE CIVIC CENTRE, 6 WAIPAREIRA AVENUE, LINCOLN, WAITAKERE CITY, ON THURSDAY, 11 NOVEMBER 2004, COMMENCING AT 9.30 AM.

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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 Chairperson 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 WAITAKERE DAMS RESOURCE CONSENTS

PURPOSE OF THE REPORT

The purpose of this report is to seek authority from the City Development Committee to make a submission on the resource consent applications by Watercare Services Limited for the five water supply dams in the Waitakere Ranges.

BACKGROUND

A1 The five water supply dams in the Waitakere Ranges provide drinking water to Waitakere City, North Shore City, Rodney District and part of Auckland City. Built in 1910, the Waitakere Dam was the first dam to supply water to the Auckland region. A map is attached at page A1, showing the location of the dams.

As a result of Council's submission in 1996 opposing the resource consents for the Waikato Pipeline, an agreement was reached between Watercare Services Limited and Council that Waitakere City would be supplied with water sourced from the Waitakere Dams.

The amount of water produced by the Waitakere Dams is 123,500 cubic metres per day, of which 45,000 cubic metres per day, or 36.4% is used by Waitakere City.

In this context, Council has established a policy that while it wishes to see that the environmental effects from the dams are mitigated, it considers that a higher priority should be given to maximising the yield from the dams.

Watercare Services Limited applied in May 2002 for resource consents from the Auckland Regional Council to dam and take water, to discharge water from the dams, and to operate the raw water pipelines associated with the five Waitakere water storage dams. These dams are the Upper and Lower Huia dams, the Upper and Lower Nihotupu dams, and the Waitakere dam.

In May 2003 Council initiated a series of meetings between stakeholders to facilitate reaching a consensus view on the issues arising from the consents and mitigation measures. Through this process there has been agreement on some issues, but on other issues the stakeholders have decided to reserve their position.

The resource consent applications were publicly notified by the Auckland Regional Council on 20 October 2004, with submissions closing on Friday, 19 November 2004.

STRATEGIC CONTEXT

The Green Network strategic platform of Council states that:

'Stream and forests will be full of life. The Waitakere ranges will be permanently protected and a Green Network will link the Ranges and the sea, connecting the everyday lives of the people of Waitakere with a natural world.'

The Green Network strategic platform includes protecting and enhancing the range of native plants, wildlife and ecosystems in Waitakere City and adjoining harbours and oceans, and working with tangata whenua to find ways to assist them in their kaitiaki or guardianship role. Managing and protecting the Waitakere wetland is specifically mentioned.

The Council's strategic platform for the three waters is that Waitakere is a centre of innovative water management. Some of the success measures that contribute to this platform and which are relevant to this issue are as follows:

- Average domestic water use per person in the city is reduced to 160 litres or less per person per day.
- 60% or more of residents are aware of actions they might take to conserve water or protect water quality in streams.
- Stream protection and restoration.

Reducing water use is a specific objective along with ensuring the sustainable management of water, and continuing to implement and integrate the Water Cycle Strategy.

ISSUES

Under the requirements of the Resource Management Act, 1991, Watercare has lodged applications to the Auckland Regional Council for the necessary resource consents for the continued use and operation of the dams in the Huia and Nihotupu catchments and associated structures and facilities. Resource consents sought include renewals of the right to place structures on the riverbed, and to dam, take, and discharge raw water. A related application for the continued operation of the Waitakere Dam has also been lodged.

Technical and scientific studies have been completed and the findings collated in an Assessment of Environmental Effects report prepared by Watercare Services Limited.

The key issues identified in these studies are as follows:

- Achieving a trade off between maximising yield from the Waitakere Dams, while providing adequate compensation flows (defined as minor water flows provided immediately downstream of a dam to restore and rehabilitate streams, wetlands and harbours).
- Damming the Huia and Nihotupu Streams has affected the natural river flow and in particular reduced the flood flows. However, the natural inflows and tributaries downstream of the dams continue to feed into the river thereby reducing the effects of the dams. The effects of the dams on river flows can be both positive, through reduced flooding in the downstream catchment, and negative, through reducing habitat availability for fish and other stream organisms during summer low flow periods.
- Water quality conditions in the Huia and Nihotupu Streams is high, reflecting the relatively undeveloped nature of the catchments. Compared to other streams and rivers through the Auckland Region, water quality of these Streams is at least as good, if not better. The available information suggests that the Dams have had little effect on downstream water quality conditions.
- Damming the Huia and Nihotupu Streams has altered the habitat for stream organisms. Studies of the flows required to support native fish show that during some summer low flow periods, habitat availability can be reduced. The physical presence of the dams also has the effect of restricting native fish migration, and Watercare proposes to address this issue as part of the mitigation package.
- Protection of the forested water supply catchments of the Waitakere Ranges in the early 1900s has bestowed Auckland with a highly valued natural asset, the Waitakere Ranges Regional Park. This parkland, including the tracks associated with the Watercare water supply pipelines, are visited by thousands of people each year.

