



Waitakere City Council
Te Taiao o Waitakere

NOTICE OF MEETING

FINANCE AND OPERATIONAL PERFORMANCE COMMITTEE

I hereby give notice that a Meeting of the Finance and Operational Performance Committee will be held on:-

DATE: **Monday, 6 November 2006** **TIME:** **9.30 am**

VENUE: **Waitakere Central, 6 Henderson Valley Road, Henderson, Waitakere**

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

2 November 2006

Ngareta Delamere
COMMITTEE SECRETARY

Telephone (09) 836 8000 extn 8552

MEMBERSHIP:

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

Mayor RA Harvey, QSO, JP (ex officio)

(Quorum 5 members)

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

**AGENDA FOR A MEETING OF THE FINANCE AND OPERATIONAL PERFORMANCE
COMMITTEE TO BE HELD AT WAITAKERE CENTRAL, 6 HENDERSON VALLEY
ROAD, HENDERSON, WAITAKERE, ON MONDAY, 6 NOVEMBER 2006,
COMMENCING AT 9.30 AM.**

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PART A - OPENING OF MEETING

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 Chairman 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

Meeting Minutes - Monday, 9 October 2006

RECOMMENDATION

That the minutes of the Meeting of the Finance and Operational Performance Committee held on Monday, 9 October 2006, as circulated, be taken as read and now be confirmed.



PART B - PROPERTY

4 ACQUISITION OF RIGHT OF WAY EASEMENT AT FOOTHILLS LANE, ORATIA

PURPOSE OF THE REPORT

The purpose of this report is to seek the Finance and Operational Performance Committee's approval to the acquisition of a right-of-way easement in gross over part of the property at No.17 Foothills Lane, Oratia.

BACKGROUND

A1

No.17 Foothills Lane (Lot 42 Deposited Plan 210267) is part of a residential subdivision established in Oratia in 2002. One of the conditions imposed under the resource consent to subdivide was that a drainage easement in gross be granted in favour of Council over that part of No.17 shown on the subdivisional plan (Deposited Plan 210267) marked "A" ("the easement area"). The location of Foothills Lane and the easement area are shown on the plan attached at page A1.

The easement was duly granted and it permitted Council to establish and maintain stormwater pipes and to enter upon the easement land for that purpose.

However, over the years Council and its contractors have used the easement area for the purpose of gaining access to Foothills Lane Reserve situated at the rear of No.17 to maintain the stormwater detention pond thereon and also to carry out general maintenance on the reserve. The contractor's heavy vehicles have damaged the surface of the easement area which is to the owners of No.17 their entrance driveway.

ISSUES

The owners have discussed the problem with Council and it has been agreed that subject to the approval of this Committee, the owners will grant a right-of-way easement in gross over the easement area in favour of Council for no consideration but Council will be responsible thereafter for the maintenance of that easement area.

RESOURCES

It is proposed that the preparation, execution and registration of the easement document be carried out in Council's Legal Services department so as to avoid unnecessary legal costs. As the easement land is already defined on the Deposited Plan, there will be no survey costs.

CONCLUSION

As Council has been using the easement area as a right-of-way for some years and as there is no other practical access to Foothills Lane reserve, it would be appropriate to formalise this situation by the creation of a right-of-way easement in gross in Council's favour.

RECOMMENDATIONS

1. That the Acquisition of Right of Way Easement at Foothills Lane, Oratia report be received.
2. That Council acquire a right-of-way easement in gross from the owners of the property at No.17 Foothills Lane, Oratia over that part of Lot 42 shown marked "A" on Deposited Plan 210267.

Report prepared by: Maurice Hieatt, Solicitor.



PART C - LEGAL AND CONSTITUTIONAL

5 AFFIXATION OF COMMON SEAL

EXECUTION OF DOCUMENTS: 3 to 27 October 2006

Nº	NAME	PARTICULARS
3985	WCC – Hamstead Properties Ltd	Water supply easement in gross – CTs.283515-583523 – 52A Candia Road – SPW 22126
3986	WCC – JP & BM Cooney and SWL Trustee Company Ltd (as to a half share) and Lynton Holdings Ltd (as to a half share)	Water supply easement in gross – CTs.232719 and 232720 – 19 Portage Road – SPW 21143
3987	WCC – MD Dutton & MJ Langlois	Drainage easement in gross – CT.278271 – 21 Mudgeways Road – SPW 22055
3988	WCC – Reqmi Design & Developments Ltd	Drainage easement in gross – CT.298457 – 13 Woodford Avenue – SPW 22449
3989	WCC – Ai Jiao Xiao	Fencing Agreement – CT.268395 – 38 Fruitvale Road – SPW 21696
3990	WCC – WL Eatson	Withdrawal of caveat on 37 Bruce McLaren Road – Rule 44 Standing Orders
3991	WCC – Jackson to Crane Properties	Assignment of Lease – 3001 Great North Road – Local Government reorganisation 1989
3992	WCC – West Auckland Historical Society Inc	Deed of Lease – Mill Cottage (renewal) – Resolution 967/96
3993	WCC – MF & D Watkins	Surrender of easement – Karamu Street – Rule 44 Standing Orders
3994	WCC – Tal Tsabari (See No.3978 – cancelled warrant – reissued number to new name)	Warrant of Appointment & Evidence of Identity – WCC311
3995	WCC – Quentin Dagger	Warrant of Appointment & Evidence of Identity – WCC317
3996	WCC – Phillip Lindsay Tozer	Warrant of Appointment & Evidence of Identity – WCC318
3997	WCC – Fee Chin	Warrant of Appointment & Evidence of Identity – WCC319
3998	WCC – Monique Furniss	Warrant of Appointment & Evidence of Identity – WCC320
3999	WCC – Catherine Binnendyk	Warrant of Appointment & Evidence of Identity – WCC321
4000	WCC – CA Newman & CJ Wilkinson	Memorandum of Encumbrance for Road Encroachment – 16 Opou Road, French Bay – CT.NA1043/187
4001	WCC – Techscape Ltd & Bilfinger Berger Services (NZ) Ltd	Deed of Variation of Lease (4 copies) – Te Rangi Hiroa Reserve
4002	WCC – Techscape Ltd & Bilfinger Berger Services (NZ) Ltd	Deed of Guarantee (4 copies) – part of Te Rangi Hiroa Reserve
4003	WCC – KB Bailey & SM Thompson	Stormwater drainage easement in gross – CTs.286915-286917 – 24 Holden Road – SPW 22552
4004	WCC – MJ Sullivan & MC Power	Stormwater drainage easement in gross – CT.303647 – 32 Cron Avenue – SPW 22560
4005	WCC – Alfredo Jaime Sodo	Warrant of Appointment & Evidence of Identity – WCC037 – Warrant reissued to correct name
4006	WCC – CA Newman & CJ Wilkinson	Encumbrancee Consent - 16 Opou Road, French Bay - CT.NA1043/187

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: Yvonne Donaldson, Team Leader: Legal Services.



PART D - FINANCE

6 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.

BACKGROUND

Through the Long Term Council Community Plan processes, the Council approves operating and capital expenditure. The Council follows good practice for procurement of goods and services and ensures that funding has been provided from appropriate sources.

ISSUES

A2 This report covers expenditure for the three months to 30 September 2006. The financial summaries are attached on page A2.

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

CONCLUSION

Expenditure for the 3 months to 30 September 2006 is in line with the operational budget.

RECOMMENDATION

That the Operating and Capital Expenditure Summaries report be received.

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



7 STATUS OF SPECIAL FUNDS

PURPOSE OF THE REPORT

The purpose of this report is to inform the Finance and Operational Performance Committee on the status of Council's Special Funds.

BACKGROUND

Special funds are those funds held or designated by Council for a specific purpose or purposes. With the exception of the Auckland Regional Services Trust funds which are held in a separate bank account, the balances of these funds are used to offset Council's borrowing requirements. Interest is allocated to funds where applicable.

Special fund movements are recommended through the Long Term Council Community Plan and Annual Plan adoption process. Special funds are classified as either "Restricted Funds" or "Non-Restricted Funds". Restricted funds are those funds that have been received by Council from a third party or parties and are to be used for a specific purpose or purposes. Non-restricted funds are funds established by a Council resolution to use and set aside its own funds and also to meet a specific purpose or purposes.

ISSUES

A3 The Special Fund report is separated into restricted and non-restricted funds. The balances and summary transactions for the three months ended 30 September 2006 are attached at page A3.

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

CONCLUSION

Special Funds are being held or designated for a specific purpose or purposes. The fund balances have been reported as required.

RECOMMENDATION

That the Status of Special Funds report be received.

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



8 BORROWING AND INVESTMENT REPORT

PURPOSE OF THE REPORT

The purpose of this report is to provide the Finance and Operational Performance Committee with an update on the estimated borrowing and investment activity for September 2006.

BACKGROUND

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.

