

WAITAKERE CITY COUNCIL



MINUTES OF AN ORDINARY MEETING OF THE COUNCIL HELD IN THE CIVIC CENTRE, 6 WAIPAREIRA AVENUE, LINCOLN, WAITAKERE CITY, ON THURSDAY, 5 FEBRUARY 2004 COMMENCING AT 1.30 PM

PRESENT:

Mayor	RA	Harvey, QSO, JP
Deputy Mayor	CA	Stone
Councillors	DQ	Battersby, JP (from 1.35 pm)
	BA	Brady, JP (from 2.10 pm)
	JM	Clews, QSO, JP
	RP	Dallow, QPM, JP
	AC	Fenton
	OE	Hoskin, MNZM, JP (from 4.07 pm)
	PA	Hulse
	JP	Lawley
	GE	Nash, QSM, JP
	VS	Neeson, JP
	GB	Presland (until 2.18 pm)
	GW	Russell, JP
	DA	Yates, JP (from 1.35 pm)

OBSERVERS:

E Francke (Chairperson, New Lynn Community Board)

IN ATTENDANCE:

Chief Executive
Director: City Services
Director: Strategy & Development
Director: Corporate & Civic Services
Director: Quality Assurance
Group Manager: Democracy and Support Services
Group Manager: City Development Projects
Group Manager: Strategic Policy & Planning
Group Manager: Asset Management
Manager: Transport Strategy
Projects Manager: City Projects
Democracy and Governance Team Manager
Principal Adviser Urban Policy
Committee Secretary: A Chan
Committee Administrator: Cicelia Holliday

1 APOLOGIES

34/2004

MOVED by Cr Clews, seconded Cr Russell:

That apologies from Crs Dallow and Neeson for absence and from Crs Hoskin and Brady for lateness be received and sustained.

CARRIED

1.35 pm Crs Battersby and Yates entered the meeting.

PRECEDENCE OF BUSINESS

35/2004

MOVED by Cr Fenton , seconded Cr Presland :

That Item 3: Transport Funding and Governance, Item 4: Resource Management Aspects of Auckland Transport Investment, and Item 5: Financial Business Plan Auckland Regional Stormwater Programme be accorded precedence at this time.

CARRIED

3 TRANSPORT FUNDING AND GOVERNANCE

1.52 pm Cr Presland left the meeting.

36/2004

MOVED by Cr Clews, seconded Cr Lawley:

That the information be received.

CARRIED

1.55 pm Cr Presland returned to the meeting.

37/2004

MOVED by Cr Stone, seconded Cr Russell:

1. That the Waitakere City Council adopts the recommendations contained in section 4 of the Report to Councils from the CEO Forum in respect of Transport Funding and Governance Proposals, [with changes and additions highlighted]:
 - a) That the ~~region~~ *Waitakere City Council* passes on to Government ~~their~~ *its* thanks for its engagement in the JOG process, and its positive responses to Auckland's transport funding problems.
 - b) That the ~~region~~ *Waitakere City Council* supports an integrated transport governance structure that supports the effective and efficient delivery of transport and related economic, social, environmental and land use outcomes in the best interests of the Auckland region; and notes that there are some issues embodied in the following recommendations that require resolution in order to achieve this aim.
 - c) That the broad priorities for expenditure identified in the Government's announcement (accelerated strategic roading programme, passenger transport (especially rail) and travel demand management) ~~be~~ are endorsed.
 - d) That it be noted that the Government has advised that the funding package announced on 12 December 2003 is dependent upon councils accepting the basic governance structure announced at the same time, but there are some elements of the structure which remains open to further consideration.

- e) That it be noted that some of the measures in the following recommendations require legislative change, while others require agreement between the parties within existing legislative frameworks; and that to the extent possible, matters agreed between the region's councils, and between the councils and the government, be formalised in an appropriate instrument such as a memorandum of understanding which is referred to in the legislation giving effect to the new governance arrangements.

