



**AGENDA FOR AN ORDINARY MEETING OF THE FINANCE AND OPERATIONAL  
PERFORMANCE COMMITTEE TO BE HELD IN THE CIVIC CENTRE,  
6 WAIPAREIRA AVENUE, LINCOLN, WAITAKERE CITY, ON  
MONDAY, 9 AUGUST 2004, COMMENCING AT 9.30 AM.**

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**AGENDA FOR AN ORDINARY MEETING OF THE FINANCE AND OPERATIONAL PERFORMANCE COMMITTEE TO BE HELD IN THE CIVIC CENTRE, 6 WAIPAREIRA AVENUE, LINCOLN, WAITAKERE CITY, ON MONDAY, 9 AUGUST 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 CONFIRMATION OF MINUTES**

Ordinary - Monday, 12 July 2004

**RECOMMENDATION**

That the minutes of the Ordinary Meeting of the Finance and Operational Performance Committee held on Monday, 12 July 2004, as circulated, be taken as read and now be confirmed.



## PART I - PROPERTY

### 4 POSSIBLE RE-LOCATION OF OCKLESTON HOUSE TO CLARKS LANE

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

The purpose of this report is to seek the Finance and Operational Performance Committee's approval to relocate Ockleston House to privately owned land in Clarks Lane, Hobsonville.

#### **BACKGROUND**

Transit New Zealand have a designation for SH18 - the Upper Harbour Motorway. The Upper Harbour Corridor provides a strategic connection between the Northern and North-Western Motorways. The motorway will duplicate the Upper Harbour Bridge and pass through Hobsonville. This section of the Upper Harbour Corridor involves a new four lane divided motorway from the western end of the Upper Harbour Bridge to the North-Western Motorway at Westgate. The motorway alignment will affect several historic sites including Ockleston House, Sinton House and two workers cottages in Clarks Lane. Ockleston House is currently located at 130 Hobsonville Road.

The six cottages in Clarks Lane comprise some of the few remaining early dwellings in Hobsonville and are an important part of the history of the area. They were constructed circa 1902 to house workers at nearby Clark's Pottery Works. They continued to be used as workers' accommodation until 1928, shortly before the works at Hobsonville were closed. The cottages are also associated with other buildings in the area that are linked with the pottery works. These include the actual site of the works in Limeburner's Bay, the little church in nearby Clark Road and Clark's own large double storey house "Ngaroma". The Council entered into a consent order with Transit New Zealand that provided for the re-location of the workers cottages in Clarks Lane and the shifting of Ockleston House. Condition 5(i) of the consent order states:

*"With respect to the buildings at 2,3 and 4 Clarks Lane, 1 Brigham Creek Road and 130 Hobsonville Road, Transit shall pay the reasonable costs (including the costs of any consents required) for each building of:*

- *relocating it appropriately to a new location within the wider Hobsonville area which recognises the historical significance of that building; then*
- *refurbishing to its "pre-removal" standard.*

*This condition shall remain operative until such time as the construction of the SH16/18 realignment project requires that the building or buildings (as the case may be) need to be removed. Transit shall commence consultation with appropriate heritage authorities (including the Waitakere City Council) and landowners regarding relocation options not later than six months prior to the commencement of construction works. If no party has come forward who is willing to provide a suitable site for relocation, then Transit shall, subject to any necessary investigation and recording of heritage significance as required by the appropriate heritage authorities, be entitled to dismantle and/or dispose of the building or buildings at that time. It is noted that Historic Places Trust authorisations may also be required."*

Ockleston House was proposed to be moved onto Council-owned reserve with the costs of moving to be Transit's responsibility. However, as part of negotiating with landowners in Clarks Lane about suitable locations for the workers' cottages, one of the landowners has asked Council to consider relocating Ockleston House onto a vacant site in Clarks Lane. This proposal merits investigation as it would enable houses with the same historical associations to be grouped together and would provide the Council with considerable benefit through relieving it of the financial responsibility of upgrading and maintaining an historic building.



## CONCLUSION

Transit New Zealand is required by consent order to relocate Ockleston House away from the proposed motorway. The Council had intended this building to simply be relocated to the reserve. However, the building is in need of significant funds to repair and restore the building. The Council's budget for maintaining its stock of heritage buildings is already stretched therefore this proposal merits consideration. Transit New Zealand would pay the relocation costs whether it is to the reserve or another piece of land and placing the house next to the workers cottages would enable a heritage precinct to be formed in Clarks Lane.

## RECOMMENDATIONS

1. That the Possible Re-Location of Ockleston House to Clarks Lane report be received.
2. That the Finance and Operational Performance Committee approve the relocation of Ockleston House to Clarks Lane Hobsonville and authorise the Property Assets Manager to enter into a sale and purchase agreement with the prospective purchaser.

Report prepared by: Alina Hughes, Planner: Policy Implementation.



## 5 HUGH BROWN CAR PARK NEW LYNN - REDEVELOPMENT PARAMETERS

### PURPOSE OF THE REPORT

The purpose of this report is to bring the proposed development parameters for Waitakere Properties Limited around the Hugh Brown Car Park site in New Lynn to the Finance and Operational Performance Committee for approval.

### BACKGROUND

At Council's meeting of 30 June 2004 a report was presented proposing the transfer of the land known as the Hugh Brown Car Park in New Lynn to Waitakere Properties Limited for redevelopment. At that meeting it was resolved:

1. *That the Hugh Brown Car Park, New Lynn report be received.*
2. *That approval be given to transfer Lot 5 DP 41964 containing 1523m<sup>2</sup>, and part Lots 39 and 40 DP 20556, containing 3531m<sup>2</sup>, being the lands comprised in Certificates of Title Nos. NA1127/82 and NA1109/39 to Waitakere Properties Limited subject to the usual Declaration of Trust mechanism for the purpose of undertaking subdivision and/or development on Council's part as a public work, provided, however, that any actual development proposal be subject to Council approval prior to any application being lodged for Resource Consent.*
3. *That no action be initiated by Waitakere Properties Limited other than the preliminary subdivision identified in the report, and action to remove easements and other impediments, pending a full report to Council by the Group Manager: City Development Projects.*

## STRATEGIC CONTEXT

New Lynn is one of Waitakere City's three main town centres in terms of its urban villages strategy. It is a vibrant commercial area which attracts people from throughout the region. It is a gateway and has been a hub for transport activities since pre-European times. More recently, it is one of the busiest stations on Tranzmetro's western rail line, alongside a major interchange for bus services. Several road links also make New Lynn a major hub for traffic from the south, west and central Auckland.

The City's major strategic objectives for the New Lynn Centre are the development of:

- a sub-regional destination;
- a thriving town centre providing increased local employment;
- a centre linked to public transport networks that is easy to access and travel around;
- an area of the City that has quality amenity and green space;
- urban growth managed in an environmentally sustainable fashion;
- integrated community and social services; and
- a centre that complements the development of other City centres.

## ISSUES

### Apartment Development

The 1996 New Lynn Charette concept identified the Hugh Brown Drive Car Park as a site appropriate for the development of apartment style housing. This was because one of the key issues identified in New Lynn is a lack of residential activity within the town centre. While the development of the Ambrico Place medium density housing area and the Crown Lynn apartments has increased the number of people living within an easy walking distance to the town centre, there are still no residential developments within the core centre.

Council is currently in the process of preparing a new overall concept plan for New Lynn as well as reviewing its car parking rules and guidelines to make the provision of residential development *above the street level interface* more easily implemented within the town centre. The Hugh Brown Car Park site is seen as an opportunity for Waitakere Properties Limited to lead the market with residential development in the commercial centre, and also a way of setting a quality standard for other, subsequent, private sector developments to meet. In addition the location provides a level of amenity which in itself will contribute to the quality of the development.