Council has discussed issues relating to the consent with Te Kawerau a Maki who have advised that they wish to address a number of issues of interest to them directly with Watercare Services Limited.

Watercare's Proposals to Mitigate the Effects of the Dams

Watercare's resource consent applications do not propose any visual or physical changes to the environment, other than some minor infrastructure at the dams to release water. The release of water from the upper dams will serve to enhance the overall amenity value of the streams.

Taking water from the Huia and Nihotupu Streams for water supply to Auckland has both positive and negative environmental effects. A key issue for the resource consent process is to ensure that the negative environmental effects of the dams are appropriately mitigated.

Watercare's mitigation package will involve a range of measures in appropriate locations. A key element will be the release of water from the upper dams to maintain downstream habitat values. Watercare will also implement a comprehensive programme of environmental monitoring, including water quality, stream insect monitoring and other environmental monitoring on an annual basis, including the 'trap & haul' method of moving fish over the dam structures when appropriate.

In the case of both Upper Huia and Upper Nihotupu, water released will be captured in the two lower dams, thereby making efficient use of resources whilst enhancing in-stream values. No flow releases are proposed from either of the two lower dams, which are adjacent to the coastal marine area.

Watercare has analysed the positive and negative environmental, social and economic issues associated with releasing water from the Upper Huia and Nihotupu Dams. An approach has been developed to release water from the upper dams to meet downstream requirements under all storage conditions. With water captured in the lower dams, Watercare proposes to balance a sustainable aquatic ecosystem whilst protecting the security of Auckland's regional water supply.

Council's Submission

Due to the time constraints arising from the limited period that is available between the date of public notification and preparation of this report, Council's submission has not been fully developed at the time of writing. An outline of Council's submission will be presented at the meeting.

It is proposed to prepare a submission based on the guidance previously provided by Council, as follows:

- Council wishes to ensure that the Waitakere Dams are managed to achieve the maximum sustainable yield;
- Council recognises that the dams have been in place for a long time and that as a consequence the receiving environment has been modified, but it will not be practicable to reverse the environmental changes;
- Council would like to see in place a combination of mitigation measures, such as -
 - releasing compensation flows, except in times drought;
 - a partnership between Watercare and Council to prepare catchment management plans for the Waitakere Dams catchments;
 - Financial Contributions by Watercare towards environmental remediation programmes, for example, improvements to the Waitakere Wetlands and Huia Foreshore;
 - appropriate monitoring programmes; and
 - establishing an iwi and community liaison group.

RESOURCES

The estimated cost of preparing a submission is \$20,000 and has been included in the 2004/2005 Annual Plan.

CONCLUSION

Watercare Services Limited have lodged resource consents for the five Waitakere Dams and it is recommended that Council makes a submission supporting the consents to ensure that the yield from the dams is maximised and that appropriate conditions are imposed to avoid, remedy and mitigate adverse effects as far as practicable.

RECOMMENDATIONS

1. The Waitakere Dams Resource Consents report.
2. That the Chief Executive be authorised to approve a submission to the Auckland Regional Council supporting the application by Watercare Services Limited for resource consents for the Waitakere Dams, in line with the issues outlined in the report.
3. That the City Development Committee appoint a representative to present Council's submission to the Auckland Regional Council's Hearings.

Report prepared by: Tony Miguel, Group Manager: Asset Management.



4 NATIONAL RAIL STRATEGY

PURPOSE OF THE REPORT

The purpose of this report is for the City Development Committee to consider a proposed submission on the National Rail Strategy.

BACKGROUND

A2-A24

The Government's draft National Rail Strategy to 2014, as attached at pages A2 to A24, is a statement of the Government's intentions and directions for taking rail forward over the next ten years and provides a framework for planning the development of the rail network as a key part of New Zealand's land transport infrastructure.