A4-A9

The relevant portfolio and graphs reflect the estimated position as at 30 September 2006 and are attached at pages A4 to A9.

ISSUES

Council's Funds 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 assist 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 may include 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 with seeking investors, thus ensuring that there is sufficient liquidity available for the Council to continue its work programme. New Zealand financial markets are significantly volatile and therefore interest rate risk management is 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 maintains Standard and Poor's Credit Ratings of A-1 short term, and A+ long term (stable).

ESTIMATED SUMMARY OF BORROWING AND INVESTMENT MOVEMENTS TO SEPTEMBER 2006

Council's estimated gross term debt position has increased by \$2.074 million since August 2006, with an estimated closing balance at September month end of \$245.438 million.

SIGNIFICANT FUNDING TRANSACTIONS ENTERED INTO DURING SEPTEMBER 2006

- Amend Swap 44, increase maturity from 30 September 2008 to 28 September 2011, interest rate payable remains steady at 6.50%;
- Amend Swap 10, increase maturity from 15 October 2014 to 15 July 2016, decreasing interest rate payable from 6.82% to 6.76%;
- Amend Swap 20, increase maturity from 4 August 2010 to 4 August 2016, decrease interest rate payable from 6.62% to 6.435%;
- Amend Swap 30, increase maturity from 15 March 2012 to 15 September 2016, decrease interest rate payable from 6.78% to 6.60%;
- Sinking fund investment of \$3,207,079.57 for 62 days at an interest rate of 7.50%.

FINANCIAL MARKET COMMENTARY

Market Overview

At the Reserve Bank of New Zealand's Official Cash Rate Announcement on 26 October 2006, Governor Allan Bollard kept the Official Cash Rate unchanged at 7.25 percent. In his press release Governor Pollard said:

"The Official Cash Rate (OCR) will remain unchanged at 7.25 percent.

Since our September Monetary Policy Statement, there has been a significant improvement to the near-term inflation outlook, mainly as a result of the recent decline in oil prices. We expect lower fuel prices, together with the recent rebound in the exchange rate and Statistics New Zealand's reweighting of the Consumer Price Index, to give an unusually low December quarter Consumer Price Index increase. These are temporary factors, however, and, apart from the likely favourable impact on inflation expectations, they are not expected to impact materially on medium-term inflation.

Indicators of medium-term inflation pressures remain significant.

Overall Gross Domestic Product growth in the second quarter was consistent with our September projections and the continued rebalancing of demand away from domestic spending towards exports. Continued strength in most of New Zealand's international markets and a return to a downward trending NZ dollar exchange rate should support this rebalancing. On the domestic side, however, the housing market remains resilient, supported by net inward migration and ongoing mortgage credit expansion at low interest margins. Further, we could see a pickup in household consumption in the third quarter as a result of the drop in petrol prices. On balance, inflation pressures appear to be abating gradually. But some indicators of resource pressures, such as high capacity utilisation and a tight labour market, continue to signal caution.

Taking all of this into account, monetary policy pressure will need to be maintained for some time to bring inflation back sustainably within the 1-3 percent target band. In this regard, the policy outlook is little changed from our September statement. The balance of inflation risks remains skewed to the upside. Further monetary policy tightening cannot be ruled out, and any easing of policy remains a considerable way off."

Leading up to the announcement, the financial market had priced in to short term interest rates the probability the Official Cash Rate would be increased. 90 Day Bank Bills were trading at over 7.70%. This level instantly unwound on the release of the announcement back to levels around mid 7.50%. Longer term interest rates have remain relatively stable over the last month with 10 year swap rates trading around 6.70%.

Up Coming Dates

Monetary Policy Statement: 7 December 2006

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.



PART E - GENERAL

9 UPDATE ON COUNCIL'S RESPONSE TO TELEWORKING PRESENTATION

PURPOSE OF THE REPORT

The purpose of this report is to provide the Finance and Operational Performance Committee with an update of Council's response to Mr Bevis England and his enquiry about teleworking in Waitakere.

BACKGROUND

Mr England made a presentation to the Finance and Operational Performance Committee on 11 September 2006. The presentation was Mr England's submission to Council's Long Term Council Community Plan 2006-2016 and Annual Plan 2006/2007 and was about the importance of teleworking and its potential role in significantly reducing carbon dioxide emissions in Waitakere.

At the Finance and Operational Performance Committee, 11 September 2006 it was resolved:

"Council resolved that the presentation around Telework New Zealand made by Bevis England be referred to the Strategy Unit".

1685/2006

A10-A11

The Strategy Unit have considered a response to Mr England and a letter from the Director: Corporate and Civic Services is attached at pages A10 to A11.

STRATEGIC CONTEXT

Council is committed to supporting integrated transport and communications systems in Waitakere and has now adopted their Transport Strategy which identifies the role of traffic demand management. The Travel Demand Management project seeks to reduce people's need for travel and to influence their choice of travel mode. Travel Demand Management provides attractive transport alternatives, information and appropriate city form and land use. It is expected that people will minimise long and frequent trips in single-occupant vehicles.

The Council's strategy for Travel Demand Management is to encourage walking and cycling, ride sharing, working from home, travelling outside peak periods and use of passenger transport. A number of measures are used to achieve these goals.

Teleworking is an initiative that may be used as a measure to implement a work place travel plan and is therefore a contributor to Travel Demand Management.

ISSUES

Key issues in response to Mr England were:

- A current focus for Council has been to encourage employees to explore alternative and sustainable methods of commuting to work as the significant component of the workplace travel planning for this organisation. The location of Council's new offices beside a major public transport hub will assist these choices;
- In addition, staff across the organisation are reporting significant benefits of co-location, principally around developing networks of contacts that are assisting with integration across a diverse range of current projects. At this point, consolidation (which has significant Travel Demand Management benefits) is the priority for Council, ahead of a teleworking pilot;
- A number of staff are currently equipped to undertake telework where it is role appropriate.

Council is working with outside organisations to assist them in developing work-place travel plans. Council recognises that teleworking is one initiative that could form part of workplace travel plan.

RESOURCES

Council has not allocated resources to provide financial support for external organisations to implement their Work-place Travel Plans. Council will provide some expert advice to organisations to assist them and this will require Council officer time (which has been provided for). This support would not constitute a telework campaign but telework could form a part of promoting sustainable transport options to this partner organisation.

CONCLUSION

With the move to Waitakere Central, Council is currently "bedding in" Travel Demand Management initiatives other than teleworking. Therefore a formal teleworking pilot within the Council, other than the teleworking activity happening already, is not considered a priority at this time. However actions to support external organisations to develop and implement work place travel plans will continue.

RECOMMENDATION

That the Update on Council's Response to Teleworking Presentation report be received.

Report prepared by: Rochelle Edwards: Strategic Projects.



10 PASIFIKA GAMES UPDATE

PURPOSE OF THE REPORT

The purpose of this report is to update the Finance and Operational Performance Committee about the status of the Pasifika Games (the Games), the future direction and Council's involvement in the Games.

BACKGROUND

The Games festival started in 1993 as a Sport Waitakere initiative. The single day Games incorporated various sporting activities and provided the opportunity to promote, recognise and celebrate Pacific Islands culture. The Games were originally run in conjunction with the Living Arts Festival. However, as the festival grew a decision was made to divide the Living Arts Festival and the Games into two separate events.

The Council first provided financial sponsorship to the Games in 2001. In 2002 the event grew to become a two day event with the Pacific Cup Challenge Netball Tournament being run on the additional day. The Council became the major sponsor and has sponsored the Games to the sum of \$20,000 for each of the last four years. In 2006 the event returned to just a single day event without the Netball component.

STRATEGIC CONTEXT

Leisure activities contribute to the wellbeing of the City's residents by providing recreation opportunities that promote health and social cohesion. The Council's Leisure Strategy, Parks Strategy and Revenue and Financing Policy guide the provision of activities to ensure that they are available to all residents, responsive to changing demands and provided efficiently. The Council's strategic objective for leisure is to provide a comprehensive range of leisure, recreation and sports services.

Through the Strategic Plan the Council has adopted a platform of 'Strong Communities' stating that in the next ten years Council will develop the City as a renowned hub of social activity, arts, leisure, sports and recreation.

ISSUES

The Games were last held on 21 January 2006 at Moire Park. The event was well received by the community with approximately 3,000 visitors attending the Games which were well run and organised by Sport Waitakere.

In a series of debrief meetings with Council officers, Sport Waitakere and other Pacific community leaders after the event, a number of key issues were raised regarding the Games. The three major issues were:

1. the future direction and purpose of the Games,
2. the financial viability of the Games,
3. who is the best organisation to organise and run the event?

Since their inception in 1993 the Games have experienced a number of changes and in the process a clear goal or purpose was no longer apparent. It was unclear whether the Games were specifically for increasing participation and getting people more active or to celebrate Pasifika and showcase the sporting and cultural talent from within the City.