### Provision for Existing Public Car Parking

Currently the Hugh Brown Car Park offers 205 all day public car parking spaces on the land which has been transferred to Waitakere Properties Limited. This is the major area for all day public parking within the town centre and is used by workers within the town centre for parking. It is considered important that this use is able to continue, and that any development of the site should continue to provide 205 public car parking spaces. These would most likely be accommodated in a car parking building. Such car parking would need to continue to be provided, in order to meet the spirit of the intention when the land was acquired.

## Safety and Amenity

The site includes an area adjacent to the Rewarewa Creek - an important natural feature for New Lynn which is currently hidden and disconnected from the town centre. A walkway is provided but has significant personal safety issues for users due to a lack of overlooking. The development of the Hugh Brown Car Park site creates a significant opportunity to both enhance the amenity provided by the Rewarewa Creek as well as increase the safety of users of the walkway network by increasing passive and active surveillance.

An additional opportunity identified through landscape analysis undertaken in New Lynn, identifies an opportunity to use the Hugh Brown Car Park redevelopment as a way of drawing people, both visually and physically from Great North Road and Delta Triangle through the site to the Rewarewa Creek.

## Proposed Development Parameters

While Waitakere Properties Limited will not be in a position to undertake physical work on the proposed redevelopment of the Hugh Brown Car Park until all legal work on creating clear titles for the properties is completed, concept planning for the site is likely to commence before the end of the year. Accordingly, proposed development parameters for the Company to work within to achieve the outcomes sought by the Council in relation to this site are outlined below. Two types of parameters are included - those which form a bottom-line or minimum requirement of what Council would expect from the development and those which would be found in an ideal development but which are not yet tested.

The proposed 'bottom-line' key parameters are outlined below:

<b>Parameter - Key Requirements</b>	<b>Explanation These requirements are essential in any development on the site, and must be met.</b>
Apartment development to be major component	The main strategic purpose for the development of this site is to increase the residential component within the town centre, and lead the market with a demonstration of the potential for apartments in the centre.
Intensity of land use - minimum 3 storey development	Intensive land use is a key outcome sought from this site.
Inclusion of 205 public parking spaces	Replacement of the existing public car parking. This is likely to be housed in a car parking building.
Increasing safety and surveillance over the Rewarewa Creek	The orientation and design of the apartments should provide significant passive overlooking of the Rewarewa Creek. In addition improvements such as lighting should also be considered.
Increasing pedestrian amenity and accessibility as part of the development	This would include both pedestrian amenity alongside McNaughton Way and the Rewarewa Creek and the pedestrian link between Delta Avenue/Great North Road and the Rewarewa Creek.
Consistent with the District Plan	The development must be able to be consented without the Company appealing the consent to the Environment Court.
Sustainable design	Incorporation of sustainable design principles such as passive solar orientation, appropriate materials, water efficiencies, good stormwater management, good urban design, good amenity.

<b>Parameter - Key Requirements</b>	<b>Explanation These requirements are essential in any development on the site, and must be met.</b>
Commercially neutral	While the main focus of the development is on achieving strategic outcomes, the development shouldn't lose money but as a minimum break even. The option to include a Public Private Partnership around the car parking building, or a joint venture project could be considered if required.
Development Conforms to Urban Design Protocol	Waitakere City is shortly to become a signatory to the Urban Design Protocol which has been jointly developed nationally with the Ministry for the Environment.

The proposed 'ideal' parameters are as follows:

<b>Parameter - Uses to Aim for</b>	<b>Explanation These requirements are ideal in any development on the site, and significant effort to meet them should be made.</b>
Mixed use	Council has long sought the development of good mixed use (eg. office/residential, retail/residential) development in its town centres. The site may provide the opportunity for this kind of development. Inclusion of retail developments such as a café overlooking the stream, or some home/office style component should be considered.
High density development	Provision of high density development of 5-6 levels of more may be an appropriate and commercially viable option for the site. Such development could take advantage of the amenity offered by the Rewarewa Creek and proximity of retail, community facilities and public transport and be consistent with the level of density Council is seeking in its core town centres over the next 20 years.

## **RESOURCES**

The Hugh Brown Drive Car Park has been transferred to Waitakere Properties Limited who would undertake the development under the Deed of Trust mechanism.

## **CONCLUSION**

The Hugh Brown Drive Car Park is a key development site within the New Lynn Town Centre and offers the opportunity for Waitakere Properties Limited to be involved in the development of the site to achieve key strategic outcomes for New Lynn.

## **RECOMMENDATIONS**

1. That the Hugh Brown Car Park New Lynn - Redevelopment Parameters report be received.
2. That the proposed development parameters as outlined in the body of the agenda report be the basis for formal direction from the Chief Executive to Waitakere Properties Limited in relation to the Hugh Brown Drive Car Park site.
3. That the concept proposals be brought back to the Finance and Operational Performance Committee for approval.

Report prepared by: Lois Easton, Group Manager: City Development Projects.

## 6 ACQUISITION OF LAND FOR ROAD - 21-29 LINCOLN ROAD, HENDERSON

### PURPOSE OF THE REPORT

This report seeks the Finance and Operational Performance Committee's recommendation to Council that approximately 371m<sup>2</sup> of land at 21 to 29 Lincoln Road, Henderson be acquired for road under the Public Works Act 1981.

### BACKGROUND

Under the District Plan, a road widening designation of five metres is in place on the eastern side of Lincoln Road on five properties from Abel Tasman Avenue to Sel Peacock Drive (WCC RW5). This designation is to allow the widening of Lincoln Road at this point.

Detailed design work had since been done for the road widening and it is now proposed that the land to be taken from these five properties will be limited to four metres on the eastern side. It is intended that this road widening will be undertaken during the coming summer, completing the scheme for four lanes plus a central flush median between the motorway and Henderson.

A5 The area to be taken from the five properties is approximately 371m<sup>2</sup>. The location of this area is shown on the map attached at page A5.

### STRATEGIC CONTEXT

The Council's Integrated Transport and Communication platform provides the strategic context for this report. The vision is for public transport and communications systems that provide fast, effective services, and for city travel facilitated by integrated, environmentally responsible, and innovative design, with a focus on meeting the essential needs of all for access, communication and safety.

The provision of four lanes and a flush median will enable safe and efficient traffic management along Lincoln Road and to/from frontage properties to be maintained in the face of high traffic volumes and further growth.

### RESOURCES

Provision for the costs associated with the purchase of the land and the attendant costs has been made through the Transport Assets: Lincoln Road Widening line item in the 2004/2005 annual budget.

### ACTION REQUIRED

Once approval has been given by the Finance and Operational Performance Committee, an independent registered valuer will be commissioned to fix a value for the land and detailed discussions will be undertaken with the owners.

In order that binding agreements can be entered into with the owners of the properties in question, the proposal must be approved by Council upon the recommendation of this Committee.

## **RECOMMENDATIONS**

1. That the Acquisition of Land for Road - 21-29 Lincoln Road, Henderson report be received.
2. That it be recommended to Council that a 371m<sup>2</sup> (approximate) strip of land at 21-29 Lincoln Road be acquired for road under the Public Works Act 1981.
3. That the Chief Executive be authorised to sign all documents necessary to complete the acquisition.

Report prepared by: Alastair Dougal, Solicitor, Legal Services.



## **7 RENEWAL OF LEASE OF PREMISES AT 8 RATANUI STREET, HENDERSON**

### **PURPOSE OF THE REPORT**

A6

The purposes of this report is to obtain the Finance and Operational Performance Committee's approval to the renewal of Council's existing lease over the premises at 8 Ratanui Street, Henderson for a further term of two years with a right of renewal for another term of two years thereafter providing for a final expiry date of 31 October 2008. The location of the premises is shown on the Plan as attached at page A6.

