



Waitakere City Council  
*Te Taiao o Waitakere*

## NOTICE OF MEETING COUNCIL

I hereby give notice that a Meeting of the Council will be held on:-

**DATE:**            **Wednesday, 30 November 2005**            **TIME:**            **5.30 pm**

**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.

**NOTE:** Pursuant to Standing Order 25.8 at 5.00 pm a 30-minute Public Forum will precede the Council meeting:

- Judge Lisa Tremewen, Camille Nakhid, Sheree Barford and Glenn Compain will speak on Youth Education;
- Meredydd Barrar will speak on the Cell Phone Tower at Roberts Road.

25 November 2005

Audrey Chan  
**COMMITTEE SECRETARY**  
Telephone (09) 836 8000 extn 8603

### **MEMBERSHIP:**

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

(Quorum 8 members)

★ ★ ★ ★ ★ ★ ★ ★ ★ ★

(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 A MEETING OF THE COUNCIL TO BE HELD IN THE CIVIC  
CENTRE, 6 WAIPAREIRA AVENUE, LINCOLN, WAITAKERE CITY,  
ON WEDNESDAY, 30 NOVEMBER 2005  
COMMENCING AT 5.30 PM**

---

**TABLE OF CONTENTS**

<b><u>ITEM</u></b>	<b><u>PAGE NO.</u></b>
<b><u>PART A - OPENING OF MEETING</u></b>	<b>1</b>
1 <b>OPENING PRAYER</b>	<b>1</b>
2 <b>APOLOGIES</b>	<b>1</b>
3 <b>CONFIRMATION OF MINUTES</b>	<b>1</b>
4 <b>URGENT BUSINESS</b>	<b>1</b>
<b><u>PART B - REPORT OF THE MAYOR</u></b>	<b>2</b>
<b><u>PART C - REPORTS OF NEW LYNN COMMUNITY BOARD, WAITAKERE COMMUNITY BOARD, MASSEY COMMUNITY BOARD AND HENDERSON COMMUNITY BOARD</u></b>	<b>2</b>
5 <b>NEW LYNN COMMUNITY BOARD</b>	<b>2</b>
1. <b>CLASSIFICATION OF AMBRICO RESERVE AND AMBRICO KILN RESERVE - NEW LYNN</b>	<b>2</b>
2. <b>OTHERS MATTERS CONSIDERED</b>	<b>2</b>
6 <b>WAITAKERE COMMUNITY BOARD</b>	<b>3</b>
7 <b>MASSEY COMMUNITY BOARD</b>	<b>3</b>
1. <b>CHAIRPERSON'S REPORT</b>	<b>3</b>
2. <b>APPROVAL TO STOP A LEGAL ROAD, SCOTT ROAD, HOBSONVILLE</b>	<b>3</b>
3. <b>APPROVAL TO STOP A LEGAL ROAD, RIVERLEA ROAD, WHENUAPAI</b>	<b>3</b>
4. <b>OTHER MATTERS CONSIDERED</b>	<b>4</b>
8 <b>HENDERSON COMMUNITY BOARD</b>	<b>4</b>
1. <b>APPROVAL TO STOP A LEGAL ROAD, HARBOURVIEW ROAD, TE ATATU PENINSULA</b>	<b>4</b>
2. <b>OTHER MATTERS CONSIDERED</b>	<b>4</b>

<b><u>PART D - REPORT OF THE CHIEF EXECUTIVE OFFICER</u></b>		<b>5</b>
<b>9</b>	<b>TRANSIT NEW ZEALAND PLANNING POLICY</b>	<b>5</b>
<b>10</b>	<b>PROPOSED RESERVE EXCHANGE - OPANUKU STREAM RESERVE</b>	<b>8</b>
<b>11</b>	<b>LAND AND STORMWATER POND FOR STATE HIGHWAY 16</b>	<b>10</b>
<b>12</b>	<b>MEETING SCHEDULES FOR 2006 AND 2007 (UNTIL THE 2007 TRIENNIAL ELECTIONS) AND ASSOCIATED ISSUES</b>	<b>12</b>
<b><u>PART E - REPORTS FROM THE STANDING COMMITTEES</u></b>		<b>14</b>
<b>13</b>	<b>CITY DEVELOPMENT COMMITTEE</b>	<b>14</b>
	<b>1. DRAFT LEISURE FACILITY PARTNERSHIP POLICY</b>	<b>14</b>
	<b>2. OTHER MATTERS CONSIDERED</b>	<b>14</b>
<b>14</b>	<b>FINANCE AND OPERATIONAL PERFORMANCE COMMITTEE</b>	<b>15</b>
<b>15</b>	<b>PLANNING AND REGULATORY COMMITTEE</b>	<b>15</b>
<b>16</b>	<b>TE TAUMATA RUNANGA</b>	<b>16</b>
<b><u>PART F - PRESENTATIONS</u></b>		<b>16</b>
<b>17</b>	<b>PRESENTATION - OVERVIEW OF THE RECENT DELEGATION TO SUBIACO, A SUBURB OF PERTH IN WESTERN AUSTRALIA</b>	<b>16</b>
<b>18</b>	<b>CITATIONS TO SPORTS CLUBS</b>	<b>16</b>
<b><u>PART G - PROCEDURAL MATTERS</u></b>		<b>17</b>
<b>19</b>	<b>QUESTIONS</b>	<b>17</b>
<b>20</b>	<b>NOTICES OF MOTION</b>	<b>17</b>
<b><u>PART H - PUBLIC EXCLUDED MATTERS</u></b>		<b>17</b>
<b>21</b>	<b>CLOSING PRAYER</b>	<b>17</b>