Over the past couple of years the event has failed to attract additional major sponsorship which has meant the cost of running the event has steadily increased and Sport Waitakere has had to contribute a large amount of their own resources into the Games. The Games, in their present format, have become unsustainable and for them to become sustainable in the future they need to become more appealing to major sponsors over and above that provided by the Council.

The other major issue was over who should organise and own the Games. Sport Waitakere has had a change in strategic direction and no longer have a focus on running events. Sport Waitakere do not have strong links into the Pacific community and raised the question during the debrief meetings as to whether they were still the best organisation to run the Games and felt that maybe now was a good opportunity for a Pacific organisation to take over the ownership of the Games. It was felt that an organisation with strong networks and links into the Pacific community in particular, would be able to gain a greater buy in and support for the event.

After a series of meetings the Village Community Services Trust (the Village) put together a proposal to Sport Waitakere to take ownership of the Games. Sport Waitakere's Board accepted this proposal on 6 October 2006. The general manager of the Village, Tu Nu'aui'itia, has extensive experience in organising and managing the Games, through his previous role as Event Manager and Chief Executive of Sport Waitakere. The Village has a clear vision for the games and have a real passion for the Pacific peoples in Waitakere and a real desire to develop the Games into a major event for the City.

The Village has since confirmed that the Games will be held on 16 December 2006 at the Trusts Stadium and Douglas Track and Field. The primary focus of the Games will be to acknowledge and celebrate the wonderful colour and diversity of Pacific peoples in Waitakere through hosting a unique and innovative cultural sporting event that brings the 'Pacifica Spirit' alive to all participants and spectators on the day. The Village want to provide a unique experience where people can "taste, feel, see and experience Pacific culture".

The Village realises that to make the event financially viable and sustainable in the future they need to have a marquee event which could attract major sponsors and spectators, and therefore are proposing an elite rugby sevens competition of which the details and teams involved have yet to be confirmed but looks to be an exciting prospect. They also plan to run other sports such as touch, basketball and kilikiti that will be more of a social competition and will be targeted at teams from in and around the City. The Village also plans to provide a stage where Pacific culture and art will be showcased throughout the day and also provide food stalls for people to sample culturally authentic Pacific foods. Although participation is an important component of the Games it is not the primary goal of the event which is to showcase Pacific culture.

The Village has also been able to align the Games with the 'Pacific in the Park' event which will be run on 15 December 2006, the night before the Games, at The Trusts Stadium. This will enable both events to share resources and joint promotion which will reduce the cost and reach a greater number of people.

The exact details of the event are yet to be confirmed and Council officers are currently working through the details of a sponsorship agreement with the Village. Council officers have been impressed with the vision and passion the Village has for this event and believe their proposal has addressed all the issues raised through the debrief meetings.

The Village believes that the Games are a truly unique event that should be embraced by the City and has enormous potential as a means to attract visitors to the City. The Village is looking to put together a strategic plan for the event for the next five to ten years and see it growing into one of, if not the, major Pacific sport and culture event in the country.

Sport Waitakere is still committed to being involved with the Games and will continue to provide support and assistance to the Village before and during the event to ensure the event continues to be a success.

RESOURCES

Council has set aside \$20,000 for sponsorship of the Games in the Annual Plan 2006/2007. Council officers will also assist and support the planning committee.

CONCLUSION

After the last Pasifika Games on 21 January 2006 a series of debrief meetings were organised to evaluate the future and purpose of the Games. The meetings involved a number of key agencies including Sport Waitakere, the Council and various Pacific community leaders.

There was general agreement that the Games needed to have a clear purpose and goal and that the event needed more input from the Pacific community. Sport Waitakere felt that due to their change in strategic direction and focus that they were not the ideal organisation to run the event and were interested in handing the ownership of the event to another organisation.

The Village approached Sport Waitakere to take over running the Games, which was accepted by Sport Waitakere's Board and officially handed over the ownership of the Games on 6 October 2006.

The Village will run the Games at The Trust Stadium on 16 December 2006. The focus will be on acknowledging and celebrating the wonderful colour and diversity of Pacific people in Waitakere, through hosting a unique and innovative cultural sporting event that brings in 'Pacifica Spirit' to all participants and spectators on the day. They aim to provide a mix of elite sport, which will hopefully attract a large number of spectators and sponsors, social sport, which will allow the Pacific community to participate in the Games, and cultural activities to showcase the talent and diversity of the Pacific community.

Council officers are currently working through the negotiations around the sponsorship agreement which should be finalised shortly.

RECOMMENDATION

That the Pasifika Games Update report be received.

Report prepared by: Rob McGee, Leisure Services – Projects and Contracts Officer.



11 COMMUNITY HALLS FUND ALLOCATION 2006/2007

PURPOSE OF THE REPORT

The purpose of this report is to provide the Finance and Operational Performance Committee with information regarding the assessment of the Community Halls Fund and recommendations for the allocation of funds.

BACKGROUND

Council provides a number of community facilities available for public use. It also provides assistance to community groups through the provision of funds to help maintain community operated, not for profit halls, and urban/community based marae, which are available for public use.

The Community Halls Fund is currently set at \$42,000 per year through the Annual Plan and there are 22 community halls in Waitakere City that are eligible to apply for financial assistance through this fund.

The fund is available to assist management committees in:

- Running and maintenance costs;
- Small scale equipment;
- Improvements to the facilities, including such projects as upgrading kitchens and minor paintwork;
- Promoting the facility.

STRATEGIC CONTEXT

The Community Halls Fund aligns with Strong Communities and the Community Assistance Policy with the goal of the Policy being to help strengthen the ability of the activities undertaken by community groups and not-for-profit organisations to create a strong social base for Waitakere and to meet local needs. Where these activities provide wider social benefits, and are not undertaken for commercial gain, the Council provides a range of assistance to these groups.

The Community Halls Fund also meets Policy One of the Marae Support Policy, "Council assistance provided to marae", where it has been determined that iwi based and urban/community based marae can apply to this fund.

ISSUES

Process of Allocation

The closing date for the 2006/2007 contestable Community Halls Fund was set at 29 September 2006.

Application forms were sent to all groups who are eligible to apply for funding. The fund was also promoted during a series of workshops held this year to assist the community to access funding from both Council and external funding agencies. All eligible applicants were also phoned one week before the closing date to remind them.

Eligibility for Funding

All applications have been screened for eligibility as per the Community Halls Fund Policy. They must be either a locally run and managed community hall provider, or an iwi based and urban/community based marae, which is:

- Run on a not for profit basis;
- Open to the general public to use and/or hire;
- Operating within Waitakere boundaries;
- Not managed by a single focussed group e.g. scouts/sports clubs/interest groups.

The funding is to be applied to one or more of the following categories.

- Facility maintenance costs;
- Costs relating to health and safety;
- Improvements to the facility;
- Small scale equipment;
- Facility promotion;
- General and volunteer costs.

Decision Making of Funding Allocation

Each application has been assessed against the Community Halls Fund Policy. Funding is then allocated on a pro rata basis depending on the number of points achieved against each of the following priorities:

- The current condition of the facility and its need of repair and renovation (quality of facility);
- Health and Safety issues of the facility;
- The groups financial situation (current and projected);
- The amount the facility is being used (activities, number of users, range of uses);
- Are there other facilities in the area? (location in relation to other community halls);
- Whether the group has access to other funds, (capacity for income);
- Whether community or Council owned.

Applications received

A total of 16 applications were received. The amount requested is \$44,468.15 with total funds available of \$42,000.

The recommended allocation of funds is as follows:

ORGANISATION	HALL	AMOUNT REQUESTED	AMOUNT RECOMMENDED
Glen Eden Community & Recreation Centre Inc.	Glen Eden Community Centre	\$3,000.00	\$2,778.00
Herald Island Residents & Ratepayers Assn.	Herald Island Hall	\$3,000.00	\$2,861.00
Huia-Cornwallis Ratepayers and Residents Assn. Inc.	Huia Hall	\$3,000.00	\$2,944.00
Laingholm District Citizens Association (1998) Inc.	Beach Hall	\$3,000.00	\$2,778.00
Laingholm District Citizens Association (1998) Inc.	Village Hall	\$3,000.00	\$2,792.00
Massey & Birdwood Settlers Assoc Inc.	Massey Hall	\$1,375.00	\$1,311.00
Moire Road Community Hall	Moire Road	\$3,000.00	\$2,792.00
Oratia Residents & Ratepayers Association	Settlers Hall	\$2,756.00	\$2,526.00
Oratia Residents & Ratepayers Association	Small Hall	\$1,900.00	\$1,759.00
Paturoa Bay Residents & Ratepayers Assn.	Pataroa Hall	\$3,000.00	\$2,861.00
Piha Community Centre Society	Barnett Hall	\$3,000.00	\$2,861.00
Sunnyvale Ratepayers & Residents Association Inc.	Sunnyvale Community Hall	\$3,000.00	\$2,861.00
Titirangi Country Womens Institute	MacAndrew Hall	\$3,000.00	\$2,847.00
Waiatarua Ratepayers and Residents Association	Waiatarua Community Hall	\$2,800.00	\$2,580.00
Waitakere Residents and Ratepayers Association Inc.	Domain Hall	\$2,637.15	\$2,491.00
Waitakere Residents Association Inc.	Township Hall	\$3,000.00	\$2,958.00
TOTAL		\$44,468.15	\$42,000.00

RESOURCES

There is an amount of \$42,000 allocated in Annual Plan 2006/2007 for the Community Halls Fund. The Community Assistance Administrator administers the process.