### **BACKGROUND**

The Council has held a lease of these premises since 1 November 1995 from Boylan Properties Ltd for the purposes of making them available to the West Auckland District Council Social Services, an umbrella group of social services in West Auckland. This lease expires on 31 October 2004.

West Auckland District Council Social Services and Council officers will be considering options for a new site to replace the present one and a report in respect of this will be presented to Council in December of this year.

In the meantime a two year extension of the current lease together with a right of renewal for a further two years has been negotiated with the landlord providing for an annual rent of \$15,000 inclusive of GST for the first two years.

These terms are considered satisfactory but to enter into a binding contract with the landlord requires the approval of this Committee.

### **LEGAL ISSUES**

The Local Government Act 2002 imposes upon Council a duty when making a decision to consult with persons affected by or likely to have an interest in the subject matter of that decision.

West Auckland District Council Social Services made a presentation to the City Development Committee on 6 November 2003 regarding the proposed development of new premises to accommodate its community resource centre; this was followed by a formal submission to the 2004/2005 Annual Plan process. There has been ongoing consultation with West Auckland District Council Social Services and other community stakeholders for the past three years relating to these new premises and the continued need for the present premises. It is considered that this consultation more than adequately satisfies the requirements of the Act.

## CONCLUSION

West Auckland District Council Social Services will need accommodation for at least another four years and its present premises will quite adequately serve this purpose. To achieve this it is necessary to extend the current lease for that period of time.

## RECOMMENDATIONS

1. That the Renewal of Lease of Premises at 8 Ratanui Street, Henderson report be received.
2. That the current lease to Council of the premises at 8 Ratanui Street, Henderson be renewed for a period of two years together with a right of renewal for a further period of two years making a final expiry date of 31 October 2008, and that the Chief Executive be delegated authority to exercise the right of renewal if the Chief Executive considers it necessary.
3. That the Deed of Renewal of Lease be executed under seal.

Report prepared by: Maurice Heatt, Solicitor.



**PART II - LEGAL AND CONSTITUTIONAL**

**8 AFFIXATION OF COMMON SEAL**

**EXECUTION OF DOCUMENTS: 1 July 2004 - 30 July 2004**

<b>Nº</b>	<b>NAME</b>	<b>PARTICULARS</b>
3058	WCC - Phantom Bill Stickers Limited	Postal Bollard Licence; Finance & Operational Performance Committee Resolution 4067/2003
3059	WCC - Tineke De Villers	Warrant of Appointment & Evidence of Identity - No.WCC148
3060	WCC - Balvant Dullabh	Warrant of Appointment & Evidence of Identity - - No.WCC151
3061	WCC - Waitakere Regional Sports Trust to Waitakere Rugby & Athletic Sports Trust	Head Lessor's Consent to Sub-lease
3062	WCC - V & VM Botica	Water supply easement in gross - CT NA110B/342-346 - DP 178839 - 29 Swanson Road - SPW 19077
3063	WCC - Shiriram & Amrawati	Drainage easement in gross - CT NA135D/696 - 11 Danube Lane - SPW 21207
3064	WCC	Certificate under s.36 Building Act 1991 - CT NA1517/74 - 96 Godley Road - ABA 20041875
3065	WCC - R Earley, O & J Yancey	Cancellation of Consent Notice D022091.3 in respect of CTs NA107A/729 & NA70C/161 - 31D Avonleigh Road - SPW 21952
3066	WCC - Collin Mellors	Warrant of Appointment & Evidence of Identity - No.WCC142
3067	WCC - Matt Sikorski	Warrant of Appointment & Evidence of Identity - No.WCC143
3068	WCC - Samantha Kingston	Warrant of Appointment & Evidence of Identity - No.WCC150
3069	WCC - Antony Victor Smith	Warrant of Appointment & Evidence of Identity - No.WCC153
3070	WCC - PW & LJ Walen	Deed of Settlement re Acquisition of 235 Laingholm Drive - CT NA20A/801 - resolution 478/2004
3071	WCC - David Conaghan	Warrant of Appointment & Evidence of Identity - No.WCC141
3072	WCC - Tompkins Wake Trustees Limited	Deed of Extension of Lease - Finance & Operational Performance Committee resolution 4316/2003
3073	WCC	Plan Change No.8 - To identify new roads or reserves vested in Council as Transport Environment or Open Space Environment - Operative 14 June 2004 - resolution 609/2004
3074	WCC - Ruth Andrews-Bidois	Warrant of Appointment & Evidence of Identity - No.WCC154

Nº	NAME	PARTICULARS
3075	WCC - GR Horrocks	Deed of Waiver - s.40 Public Works Act - resolution 2039/2003
3076	WCC - Vehicle Testing New Zealand	Sub-Lease of testing station site - delegated authority, Ross McLeod 13/07/2004
3077	WCC - GNL Lincoln Road Limited	Drainage easement in gross - CTs 133098 & 133099 - 31-40 Paramount Drive - SPW 21867
3078	WCC - New Leaf Enterprises Limited	Drainage easement in gross - CTs 93794 & 93795 - 74 Wiseley Road - SPW 21811
3079	WCC - Corry Maaka	Warrant of Appointment & Evidence of Identity - No.WCC155
3080	WCC	Consent to the removal of historical Drainage Easement over part of property at 2A Akatea Road Lot 2 DP 73558 - CT.38C/118 in favour of 2 Akatea Rd Lot 1
3081	WCC	Removal of historical Drainage Easement over part of property at 18 Duncan Avenue Lot 2 DP 146170 - CT 86C/788 in favour of WCC

### **RECOMMENDATIONS**

1. That the Affixation of Common Seal report be received.
2. That the action taken in affixing the Common Seal on the documents as set out in the agenda report be adopted.

Report prepared by: Magdalene Conceicao, Executive Officer (Legal).



## **PART III - FINANCE**

### **9 OPERATING AND CAPITAL EXPENDITURE SUMMARIES**

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

The purpose of this report is to inform the Finance and Operational Performance Committee as to the level of the year to date operating and capital expenditure by Unit compared to budget.

#### **ISSUES**

A7 This report covers expenditure for the 12 months to 30 June 2004 (full financial year). The financial summaries are attached at page A7.

The figures presented are only preliminary as the year end adjustments have not as yet been completed. A final report will be presented at the September meeting of the Committee. If any further information is required in respect of this report, other than of a general nature, please contact either the writer or the Director: Finance prior to the meeting to enable the query to be researched.

#### **RECOMMENDATION**

That the Operating and Capital Expenditure Summaries report be received.

Report prepared by: Bob Preston, Group Manager: Financial Management.



### **10 STATUS OF SPECIAL FUNDS**

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

The purpose of this report is to keep the Committee informed as to the status of Special Funds.

#### **FUNDS**

A8 The Special Fund balances as at 30 June 2004 and summary transactions for the 12 months ended 30 June 2004 are attached at page A8.

The figures presented are only preliminary as the year end adjustments have not as yet been completed. A final report will be presented at the September meeting of the Committee.

If any further information is required in respect of this report, other than of a general nature, please contact either the writer or the Director: Finance prior to the meeting to enable the query to be researched.

#### **RECOMMENDATION**

That the Status of Special Funds report be received.

Report prepared by: Bob Preston, Group Manager: Financial Management.



## 11 BORROWING AND INVESTMENT REPORT

### PURPOSE OF THE REPORT

Waitakere City Council enters into treasury related financial contracts in the ordinary course of its business. It is the role of Council's Funds Management section to manage such contracts and the impact that they have on the organisation. All funds management transactions are governed by the Liability Management and Investment Policy prepared in compliance with the Local Government Act 2002. As a requirement of that Policy this report informs the Committee on the current and future movements of Council's debt and cash investments and provides a general commentary of financial market conditions.