**AGENDA FOR A MEETING OF THE COUNCIL TO BE HELD IN THE CIVIC  
CENTRE, 6 WAIPAREIRA AVENUE, LINCOLN, WAITAKERE CITY,  
ON WEDNESDAY, 30 NOVEMBER 2005  
COMMENCING AT 5.30 PM**

---

**PART A - OPENING OF MEETING**

**1 OPENING PRAYER**

Father Sasha Radoicic from the Orthodox Christian Church will say the Opening Prayer.



**2 APOLOGIES**



**3 CONFIRMATION OF MINUTES**

Meeting Minutes - Wednesday, 26 October 2005  
- Wednesday, 16 November 2005

**RECOMMENDATION**

That the minutes of the Meetings of the Council held on Wednesday, 26 October 2005 and Wednesday, 16 November 2005, including the public excluded minutes as circulated, be taken as read and now be confirmed.

*Page 1  
Part H*

The public excluded minutes are attached at page 1 of the confidential supplement labelled Part H.



**4 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 Council 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 Council 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.



## **PART B - REPORT OF THE MAYOR**

The report of the Mayor will be circulated under separate cover with this agenda.



## **PART C - REPORTS OF NEW LYNN COMMUNITY BOARD, WAITAKERE COMMUNITY BOARD, MASSEY COMMUNITY BOARD AND HENDERSON COMMUNITY BOARD**

### **5 NEW LYNN COMMUNITY BOARD**

**THE BOARD SUBMITS THE FOLLOWING REPORT OF ITS MEETING HELD ON MONDAY, 31 OCTOBER 2005**

#### **1. CLASSIFICATION OF AMBRICO RESERVE AND AMBRICO KILN RESERVE - NEW LYNN**

**The Board Recommends:**

That, subject in each instance to the completion of the required statutory processes, including public notification and consultation with local iwi, the following parcels be declared to be reserve or classified as follows, pursuant to the Reserves Act 1977:

- (a) The following parcel to be Declared Local Purpose (Community Purposes) Reserve pursuant to a delegation from the Minister of Conservation and Section 14 of the Reserves Act 1977:

*2101m more or less being Lot 3 DP 152489 contained in Computer Freehold Register NA137D/176 (Ambrico Reserve);*

- (b) The following parcel to be Declared Historic Reserve pursuant to a delegation from the Minister of Conservation and Section 14 of the Reserves Act 1977:

*323m more or less being Lot 4 DP 124443 contained in Computer Freehold Register NA72C/727 (Ambrico Kiln);*

- (c) The following parcel to be Classified as Historic Reserve pursuant to Section 16(2A) of the Reserves Act 1977:

*204m more or less being Lot 2 DP 206413 contained in Computer Freehold Register NA134C/406 (Ambrico Kiln).*

#### **2. OTHERS MATTERS CONSIDERED**

1-8  
Part C

The Board 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 1 to 8 in the supplement labelled Part C.

**The Board Recommends:**

That the report of the Meeting of the New Lynn Community Board held on Monday, 31 October 2005 be received.

P van der Voort. JP  
**CHAIRPERSON**



6 **WAITAKERE COMMUNITY BOARD**

**THE BOARD SUBMITS THE FOLLOWING REPORT OF ITS MEETING HELD ON TUESDAY, 1 NOVEMBER 2005**

---

**MATTERS CONSIDERED**

9-14  
Part C

The Board 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 9 to 14 in the supplement labelled Part C.

**The Board Recommends:**

That the report of the Meeting of the Waitakere Community Board held on Tuesday, 1 November 2005 be received.

CA Shepherd, JP  
**CHAIRPERSON**



7 **MASSEY COMMUNITY BOARD**

**THE BOARD SUBMITS THE FOLLOWING REPORT OF ITS MEETING HELD ON WEDNESDAY, 2 NOVEMBER 2005**

---

1. **CHAIRPERSON'S REPORT**

**The Board Recommends:**

Appointment to Council's Standing Committees

That Council hold a workshop to explore the opportunity for Community Board Members to be appointed as full voting Members on Council's Standing Committees as per the Far North District Council's governance model.