CONCLUSION

Council provides assistance to community groups through the provision of funds to help maintain community operated, not for profit halls, and urban/community based marae, which are available for public use. There are 22 community halls in Waitakere that are eligible to apply for financial assistance through this fund and application forms were sent to them all.

A total of 16 applications were received, these were assessed against the criteria of the Community Halls Fund Policy for both eligibility and funding priorities. The amount requested is \$44,468.15 with total funds available of \$42,000.

RECOMMENDATIONS

1. That the Community Halls Fund Allocation 2006/2007 report be received.
2. That the Finance and Operational Performance Committee allocates funding for the Community Halls Fund Allocation 2006/2007 as outlined in the report and the following recommended amounts:

ORGANISATION	HALL	AMOUNT APPLIED	AMOUNT RECOMMENDED
Glen Eden Community & Recreation Centre Inc.	Glen Eden Community Centre	\$3,000.00	\$2,778.00
Herald Island Residents & Ratepayers Assn.	Herald Island Hall	\$3,000.00	\$2,861.00
Huia-Cornwallis Ratepayers and Residents Assn. Inc.	Huia Hall	\$3,000.00	\$2,944.00
Laingholm District Citizens Association (1998) Inc.	Beach Hall	\$3,000.00	\$2,778.00
Laingholm District Citizens Association (1998) Inc.	Village Hall	\$3,000.00	\$2,792.00
Massey & Birdwood Settlers Assoc Inc.	Massey Hall	\$1,375.00	\$1,311.00
Moire Road Community Hall	Moire Road	\$3,000.00	\$2,792.00
Oratia Residents & Ratepayers Association	Settlers Hall	\$2,756.00	\$2,526.00
Oratia Residents & Ratepayers Association	Small Hall	\$1,900.00	\$1,759.00
Pataroa Bay Residents & Ratepayers Assn.	Pataroa Hall	\$3,000.00	\$2,861.00
Piha Community Centre Society	Barnett Hall	\$3,000.00	\$2,861.00
Sunnyvale Ratepayers & Residents Association Inc.	Sunnyvale Community Hall	\$3,000.00	\$2,861.00
Titirangi Country Womens Institute	MacAndrew Hall	\$3,000.00	\$2,847.00
Waiatarua Ratepayers and Residents Association	Waiatarua Community Hall	\$2,800.00	\$2,580.00
Waitakere Residents and Ratepayers Association Inc.	Domain Hall	\$2,637.15	\$2,491.00
Waitakere Residents Association Inc.	Township Hall	\$3,000.00	\$2,958.00
TOTAL		\$44,468.15	\$42,000.00

Report prepared by: Greta Buchanan, Community Assistance Administrator.



12 **PROPOSED LEASE OF THE FORMER WAITAKERE WARDENS OFFICE TO THE MAORI WARDENS**

PURPOSE OF THE REPORT

The purpose of this report is to request approval from the Finance and Operational Performance Committee to enter into a lease for a building located at 3090 Great North Road, New Lynn to the Maori Wardens, to serve as their base in New Lynn.

BACKGROUND

The building located at 3090 Great North Road was leased by the Waitakere City Wardens until September 2006, when they ceased their operations. The building was used as a base for the work performed by the Waitakere City Wardens in improving the safety in the central New Lynn area.

Council officers of the Safe Waitakere team have negotiated with the police and the Maori Wardens regarding the provision of a patrol presence by Maori Wardens in New Lynn.

The Maori Wardens currently provide patrol services in Waitakere, particularly targeting the railway yard area and Central Business District in Henderson, operating out of a building in the Tui Glen Reserve.

STRATEGIC CONTEXT

Through support of the Maori Wardens public safety in Waitakere is increased. While mainly focussed on young Maori at risk, their services contribute to many of Waitakere's core strategies.

The City's five priorities

The granting of a lease to Maori Wardens at New Lynn is consistent with Council's commitment to:

- The Treaty of Waitangi;
- Building a safe City.

The City's nine platforms

Through making a safer city, with a particular focus on the railways and central business districts, the Maori Wardens service contributes to the following three platforms;

- Strong Communities;
- Integrated Transport and Communication;
- Urban and Rural Villages.

ISSUES

The building to be leased is known as 3090 Great North Road, New Lynn, but is in actuality located on 3 Memorial Drive, and is part of the site which contains the New Lynn Library and town centre car parking.

It is proposed that a lease be offered to the Maori Wardens with the same terms and conditions as those contained in the previous lease with the Waitakere City Wardens. The most notable points being:

- Rental: \$150 per annum;
- Rental Reviews: Every two years, commencing on the 1st day of December 2008;
- Lease Term: Month by Month, to ensure Council maintains flexibility over the use of the site;
- Proportion of Outgoings: 100%;
- Business Use: Offices for the Tenant and other associated community activities;
- Outgoings: Charges for water gas electricity telephones and other utilities, rubbish collection charges, NZ Fire Service Charges and the maintenance of all fire detection and fire fighting equipment, Cleaning, maintenance and repair charges (excluding structural repairs).

Decision Making Process

This proposal is presented with due consideration of relevant criteria as promulgated in Section 77 of the Local Government Act 2002. The principal community outcomes to be derived from the proposal is the improvement of public safety.

Officers considered two options in this decision making process, as follows:

1. Publicly advertising the availability of the building, to give all community groups an opportunity to lease the space;
2. Offering a month by month lease to the Maori Wardens.

The decision to recommend Option 2 was made for the following reasons:

- The Maori Wardens are in a position to immediately occupy the space;
- The activities of the Maori Wardens fit Council's strategic needs for the area, and will be providing a service with the same objectives as the previous tenants. The issue of safety in the central New Lynn area has been raised as a significant issue, in particular the Todd Road Triangle area, and the Safe Waitakere team have identified the activities of the Maori Wardens as being likely to contribute to improvements in this area of concern;
- Safe Waitakere have negotiated a six month trial period with the Maori Wardens to work in the New Lynn area, and having a centrally located base in New Lynn will help support this initiative;
- Council has not been approached by any other community organisation regarding use of this space;
- A month by month lease allows Council flexibility with regards to tenancy, and should another community organisation come forward with a proposal to use this space, this decision could be revisited to ensure that the community gains the maximum benefit possible.

RESOURCES

There are no additional resources required other than staff time.

CONCLUSION

It is recommended that a lease be offered to the Maori Wardens on the building located at 3090 Great North Road, New Lynn, with the same terms and conditions as those contained in the lease surrendered by the Waitakere City Wardens.

RECOMMENDATIONS

1. That the Proposed Lease of the Former Waitakere Wardens Office to the Maori Wardens report be received.
2. That the Chief Executive Officer be given authority to negotiate and execute a lease with the Maori Wardens for the building located at 3090 Great North Road, New Lynn (Lot 3 DP 58669).

Report prepared by: Tina Hemsworth, Property Asset Manager.



13

PIHA DOMAIN CAMP GROUND CHARGES

PURPOSE OF THE REPORT

The purpose of this report is for the Finance and Operational Performance Committee to approve new charges for the Piha Domain camp ground, effective 1 July 2007, that the Chief Executive Officer be given authority to amend the fourth schedule in the Piha Domain Camp Ground lease agreement with the Tenant and obtain the consent of the Minister of Conservation.

BACKGROUND

A report was presented to the Waitakere Community Board on 3 October 2006, where the following was resolved:

- “2. That the Waitakere Community Board recommend to the Finance and Operational Committee that the Chief Executive Officer be given the authority to amend the fourth schedule in the Piha Domain Camp Ground lease agreement with the Tenant and obtain the consent of the Minister of Conservation.
3. That the maximum charges imposed for admission to and use of the camping ground be:
 - Unpowered sites (per night): \$13 per adult and \$6 per child.
 - Powered sites (per night): \$15 per adult and \$8 per child.
 - Caravan rent: \$1500 per year, plus a nightly fee for a powered site, of \$15 per adult and \$8 per child, when occupied.
 - Cabins: \$50 per adult per night or \$60 for two adults per night and \$25 per extra adult per night; child (any age) \$15 per night.