Funding:

- f) That it be noted that the funding package will not allow for full funding up to the assumed buildability constraint, and that the Government be requested to *increase funding and in addition to* consider introducing further new funding mechanisms, including road pricing, to *allow total transport funding to meet the buildability constraint of \$400m civil works plus other capital and operating expenditure a year, allowing for a three year gearing up period*, and to ensure sustainable long term funding.
- g) That the Government be requested to ensure that future work on tolling and road pricing is undertaken jointly with the Auckland region.
- h) That the Government be requested to ensure that the additional funding is able to be allocated earlier than July 2005 if necessary, to ensure that funding is available to be allocated to projects as they become "ready to go".

Policy:

- i) That it be agreed in principle to proceed with changes to the Regional Policy Statement, Regional Land Transport Strategy and district plans.
- j) That the Government be requested to work in partnership with councils to scope the detail of Regional Policy Statement and district plan changes so that realistic timeframes can be set for their completion; and that Government funding be made available for the changes.
- k) That the timing risks associated with these changes be noted, and the Government *be requested to remove* the condition requiring completion of these changes before any new funding is allocated for transport in Auckland.
- l) That the Government's proposal to jointly review the regulatory aspects of public transport be supported.

Governance:

- m) That incentives for collaboration be formally incorporated into the proposed governance structure, and that:
- Territorial Authority membership on the Regional Land Transport Strategy be confirmed;
 - That an executive support group (comprised of senior Auckland Regional Council and Territorial Authority executives) for the Regional Land Transport Strategy be formalised;

- An Officer Working Group (comprised of Territorial Authority and Auckland Regional Council representatives) be formally established to work closely with the Auckland Regional Council and Auckland Regional Transport Authority on the development of the Regional Land Transport Strategy and the Regional Land Transport Programme;
 - Auckland Regional Transport Authority be required by legislation and/or by its statement of intent to work collaboratively with stakeholders and partners such as Transit, TrackCo and the Territorial Authority's in the development of the Regional Transport Plan;
 - Auckland Regional Transport Authority be required to develop agreements and/or supporting Memoranda of Understanding with implementers of transport projects, including the Territorial Authority's to encourage integrated implementation of the Regional Land Transport Plan;
 - Strategic documents such as the Triennial Agreement be used to reinforce an intention to work collaboratively and inclusively.
- n) That an independent chair be appointed by Government to chair the appointments panel in order to recognise the significance which both the Auckland Regional Council and Territorial Authority's will have in the success of Auckland Regional Transport Authority and to encourage collaborative decision-making to support this.
- o) That formal opportunity be provided for the appointments board to contribute to the development of Auckland Regional Transport Authority's Statement of Intent.
- p) That steps be taken to better integrate national and local networks, and that:
- ~~Through the governments forthcoming review of the transport sector and the finalisation of arrangements in respect of TrackCo, serious consideration be given to integrating the Auckland functions of Transit and TrackCo into the regional governance structure.~~
 - The relationships between Auckland Regional Transport Authority and Transit, and Auckland Regional Transport Authority and TrackCo be strengthened by contract or some other form of agreement in the short term;
 - Responsibility for the Traffic Management Unit be transferred to Auckland Regional Transport Authority.
- q) That in order to avoid duplication of functions between Transfund and Auckland Regional Transport Authority in the interim, either (i) Transfund's responsibilities for local roads be delegated to Auckland Regional Transport Authority under a joint protocol which provides for the bulk allocation of funds and the delegation of some of Transfund's audit and monitoring responsibilities; or (ii) existing arrangements for local roading remain, but Auckland Regional Transport Authority would become involved in the process of approving land transport programmes for the region. It would act as a filter which evaluates the degree to which programmes are consistent with, and support regional strategies and plans and by providing recommendations to Transfund in this regard.