2. **APPROVAL TO STOP A LEGAL ROAD, SCOTT ROAD, HOBSONVILLE**

**The Board Recommends:**

That Council stop approximately 65 metres of road between numbers 22 and 23 Scott Road, Hobsonville in accordance with schedule 10 of the Local Government Act 1974.

3. **APPROVAL TO STOP A LEGAL ROAD, RIVERLEA ROAD, WHENUAPAI**

**The Board Recommends:**

That Council stop approximately 120 metres of Riverlea Road, Whenuapai prior to the cul de sac end, in accordance with schedule 10 of the Local Government Act 1974.

4. **OTHER MATTERS CONSIDERED**

15-27  
Part C

The Board 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 15 to 27 in the supplement labelled Part C.

**The Board Recommends:**

That the report of the Meeting of the Massey Community Board held on Wednesday, 2 November 2005 be received.

JA Good  
**CHAIRPERSON**



8 **HENDERSON COMMUNITY BOARD**

**THE BOARD SUBMITS THE FOLLOWING REPORT OF ITS MEETING HELD ON THURSDAY, 3 NOVEMBER 2005**

1. **APPROVAL TO STOP A LEGAL ROAD, HARBOURVIEW ROAD, TE ATATU PENINSULA**

**The Board Recommends**

That Council approve the stopping of approximately 95 metres of Harbourview Road, Te Atatu Peninsula at the eastern end, in accordance with Schedule 10 of the Local Government Act 1974.

2. **OTHER MATTERS CONSIDERED**

28-37  
Part C

The Board 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 28 to 37 in the supplement labelled Part C.

**The Board Recommends:**

That the report of the Meeting of the Henderson Community Board held on Thursday, 3 November 2005 be received.

EAG Grimmer, MNZM  
**CHAIRPERSON**



## **PART D - REPORT OF THE CHIEF EXECUTIVE OFFICER**

### **9 TRANSIT NEW ZEALAND PLANNING POLICY**

#### **PURPOSE OF THE REPORT**

The purpose of this report is to consider a submission on proposed changes to Transit New Zealand's Planning Policy Manual.

#### **BACKGROUND**

*A1-A10*

In response to changing responsibilities introduced through the Land Transport Management Act 2003, Transit New Zealand is reviewing its planning policy and procedures as set out in the Planning Policy Manual (SP/M001). A supplement attached at pages A1 to A10 was released on 1 September 2005 ahead of a complete review of the Planning Policy Manual, outlining its proposed policy changes to achieve "an *integrated, safe, responsive and sustainable land transport system*". Transit New Zealand is seeking feedback before 1 December 2005.

Recently Transit New Zealand has increased its focus on land use planning issues nationwide and has raised objections to resource consent proposals based on the impact on the long-term functionality of the State Highway Network and the sustainable management of natural resources. Examples are Transit New Zealand's objections to a supermarket near State Highway 1 in North Shore City, subdivision proposals on land adjoining State Highway 11 near Paihia, and its appeal against provisions for minor household units, or granny flats, in Rodney's District Plan. Transit New Zealand is also seeking to protect a State Highway Network in a way that integrates with land use.

*A11-A13*

The Regional Transport Executive Group considered the proposed policy changes and prepared the attached draft submission attached at pages A11 to A13 for consideration by the Regional Land Transport Committee at its meeting on 22 November 2005.

#### **STRATEGIC CONTEXT**

The Resource Management Act 1991, Auckland Regional Growth Strategy and the Auckland Regional Policy Statement provide the strategic context for sustainable management and land use planning decisions.

The New Zealand Transport Strategy 2002, Land Transport Management Act 2003 and draft Auckland Regional Land Transport Strategy 2005 provide the strategic context for transport investment strategies which are broadly required to:

- Assist economic development;
- Assist safety and personal security;
- Improve access and mobility;
- Protect and promoting public health;
- Ensure environmental sustainability.

The draft Auckland Regional Land Transport Strategy 2005 provides strategic guidance and policies on transport and supporting the Regional Growth Strategy and the Regional Policy Statement. Transit New Zealand is required to 'take into account' the Auckland Regional Land Transport Strategy.

The Land Transport Management Act 2003 embedded most of the principles of the New Zealand Transport Strategy into Transit New Zealand's statutory objective, which is, "to operate the state highway system in a way that contributes to an integrated, safe, responsive and sustainable land transport system". This is a significant change from the previous statutory objective "to operate a safe and efficient state highway system".

Transit New Zealand has set its new goals to better align with the New Zealand Transport Strategy:

1. Ensure State Highway corridors make the optimum contribution to an *integrated* multi-modal land transport system.
2. Provide *safe* State Highway corridors for all users and affected communities.
3. State Highways will enable improved and more reliable *access and mobility* for people and freight.
4. Improve the contribution of State Highways to *economic development*.
5. Improve the contribution of State Highways to the *environmental and social* well being of NZ, including *energy efficiency* and public *health*.