(All fees are GST inclusive)”

1903/2006

The Piha Domain Camp Ground forms part of the Piha Domain Reserve, on the southern side of Seaview Rd, near Lion Rock, within easy walking distance to Piha Beach. The camp ground has 122 sites, with 40 of these sites offering power.

Piha Domain is classified as a City-wide park, and approval of these new charges will require consent from the Finance and Operational Performance Committee. The new charges also require approval from the Department of Conservation, in accordance with section 54, of the Reserves Act 1977.

The Piha Reserves Management Plan, adopted September 1999, states the following about the camp ground at Piha Domain:

“The Piha Domain camping ground is seen as having cultural heritage significance to the local community as well as playing an important role in the current community dynamic at Piha. Many current Piha residents and bach owners started out as campers in the camping ground. In addition the camping ground provides a relatively low cost way for people from outside the Piha area to experience the wild and remote beauty of Piha to a greater depth than is possible from a day visit. While there is general desire to maintain the low impact nature of the camping ground, it is recognised that in order to maintain the social and in particular, economic viability of the camp ground, both the longer tenure of lease for the manager and an improvement of facilities is required. A number of different management options have been trialled in the past in order to try and improve the financial viability of the camp ground with little success. This management plan suggests that allowing development of additional facilities, such as cabins and a games room would increase the viability of the campground by attracting a greater usage and extending the use of the camp ground during the winter season. It is important to note however that any development of facilities such as cabins would need to be in keeping with the objectives and policies of this plan relating to issues such as landscape and design of buildings and that no increase in the area utilised by the camp ground on the Piha domain for camping or effluent disposal is acceptable.”

In accordance with the policies of the Piha Reserves Management Plan, Waitakere City Council (the Landlord) entered into a lease agreement for a ten year period, with Fiona Anderson and Robert Anderson (the Tenant), that will expire on 10 April 2010. As per the terms of the lease, the rent was reviewed in April 2005. Council engaged Bristow Barbour Walker, registered valuers and property advisers, to value the camp ground and assess its current market rental. The current annual rent remained unchanged.

Clause 10.6 of the lease agreement states that “the Tenant agrees that the charges for admission to and use of the camping ground listed in the fourth schedule to this lease shall be the maximum charges imposed for admission to and use of the camping ground and that any change to these charges must be consented to in writing by the landlord.”

In the past year Council has been reviewing the operation of the camp ground and a number of changes will occur by the 30 June 2007. These changes include:

1. Council has agreed to take over the cleaning and maintenance of the toilets at the camp ground, as they function as public toilets between 7am – 10pm. The cleaning and maintenance of the camp ground showers remains the responsibility of the Tenant.
2. Permanent Caravans. A year ago there were 40 permanent caravans on the 40 powered sites in the camp ground, leaving little space for casual occupiers. The permanent siting of a vehicle / caravan / bus / house truck / tent or any other structure, for more than 4 weeks, between 1 November and 31 March, is in breach of section 44(2) of the Reserves Act 1977. Council has obtained the consent of the Department of Conservation for 20 caravans to remain permanently on site at the camp ground. The reduction of permanent caravans to 20 sites is to occur by 30 June 2007.
3. All permanent awnings and structures attached to or adjacent to the caravans / bus or other vehicle are to be removed by 30 June 2007. It is the understanding of Council that these structures do not have a building and resource consent. The Building Act 2004 does not allow for retrospective consent for such structures.

4. Approval for up to six relocatable cabins was included in the Piha Reserves Management Plan, adopted September 1999, and the installation of these cabins was approved by the Waitakere Community Board, 4 November 2003 (resolution 4015/2003). As per section 44(2) of the Reserves Act 1977, the Department of Conservation has approved these 6 relocatable cabins that have been sited at the expense of the tenant.
5. The Long Term Council Community Plan and Annual Plan Special Committee allocated \$113,000 in the Annual Plan 2006/2007 for development works at the camp ground involving improvements of the kitchen/laundry building and landscape.

Council has obtained an agreement from the tenant for a review of the annual rent after the completion of these capital development works.

STRATEGIC CONTEXT

The Waitakere City Council's "Strong Innovative Economy", "Urban and Rural Villages" and "Strong Communities" platforms provide the strategic context of this report. These platforms are about promoting local enterprise, ensuring people have choices of recreation in their city and access to leisure facilities and services. On going access to recreational opportunities promotes health, wellbeing and contentment and are highly valued by the community, making it an attractive place to raise children.

ISSUES

The Piha Domain Camp Ground is the only short term stay camping ground in the City. Piha is a significant tourist destination for visitors in Waitakere.

The monthly visitor statistics at the camp ground for 2004, 2005 and 2006 are outlined in Table One below.

Month	2006	2005	2004
January	1,464	1,204	1,061
February	907	579	324
March	419	654	297
April	535	206	312
May	146	184	158
June	92	142	167
July	119	64	93
August	88	111	106
September		240	540
October		379	366
November		124	369
December		986	694

Table One: Piha Domain Camp Ground, Visitor Numbers

There are 4 issues which have led to a review of the visitor camp ground charges, as follows:

- (i) The reduction in the number of permanent caravans on site, effective 1 July 2007;
- (ii) The daily cleaning of the public toilets by Council, when it was previously a responsibility of the tenant under the terms of the lease;

- (iii) The proposed capital development works by Council, being the upgrade of the kitchen/laundry building, improvement to the shower and toilet block, and landscape developments. The capital works will be managed and financed by Council, and a rent review will occur after their completion;
- (iv) The camp ground charges have not been reviewed with the Tenant since the commencement of the lease agreement in April 2000.

Currently the camp ground charges are as follows:

- Unpowered sites (per night) - \$10 per adult and \$6 per child;
- Powered sites (per night) - \$12 per adult and \$7 per child;
- Caravan rental - either \$1,125 per year, including 100 nights accommodation; or \$672 per year, plus a nightly fee when occupied of \$10 per adult and \$6 per child.

Under the current lease a child is defined as 3-14 years, inclusive.

A12-A15

In February 2006, Council engaged Bristow Barbour Walker, registered valuers and property advisers, to review the charges at Piha Domain camp ground. A copy of their report, dated 11 April 2006, can be found at pages A12 to A15.

Bristow Barbour Walker has carried out research of charges at 27 coastal camp grounds in the North Island. Camp ground charges vary and are dependent on a number of variables such as distance to the beach, the quality and extent of facilities.

The Piha Domain camp ground is within a close walking distance to Piha Beach. The facilities offered include showers, toilets, a kitchen, an indoor eating area, a laundry and internet access.

Bristow Barbour Walker has made the following recommendations on new camp ground charges:

(all prices are GST inclusive), as follows:

- Unpowered sites (per night): \$13 per adult and \$6 per child;
- Powered sites (per night): \$15 per adult and \$8 per child;
- Caravan rental: \$3,000 per year, including 100 nights accommodation. The caravans are provided by visitors to the camp ground.

It is requested by the Tenant, that the child age definition be amended to 5-14 years (inclusive).

The above recommendations would be the maximum amount the Tenant may charge. These proposed fees have been discussed with the Tenant and the recommended fees for unpowered and powered sites are acceptable to the Tenant. All new charges will require the consent of the Minister of Conservation, as per section 54, of the Reserves Act 1977.

The recommendation by Bristow Barbour Walker for the annual caravan rental is not acceptable to the Tenant. If two adults were to stay on a powered site for 100 nights, based on the new fees, it would cost \$3,000. An annual caravan rent of \$3,000, including 100 nights free of any additional cost, is not economically viable for the Tenant.

After taking account of the Tenant's concerns it is recommended that the annual caravan rental is \$1,500 (GST inclusive), plus a nightly fee for a powered site when occupied.

The maximum charges for the cabins, at peak times, set by the Tenant, are as follows:

- \$50 per adult per night or \$60 for two adults per night and \$25 per extra adult;
- Child (under 14 yrs, inclusive) \$15.

RESOURCES

Changes to the charges at Piha Domain Camp Ground will require an amendment to the lease agreement with the Tenant.

CONCLUSION

The Piha Domain Camp Ground is part of the Piha Domain Reserve and on a nationally recognised coastal location. It is a popular holiday location for all New Zealanders and overseas visitors. The changes being currently implemented recognise that public access to the camp ground should not be impeded in any way, and that the quality of facilities at the camp ground meets with current standards.

The new Camp Ground charges reflect increases in operational costs over the past decade, the investment made by Council and the Tenant and the exclusive arrangements for some visitors to leave their caravans permanently on site. The charges are maximum amounts and give the Tenant the flexibility to charge less.