A9-A14 The relevant portfolio and graphs reflect the estimated position as at 30 June 2004 as attached at pages A9 to A14.

### STRATEGIC CONTEXT

Council's Fund Management function actively manages a large portfolio of various debt and investment instruments. The benefit of borrowing is that it enables Council to carry out the projects identified in the Annual Plan and Long Term Council Community Plan, while spreading the costs for those projects over time to recognise the future benefits. Borrowing funds therefore assists Council with its entire loans funded strategic initiatives. The Liability Management and Investment Policy requires that a report detailing the management of the portfolio be presented to the Finance and Operational Performance Committee on a regular basis. The report must include information on the following subjects:

- Cash/Debt Position
- Forecasted Borrowing Profile
- Interest Rate Profile
- Risk Management
- Material Transactions
- Market Commentary

This report addresses the requirement of the Policy and also, from time to time, includes other information that is relevant to the Funds Management function.

### FINANCIAL IMPLICATIONS

The active management of the treasury portfolio seeks to minimise Council's borrowing costs and maximise investment returns of liquid assets. The Funds Management function is also charged in seeking investors, thus ensuring that there is sufficient liquidity available for the organisation to continue its work programme. New Zealand financial markets are significantly volatile and therefore interest rate management is also a key responsibility of the Funds Management function. Detailed financial information included within this report is intended to give assurance of the prudent management of Council's portfolio.

Council approved a new loans funded capital works programme for the 2003/2004 year, including carry forward projects from the 2002/2003 year, through the Long Term Council Community Plan of \$101.912 million. Interest expense is budgeted to be \$8.946 million.

Council approved through the Long Term Council Community Plan to borrow up to \$131.692 million to cover the loans funded work programme and for the refinancing of maturing loans.

Council has also resolved to obtain a Standard and Poor's Credit Rating.

- "1. *That approval is given to obtain a credit rating for Waitakere City Council.*"

2970/2001

### Completed

The Finance and Operational Performance Committee has since resolved to:

- execute a facility agreement with the ASB Bank for a term loan of \$15 million and offer \$3 million of security for interest rate risk management instruments, completed March 2003:

- "3. *That authority is given to execute under seal the standard International Swap Dealers Association agreement with ASB Bank Limited, and the proposed facility agreement for the \$15m term loan subject to the Corporate Solicitor's approval as to the form of the facility agreement.*"

2592/2002

### Completed

- renegotiate, as required, uncommitted bank facilities which are used to cover working capital requirements on a daily basis, currently totalling \$35 million:

- "1. *That the information be received.*
2. *That the Director: Finance is delegated authority to act as Council's authorised representative for the purposes of negotiating cash facilities agreements on the basis outlined in the agenda report.*
3. *That authority is given to execute under seal any facilities agreement which may be required by the parties scheduled, or any other registered bank, to continue these cash facilities or in relation to any such new facility, subject to the Corporate Solicitor's approval as to form in each instance.*"

2591/2002

### Completed

- execute a facility agreement with the Bank of New Zealand for a 364 day committed cash advance facility of \$20 million, now completed but not drawn:

- "1 *That the information be received.*
2. *That the Director: Finance is delegated authority to complete negotiations forming part of the said facilities documentation with the BNZ Bank.*
3. *That authority is given to execute under seal the proposed facility agreement for \$20 million with the BNZ, subject to the satisfactory review by Council's external Solicitors.*"

2840/2002

### Completed

- renegotiate the ANZ committed cash advance facility to a value of \$50 million, and a further \$7.5 million in security for interest rate risk management instruments:

1. *That the information be received.*
2. *That the continuation of the existing facilities and facility limits as outlined in the agenda report to the meeting be approved.*
3. *That the terms and conditions applicable to the ANZ Banking Group (New Zealand) Limited facilities agreement be accepted to a limit of \$50 million term debt draw down and a limit of \$7.5 million risk management instruments for interest rate hedging and the common seal of Waitakere City Council be authorised to be affixed to that document.*
4. *That the Chief Executive and the Director: Finance be delegated authority to act as Councils authorised representatives for the purposes of the 'General Conditions' forming part of the said facilities agreement with the ANZ Banking Group (New Zealand) Limited."*

938/2002

### Completed

- use the \$56,353,589.60 received from the sale of the UnitedNetworks Limited shares to repay debt:

*"That the \$56,353,589.60 received from the sale of the UnitedNetworks Limited shares be applied in accordance with the Borrowing and Investment Policy to repay debt."*

3612/2002

### Completed

#### **ESTIMATED SUMMARY OF BORROWING AND INVESTMENT MOVEMENTS, JUNE 2004**

Council's estimated gross term debt position has increased by \$5.433 million since May 2004, with an estimated closing balance at June month end of \$100.681 million. Estimated working capital borrowings of \$13.367 million as at 30 June 2004 have been funded using internal funds and unsecured bank facilities.

#### **SIGNIFICANT FUNDING TRANSACTIONS ENTERED INTO DURING JUNE 2004**

- ARST Fund investment of \$1,210,535.69 for 49 days at 5.96%.
- Sinking Fund investment of \$1,557,539.26 for 49 days at 5.96%.
- Sinking Fund investment of \$1,651,446.09 for 49 days at 5.95%.
- Sinking Fund investment of \$1,835,487.36 for 49 days at 5.95%.
- Sinking Fund contribution of \$194,000.00.
- Sinking fund release of \$1,115,500.00.

## FINANCIAL MARKET COMMENTARY

### Market Overview

On 29 July 2004 the Reserve Bank of New Zealand again increased its Official Cash Rate by 0.25% to 6.00%. The move was expected as prevailing interest rates had factored the hike into term interest rates since the 10 June 2004 Monetary Policy Statement, which also delivered a 0.25% increase. The Reserve Bank Governor, Alan Bollard, said, "Today's Official Cash Rate increase reflects a continued buoyant economy that is placing considerable strain on resource capacity and hence leading to inflation pressures." At the conclusion of the announcement Governor Alan Bollard said, "Further tightening of monetary policy looks likely to be necessary."

New Zealand 90 day interest rates over the past year have been trending upwards. Over the past few weeks this rate has been trading above 6.20%, largely anticipating a further 0.25% hike in the Official Cash Rate at the Reserve Bank of New Zealand's next Monetary Policy Statement on 9 September 2004.

Longer term interest rates, which are largely dependent on international factors, have remained relatively steady at approximately the 6.85% level. The trend and expectation on longer term interest rates is upward.

The New Zealand dollar over July 2004 depreciated against the US dollar from levels ranging between 0.6550 and 0.6600 down to below 0.6300 before rebounding after the Official Cash Rate announcement to a current 0.634 level. This New Zealand dollar weakening against the US dollar may have a significant influence on New Zealand inflation moving forward.

### Upcoming Dates

Monetary Policy Statement	9 September 2004
Official Cash Rate Announcement	28 October 2004

### CONCLUSION

All transactions covered by this report have complied with the requirements of Council's Liability Management and Investment Policy.

### RECOMMENDATION

That the Borrowing and Investment Report be received.

Report prepared by: Bruce Wilkin, Treasury Manager.



12 **QUARTERLY PERFORMANCE REPORT - FOURTH QUARTER 2003/2004**

**PURPOSE OF THE REPORT**

This report enables the Finance and Operational Performance Committee to monitor achievement of the quarterly performance targets. This report includes performance results for the fourth quarter of the 2003/2004 Annual Plan.

**BACKGROUND**

The performance measures in the Annual Plan relate to the Council's strategic objectives for the City. These performance measures are reported when available on a quarterly basis.