## ISSUES

The Planning and Policy Manual Supplement reflects decisions by Transit New Zealand to participate more actively in the planning process as it affects the State Highway Network. This is in contrast to Transit New Zealand's previous policy of limited participation. Transit New Zealand's increased emphasis on engagement in the planning processes and its decision to articulate its new position by publishing the Planning Policy Manual Supplement is welcomed and applauded.

*A11-A13* The attached draft submission at pages A11 to A13 from the Regional Transport Executive Group supports Transit New Zealand's early involvement in the planning process. Requirements under the Resource Management Act include consideration of avoiding adverse effects before consideration of mitigation or remedy of adverse effects.

The proposed changes to Transit New Zealand's Planning Policy Manual do significantly affect the planning, construction and maintenance of state highways. There is concern that Transit New Zealand has gone too far in its focus on protecting one element of the transport system (State Highways), even when this conflicts with the efficient operation of the wider transport system, attainment of other community objectives and sustainable management of natural and physical resources. There will be situations where all of the economic, environmental, community and transport objectives of Transit New Zealand and the Council cannot be met simultaneously, and Transit New Zealand will need to exercise some flexibility in order to reach an acceptable compromise position. This is particularly relevant in planning for the north western growth area, developments along Lincoln Road and the Central Park Drive area.

*A11-A13* The attached submission at pages A11 to A13 requests that Transit New Zealand recognises the:

- Different role that State Highways have within the rural and township road network;
- Different role that State Highways have within the constrained urban road network;
- Need to consider other objectives;
- Need for collaborative planning ("walking the talk");
- Need for cycling and walking to be provided for in State Highway corridors;
- Need for a related funding policy;
- Need for the Regional Transport Executive Group's involvement in the review of the Planning Policy Manual.

## **Council's submission**

The Council's submission should support the Auckland Joint Regional submission to be adopted by the Regional Land Transport Committee at its meeting on 22 November 2005. In addition the following matters should be raised:

1. Local Government Auckland Amendment Act 2004 requires integrated planning of land use and transport development in the Auckland Region. The Act requires the Resource Management Act planning documents (Regional Policy Statement and District Plans) to be changed to "give effect" to the growth concept in the Regional Growth Strategy. There is a strong case that Transit New Zealand's national planning policy manual provides a different approach to planning decisions in the Auckland region. Transit New Zealand should do more than take into account the Regional Land Transport Strategy in its planning policy decisions. Its planning policy decisions should be made with a view to aligning Transit New Zealand's objectives with those of the Regional Land Transport Strategy and Regional Growth Strategy. This should apply at least until changes to the Regional Policy Statement and District Plans have been made. Of course, planning decisions should align with sustainable management requirements of the Resource Management Act 1991.
2. Transit New Zealand needs to be actively involved in the review of the Regional Growth Strategy, and supporting work such as the Business Location Study. This will help to ensure a shared understanding of land use and transport requirements. This will also help with Transit New Zealand's long term planning of the transport network and the roles of the State Highway's, local roads, passenger transport, walking and cycling networks. Transit New Zealand's planning policy manual should recognise the review of the Regional Growth Strategy and the concepts that develop over the next few years. Concepts such as polycentric growth centres, land use which reduces length of trips travelled in the region, appropriate location of businesses that require access to the motorway and those that require concentration of people at growth centres.
3. Transit New Zealand needs to contribute to the integration of different modes of travel in its state highway network and the integration of the State Highway network with the local network. There is already evidence of this approach in the planning approach to State Highway 20 Avondale with provision for rail, bus shoulder lanes and cycleway. The consideration of local impacts in the design of interchanges and toll arrangements is a joint exercise with the local authority to ensure a total solution, rather than a state highway network solution.

## **RESOURCES**

There are no resource implications in relation to this submission.

## **CONCLUSION**

Transit New Zealand's increased emphasis on engagement in the planning processes and its decision to articulate its new position by publishing the Planning Policy Manual Supplement is welcomed and applauded. There is, however, concern that Transit New Zealand has gone too far in its focus on protecting one element of the transport system, even when this conflicts with the efficient operation of the wider transport system and attainment of other community objectives. There will be situations where all the economic, environmental, community and transport objectives of Transit New Zealand and local authorities cannot be met simultaneously, and Transit New Zealand will need to exercise some flexibility in order to reach an acceptable compromise position.

## **RECOMMENDATIONS**

1. That the Transit New Zealand Planning Policy report be received.
2. That the Council submission on Transit New Zealand's Planning Policy Manual Supplement endorse the joint regional submission adopted by the Regional Land Transport Committee.
3. That the additional matters raised in this report be included in the Council's submission on Transit New Zealand's Planning Policy Manual Supplement.
4. That the Chair of the Planning and Regulatory Committee be given delegated authority to sign off the submission on Transit New Zealand's Planning Policy Manual Supplement.