RECOMMENDATIONS

1. That the Piha Domain Camp Ground Charges report be received.
2. That the Finance and Operational Performance Committee authorise the Chief Executive Officer to amend the fourth schedule in the Piha Domain Camp Ground lease agreement with the Tenant and obtain the consent of the Minister of Conservation.
3. That the maximum charges imposed for admission to and use of the Piha Domain Camp Ground be:
 - Unpowered sites (per night): \$13 per adult and \$6 per child;
 - Powered sites (per night): \$15 per adult and \$8 per child;
 - Caravan rent: \$1500 per year, plus a nightly fee for a powered site, of \$15 per adult and \$8 per child, when occupied;
 - Cabins: \$50 per adult per night or \$60 for two adults per night and \$25 per extra adult per night; child (any age) \$15 per night;

For unpowered, powered and caravan sites a child is defined as 5yrs -14yrs inclusive. For cabins a child is anyone under and including 14yrs of age.

(All fees are GST inclusive)

Report prepared by: Warren Ogilvie, Parks Operations Officer - Special Projects, Parks and Open Space.



14 REVIEW OF RATING SYSTEM PRELIMINARY ANALYSIS – ANNUAL VALUE

PURPOSE OF THE REPORT

The purpose of this report is to present to the Finance and Operational Performance Committee a progress report on the evaluation of an Annual Value rating system.

BACKGROUND

At its meeting held on 7 August 2006 the Finance and Operational Performance Committee considered a report setting out a work programme which included a review of the three rating systems, including the Annual Value rating system and resolved to endorse the approach proposed. This report deals with the impacts of an Annual Value rating system.

STRATEGIC CONTEXT

The Courts have stated that a rating system is primarily a taxation system rather than a system for charging for services, although in adopting the basis of rating and setting its differential rating system a local authority must not act unreasonably, and decisions on a rating system involve the exercise of political judgement by elected representatives of the community.

ISSUES

Preliminary Conclusions Drawn to Date from the Analysis of Annual Values

The Annual Value of a property is calculated on the assessed rental obtainable from a property reduced by a factor of 20% for developed properties and 10% for vacant land, but in no case is the Annual Value less than 5% of the Capital Value.

The analysis of the use of Annual Values for calculating rates has principally compared the impacts on rates with a Capital Value rating system to identify advantages and disadvantages of the two systems for calculating rates.

The general characteristics of an Annual Value rating system are:

1. Rates on higher valued residential properties tend to be lower under an Annual Value rating system than under a Capital Value rating system.
2. Conversely rates on lower valued residential properties tend to be higher under an Annual Value rating system than under a Capital Value rating system.

This is because Annual Values tend to be a higher percentage of Capital Values on properties with lower values and at 5% of Capital Values for properties with high values.

3. There is said to be less or no need for a Uniform Annual General Charge under an Annual Value rating system.
4. There is said to be a lesser or no need for a Business Sector differential under an Annual Value rating system.

A disadvantage of an Annual Value rating system is that the concept of a rateable value based on an assessed rental income adjusted by statutory factors, but with a lower limit of 5% of the Capital Value is not well understood by ratepayers, even in areas where Annual Value has been used for many years. Capital Values used for calculating rates are the best understood as they can be related to the market value of a property.

Over the whole of the City, the Annual Value of Business Sector properties is on average 8.17% of the Capital Value, and Residential and other properties it is 5.36% of the Capital Value.

In general if the Annual Value as a percentage of the Capital value of a property is at the average for the sector, the rates will be the same under both an Annual Value and a Capital Value rating system. If the Annual Value as a percentage of the Capital Value is less than the average for the sector, rates under an Annual Value rating system will be lower than under a Capital Value rating system. Conversely if the Annual Value as a percentage of the Capital Value is higher than the average for the sector, rates will be higher under an Annual Value rating system than under a capital value rating system.

Evaluation of Impact of Annual Value Rating on Business Sector Properties

1. The Business Sector's share of property values as at 30 June 2006 are as follows:

Land Value	6.69%
Capital Value	10.55%
Annual Value	15.22%

2. Manukau City's figures for the Business Sector (extracted from a copy of report prepared earlier in 2006) show:

Land Value	16.1%
Capital Value	22.9%
Annual Value	29.9%

3. Although the Business Sector share of property values in Waitakere City is much closer to the Sector's share of costs, using the current method of calculation, there will still be a need for a Business Sector differential, with or without a Uniform Annual General Charge if a similar rate requirement from the Business Sector is desired. This is unlike Manukau City where due to its much higher business base there is theoretically no need for a business sector differential.
4. Analysis of both Annual and Capital value rating has been based on the Sector's share of costs being 22%. The level of rates contribution from the Business Sector under either an Annual Value or Capital Value rating system may need to be reviewed. This will be dealt with in more detail later in this report.
5. Analysis of impacts on Business Sector rates of the adoption of an Annual Value rating system indicates that with no change to the amount of the Uniform Annual General Charge, 17.8% of properties would have no change or a reduction in rates when compared with rates calculated on Capital Value. Rates on the majority of Business Sector properties, (70%), would increase by between 2% and 15% as set out below. The equivalent figures for a Uniform Annual General Charge of \$300 and no Uniform Annual General Charge are also shown.

%Change in rates	% of Properties UAGC \$600	% of Properties UAGC \$300	% of Properties No UAGC
0%	17.8%	50.1%	60.2%
1%	0.0%	3.4%	2.1%
2%	6.7%	3.8%	2.6%
5%	18.5%	11.0%	7.6%
10%	37.8%	16.4%	12.2%
15%	13.7%	11.1%	7.9%
>15%	5.5%	4.2%	7.4%

6. Increases in rates of between 2% and 15% are reasonably consistent over all levels of land value.
7. Under an Annual Value rating system, properties whose rates would decrease include Utility Companies whose Annual Values are 5% of their Capital Values and whose rates would decrease by approximately \$400,000. Lynmall's rates would reduce by \$38,000 and West City's by \$162,000. These reductions are from the amount payable under a Capital Value rating system, but as previously reported these ratepayers would receive significant increases in rates if Council moved away from Land Value based rating.

Evaluation of Impact of Annual Value Rating on Residential and Other Properties

1. Characteristics 1 and 2 above are confirmed, i.e. for a given level of Uniform Annual General Charge, rates on properties with a higher than average Annual Value would reduce when compared with rates calculated on Capital Value, and conversely, rates on properties with a lower than average Annual Value would increase when compared with rates calculated on Capital Value. However it is unlikely that the Uniform Annual General Charge could be totally eliminated.
2. As stated earlier, in the residential sector, the Annual Value is on average 5.36% of the Capital Value, not significantly above the statutory minimum of 5%.
3. Of Inner Area properties the changes in rates calculated on Annual Values when compared to rates calculated on Capital Value with varying levels of the Uniform Annual General Charge are as set out below:

% Change in rates	% of Properties UAGC \$600	% of Properties UAGC \$300	% of Properties No UAGC
0%	65.4%	70.1%	70.8%
1%	7.2%	5.5%	1.4%
2%	6.5%	4.9%	2.4%
5%	13.3%	9.0%	6.3%
10%	5.9%	6.5%	7.9%
>10%	1.7%	4.0%	11.2%

4. Of Outer Area properties the changes in rates calculated on Annual Values when compared to rates calculated on Capital Value are as set out below:

% Change in rates	% of Properties UAGC \$600	% of Properties UAGC \$300	% of Properties No UAGC
0%	92.9%	37.5%	31.0%
1%	1.3%	3.0%	2.5%
2%	0.9%	4.4%	2.4%
5%	2.2%	12.0%	5.9%
10%	1.6%	16.6%	10.0%
>10%	1.1%	26.5%	48.2%

Further analysis of these effects can be presented to the next meeting of the Finance and Operational Performance Committee.

Any change to the method of rating would require an amendment to the Long Term Council Community Plan 2006-2016.

If the Council wishes to pursue the adoption of an Annual Value rating system, it could not be implemented until Annual Values prepared to a standard that meets the requirements of the Valuer-General had been entered on the District Valuation Roll, and objections dealt with. The earliest opportunity that entering the values on the District Valuation Roll could be achieved would be at the triennial revaluation to be conducted as at 1 September 2007. Therefore such a change could not take effect until the year commencing 1 July 2008.

The data on Annual Values recently obtained from Quotable Value New Zealand and used for the analysis has not been prepared to the standard required by the Valuer-General for inclusion in the District Valuation Roll, due to incomplete base data on which to accurately assess all values, and therefore details of values and indicative rates on individual properties should not be communicated to individual ratepayers. However the data is considered sufficiently accurate to gauge the likely impact of an Annual Value rating system when considered at the higher level of the whole city and groups of properties.

If consultation on Annual Value rating is to proceed with a view to implementation on 1 July 2008, a decision by the Council would be required by February 2007 to enable Quotable Value New Zealand to gather data required to accurately assess all values for inclusion in the District Valuation Roll to be prepared as at 1 September 2007.

Therefore consultation on the change would be appropriate for the Annual Plan 2008/2009 when reliable comparisons could be made of rates payable on individual properties under alternative rating systems, although the Council's intentions could be foreshadowed in the Annual Plan 2007/2008. There would be additional funding required in the vicinity of \$560,000 for the cost of the initial assessment of Annual Values to be provided by Quotable Value New Zealand to a standard that meets the requirements of the Valuer General.