**STRATEGIC CONTEXT**

The performance measures in the Annual Plan relate to strategic objectives and provide a way of measuring the extent to which the objectives are being achieved. This report provides an opportunity for the Committee to review performance results and identify any issues relating to meeting targets or the strategic objectives.

A list of all the performance measures results reported on during the 2003/2004 year will be available as part of the 2003/2004 Annual Report. A full list of performance measures to be reported on in 2004/2005 is available on Council's website.

**ISSUES**

**Fourth Quarter Results (April - June 2004)**

A15-A26

The performance results for the fourth quarter of 2003/2004 are summarised below. The complete list of the fourth quarter results for 2003/2004 as attached at pages A15 to A26.

Of the 80 performance results reported in the fourth quarter of 2003/2004, 73% meet or exceed target. A further 31 measures (largely survey results) are still to be reported, and will be available in August 2004.

Positive Results

- Residents increasingly satisfied with the current housing situation in Waitakere City (38% in 2000/2001 to 47% in 2003/2004).
- Increase in number of buses and trains entering the main town centres, and subsequent increase in use of buses and trains. Revised bus services took effect in 2003/2004. The increase in train services is attributable to extending the hours in the evenings and mornings, plus an additional at peak service from New Lynn.
- Residents increasingly satisfied with levels of service of public transport – particularly safety, accessibility and affordability (33% in 2001/2002 to 51% in 2003/2004).
- Number of motor vehicles kilometres travelled per resident appears to be gradually decreasing each year (3,758 km per 100,000 population in 2003/2004).
- Increasing number of groups using council's community centres (159 in 2003/2004). In addition, satisfaction surveys in the West Wave Aquatic Centre and Massey Leisure Centre show positive results.
- More of the city's neighbourhood parks meet the quality standards set in the Parks Strategy (50%).
- The majority of Pacific Island organisations (that have representation on the Pacific Island Advisory Board) feel that their relationship with the Council has strengthened over the last year (86%).

- Increase in number of schools, businesses and community groups working with Council in litter abatement practices (213 groups).
- Increasing number of businesses participating in environmental initiatives (58 businesses).

#### Key Issues

- Decrease in residents who stated that they have deliberately taken actions during the past year, with the intent of improving the natural environment. Council has programmes in place to involve and support the public in protecting and restoring the Green Network, including the Green Network Economic Incentives Programme.
- Less waste entering the Transfer Station (from within and outside the City) that is able to be diverted from landfill through reuse, recycling, recovery or composting initiatives. This is attributed to the lower recycling/recovery rates caused by inadequate staff to sort large volumes of waste arrived at the Refuse Transfer Station during the year. The problem is being addressed to deal with in 2004/2005 by recruiting 4 additional staff into the Solid Waste unit to be working at the resource recovery centre.
- Slight increase in the volume per resident of litter, dumping & domestic waste (including inorganic and excluding kerbside recycling) generated in Waitakere City & deposited at the Transfer Station (152 kg per resident per day in 2003/2004). An education campaign (i.e. information brochures delivered to all households in the City) will be undertaken by the Solid Waste unit in the coming months aimed at increasing waste awareness.
- Lesser percentage of residents stating that overall, the Council's decisions and expenditure are having a positive impact on Waitakere City (64% in 2001/2002 to 53% in 2003/2004). However, there were many more positive responses than negative (53% and 26% respectively). Negative comments were mostly associated with the moving of Council buildings, financial management and increasing rates. Positive comments were mostly associated with the appreciation of services and facilities, developments, and improvements in services such as parks, roads and water.
- Though satisfaction levels of public transport service are increasing, residents' perceptions of the safety and accessibility of bus stops/stations in Waitakere City has decreased (76% in 2002/2003 to 68% in 2003/2004). However, actual users of the bus stops/stations rate the safety and accessibility much higher (83% in 2003/2004).

#### **CONCLUSION**

Of the performance measures reported in the fourth quarter, the majority are on track to meet target. The end of year results for all performance measures in 2003/2004 will be reported through the 2003/2004 Annual Report.

#### **RECOMMENDATION**

That the Quarterly Performance Report - Fourth Quarter 2003/2004 be received.

Report prepared by: Janelle Anthony, Strategic Planner: Monitoring.



13 **423-429 WEST COAST ROAD, ORATIA - FIRST MORTGAGE SECURITY**

**PURPOSE OF THE REPORT**

A27-A29

This report provides an update with respect to the position arising under Memorandum of Mortgage No.D293378.4 being a first mortgage security registered by Council in July 1998 against the land comprised in Certificate of Title No.117B/312 securing an advance of \$2m to Te Whanau O Waipareira Trust. A recent title search of that land is attached at pages A27 to A29.

**BACKGROUND**

This advance underpinned acquisition by the Trust of the land the subject of the security in late 1997 at public auction from the Parr Family, with the intention of undertaking the then proposed Wananga development project. The original loan term was for a maximum of 5 years, to enable the borrower to facilitate the project and required that permission be obtained to establish and operate the Wananga within 2 years from the date of advance of the principal sum, or Council was entitled to early repayment. At the completion of that initial period, and after continuing submissions from the borrower, Council consented to waive strict compliance with that condition and progressively extended the obligation to repay until expiration of the original term.

Although nothing consistent with the original vision had eventuated by 30 June 2003 Council, in an endeavour to assist Te Whanau O Waipareira Trust, permitted the mortgage to ultimately be extended (1282/2003) for a further term of 12 months to 30 June 2004 at the current rate of interest subject to quarterly reports being provided to the Finance and Operational Performance Committee by way of updates with regard to the proposed sustainable housing project and the Wananga development. This was notwithstanding that the Trust had acted in breach of the terms and conditions of the advance in November 2002 to dispose of part of the property containing 3.72ha to a third party, Royce Investments Limited, without consultation with Council.

Additionally, subject to proper protection of Council's security in respect of the existing mortgage advance, approval was given at that time to the Chief Executive to allow part of the land to be severed and disposed of for the purpose of the sustainable housing project if necessary, provided that payment was made to the Council so that adequate security for the balance of the mortgage advance was maintained. That entitlement has not been exercised in the intervening period.

**CURRENT**

As the date for settlement of this loan obligation drew closer, Council officers initiated ongoing contact with the Trust to assure that arrangements were made to achieve repayment. Additionally, the Trust had engaged an independent consultant who was in contact with Council on the basis that he was actively involved in seeking to refinance the mortgage principal. That party has since advised he is no longer engaged on the Trust's behalf.

While the quarterly instalments of interest (current rate 8%) have been met throughout the term of the loan, the full amount of the principal sum remains outstanding and fell due for repayment on 1 July 2004, and the Trust was notified on that date that the default interest rate provided, 14%, would now be charged on the principal sum until repayment is made without prejudice to recourse to any other action to recover the principal sum including resort to the power of sale.

Recent publicity has unfortunately implied that the original loan arrangement could be "unauthorised". However, the Trust registered constitutional amendments in May 1998 which clearly permitted the subsequent borrowing, and the advance was documented in conjunction with the Trust's solicitor who provided the usual certifications with respect to proper execution. The Trust's auditors have also contacted Council from time to time during the term of the loan to verify the sum owing was consistent with the liability disclosed in the Trust's annual accounting statements.

Royce Investments Limited (the caveator) has applied for resource consents for a preliminary subdivision outcome under SPW 21820 which would facilitate residential development. However, Council's mortgage stands in the way of such a subdivision outcome being achieved.

The buoyant property market and recent informal valuation advice suggest that the land continues to provide adequate security, and the completion of adjoining subdivision activity has ensured road and infrastructure access is now more readily available than historically which has enhanced marketability.

### **CONCLUSION**

Council has exercised considerable patience with respect to the recall of this advance despite the clear inference that the original Wananga concept is now unlikely to be delivered and that the Trust has resorted to involvement with a third party or parties in a commercial housing joint venture type arrangement. In that situation, it is appropriate that Council withdraw from any ongoing financial role and that the Trust act with or without the assistance of its commercial partners to discharge Council's security in the normal manner.