Report prepared by: Kevin Wright, Manager Transport Strategy.



## **10 PROPOSED RESERVE EXCHANGE - OPANUKU STREAM RESERVE**

### **PURPOSE OF REPORT**

The purpose of this report is to bring the results of the notification of the proposed land exchange between 270m<sup>2</sup> of the Opanuku Stream Reserve (Lot 3 DP 113401) for 270m<sup>2</sup> of land owned by Everbright Investments Limited (Lot 42 DP 112091) to Council for their consideration and approval.

### **BACKGROUND**

The private land subject to the proposed reserve exchange is owned by Everbright Investments Limited who has approached Council with a proposal to subdivide their land in conjunction with a reserve exchange that will provide access to their subdivision and road frontage to the Opanuku Stream Reserve.

A subdivision consent (RMA 20032243) has been granted for the reserve exchange on condition that Council approve the reserve exchange under the provisions of Section 15 of the Reserves Act 1977.

A14-A15

On 7 April 2005 a report was brought to the City Development Committee attached at pages A14 to A15 for their consideration to have the reserve exchange publicly notified. At the meeting it was resolved:

- “2. That the City Development Committee approve the notification of Council's intention to enter into a reserve exchange of approximately 270m<sup>2</sup> of the Opanuku Stream Reserve (Lot 3 DP 113401) with approximately 270m<sup>2</sup> of land forming Lot 42 DP 112091 under Section 15 of the Reserves Act 1977, with any objections to be brought back to the City Development Committee for consideration.
3. That in the absence of any objections that the proposal to exchange approximately 270m<sup>2</sup> of the Opanuku Stream Reserve (Lot 3 DP 113401) with approximately 270m<sup>2</sup> of land forming Lot 42 DP 112091 be recommended to Council.
4. That all costs incurred through the reserve exchange process should be borne by Everbright Investments Limited.
5. That the Proposed Reserve Exchange - Opanuku Stream Reserve report be forwarded to the Henderson Community Board for their information.”

The reserve exchange was publicly notified on 30 June 2005 and the submission period closed on 30 July 2005 with no submissions received.

## **STRATEGIC CONTEXT**

### **Green Network**

The reserve exchange will contribute to the Green Network strategic platform by providing for public access to the Opanuku Stream Reserve. The goals of the Green Network are to provide ecosystem protection, form ecological corridors, enhance the landscape, enhance public access to natural areas, mitigate hazards and protect water quality.

### **Parks Strategy**

The Parks Strategy identifies improving access to the Opanuku, Paremuka and Swanson streams as a high priority. It also has a policy that walkways through native ecosystems should be developed so that they connect to a comprehensive walking network. The Parks Strategy also states that parks should be developed in a way that contributes to the development of comprehensive walking and cycling networks as outlined in the Waitakere City Council Walking and Cycling Strategy. The proposed land swap will improve access and increase walking and cycling opportunities along the Opanuku Stream Corridor.

## **ISSUES**

As there were no submissions to the proposed reserve exchange, it is recommended that Council approve the reserve exchange of 270m<sup>2</sup> of the Opanuku Stream Reserve for 270m<sup>2</sup> of land owned by Everbright Investments Limited, as recommended in the City Development Committee resolution No. 3 541/2005.

## **RESOURCES**

All costs associated with the reserve exchange will be paid for by Everbright Investments Limited.

## **CONCLUSION**

No objections were received to the public notification of the proposed reserve exchange and it is recommended that the reserve exchange be approved.

## **RECOMMENDATIONS**

1. That the Proposed Reserve Exchange - Opanuku Stream Reserve report be received.
2. That Council approve the proposal to exchange approximately 270m<sup>2</sup> of the Opanuku Stream Reserve (Lot 3 DP 113401) with approximately 270m<sup>2</sup> of land forming Lot 42 DP 112091.
3. That all costs incurred through the reserve exchange process be borne by Everbright Investments Limited.

Report prepared by: Maylene Brown, Parks Consent Planner.



## 11 LAND AND STORMWATER POND FOR STATE HIGHWAY 16

### PURPOSE OF THE REPORT

The purpose of this report is to provide delegated authority to the Chief Executive Officer to enter into an agreement under the Public Works Act 1981 with Transit New Zealand in relation to the taking of Council (reserve) land for State Highway purposes and for a construction of a stormwater treatment and detention pond required for the purposes of State Highway 16.

### BACKGROUND

A16 Transit New Zealand has been planning highway improvements for State Highways 16 and 18 for some time. The Council owns a recreation reserve which lies to the south of the Westgate Shopping Centre between Westgate Drive and the State Highway. The reserve is subject, as to part, to a drainage easement in favour of the shopping centre upon which a stormwater detention pond serving the shopping centre is located. The recreation reserve is bisected by Rush Creek. The Transit New Zealand designation for State Highway 16 has for some time encroached upon a small parcel (392 square metres) of this reserve which is marked "C" on the plan attached at page A16. Transit had previously signalled that it would require the small parcel of land when improvements were made to this portion of the highway.