- r) That the Auckland Regional Council's legislative mandate be amended to ensure that the strategic elements of the Regional Passenger Transport Plan become part of the Regional Land Transport Strategy, and the operational planning elements become part of the Auckland Regional Transport Authority Regional Land Transport Plan.
- s) That the following actions be taken in respect of operational assets:
- Either a Council Controlled ~~trading~~ Organisation (CCTO) or a Council Controlled Trading Organisation (CCTO) be established with responsibility for owning, developing and managing operational assets in a sustainable manner which is consistent with delivery of passenger transport services determined in the Regional Land Transport Plan;
 - *That further consideration be given as to whether this organisation is a CCO or a Council Controlled Trading Organisation through the establishment process;*
 - That further consideration be given as to whether the CCTO is more appropriately a subsidiary of Auckland Regional Holdings or Auckland Regional Transport Authority;
 - That further consideration also be given as to whether this is best achieved by transferring the shares in Auckland Regional Transport Network Limited from the existing shareholders to Auckland Regional Transport Authority or Auckland Regional Holdings or by disestablishing Auckland Regional Transport Network Limited and creating a new entity;
 - *That the Government indicate the amount payable to ARTNL or its shareholders for a transfer of ARTNL assets or shares or provide mediation assistance in determining such amount.*
- t) That the basic intent of current legislative provisions in respect of Infrastructure Auckland be retained, that is, that the funds and assets of Infrastructure Auckland are held primarily to be applied to the capital components of transport and stormwater projects.
- u) That there be some relaxation to allow income derived from Infrastructure Auckland's assets to meet the operational expenditure requirements of Auckland Regional Transport Authority for the transport purposes defined by the existing Infrastructure Auckland provisions.
- v) That from July 2006, revisions of the Regional Land Transport Strategy (RLTS) be sequenced to align with the completion of community outcomes processes for the Auckland local authorities to allow those outcomes to be taken into account in the Regional Land Transport Strategy.

Establishment and Transition:

- w) That the Government be requested to provide an early assurance that it will provide exemptions from the consultation requirements of the Local Government Act so that work on establishment *and dis-establishment* processes can commence prior to legislation being amended.
- x) That an establishment unit comprised of representatives from each of the Auckland local authorities, Infrastructure Auckland and Auckland Regional Transport Network Limited, be established with urgency to determine the process and critical path for implementation.

- y) That the Government be urged to work collaboratively with the councils of the Auckland region in developing the details of the implementation plan, taking into account the matters raised in this report and the supporting detailed assessment reports.
- z) That Auckland Regional Holdings and Auckland Regional Transport Authority should be established in an effective manner which allows them to readily fulfil their functions and that -
 - Clarity be established as to the process by which funds will be provided by the Auckland Regional Council to Auckland Regional Transport Authority;
 - Consideration be given to providing an initial allocation of funds to Auckland Regional Transport Authority, from Infrastructure Auckland proceeds, which will enable it to continue the timely implementation of agreed transport projects and plans.
2. That the following issues be considered for incorporation by the CEOs' Forum in its submission to central government when finalising the region's position:
 - a) That the Waitakere City Council does not support integrating the functions of Transit and TrackCo into the regional governance structure.
 - b) That the Waitakere City Council considers that Auckland Regional Transport Authority should be either a Council Controlled Organisation or a Council Controlled Trading Organisation and that the establishment process should assess the merits of the two options.
 - c) That the Government indicates the amount payable to Auckland Regional Transport Network Limited or its shareholders for a transfer of Auckland Regional Transport Network Limited assets or shares or provide mediation assistance in determining such amount.
3. That the Mayor and Deputy Mayor be authorised to respond to points raised within other submissions or to make minor amendments to ensure consistency with the decisions of other Councils.
4. That these recommendations be forwarded to the Central Government, the Auckland Regional Council, and local authorities in the Auckland Region.
5. That the resources required for an accelerated school travel plan programme be considered during the Council's Annual Plan process.

CARRIED

4 RESOURCE MANAGEMENT ASPECTS OF AUCKLAND TRANSPORT INVESTMENT

2.10 pm Cr Brady entered the meeting.

2.15 pm Cr Lawley left the meeting.