Other Issues to be considered in relation to the Business Sector

The current method of calculating the Business Sector's share of costs, which was adopted in the mid 1990s, may need to be revisited to confirm that the assumptions are still valid, and if necessary modify them.

- a. **Roading Costs** – these costs comprise the major part of costs attributable to the Business Sector based on the damage to roads by heavy motor vehicles. Those vehicles may have included buses, and it may be appropriate to consider whether the movement of people as distinct from freight should be totally a charge against the Business Sector, despite bus companies being business enterprises.
- b. **Under the current calculation method;** where there is no identifiable basis of sharing costs between the Business and Residential Sectors, the default basis of sharing costs is to use property values. However there are some costs such as parks and reserves, libraries, community facilities where the Business Sector's share of benefits from these facilities may not be in proportion to their share of property values, particularly if Capital or Annual Value is used to apportion costs.
- c. **Wastewater Rates** - For the 2006/2007 year wastewater rates charged to Business Sector properties were calculated on their land values. However for many if not most properties wastewater costs shared on the basis of property value may be greater than their share based on volume of wastewater generated. This situation is accentuated in many cases under a Capital or Annual Value rating system.

Whichever rating system is adopted, there is a need to move to charging the major generators of wastewater on the basis of volume generated under a system of negotiated contracts. This may reduce remaining costs to a reasonable level where a pan charge method could be more equitable.

CONCLUSION

From the preliminary analysis of the modelling undertaken, higher developed/valued residential properties in the City would benefit from an Annual Value method of rating. Conversely lower developed/valued residential properties would pay higher rates than under a Capital Value rating system.

RECOMMENDATIONS

1. That the Review of Rating System Preliminary Analysis- Annual Values report be received.
2. That the Finance and Operational Performance Committee advise what further analysis it requires.

Report prepared by: Colin North Financial Analyst, Rates.



15 OLD NEW LYNN HOTEL: REMEDIATION PLAN AND PROPOSED EXPRESSIONS OF INTEREST PROCESS

PURPOSE OF THE REPORT

The purpose of this report is to update the Finance and Operational Performance Committee on the development of a Remediation Plan for the Old New Lynn Hotel and to seek approval to a process of calling for expressions of interest.

BACKGROUND

A heritage protection order was placed on the Old New Lynn Hotel by the Council to protect an important piece of the City's heritage. This effectively led to the Council's purchase, in the absence of other interest, and it was acquired in late 2005. Soon after acquiring the Old New Lynn Hotel and adjacent two parcels of land, a third adjacent residential property was also acquired to increase the potential future redevelopment opportunities.

A16-A18

A Conservation Plan has been prepared and was adopted by the Council in May 2006. The next step was the preparation of a Remediation Plan. A report went to Projects Special Committee in July 2006, giving an update on the preparation of the Remediation Plan. This report suggested the scope of stabilising works that would be required for the Hotel, but did not identify how these works would be funded. The Remediation Plan is complete, and it is intended to seek expressions of interest from potential users of the Old New Lynn Hotel with a view to a third party undertaking the restoration works. Photographs showing the building and related construction details are attached on pages A16 to A18.

STRATEGIC CONTEXT

The Urban and Rural Villages platform aims to:

“Protect and celebrate the City’s cultural diversity and heritage. Work in partnership with the many cultures of the City. Plan for the protection and celebration of all kinds of heritage in the City - e.g. Maori, industrial and environmental.”

The purpose of acquisition was to ensure that the Old New Lynn Hotel is preserved for present and future generations, as a key component in the City’s history. An expressions of interest process will enable the Council to explore options to achieve this purpose with assistance from a third-party.

ISSUES

Remediation Plan Summary

A19-A55

A copy of the completed Remediation Plan is attached at pages A19 to A55. This Plan has been prepared by a coalition of heritage architect and structural engineer, both of whom had ongoing knowledge of the building and the Council’s history in connection with it. The Remediation Plan was prepared by the same heritage architect who produced a Conservation Plan for the Old New Lynn Hotel in 2005. A modified version of this plan (to suit the Council’s contracting processes) will form part of the expressions of interest, and is intended to transfer with the property as a condition of sale or lease.

To summarise, the Plan ensures that the structural and heritage aspects of the property are dealt with in accordance with building codes and prioritises the preservation of the building’s structural integrity. Once the building is complete from structural and heritage aspects, it will fall to the end user to upgrade the remainder of the building to suit the (as yet unknown) future use.

As much flexibility as possible has been designed into the Remediation Plan to allow for the greatest variety of potential uses while retaining the heritage values. At various points on the rear façade provision has been made for the existing building to connect to a new wing or new building on the vacant parts of the site to offer the opportunity for potential uses that exceed the capacity of the existing structure.

Redevelopment Options

In terms of meeting Section 77 of the Local Government Act 2002, the Council is required to consider a range of options and assess the merits and impacts of each of these options. The following list outlines the benefits and implications to the Council of each option.

1. **Status Quo** - the Council could resolve not to carry out work on renovating the Old New Lynn Hotel, and either sell it as a redevelopment site, or keep it for its own redevelopment.

While this option would certainly be the cheapest option in terms of costs, it does not reflect the purpose of acquisition which was to protect this heritage building from being demolished. This option also calls into question any benefit from the Council’s ownership.

2. **Third-party Renovation** - the Council could call for expressions of interest and transfer ownership (by sale or long lease) to a third-party with a requirement to renovate the existing heritage building as a condition of transfer. The price paid would reflect the cost of work to be carried out. Finding a third-party to be the developer and end user of the property will limit the Council's financial exposure, while achieving the purpose of acquisition.

While there are obligations (under the Building Act 2004) to transfer a property in a condition that meets the Building Act 2004 requirements, it would be possible to transfer this building in its present condition, provided this fact is clearly drawn to the attention of the third-party. Typically, this could be achieved by a clause in a Sale and Purchase Agreement. However, officers have concerns about the Council's ability to transfer the accountability for the health and safety risk to both the third-party and to the public.

An informed purchaser would reflect the additional cost of carrying out all of the work required into the amount of any offer. The net benefits of this option in comparison to Option 3 are not outweighed by potential cost savings to the Council.

3. **Partial Renovation and Transfer** - the Council would carry out a significant proportion of the proposed renovation works to ensure the building meets the minimum health and safety requirements. Then the Council could call for expressions of interest and transfer ownership (by sale or long lease) to a third-party but with a requirement to undertake some renovation work as a condition of transfer.

The price paid would reflect the cost of the remaining work to be carried out, including the work done by the Council. Finding a third-party to be the developer and end user of the property will limit the Council's financial exposure while achieving the purpose of acquisition. It is recommended that the structural underpinning be carried out by the Council prior to transfer thus reducing the health and safety risks. An informed purchaser would reflect that this work has been done in the amount of any offer. This would minimise the net additional cost of this option when compared with Option 2 (Third-party renovation).

4. **Renovation and the Council Retains** - the Council could renovate the building in its entirety then use for community purpose although a basic analysis of this option shows that it is totally at odds with the purpose of acquisition. Deeper analysis also precludes this as a recommended option, as its size and shape factors, together with its location on a busy road with no surrounding retail or commercial presence do not present this property as a useful addition to the Council's community building portfolio. Not least, the Council would be burdened with the extremely high cost of heritage protection/restoration, coupled with the minimal income that is typically achieved from a community use.

5. **Full Renovation and Transfer** - the Council could renovate the building in its entirety, then transfer to a third party (by sale or a long lease).

This option does not allow the Council to achieve the purpose of acquisition. However, the possibility of an end user obtaining external funding or redevelopment grants is minimised (if not eliminated) by this option. The Council would also take all the development risk before handing over a costly redevelopment to an end user who would obtain all the benefits at little or no risk. For these reasons, it is recommended to pursue a joint development opportunity (as in Option 3) with a third-party in preference to this option.

The Council acquired three existing titles (one is an adjacent residential property). In all of the above options it has been assumed that the Council treats its acquisitions as one land parcel. In all options there is flexibility in transferring all or some titles, or realigning title boundaries, depending on the nature of third-party interest in the property.

It is recommended that the Council adopts Option 2 (Third-party renovation and transfer) as its preferred option for dealing with this property.