Invitations to comment have been sought through Local Government New Zealand, Regional Councils and local Councils by 30 November 2004.

STRATEGIC CONTEXT

Development of the rail network is a key component of meeting Council's strategic goals, particularly given that the rail network runs through some of the City's main town centres. Development of the rail network and its integration with other transport modes are key components of meeting the goals of the Regional Land Transport Strategy and the Regional Growth Strategy.

ISSUES

The Strategy merits support, as its key focus is to move more freight and urban passengers onto rail services to help ease road congestion, reduce travel times, improve safety and benefit the environment.

A25-A26

A draft submission, as attached at pages A25 to A26, is provided for the Committee's consideration. The draft submission generally supports the Strategy and raises the following issues. These are explained in the draft submission.

1. Economic Development - Medium to High density development along urban rail corridors.
2. Expansion of the urban rail network.
3. Walk and cycle ways.
4. Coordination of freight and passenger services.
5. Safety of rail corridor.
6. Targets relating to the above issues.

RESOURCES

Both the Government and the Auckland Regional Council have responsibilities for funding the development and maintenance of the Auckland region's rail corridors and services.

CONCLUSION

Urban rail corridors have an important impact on local development and it is appropriate to raise these issues in a submission on the national rail strategy.

RECOMMENDATIONS

1. That the National Rail Strategy report be received.
2. That the Chair of the City Development Committee be delegated authority to approve the Council's submission on the National Rail Strategy.

Report prepared by: Kevin Wright, Manager: Transport Strategy.



5 TRANSIT MEMORANDUM OF UNDERSTANDING

PURPOSE OF THE REPORT

The purpose of this report is for the City Development Committee to consider a draft Memorandum of Understanding between Transit New Zealand and Waitakere City Council concerning how the parties will work together.

BACKGROUND

On Wednesday, 8 October 2003, the Transit Board met with Councillors to exchange views in relation to state highway projects in Waitakere City. One of the actions arising from that meeting was to develop a Memorandum of Understanding between the two organisations.

In November 2003 officers provided comments to Transit New Zealand on a draft Memorandum of Understanding. These incorporated a number of changes to the standard document that Transit used, including aligning the organisations' responsibilities under the Land Transport Management Act. Transit officers subsequently advised that they wished to keep changes to a minimum in order to have a uniform approach with local Councils.

In September 2004, Transit officers provided a revised Memorandum of Understanding which took into account the changes arising from the Land Transport Management Act and also the review of Transit New Zealand's role. This has been discussed amongst officers of each organisation and is to be reviewed by the Council and then the Transit board.

Officers of both organisations meet on a monthly basis to discuss technical matters relating to the development of state highways. However, there is no formal arrangement for meetings at a strategic level.

STRATEGIC CONTEXT

Transit New Zealand's plans for development of State Highway 16 and 18 will have a significant impact on traffic flows and development in the north-west including Westgate, Hobsonville and potentially Whenuapai Airport.

Transit New Zealand is required under the Land Transport Management Act to align its plans with land use. A review of State Highway 18 is about to commence under this Act.

ISSUES

A27-A34

Transit New Zealand has entered into a Memorandum of Understanding with a number of Councils in the Auckland region in order to establish a framework in which the parties work together in relation to state highway projects. It is understood that Transit New Zealand's preference is to work with the Council in accordance with the framework as outlined in the Memorandum of Understanding, as attached at pages A27 to A34.

Officers' additions to the standard Memorandum of Understanding comprise:

- A list of the Council's transport objectives in clause 5.4;
- Identification of other key projects that are within, or may come within, Transit's 10-year plan that require special agreements in clause 7;
- Identification of legislation, regional strategies and the District Plan which have an impact on the parties' ability to enter into joint contracts.

The Memorandum of Understanding is not a legally binding document, but rather provides a formal arrangement for working together and sorting out high-level issues. The benefits that this provides to the Council may include:

- More favourable recognition of the Council by the Transit Board because of the existence of this arrangement;
- Quarterly meetings to deal with high-level issues;
- The opportunity to further develop agreements relating to key projects such as the Upper Harbour Motorway and Te Atatu Interchange.

RESOURCES

Existing staff resources are available to meet the requirements under the Memorandum of Understanding.

CONCLUSION

This is a timely opportunity to formalise arrangements for working with Transit New Zealand officers.