38/2004

MOVED by Cr Russell , seconded Cr Clews :

1. That the independent consultant's report be noted and the information be received.
2. That Waitakere City agrees to work with the Government and the Auckland Regional Council in developing an integrated set of tools to ensure that transport investment is effective and results in the best urban outcomes
3. That Waitakere City supports making changes to the Auckland Regional Policy Statement in line with Cabinet Minute (03) 40/7B, and with a view to completing the changes by 30 June 2005.
4. That Waitakere City supports corresponding changes to District Plans throughout the region, as a necessary tool to achieve the aims of the Regional Growth Strategy.
5. That Waitakere City commits to further evolve its own District Plan rules to give better effect to its urban policy and the Regional Growth Strategy.
6. That Waitakere City advises Government that it would support special legislative provisions to allow such changes to be processed within the available resources and time.
7. That Waitakere City endorses the Government's development of an urban design protocol, and would support consideration of alternative mechanisms to support transport network investments, and the formulation of a national policy statement from the Minister to reinforce the principles that underlie the Regional Growth Strategy.
8. That Waitakere City agrees that this project is a high priority and will review resource and budget allocations accordingly and the Chief Executive be asked to report on these matters to the Finance and Operational Performance Committee on 9 February 2004.
9. That Waitakere City supports the establishment of an interim taskforce, with representatives from each council to work with government and to report back urgently to the Chief Executives Forum and Councils on:
 - a) a draft brief for the project to change the Regional Policy Statement and District Plans, including the scope and timetable for changes.
 - b) draft terms of reference for a formal taskforce or group responsible for the changes, including reporting requirements.
10. That the Chief Executive be authorised to provide direction within the framework of Council policy as required to enable the taskforce's work to progress in a timely manner.

CARRIED

5 **FINANCIAL BUSINESS PLAN AUCKLAND REGIONAL STORMWATER PROGRAMME**

39/2004

MOVED by Cr Clews , seconded Cr Brady :

That the information be received.

CARRIED

40/2004

MOVED by Cr Hulse, seconded Cr Clews:

That the report be considered by the Environmental Management Committee at its next meeting.

CARRIED

The Order of Business resumed at item 2: Henderson Hub.

2 **HENDERSON HUB DESIGN UPDATE**

ADJOURNMENT

41/2002

MOVED by Cr Brady, seconded Cr Yates:

That the meeting adjourns into a workshop until 3.18 pm.

CARRIED

2.18 pm The meeting adjourned.

3.18 pm The meeting reconvened. Cr Presland was not present.

ADJOURNMENT

42/2004

MOVED by Cr Clews, seconded Cr Brady:

That the meeting stands adjourned until 3.30 pm.

CARRIED

3.19 pm The meeting adjourned.

3.30 pm The meeting reconvened. Cr Presland was not present.

ADJOURNMENT

43/2004

MOVED by Cr Brady, seconded Cr Fenton:

That the meeting further adjourns to continue with the workshop until 4.00 pm.

CARRIED

3.31 pm The meeting adjourned.

4.07 pm The meeting reconvened. Cr Hoskin entered the meeting. Cr Presland was not present.

44/2004

MOVED by Cr Hulse , seconded Cr Brady:

1. That the information be received.
2. That the developed design for the Waitakere Central development be approved.
3. That the Council provides for the full degree of cutting edge sustainable design components to be incorporated into the building in the absence of a sponsor or external funding subject to the approval of satisfactory business cases for each component.
4. That only the commercial café in the airlink/rail over bridge be provided for in the development but that the building be configured so that an additional commercial cafeteria can be provided in the civic wing of the building.
5. That the Council confirms its approach to ventilation in the building being of a mixed mode type as developed by the design team.
6. That this report be circulated to the Community Boards for their information.

CARRIED

4.15 pm

The Chairperson thanked members for their attendance and attention to business and declared the meeting closed.

CONFIRMED AT AN ORDINARY MEETING OF
THE COUNCIL HELD ON

DATE:.....

CHAIRPERSON:.....