A16-A17 During 2003 Council was approached by Transit New Zealand with a proposal for the construction of a stormwater treatment and detention pond on the southern portion of this reserve as part of its State Highway improvements programme. The proposed pond will be constructed partly on the Council reserve areas "F" and "G" on the plan at page A16 and partly on other land to be acquired by Transit New Zealand from an adjoining owner area "B" on the plan attached at A16. Attached at page A17 is a copy of the concept plan provided by Transit New Zealand showing the proposed stormwater pond.

This proposal was reported to the Massey Community Board at its meeting in February 2004. The Board resolved:

*"That Massey Community Board approves in principle the stormwater Pond proposed by Transit New Zealand as outlined in the agenda report".*

66/2004

Before approaching the Council with its proposal Transit New Zealand had obtained the necessary discharge permits from Auckland Regional Council.

Subsequent to the Massey Community Board's decision Transit amended its designation for State Highway 16 to include the proposed stormwater pond.

### STRATEGIC CONTEXT

The proposed improvements to State Highways 16 and 18 are an integral part of Transit New Zealand's plans to improve the state highway network in the Auckland region.

### ISSUES

While this land is vested in the Council as recreation reserve it is presently undeveloped and does not therefore have significant recreation value for the local community, either now or in the foreseeable future. The triangular shape and the topography of the reserve does not lend itself readily to development for any recreation purposes other than passive recreation. The proposed pond gives expanded opportunities for recreation by the community as well as possibilities, through the provision of wetlands associated with the pond and landscape planting, for an improved habitat for birdlife.

The parcel of land to be taken for road will not affect the functionality of the reserve in any practical or significant way.

The Crown has provided the Council with details of its valuation advice in relation to the compensation to be paid. At the time of writing this report that valuation advice is still being considered by the Council's valuer. It is not expected that the amount of any compensation to be paid will be significant. The Crown's assessment of the value of the 392 square metre parcel is \$12,000 plus GST. The assessment of the value of the portion of the reserve to be occupied by stormwater pond is \$66,600 plus GST, on the basis of an easement to use that land for those purposes (it is common ground with Transit that an easement is not appropriate and that there are better ways of providing Transit with necessary protection of its future rights e.g. by vesting the land as local purpose reserve). In addition, that assessment does not appear to take into account the value of the balance of the land on which the stormwater pond will be constructed, which is to be vested in the Council as local purpose reserve, and the additional recreational benefits available to the community as a consequence.

It is not anticipated that the valuers will have widely differing views in this matter. In relation to other recent dealings between the Council and Transit New Zealand the valuers have been able to reach agreement and make a joint recommendations to the Council and to Transit as to the appropriate level of compensation.

Transit New Zealand will be responsible for design and construction of the pond. As part of that design there will be an approved landscaping treatment for both the planting and the pathway around the pond for public access purposes. Once construction of the pond, pathway and landscaping has been completed and approved by Council, ongoing responsibility for maintenance of the landscape planting and pathway around the pond will pass to the Council. Maintenance of the stormwater pond itself, however, will remain the responsibility of Transit New Zealand, notwithstanding that the pond is intended to also accommodate the stormwater outflows of other adjoining land.

Once construction has been completed area "B" will be transferred by the Crown to the Council for reserve purposes. Given the proposed use of the land the appropriate classification of that land will be "Local Purpose (Stormwater Detention) Reserve". This then raises the question of the classification of the existing reserve occupied by the pond. This is a matter which will need to be considered by the Massey Community Board in the New Year. The officer recommendation will be that continued recreation reserve classification is not appropriate in circumstances where the primary use to which the reserve is being put is a quite different purpose. The recommendation to the Board will be that the classification of that part of the reserve on which this pond is constructed, and which is also designated the stormwater detention purposes within the State Highway, should also be changed to "Local Purpose (Stormwater Detention) Reserve". That will require an approval from Department of Conservation.

Transit New Zealand has advised and that it wishes to seek tenders for construction of the stormwater pond around the end of November, early December 2005. To enable that to occur it requires the comfort of an executed agreement with the Council in relation to the taking of the land for State Highway and the arrangements in respect of the construction of the stormwater pond.

## **RESOURCES**

There are no resources implications arising as a consequence of this report.

## CONCLUSION

The proposed stormwater pond is an essential part of Transit New Zealand's state highway improvements programme. It needs to be constructed in advance of those improvements works being undertaken. Negotiations of the terms of the agreement under which Transit New Zealand will acquire land from the Council for that purpose have been protracted but are nearing completion. The proposal has been approved in principle by the Massey Community Board and the compensation sums involved are relatively minor. There is a measure of urgency to conclude binding agreements to enable Transit New Zealand to let construction contracts in a timely fashion to enable the works to be undertaken and completed during the current construction period.