Given the current default circumstance Council should now initiate the preliminary legal process available under the terms of its security to recover the overdue principal sum.

### **RECOMMENDATIONS**

1. That the 423-429 West Coast Road, Oratia - First Mortgage Security report be received.
2. That the Legal Services Manager be authorised to prepare and serve a notice under the Property Law Act with respect to the default in repayment of the principal sum secured under Memorandum of Mortgage D293378.4 and to take any further action necessary to exercise the power of sale in the event repayment is not made in accordance with such notice.

Report prepared by: Ross McLeod, Director: Corporate & Civic Services and Graham Wakefield, Consultant.



## **PART IV - GENERAL**

### **14 REGIONAL STANDARDS FOR PRIORITY LANES**

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

The purpose of this report is to seek endorsement from the Finance and Operational Performance Committee of the draft Regional Standards for Priority Lanes, including regulatory, signage, pavement marking, road surface colouring and technical specification, as proposed by Bus Priority Initiatives Steering Group.

#### **BACKGROUND**

There are currently no national or regional standards in relation to priority lanes.

The Auckland Region has led New Zealand with the introduction of bus priority initiatives. North Shore City Council provided priority to buses and high occupancy vehicles on Onewa Road in 1982. Auckland City Council introduced the first bus/bike lane along Dominion Road in 1998. The Auckland City Council adopted "Auckland City Standards" in relation to priority lanes, following extensive consultation with stakeholders including the Land Transport Safety Authority and the Auckland Regional Council.

However, those standards have not been finalised regionally or nationally in terms of signs and pavements markings and colour for bus/bike priority lanes or exclusive bus priority lanes. Although the Land Transport Safety Authority has shown support for green marking of bus/bike priority lanes, the Land Transport Safety Authority has not stipulated that the green colour be mandatory. Other Territorial Local Authorities both within and outside Auckland region including Waitakere City, Manukau City, Wellington City and Christchurch City have since implemented bus/bike priority lanes using similar standards set by Auckland City.

The Auckland Bus Priority Initiatives Steering Group (the Steering Group) is an officers group chaired by the Auckland Regional Council with representation from Local Councils and other key stakeholders. The Steering Group facilitates dialogue between members for the discussion and exchange of information on policy issues and standards across the region.

A draft regional standard for priority lane signage, road marking and road surface colouring has been prepared and was discussed at the Steering Group's meeting on 7 July 2004. The Steering Group is seeking endorsement of the draft standard from the Councils in the Auckland region during their August round of meetings.

A30-A35

A copy of the full report *Standards for Priority Lane Signage, Road Marking & Road Surface Colouring of Priority Lanes* (the Full Report) together with drawings is available in Councillors' Lounge for viewing. The Executive Summary of the report is attached at pages A30 to A35.

#### **STRATEGIC CONTEXT**

Auckland Regional Council has recently published "Auckland Bus Priority Initiatives to 2003" which provides an overview of the achievements made in the Auckland Regional for bus priority initiatives and outlines future measures to be completed over the coming years. The development of a Regional and National standard for priority lanes signage, road markings and surface colouring would assist the roll out and delivery of future priority measures across the region.

Consistency of standards would promote the integration of the priority lane infrastructure network and assist drivers' understanding of priority lanes across the region. The standards affect safety, access and effectiveness of the priority lanes.

## ISSUES

It has become evident that the lack of policy direction has resulted in some confusion as to best practice for priority lane signage, road marking and road surface colouring. There is evidence across the region of non-conformance with the Auckland *City Standards* originally developed for the Dominion Road Bus/Bike Priority Lane in 1998. Pavement markings including lines, wording on the road surface and its display order need to be standardised to optimise safety and understandability. Road surface colouring including the choice of colour and intersection / mid block treatments also need to be properly specified.

Existing practices for bus/bike and transit priority lanes in New Zealand and overseas have been reviewed for the purpose of establishing “best practice” standards for priority lane signage, road marking and road surface colouring of priority lanes.

By addressing the above, a set of standards including signage, pavement marking and road surface colouring have been developed for the following types of priority lanes:

- Bus lanes (24 hour and peak hour)
- Combined bus/bike lanes (24 hour and peak hour)
- Transit lanes (24 hour and peak hour)

For the purpose of this report, transit lanes (with T3 symbol on the signs and road marking) are the ones designated for cars with three or more occupants, taxis, buses and motorbikes.

The draft standards recommend the following as summarised below, which are subject to further refinement by the Steering Group.

### Signage

All signs should conform to the drawings contained in appendices to the Full Report for bus lanes, bus/bike lanes and transit lanes for 24 hour and peak hour facilities. The key feature is that bus priority lane signs show the side elevation of a bus profile as the symbol plus the word LANE underneath.

### Pavement Marking

All pavement markings shall conform to the drawings contained in the appendices to the Full Report. Key requirements are:

- Spacing of marking midblock shall be 150 metres to 250 metres apart;
- Placement of markings at the beginning and end of priority lanes shall be compulsory;
- Wording of transit or bus lanes shall be advised as motorists drive along the facility;
- 100 to 150 millimetres wide white continuous line is required to demarcate the priority lane from a normal traffic lane.

### Road Surface Colouring

Colouring of priority lanes shall conform to the drawings contained in the appendices to the Full Report. Key requirements are:

- Use of green where colouring is used and pigment shall be in accordance with the specification stipulated in the Full Report.
- There is a minimum requirement to use colouring in the following situations:
  - at the beginning and end of priority lanes;
  - at bus bypass pockets;
  - where the priority lane is not adjacent to the kerb.

The standards for road surface colouring are minimum requirements. This is a compromise which addresses concerns over the visual impact, cost and on-going maintenance of full width, full length colouring of priority lanes. This allows Territorial Local Authorities to consider more intensive colouring while maintaining a consistent minimum standard.

The standards have been developed in order to achieve consistency across all territorial authorities and to encourage better compliance and enforcement. It enables that all priority lanes across the region can be easily designed and implemented. Motorists will be clearly advised by signage, pavement marking and road surface colouring that a particular road space has been reserved for approved road vehicles or users. This would not only encourage use of alternative modes of transport other than car, but achieve the purpose of improved accessibility and safety.

By further refinement of the standard and its subsequent implementation, the regional standard may be developed into a national standard for endorsement by transport authorities including Land Transport Safety Authority, Transit New Zealand and Transfund New Zealand. This would help facilitate funding from Transfund New Zealand and ease the application process.

Officers will continue to work together with the Steering Group on further refinement and finalisation of the draft standards.

## **RESOURCES**

The standards allow flexibility in relation to the cost of implementing and maintaining a priority lane. Adoption of regional standards, if acceptable to Transfund New Zealand and Auckland Regional Transport Authority, may assist future funding applications.

## **CONCLUSION**

The implementation of the regional standards for priority lanes will not only assist Council's promotion of passenger transport in the City, but allows the Council to adopt a standard that is establishing "best practice" consistent with others in the Region.

## **RECOMMENDATIONS**

1. That the Regional Standards for Priority Lanes report be received.
2. That the Finance and Operational Performance Committee endorses the draft regional standard for priority lanes.
3. That any comments of the Finance and Operational Performance Committee are provided to the Bus Priority Initiatives Steering Group for input into finalising the standards.

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



## **15 HENDERSON CHARGE CAR PARKING TRIAL**

### **PURPOSE OF THE REPORT**

The purpose of this report is to report back to the Finance and Operational Performance Committee on the confirmed Pay and Display parking charge as set by the Chief Executive in accordance with the Committee's resolution (1020/2004).