RECOMMENDATIONS

1. That the Transit Memorandum of Understanding report be received.
2. That the Memorandum of Understanding between Transit New Zealand and Waitakere City Council be approved.
3. That the Chief Executive be delegated authority to sign the Memorandum of Understanding between Transit New Zealand and Waitakere City Council, taking into account any changes requested by the City Development Committee or the Board of Transit New Zealand.

Report prepared by: Kevin Wright, Manager: Transport Strategy.



6 TOLL SYSTEMS PROJECT - DEVELOPING A NATIONALLY INTEGRATED MANAGEMENT SYSTEM FOR NEW ZEALAND'S TOLL ROADS

PURPOSE OF THE REPORT

The purpose of this report is to advise the City Development Committee of consultation being undertaken by Transit New Zealand with regard to the development of a nationally integrated management system for New Zealand's toll roads. The report also contains an officer's submission with completed questionnaire for the Committee's consideration.

BACKGROUND

Transit New Zealand is working on a National Toll Administration Project (the Toll Systems Project) to deliver a number of toll roads, subject to Minister of Transport approval. Initial work on toll system development has been done as part of the first toll road proposed - the State Highway 1 Northern Motorway extension (ALPURT B2). Transit New Zealand is considering how all future toll roads could be compatible and operate in an integrated way in order to best meet the objectives of the New Zealand Land Transport Strategy.

The Toll Systems Project that has been initiated by Transit New Zealand is to develop a national strategic approach to the collection and processing functions of toll transactions. Transit is proposing an electronic toll collection system that interfaces with an integrated national toll management system. The proposed system would manage the collection, processing and enforcement of tolls, providing motorists with free flowing and seamless travel on all toll roads in the country.

Standards and systems established by the Toll Systems Project could be used by any Road Controlling Authority that implementing a toll road project. Transit New Zealand is particularly interested in views from local territorial authorities from that perspective.

Transit New Zealand is seeking feedback on its proposed systems. The deadline for the submission is 18 October 2004. An officers' submission was sent on 18 October 2004.

STRATEGIC CONTEXT

The Land Transport Management Act 2003 was passed into law in November 2003 and represents the biggest change to transport legislation since the 1980s. The Act aligns legislation with the New Zealand Transport Strategy, with the purpose of contributing to the aim of achieving a safe responsive and sustainable land transport system.

To help achieve this, the Act improves the flexibility of land transport funding by including provisions enabling new roads to be built on a tolled or concession agreement basis. New state highways and local roads will need to consider tolls as a possible method of funding. This is particularly relevant in relation to State Highway 18, the extension of State Highway 16 and the proposed Whau River crossing.

The Government is commencing a study of road pricing options for the Auckland region. The outcome of that study is likely to lead to further investigation of appropriate mechanisms to collect a charge from road users.

ISSUES

The proposed electronic toll collection system provides benefits of free-flow traffic at collection points, thus maximising safety and minimising environmental effects.

There are benefits from a national toll collection system that is administered nationally in relation to nationally funded state highways and local roads. However, flexible arrangements are required depending on how a toll project is structured and funded. With private sector involvement in toll arrangements, or locally funded projects, there should be an option whether or not to use the national toll collection system.

A commitment to the proposed national toll collection system should not be made until the Government has completed its road pricing study. The toll collection system should not be inconsistent with the road pricing system that is ultimately adopted for the Auckland region. There is not enough information currently available for Transit New Zealand to conclude that the proposed national toll collection system will be consistent with the eventual road pricing system for the Auckland region.

The proposed national toll collection system has a large cost which cannot be justified by the current toll projects that have been assessed as suitable for tolls. A commitment to the proposed system could only be made once a sufficient number of road projects have been assessed as suitable for a toll in order to justify the cost of introducing the system. Until that time, there is a risk that projects will be required to be tolled in order to justify the cost of the national toll collection system.

There are a number of issues that need to be resolved before a commitment is made to an electronic toll collection system in New Zealand.

Manual or Electronic - It is likely that the most appropriate system design will be strongly influenced by the number and type of transactions. A large number of regular users are likely to justify a sophisticated fully electronic system. Where there is a small number of users or mainly irregular users, a manual system would be more cost effective. It would seem unlikely that the same system would be appropriate for tolling a single facility (for example, ALPURT B2), compared with tolling of say 30 facilities under a road pricing in Auckland. Similarly, system compatibility will be important if there are a number of toll projects in a single urban area, but less important for projects in different areas.