## RECOMMENDATIONS

1. That the Land and Stormwater Pond for State Highway 16 report be received.
2. That the Chief Executive Officer be given delegated authority to agree the compensation to be paid (in accordance with the recommendations received from the Council's registered valuer) and to execute an agreement with Transit New Zealand for the taking of land (392 square metres, being part lot 1 DP 177892 part CT 109C/955), and for the construction of a stormwater detention pond on part Lot 1 DP 177892 and Lot 84 DP 201496 CT 130A/660 for State Highway purposes as outlined in this report.

Report prepared by: Denis Sheard, Manager: Legal Services.



## 12 MEETING SCHEDULES FOR 2006 AND 2007 (UNTIL THE 2007 TRIENNIAL ELECTIONS) AND ASSOCIATED ISSUES

### PURPOSE OF THE REPORT

A18-A41

The purpose of this report is to present to Council for consideration and adoption of the proposed Meeting Schedules for 2006 and 2007 (until the 2007 Triennial Elections), which includes the timetable for the 2006/2016 Long Term Council Community Plan and the 2006/2007 and 2007/2008 draft Annual Plans, and to seek Council's confirmation regarding Te Taumata Runanga and the Henderson, New Lynn, Massey and Waitakere Community Board's representation in the Long Term Council Community Plan and Annual Plan process. The timetable also includes provision for Hearing of submissions on the Representation Review by the Finance and Operational Performance Committee. The Meeting Schedules for 2006 and 2007 until the 2007 Triennial Elections are attached at pages A18 to A41.

### 2006 AND 2007 MEETING SCHEDULES

The basis of preparation of the 2006 and 2007 Meeting Schedules is similar to that used in preparing the 2005 Meeting Schedule. One day a month is, as in 2005, set aside as an additional Council Meeting (called Various for ease of reference) to accommodate any need for additional requirements for reporting to Council. If not required, the meeting will be cancelled. The 2007 Meeting Schedule runs until the Triennial Election on Saturday, 8 October 2007.

For the convenience of Councillors, Te Roopu Puawai, Youth Council, Pacific Islands Advisory Board and the Waitakere Ethnic Board continue to be shown on the schedule, but do not form part of the recommendation to the Council. The Local Government Conference, the 2006 and 2007 Community Board Conferences, and the Local Government New Zealand Zone One meetings will be added to the schedule, at a later date once the meeting dates are available.

### **2006/2016 LONG TERM COUNCIL COMMUNITY PLAN AND THE DRAFT 2006 ANNUAL PLAN AND 2007 DRAFT ANNUAL PLAN UNTIL THE TRIENNIAL ELECTIONS**

The intended dates for the Council to consider the 2006/2016 draft Long Term Council Community Plan and the 2006 draft Annual Plan and the 2007 draft Annual Plan until the Triennial Election are included in the 2006 and 2007 Meeting Schedules. These are based on the timeline indicated by the Long Term Council Community Plan and Annual Plan Special Committee meeting's requirements.

In accordance with past practice, Te Taumata Runanga and the Henderson, New Lynn, Massey and Waitakere Community Board representatives are to be appointed to attend all meetings of the Long Term Council Community Plan and Annual Plan Special Committee to consider the process and approve the 2006/2016 draft Long Term Council Community Plan and 2006 and 2007 draft Annual Plans, and that the representatives are to be accorded speaking rights at these meetings.

The intended dates for the Finance and Operational Performance Committee to consider submissions on the Representation Review are also included in the 2006 Meeting Schedule. These are based on the timeline indicated by the Finance and Operational Performance Committee for this exercise.

### **CONCLUSION**

The Meeting Schedules for 2006 and 2007 including the 2006/2016 draft Long Term Council Community Plan and 2006 and 2007 draft Annual Plan meeting dates and the dates for Hearing of submissions on the Representation Review by the Finance and Operational Performance Committee is presented to the Council for consideration. Also presented for consideration is the provision for the representatives (or their designated alternates) of Te Taumata Runanga and the Henderson, New Lynn, Massey and Waitakere Community Boards to be required to attend all meetings of the Long Term Council Community Plan and Annual Plan Special Committee as in previous years.

### **RECOMMENDATIONS**

1. That the Meeting Schedules for 2006 and 2007 (until the Triennial Elections) and Associated Issues report be received.
2. That the Meeting Schedules for 2006 and 2007 until the 2007 Triennial Elections, for the Council, its Standing Committees Te Taumata Runanga, the Special Committees, Subcommittees and Community Boards, as attached to the Agenda at pages A18 to A41 be adopted.
3. That Te Taumata Runanga and the Henderson, New Lynn, Massey and Waitakere Community Boards be requested to appoint a representative and an alternate representative to attend all meetings of the Long Term Council Community Plan and Annual Plan Special Committee held to consider, progress and approve the 2006/2016 draft Long Term Council Community Plan and the 2006/2007 and 2007/2008 draft Annual Plans.