Quadruple Bottom-line Analysis

QBL	Option 1 "Status Quo"	Option 2 "Third-Party Renovation"	Option 3 "Partial Renovation and Transfer"	Option 4 "Renovation and the Council Retains"	Option 5 "Full Renovation and Transfer"
ENVIRONMENTAL	Building will continue to decay. The community will lose a valuable part of its heritage.	Building will be renovated and enlarged for a third-party use, providing both heritage and a usable facility.	Building will be renovated and enlarged for a third-party use, providing both heritage and a usable facility.	Building will be renovated and used as a council asset, community function.	Building will be renovated for a third-party use, providing both heritage and a usable facility. Future uses will be limited to the style and structure of the council's renovation work.
ECONOMIC	The value of the land as a redevelopment site only will be retained.	A third-party use will add economic value from the building being used. The third-party will also provide additional sources of funds for the renovation. The health and safety risk from the weak structure will need to be well managed.	A third-party use will add economic value from the building being used. The third-party will also provide additional sources of funds for the renovation. The Council will be able to better manage the health and safety risk from the weak structure during renovation.	Full costs of renovation will be borne by the Council. Given the community end use, it is unlikely that the Council's costs will be recovered. Ongoing maintenance costs may also be significant and unrecoverable.	Full costs of renovation will be borne by the Council. Some of these costs will be recovered from the sale or lease of this building as commercial premises, in line with values of other commercial premises available in the local market.

SOCIAL	Purpose (and cost) of acquisition has no benefit to the community.	A third-party use will add activity value to the vibrancy of the community. The building will be retained as an icon, and as a usable facility. This option has a positive impact on building safety.	A third-party use will add activity value to the vibrancy of the community. The building will be retained as an icon, and as a usable facility. This option has a positive impact on building safety.	A community use will add some value to the community by providing an additional facility for use. The building will be retained as an icon, and as a usable facility. This option has a positive impact on building safety.	A third-party use will add activity value to the vibrancy of the community. The building will be retained as an icon, and as a usable facility. This option has a positive impact on building safety.
CULTURAL	The community will lose an opportunity to retain a demonstrable part of its heritage.	The community will retain a key component of the city's heritage and the story of its history.	The community will retain a key component of the city's heritage and the story of its history.	The community will retain a key component of the city's heritage and the story of its history.	The community will retain a key component of the city's heritage and the story of its history.

Recommended Method to Call for Expressions of Interest

Options 2 (Third-party renovation) and 3 (Partial renovation and transfer) are quite similar, apart from the extent to which the Council undertakes to participate in structural renovation. In the first instance it is recommended that the Council adopt option 2 and see what interest is expressed by the market and the financial implications of the respective options, before committing any further Council funds. Adopting option 2 now does not preclude the Council changing to option 3 in the future.

1. A database of existing (previous) enquiries about redeveloping the Old New Lynn Hotel is sourced from Elected Members and officers.
2. An expressions of interest package is prepared including the following broad formula:

Providing information to potential bidders, including:

- The supply of the Remediation Plan and Conservation Plan developed for the Council, and a requirement that any redevelopment must comply with these plans;
- The need for a proposed use to align with Waitakere City's objectives, for instance: heritage principles, traffic impact;
- A requirement that potential transfer mechanisms must comply with the Local Government Act 2002 and Public Bodies Leases Act 1969;
- A summary of the milestone dates associated with the expressions of interest process.

Calling for detailed information from potential bidders, including:

- A description of the proposed use;
 - A statement of viability for the proposed use;
 - Advice as to the background and experience of the proposed renovator (or an explanation as to how renovation work will be carried out);
 - Proposed funding sources;
 - Proposed redevelopment timetable;
 - The extent to which the bidder is safely able to manage the renovation.
 - A traffic impact report based on the proposed use, together with a description of how negative traffic impacts will be mitigated.
3. The package will be advertised in local media, including local newspaper, community facilities, a media release and via the New Lynn Community Board. Interested parties (taken from the database of previous interest) will be contacted to advise them of the expressions of interest process and timetable.
 4. The structural engineer and heritage architect who prepared the Remediation Plan will be available to respond to queries from proposed submitters during the expressions of interest process. The building is too dangerous for regular site visits by potential bidders.
 5. At the close of the process, expressions of interest will be evaluated. A report and recommendations will be prepared for the Finance and Operational Performance Committee.

RESOURCES

The project is being managed by Council's City Development section with support from the Principal Adviser: Heritage. External input is being provided by Andrew Marriott of Chester Consultants (structural engineers) and Dave Pearson of Dave Pearson Heritage Architects.

Work on the development of a Remediation Plan commenced in the 2005/2006 work programme and will continue throughout 2006/2007, with capital expenditure planned to be incurred during the 2007 calendar year.

CONCLUSION

In 2005 the Council acquired the Old New Lynn Hotel, Great North Rd, New Lynn. Since that time a Conservation Plan and Remediation Plan have been developed for the building. A process for seeking expressions of interest from potential purchasers/end users is now being recommended, the outcome of which will be brought back to the Council.

RECOMMENDATIONS

1. That the Old New Lynn Hotel: Remediation Plan and Proposed Expressions of Interest Process report be received.
2. That the Finance and Operational Performance Committee approve the Remediation Plan developed to guide the restoration of the Old New Lynn Hotel.
3. That the Remediation Plan be used as the base information in the process of seeking expressions of interest for the Old New Lynn Hotel.

4. That the Finance and Operational Performance Committee approve the expressions of interest process Option 2 (Third-party renovation) for the Old New Lynn Hotel as outlined in the Agenda report.

Report prepared by: Michael Riley, Project Manager: Strategic Property Projects.



PART F - RECOMMENDATIONS FROM OTHER COMMITTEES

16 RECOMMENDATION FROM CITY DEVELOPMENT COMMITTEE

City Development Committee recommends to the Finance and Operational Performance Committee:

That the funding of \$21,000 for the McLaren Park Community House Feasibility Study in Council's Long Term Council Community Plan in 2007/2008 be made available in 2006/2007 in order to determine the best option for Council's investment in the McLaren Park / Henderson South area.



PART G - REPORTS FROM THE SUBCOMMITTEES

17 COMMUNITY SPORT FUND ALLOCATION SUBCOMMITTEE

THE SUBCOMMITTEE SUBMITS THE FOLLOWING REPORT OF ITS MEETING HELD ON THURSDAY, 19 OCTOBER 2006.

1 COMMUNITY SPORT CLUB DEVELOPMENT AND LOANS FUND ALLOCATION 2006

Your Subcommittee Recommends:

That the grants from the Community Sports Club Development and Loans Fund as set out below be approved.

Group Name	Purpose Of Grant	Amount Recommended
Waitakere Primary School	Sports equipment for school	Not eligible
Glenora Netball Club	Strategic planning for club	\$3,431.25
Massey Pony Club	Strategic planning & Equestrian Centre feasibility study	\$10,000.00
Oratia United AFC	Strategic review & club amalgamation	\$5,625.00
Starling Park Sports Club	Feasibility study for new clubrooms	\$7,171.87
United North Piha Lifeguard Services Inc	Strategic planning & clubrooms review	\$6,750.00
Waitemata Rugby Union Football & Sports Club Inc	Governance and management review	\$2,975.00
TOTAL		\$35,953.12

2 OTHER MATTERS CONSIDERED

A56-A57

The 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 A56 to A57.

The Subcommittee Recommends:

That the Meeting report of the Community Sport Fund Allocation Subcommittee held on Thursday, 19 October 2006 be received.

JP Lawley
CHAIRMAN



PART H - REPORTS FROM THE SUBCOMMITTEES

18 TENDERS SUBCOMMITTEE

THE SUBCOMMITTEE SUBMITS THE FOLLOWING REPORTS OF ITS MEETING HELD ON FRIDAY 6 OCTOBER 2006 AND FRIDAY 20 OCTOBER 2006.

MATTERS CONSIDERED

A58-A64

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 A58 to A64.

The Subcommittee Recommends:

That the Meeting reports of the Tenders Subcommittee held on Friday, 6 October 2006 and Friday, 20 October 2006 be received.

JM Clews, QSO, JP
CHAIRMAN



PART I - PUBLIC EXCLUDED MATTER

19 AUCKLAND REGIONAL TRANSPORT NETWORK LIMITED GENERAL TRANSFER AGREEMENT

20 UNIVERSAL DRIVE/LINCOLN ROAD INTERSECTION – ACQUISITION UNDER THE PUBLIC WORKS ACT

These items will be considered in the Confidential Supplement of the agenda, which has been circulated to members separately with this Agenda.

PROCEDURAL MOTION TO EXCLUDE THE PUBLIC

That the public be excluded from the following parts of the proceedings of this meeting, namely Auckland Regional Transport Network Limited General Transfer Agreement and Universal Drive/Lincoln Road Intersection – Acquisition Under the Public Works Act.

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

General subject of the matters to be considered.	Reason for passing this resolution in relation to the matters.	Ground(s) under Section 48(1)(a) for the passing of this resolution.
<ul style="list-style-type: none"> • Auckland Regional Transport Network Limited General Transfer Agreement; • Universal Drive/Lincoln Road Intersection – Acquisition Under the Public Works Act. 	<p>The withholding of information is necessary in order to:</p> <ul style="list-style-type: none"> • enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations). 	<p>That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist.</p>

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

- The reports contain information which if released, could affect the Council's negotiations.