Tolling Strategy - A tolling strategy should be well defined before implementing a national toll system. The strategy should include an implementation plan, identify the cost of the complete system (includes "front office" for toll collection and "back office" for toll management). The toll strategy should also take into account the road pricing study and other travel demand management initiatives before implementing a national toll system.

Evolving Technology - Rapidly changing technology has the potential to significantly change the physical characteristic, performance and cost of toll collections within a time-frame of 3-5 years. If a full electronic toll collection system is established for ALPURT B2 and only attracts low volume transaction, the system may be exposed to extremely high cost and out of date technology. The system could be designed in such a way that permits subsequent system evolution.

Manual Tolling - Manual tolling has the advantages of flexibility and cost effectiveness for low to medium traffic volume projects. An electronic collection system could be considered when sufficient toll transaction volume is identified to warrant the introduction of free-flow full electronic toll collection system and the establishment of a single national back office for toll processing.

CONCLUSION

The proposed Toll Systems Project warrants general support, but needs to take into account the issues raised in the report and the submission before Transit carries out further detailed design of the system.

RECOMMENDATIONS

1. That the Toll Systems Project - Developing a Nationally Integrated Management System For New Zealand's Toll Roads report be received.
2. That the officers' submission to Transit New Zealand on the National Toll Administration Project be endorsed.
3. That the comments of the City Development Committee be communicated to Transit New Zealand to add to the officers' submission.

Report prepared by: Vincent Lin, Senior Project Manager: Transport Projects.



7 SUBMISSION ON THE EDUCATION (ESTABLISHMENT ON UNIVERSITY) AMENDMENT BILL

PURPOSE OF THE REPORT

The purpose of this report is to present for the City Development Committee's consideration, a draft submission on the Education (Establishment of Universities) Amendment Bill. It is a view of officers that it is in the best interests of the Waitakere City community to make a submission on the Bill.

BACKGROUND

The Waitakere City community has been disadvantaged for some time in comparison with other parts of the region and country by the absence of a tertiary education institute within the city. Census data indicates that Waitakere City has a lower proportion of residents with tertiary academic qualifications or advanced vocational qualifications than most of the Auckland region and the country as a whole - a lot of the most talented young people from Waitakere City are forced to leave and go elsewhere to take up tertiary education opportunities. Often they do not return. This has an impact on the education levels of the workforce in Waitakere City.

In response to this situation, Waitakere City Council has long sought to have a tertiary education institute of university status established within the city. The Council has pursued a number of initiatives over the years, the most notable and successful of which has been the partnership with Unitec New Zealand. This partnership, which is signified by a formal Memorandum of Understanding Agreement, has already seen the establishment of Unitec within the city (in the former State Insurance Building and other office premises in Henderson). The partnership is now providing for significant capital investment by Unitec in education facilities in the City, witnessed by the construction of a teaching facility in Henderson, and the purchase of the existing Waitakere City Civic Centre at 6 Waipareira Avenue. There is no doubt that this investment by Unitec, and the work put in by Council to attract and assist this investment, will improve access to tertiary education for Waitakere City residents.

Unitec has been seeking since 1996 to obtain university status under the Education Act 1989. Unitec has, in reality, been operating as a university of technology for a number of years, undertaking applied research and offering degree and post graduate programmes alongside the range of trade and vocational based programmes traditionally offered by polytechnics. Obtaining university status would be of benefit to Unitec in consolidating this range of programmes, and confirming its credibility as an applied research and academic institution. Given its strong links to the City, that which benefits Unitec, benefits the Waitakere City community.

STRATEGIC CONTEXT

Raising education standards for the Waitakere City Community through improved access to tertiary education has long been part of the Council's Eco City Strategic Direction. This goal is reflected in the Strong Communities and Strong Innovative Economy platforms within the Long Term Council Community Plan. The broader range of programmes that can be offered locally, the greater the proportion of the population that is likely to be able to use the services provided. University status for Unitec will assist in ensuring that a broad range of programmes and services that have credibility in the tertiary education market place, can be offered locally.

Access to tertiary education locally will also contribute to Council meeting its goals in the transport area, as access to services locally is likely to contribute to vehicle trips and reduced vehicle kilometres travelled.