A18-A41

4. That the representatives or the alternate representatives of Te Taumata Runanga and the Henderson, New Lynn, Massey and Waitakere Community Boards be accorded speaking rights at those meetings.

Report prepared by: Sharon Simiona, Democracy Support and Sister City Officer.

HV O'Rourke  
**CHIEF EXECUTIVE OFFICER**



## **PART E - REPORTS FROM THE STANDING COMMITTEES**

### **13 CITY DEVELOPMENT COMMITTEE**

**YOUR COMMITTEE SUBMITS THE FOLLOWING REPORT OF ITS MEETING HELD ON THURSDAY, 3 NOVEMBER 2005**

#### **1. DRAFT LEISURE FACILITY PARTNERSHIP POLICY**

**Your Committee Recommends:**

That the sum of \$500,000 currently allocated through the Long Term Council Community Plan for leisure facility improvements be utilised for the Leisure Facility Partnership Policy grants.

#### **2. OTHER MATTERS CONSIDERED**

Your 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 1 to 10 in the supplement labelled Part E.

**Your Committee Recommends:**

That the report of the Meeting of the City Development Committee held on Thursday, 3 November 2005 be received.

PA Hulse  
**CHAIRPERSON**



14 **FINANCE AND OPERATIONAL PERFORMANCE COMMITTEE**

**YOUR COMMITTEE SUBMITS THE FOLLOWING REPORT OF ITS MEETING HELD ON MONDAY, 7 NOVEMBER 2005**

---

**MATTERS CONSIDERED**

11-23  
Part E  
2  
Part H

Your 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 11 to 23 in the supplement labelled Part E. The public excluded minutes are attached at page 2 of the confidential supplement labelled Part H.

**Your Committee Recommends:**

That the report of the Meeting of the Finance and Operational Performance Committee held on Monday, 7 November 2005 be received.

JM Clews, QSO, JP  
**CHAIRPERSON**



15 **PLANNING AND REGULATORY COMMITTEE**

**YOUR COMMITTEE SUBMITS THE FOLLOWING REPORT OF ITS MEETING HELD ON TUESDAY, 8 NOVEMBER 2005**

---

**MATTERS CONSIDERED**

24-26  
Part E

Your 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 24 to 26 in the supplement labelled Part E.

**Your Committee Recommends:**

That the report of the Meeting of the Planning and Regulatory Committee held on Tuesday, 8 November 2005 be received.

VS Neeson, JP  
**CHAIRPERSON**



16 **TE TAUMATA RUNANGA**

**I NOHO TE TAUMATA RUNANGA I TE MANE TEKAU MA WHA O WHIRINGI-A-RANGI 2005**

**YOUR COMMITTEE SUBMITS THE FOLLOWING REPORT OF ITS MEETING HELD ON MONDAY, 14 NOVEMBER 2005**

---

**MATTERS CONSIDERED**

27-31  
Part E

Your 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 27 to 31 in the supplement labelled Part E.

**NGA TAKE E WHIRIWHIRIA**

E whakatau ana Te Taumata Runanga i nga take i whakamanangia i te ture he whakaahua o nga tuhi kua tonoa ki nga mema o te Kaunihera.

**Your Committee Recommends:**

That the report of the Meeting of Te Taumata Runanga held on Monday, 14 November 2005 be received.

TW Taua, MNZM  
**CHAIRPERSON**



**PART F - PRESENTATIONS**

17 **PRESENTATION - OVERVIEW OF THE RECENT DELEGATION TO SUBIACO, A SUBURB OF PERTH IN WESTERN AUSTRALIA**

Councillor Joel Cayford of the Auckland Regional Council will make a presentation on the overview of the recent New Zealand local territorial authorities delegation to Subiaco, a suburb of Perth in Western Australia.

18 **CITATIONS TO SPORTS CLUBS**

The Mayor will give a Citation to Bay Olympic Sports Club, Lynn Avon United Association Football Club, Massey Rugby Football Club, Waitakere Basketball Club, Waitakere City Rugby Football and Sports Club, and Waitakere United Football Club in recognition of the Clubs' recent sporting field successes.



**PART G - PROCEDURAL MATTERS**

**19 QUESTIONS**

Pursuant to Standing Order 39.2, any member of the local authority may at any meeting of the local authority at the appointed time, put a question to the Mayor as Chairperson of the local authority, or through the Mayor to the Chairperson of any standing or special committee, or to any officer of the local authority concerning any matter relevant to the role or functions of the local authority concerning any matter that does not appear on the order paper, nor arises from any committee report or recommendation submitted to that meeting.



**20 NOTICES OF MOTION**

Notices of motion shall be in writing by the mover, stating the meeting at which it is proposed that the notice of motion be considered, and shall be delivered to the Chief Executive Officer at least five clear days before such meeting.



**PART H - PUBLIC EXCLUDED MATTERS**



**21 CLOSING PRAYER**