## BACKGROUND

The Henderson Charge Car Parking Trial commenced on 19 July 2004 at three sites, as approved by the Henderson Community Board (273/2004, 274/2004), Finance and Operational Performance Committee (403/2004, 1020/2004) and Council (479/2004) at Corban Hill, Falls Park car parks and part of the Alderman Drive / Edmonton Road car park.

At its meeting of 14 June 2004 the Committee resolved

*“That pursuant to Clause 9.1(6) of the Waitakere City Council Bylaw No. 7, 1991-Traffic:*

3. a) *A charge of not less than \$3.00 per day or part thereof nor more than \$6.00 per day or part thereof be applied to all vehicles parking in the car parks referred to in d) below, with the actual charge to be determined by the written resolution of the Chief Executive, in accordance with the Care Park budget when finalised, and any such resolution of the Chief Executive be reported to this Committee.*
3. f) *Resolutions a) to e) commence on 23 June 2004 or such later date or dates as the Chief Executive/Manager of Parking may by notice in writing nominate (being not earlier than the date upon which the Pay and Display machines are installed and commissioned for use.*
4. *That the Chief Executive be authorised to execute an agreement with Care Park New Zealand Limited for the operation of charge car parking following approval by the Peer Review Team comprising the Manager of Legal Services, the Director: Quality Assurance and the Group Manager: Service Management.”*

1020/2004

## STRATEGIC CONTEXT

The purpose of the trial is:

- To determine the best way to implement charge parking in the Henderson Town Centre.
- To set the right market conditions for charge parking, this will affect the proposed car park building at Trading Place.
- To test how charging affects travel behaviour and its effectiveness as a travel demand management measure.

## ISSUES

### Final Agreement and Charge

The final agreement with Care Park New Zealand Ltd to execute the charge car parking trial was signed by the Chief Executive after satisfaction by the Peer Review Group with its terms and the forecast financials. The trial commenced on 19 July 2004.

The final agreement replaces the Heads of Agreement. It records all of the terms of the agreement whereby Council provides the assets, charges a license fee to Care Park, and Care Park manages the operations for two years and recovers its operating costs and management fee out of revenue, with surplus revenue received by the Council.

The agreed charge for all or part day parking set by the Chief Executive is \$3.00, as per the following excerpt from the final agreement:

*"The parties agree that the fee for use of car parks in the Car Park Sites by members of the public shall, as from the opening of the Car Park Sites, be set at \$3.00 (inclusive of GST) for parking of any length of time during the following periods:*

- a. 6.00 am to 6.00 pm on Mondays to Thursdays;
- b. 6.00 am to 9.00 pm on Fridays; and
- c. 6.00 am to 6.00 pm on Saturdays,

*provided that no fee shall apply in respect of any of the above periods which fall on a Public Holiday or such other days notified in advance by the Council in writing as involving significant public attendance.*

*Use of the Car Park Sites shall, at all times outside the above periods, be without charge and the Manager shall operate the Car Park Sites to ensure that fees are charged and collected as appropriate.*

*The parties agree to review the rates periodically to consider any increase in car park rates provided that the Council may, in its sole discretion, after consultation with the Manager, direct that the Manager implement an increase in such rates."*

Any changes in the rate will be reported to the Finance and Operational Performance Committee. Issues relating to the trial are being monitored and will be addressed in accordance with the final agreement with decisions sought from the Henderson Community Board and/or the Finance and Operational Performance Committee as required.

## CONCLUSION

The charge car parking trial has commenced and the Chief Executive has set a charge of \$3.00 per day or part day. The final agreement has been agreed and signed.

## RECOMMENDATION

That the Henderson Charge Car Parking Trial report be received.

Report prepared by: Rachel Sander, Project Manager: Transport Projects.



16 **WAIPAREIRA AVENUE EXTENSION - RESERVE ISSUES RELATING TO ROADING DESIGNATION**

**PURPOSE OF THE REPORT**

The purpose of this report is to seek the Finance and Operational Performance Committee's approval to commence the process to uplift the reserve status over a portion of Waipareira Reserve to enable the proposed road connection linking Waipareira Avenue with Woodford Avenue.

**BACKGROUND**

The Council publicly notified a Notice of Requirement on 5 March 2003 for a proposed new road that would provide a local alternative to the main arterial route of Lincoln Road. Lincoln Road is part of a regional arterial route through Waitakere City, and the main approach to the Henderson Town Centre from the north. Traffic volumes on Lincoln Road range from 30,000 vehicles per day near Swanson Road to 50,000 vehicles per day near the North Western Motorway. Lincoln Road is subject to traffic congestion for extended periods during the day. Over the last several years residential activity along Lincoln Road has been changing to office and medical activity and this is expected to continue.

The proposed Waipareira Avenue extension would complete a secondary route parallel to Lincoln Road between Sel Peacock Drive and Te Pai Place, enabling a significant proportion of local residential and business traffic generated along the route and its side roads to avoid Lincoln Road.

The new road is intended to be a collector road, serving a different but supplementary function to Lincoln Road, establishing connectivity for local properties and residents to local facilities as well as to the arterial routes. It would also provide a local connection from the hospital to the north of the City.

The designation has been confirmed by Council, however it is still open to appeal and as such is not yet operative. The designation directly affects 36-38 Waipareira Avenue (legally described as Lot 4 DP 121630) and this property is now owned by Council. Although the proposed road over Woodford Reserve is not part of the designation, the road would continue through Woodford Reserve and link Woodford Avenue and Waipareira Avenue. Woodford Reserve is a rectangular 7969m<sup>2</sup> reserve situated between industrial and residential properties with access from Woodford Avenue.

Although the location of the road through the reserve would be established under section 114 of the Public Works Act 1981, public input into this aspect of the proposal was sought. In addition, the Council's solicitor attended the hearing and advised the Planning Commissioner and submitters that the Commissioner could take the effects on the reserve into account in reaching the decision, regarding the designation over 36-38 Waipareira Avenue. The Commissioner therefore considered the effects of the proposed road linkage on the reserve and heard submissions which were concerned with the loss of reserve land by local residents. As a result the Commissioner included a number of advice notes in his recommendation that related to mitigation for the loss of reserve and the increased traffic on Woodford Avenue.

The Commissioner stated in his recommendation:

*“The Notice of requirement also referred to the nature of the road design, including the length through Woodford Reserve extending beyond the actual site subject to the proposed road designation. The effects on the environment were identified in the Notice as were alternative routes and methods to achieve the Council’s objectives. Consultation with the directly affected land owner was referred to.*

*The plans attached to the Notice of Requirement clearly show that the proposed road designation is only part of a proposed road connecting Waipareira Avenue with Woodford Avenue. A preliminary layout of the total road connection was included so that property owners and residents in Woodford Avenue could fully appreciate the overall proposal and provide input. It is important to emphasis that the total length of the new road cannot be constructed until part of Woodford reserve is vested in the Council as road, a procedure that is to take place under the Public Works Act 1981. I was advised that this involves gaining approval from the Minister of Lands and the Minister of Conservation, but that it is not a process that involves a statutory public notification.*

*It is clear from a reading of the written submissions and the evidence presented by Woodford Avenue residents that the overriding concerns revolve around the effects associated with additional traffic flows in Woodford Avenue itself and associated traffic management, and the impact of a new road through Woodford Reserve as well as on the immediate property owners and residents close to the intersection of the new road with Woodford Avenue.*

*Yet the actual designation, the subject of the Notice of Requirement, has no direct bearing on the matters raised in opposition. The designation is a means to an end, and subject to the Council obtaining all other consents and approvals including ministerial approval, will enable the total road connection to be constructed. Based on evidence this will result in different traffic movements in Woodford Avenue. The Notice of Requirement and Council’s background reports and additional evidence all address the wider issues which I consider is appropriate as it has enabled persons not affected by the physical limits of the proposed road designation to comment on, and to express their views on, the wider issues.”*

The Commissioner’s decision and recommendations were confirmed by the Environmental Management Committee at its July meeting. The Committee decided:

*“That pursuant to Section 172 of the Resource Management Act 1991, the Council, in its role as requiring authority, accept the Commissioner’s recommendation that the Notice of Requirement for proposed road located at 36-38 Waipareira Avenue, Lincoln, Waitakere City being an extension of Waipareira Avenue to the northern boundary of Woodford Reserve be confirmed. This land is identified as Lot 4, DP 121630.”*

1275/2004

## STRATEGIC CONTEXT

The Long Term Council Community Plan has nine strategic platforms that will guide the Council's performance over the next ten years. The Integrated Transport and Communication platform has as its 2020 vision:

*"Waitakere has public transport and communication systems that provide fast, effective services to the whole City. City travel demonstrates integrated environmentally responsible and innovative design."*

The proposed road is identified in the Long Term Council Community Plan as a key development in the Integrated Transport and Communication platform (see page 49 of the Long Term Council Community Plan).