ISSUES

Impact of the Bill

Unitec applied to seek university status under the Education Act 1989 prior to the change of Government in 1999. This application was made under the process then provided for in the Education Act, and was being processed on the same basis as the slightly earlier application made by the then Auckland Institute of Technology. The application from Auckland Institute of Technology was approved in 1999. With the change of Government, the processing of applications under the Act was suspended while Tertiary Education Advisory Commission undertook further investigation and analysis into the tertiary education sector. Interestingly, Tertiary Education Advisory Commission recommended that no changes to the criteria for becoming a university be made.

Unitec have sought to have the application progress under the 1999 legislation during the period 1999 until the present. They still seek to have the application heard and judged on its merits. However, the Crown has now proposed the Education (Establishment of Universities) Amendment Bill, which if enacted in its current form would block Unitec's application. The Bill seeks to change the process for assessment of applications to enable the Minister to make decisions before an assessment is made, and is retrospective in its nature. It seems to single out Unitec in order to prevent the institution from obtaining university status. The Bill as drafted appears inconsistent with Parliament's requirement around administrative decision making, which has seen more the introduction of more rigorous requirements on administrative decision makers, particularly with respect to the need to base decisions on robust analysis and information. The decision-making provisions of the Local Government Act 2002 are a prime example of this.

One particularly troubling aspect of the Bill is Section 6. This appears to provide for any successful application by Unitec made before the Bill is passed into law to be invalidated retrospectively. Such a move would set an unfortunate precedent and could be considered to be constitutionally unwise. It amounts to a 'get out of jail free card' for the Minister, in the case that a Court rules that the current delays are unfair and that an assessment should take place. The Council, as an administrative decision maker itself, does not have recourse to such devices and it does not seem proper that the Minister should either. It is recommended that the Council should ask for Section 6 of the Bill to be omitted, and in the case that Parliament feels that the Bill is necessary in some form, that a savings clause be included to protect the position of those already involved in processes under existing legislation.

It would seem to be in the best interest of Waitakere City for Unitec to obtain university status. Unitec is currently operating, in effect, as a University of Technology, undertaking applied academic research and offering both academic and vocational programmes, and university status would confirm its range of activities as well as providing greater credibility with potential students and research collaborators.

Decision Making

The costs to the Council in making a submission on a Bill to oppose those aspects of the Bill that prejudice Unitec's application are minimal. The draft submission has already been produced using staff resources, and the Select Committee Submission Hearings are likely to be held in the Auckland region. The benefits to the city are potentially significant in that Unitec obtaining university status would mean that Waitakere City would have a university based within it. This would confirm the provision of university level academic research and teaching programmes within the city, alongside the other vocational based programmes offered by Unitec. Confirming the existence of this range of programmes into the future would secure access to this level of tertiary education opportunities for the city's residence over an extended period. This outcome would in turn contribute to this city's goals around better educational outcomes for the community and flow-on effects in terms of the level of education in the workforce and local business community.

Process

A39-A49

Submissions on the Bill close on 19 November 2004 and it is believed that the Select Committee Hearings will take place in the following week. On that basis it is necessary for the Committee to decide today whether it wishes to make a submission on the Bill, and if so whether to approve or amend the attached draft submission. It is the view of Council officers that Council should make a very strong submission opposing the provisions of the Bill that prejudice Unitec's application for university status, and a draft submission along these lines has been prepared and is attached at pages A39 to A41. Also attached at pages A42 to A49 is a copy of the *Bills Digest* from the Parliamentary Library, which summarises the provisions of the Bill.

RESOURCES

The draft submission has been prepared by officers within the resource framework provided for in the Annual Plan. It is believed that the Select Committee Hearings will be held in Auckland, meaning there will be little resource requirement to deliver the submission in person. However, in case the Hearings are not held in Auckland, it is recommended that Council present its submission in person, regardless of where the Hearings are held.

CONCLUSION

The Associate Minister of Education (Tertiary Education) has proposed the Education (Establishment of Universities) Amendment Bill. This Bill will likely prejudice the ability of Unitec to obtain university status. It is the view of officers that it is in the best interest of the Waitakere City community for Unitec to gain university status, and it is recommended that a submission opposing the Bill be made.

RECOMMENDATIONS

1. That the Submission on the Education (Establishment on University) Amendment Bill report be received.
2. That the submission to the Education (Establishment of Universities) Amendment Bill, as circulated with this agenda paper, be approved as the Waitakere City Council submission on the Bill.
3. That the Council appoint an elected member to present the Council's submission on the Education (Establishment of Universities) Amendment Bill.

Report prepared by: Ross McLeod, Director: Corporate & Civic Services.