## ISSUES

A36 The designation covers 36-38 Waipareira Avenue, however the new road will connect through to Woodford Avenue via part of Woodford Reserve. The portion of reserve required to complete the connection is shown on the plan as attached at page A36 and has a total area of 1,456m<sup>2</sup>. Under Section 114 of the Public Works Act 1981, when reserve land is specifically required for roading purposes, Council as owner of the land can apply to have the Minister of Lands declare the land as "road" in the *Gazette*. On publication of a notice in the *Gazette*, the land is vested in Council as road. This gazetting process is only subject to the consent of the Minister of Conservation as the land is a recreation reserve. The procedure does not require public input although the Department of Conservation have advised that the consent of local iwi would be required as part of the process of gaining the consent of the Minister of Conservation. Council staff have met with iwi to discuss the proposal and both Te Kawerau a Maki and Ngati Whatua agree in principle with the proposed road.

The Department of Conservation would also require that the value of the land taken as road be paid back into Council's public account or a similarly valued piece of land be made reserve. The Council has obtained a valuation for the land and that amount of \$70,000 will be transferred from Transport Assets Budget to the Land Subdivision Reserves Fund. This fund is specifically earmarked for the purchase of reserves only and Department of Conservation would require confirmation that this funding would not be used for other purposes.

## RESOURCES

No additional resources are required to uplift the reserve status on the area for proposed road. The cost of the capital works and mitigation measures associated with the roading project is covered in the Long Term Council Community Plan and Transport Assets Budget.

## CONCLUSION

The Council has held a hearing for the designation on 24 May this year and received a recommendation from the Commissioner that has been endorsed by the Environmental Management Committee. The Council's decision has been publicly notified on 20 July and there will be an appeal period of 15 working days that will end in mid-August. Provided that there are no appeals to the Council's decision on the designation the next step is for Council as landowner to formally uplift the reserve status. Once the reserve status is uplifted the Council will need to obtain the approvals of both the Minister of Conservation and Minister of Lands to declare the land as road under s114 of the Public Works Act 1981 prior to construction commencing.

**RECOMMENDATIONS**

1. That the Waipareira Avenue Extension - Reserve Issues Relating to Roding Designation report be received.
2. That the reserve status over the area of land within Woodford Reserve as shown on the Plan as attached at page Axx be uplifted in order to allow a connecting road from Waipareira Avenue to Woodford Road.
3. That the transfer of \$70,000 from the Transport Assets budget to the Land Subdivision Reserves Fund to fund the transfer of land from Reserve to Road, be approved.

Report prepared by: Alina Hughes, Planner: Policy Implementation.



**PART V - SUBCOMMITTEE REPORTS**

**17 COMMUNITY SPORT FUND ALLOCATION SUBCOMMITTEE**

**YOUR SUBCOMMITTEE SUBMITS THE FOLLOWING REPORT OF ITS ORDINARY MEETING HELD ON THURSDAY, 15 JULY 2004**

**1. RECOMMENDED CRITERIA FOR THE ALLOCATION OF COMMUNITY SPORT FUND CLUB DEVELOPMENT FUNDING**

**The Subcommittee Recommends:**

That the criteria for allocating funding for club development as set out in the agenda report be adopted with the following amendments:

Under **Priority funding** -

The fifth bullet point "Applicants must be able to generate a minimum of 25% of funds towards the total cost of the project" be amended to read "Applicants may be required to generate a minimum of 25% of funds towards the total cost of the project".

Under **How to apply** -

The second bullet point "A current set of financial statements including a statement of income and expenditure or a balance sheet must be provided" be amended to read "A current set of financial statements including a statement of income and expenditure, and a balance sheet must be provided".

A37-A38

The amended criteria for allocating loans from the Community Sport Fund are attached at A37 to A38 for ease of reference.

**2. RECOMMENDED CRITERIA FOR THE ALLOCATION OF COMMUNITY SPORT FUND LOANS**

**The Subcommittee Recommends:**

That the Community Sport Fund Allocation Subcommittee recommends to the Finance and Operational Performance Committee that the criteria for allocating loans from the Community Sport Fund as set out in the agenda report be adopted with the following amendment:

Under **How to apply** -

The second bullet point "A current set of financial statements including a statement of income and expenditure or a balance sheet must be provided" be amended to read "A current set of financial statements including a statement of income and expenditure, and a balance sheet must be provided".

A39-A40

The amended criteria for allocating loans from the Community Sport Fund are attached at pages A39 to A40 for ease of reference.

3. **OTHER MATTERS CONSIDERED**

A41-A44

Your Subcommittee dealt with a number of items for which it has delegated powers to act and a copy of the minutes of the meeting is attached at pages A41 to A44.

**The Subcommittee Recommends:**

That the report of the Ordinary Meeting of the Community Sport Fund Allocation Subcommittee held on Thursday, 15 July 2004 be received.

BA Brady, JP  
**CHAIRPERSON**



18 **TENDERS SUBCOMMITTEE**

**THE SUBCOMMITTEE SUBMITS THE FOLLOWING REPORT OF ITS ORDINARY MEETINGS HELD ON FRIDAY, 9 JULY 2004 AND FRIDAY 23 JULY 2004**

**MATTERS CONSIDERED**

A45-A52

The Subcommittee dealt with a number of items for which it has delegated powers to act and a copy of the minutes of the meetings are attached at pages A45 to A52.

**The Subcommittee Recommends:**

That the Ordinary Meeting report of the Tenders Subcommittee held on Friday, 9 July 2004 and Friday 23 July 2004 be received.

JM Clews, QSO, JP  
**CHAIRPERSON**



19 **PAYMENTS FOR APPROVAL**

**PURPOSE OF THE REPORT**

The purpose of this report is to advise of payments made by the Council.

**BACKGROUND**

This report provides details of payments made to external suppliers in excess of \$5,000. In addition there is a summary listing which aggregates payments made to various organisations and suppliers for the Committee's information. These payments have already been processed as allowed by delegations approved by the Council. If any Councillor requires information regarding the nature of any payment, that information can be provided.

## **PAYMENTS**

- A53-A54 A summary schedule of payments made for the period 4 June 2004 to 15 July 2004 is attached at pages A53 to A54.
- A55-A62 A further schedule of all payments of \$5,000 and above, together with the reason for the payment, is attached at pages A55 to A62. If a Committee member wishes to ask specific questions relating to any of these payments prior to the meeting, then such questions can be directed to the Director: Finance.

## **RECOMMENDATIONS**

1. That the Payments for Approval report be received.
2. That the contracts let and payments made be approved.

Report prepared by: Andrew Pollock, Director: Finance.

