

**AGENDA FOR A MEETING OF THE FINANCE AND OPERATIONAL PERFORMANCE
COMMITTEE TO BE HELD IN THE CIVIC CENTRE, 6 WAIPAREIRA AVENUE,
LINCOLN, WAITAKERE CITY, ON MONDAY, 10 JULY 2006,
COMMENCING AT 9.30 AM.**

TABLE OF CONTENTS

<u>ITEM</u>	<u>PAGE NO.</u>
<u>PART A - OPENING OF MEETING</u>	1
1 APOLOGIES	1
2 URGENT BUSINESS	1
3 CONFIRMATION OF MINUTES	1
<u>PART B - PROPERTY</u>	2
4 PROJECT TWIN STREAMS - SALE OF SURPLUS PROPERTY AT 341 HENDERSON VALLEY ROAD	2
<u>PART C - LEGAL AND CONSTITUTIONAL</u>	4
5 AFFIXATION OF COMMON SEAL	4
<u>PART D - FINANCE</u>	6
6 OPERATING AND CAPITAL EXPENDITURE SUMMARIES	6
7 STATUS OF SPECIAL FUNDS	7
8 BORROWING AND INVESTMENT REPORT	8
9 PAYMENTS FOR APPROVAL	10
<u>PART E - GENERAL</u>	11
10 2006 WAITAKERE WARD BY-ELECTION	11
11 THREE WATERS STRATEGY	14
12 COMMUNITY SPORT FUND ALLOCATION SUBCOMMITTEE REPRESENTATIVES	15
<u>PART F - RECOMMENDATIONS FROM OTHER MEETINGS</u>	17
13 RECOMMENDATION FROM CULTURE, ARTS AND EVENTS SPECIAL COMMITTEE: EVENTS BID - OCEANIA UNDER 16 BASKETBALL TOURNAMENT	17
<u>PART G - REPORTS FROM THE SUBCOMMITTEES</u>	17
14 EMERGENCY SERVICES SPECIAL COMMITTEE	17
15 TENDERS SUBCOMMITTEE	17
<u>PART H - PUBLIC EXCLUDED MATTER</u>	18
16 LAND ACQUISITION UPDATE - CLARK STREET, GREAT NORTH ROAD AND TOTARA AVENUE, NEW LYNN	18

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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 - Tuesday, 16 May 2006
 - Friday, 19 May 2006
 - Wednesday, 24 May 2006
 - Monday, 12 June 2006

RECOMMENDATION

That the minutes of the Meetings of the Finance and Operational Performance Committee held on Tuesday, 16 May 2006, Friday, 19 May 2006, Wednesday, 24 May 2006 and Monday, 12 June 2006, including the Public Excluded minutes, as circulated, be taken as read and now be confirmed.



PART B - PROPERTY

4 PROJECT TWIN STREAMS - SALE OF SURPLUS PROPERTY AT 341 HENDERSON VALLEY ROAD

PURPOSE OF THE REPORT

A1-A2

The purpose of this report is to seek approval from the Finance and Operational Performance Committee to sell that part of the property above the 1 in 100 year flood plain at 341 Henderson Valley Road, Henderson which is now surplus to Council's requirements as attached at pages A1-A2.

BACKGROUND

Council purchased the property at 341 Henderson Valley Road, Henderson (PT Lot 11 DP 8632) on 1 April 2005 to enable the implementation of Project Twin Streams a stream restoration and stormwater management project. The Council only needed part of the land for that purpose, but the owners exercised their statutory right to require the Council to buy the whole property.

A subdivision consent to separate the flood plane from the remainder of the property has been granted including consent for a right-of-way over the remaining land to South Kensington Way. This right-of-way will accommodate the Twin Streams walk/cycleway. Title for the Lot to be sold is now being obtained.

This Lot includes a residential dwelling and outbuildings on a site of approximately 6400m², and is now surplus to Council requirements. The dwelling is currently subject to a tenancy agreement.

STRATEGIC CONTEXT

Project Twin Streams will contribute to the following strategic objectives:

- Implementation of the Council's strategic platforms for Urban Villages, the Green Network and the Three Waters;
- Compliance with the Local Government Act and the Resource Management Act; and
- Enabling development in the catchment.

The project promotes integrated management in line with the Resource Management Act. It integrates economic, social, environmental concerns, all of which are cross-Council issues.

The protection and enhancement of riparian margins included in Project Twin Streams is consistent with the objectives and policies of the Auckland Regional Policy Statement, as the riparian margins protect and enhance water quality and reduce the risk of damage caused by floods.

ISSUES

Two issues arise in relation to the disposal of this balance land.

The first issue is that the owner of 307 Henderson Valley Road, whose property is to be purchased under Project Twin Streams, has expressed interest in buying this property to enable him to stay in this semi-rural location and to enjoy the valley. He is prepared to meet the difference in valuations of the properties.

Section 105 of the Public Works Act 1981 provides that where “a dwelling which was occupied by the owner as a private residence for himself and his family is to be purchased for a public work...and that land reasonably equivalent to that so taken...is not readily available on the market at a reasonable price for the re-establishment in the same area of his place of residence” the Council may offer as compensation ..”land held for any public work which is no longer required for any public work.....subject to payment by way of equality of exchange where appropriate”. Where an exchange is proposed under Section 105, Section 40 Public Works Act 1981 does not come into play (see Section 40(1)(c)).

The second issue will only arise if the Section 105 exchange does not proceed. At the time of purchase a deed was obtained from the vendors waiving their entitlement to an offer back under Section 40 Public Works Act 1981. There is still debate as to whether such deeds are effective and it is still therefore prudent to consider whether any of the other grounds for avoiding an offer back under Section 40 (2) arise. (The Council has delegated authority to make these decisions to the Chief Executive Officer, but it is convenient to also deal with this issue in this report.)

In this case the vendor required the Council to purchase the whole property because the vendors said that they did not wish to stay in the property in the changed circumstances. The waiver deed was signed. Council has incurred the holding costs arising from the purchase of the whole property during the period of its ownership, albeit with some recovery by way of rental from tenancing the house. To enable a resale of the property to proceed Council has had to negotiate an agreement with the adjoining owner to find a means to provide alternative access to the site (from South Kensington Way). This has been achieved and alternative frontage is now being provided to the balance land. If an offer back was to be made there would be potential not only for delay but also for disagreement over the offered price. In all the circumstances it is considered that the requirement to make an offer back would be “unreasonable or unfair” (in terms of Section 40(2) Public Works Act 1981) to the ratepayers of Waitakere City. If the former owners have changed their mind and would like to buy the property back, there is no unfairness to them if they had to compete in a public and competitive process.

Given the request from the owner of the property at 307 Henderson Valley Road and the fact that the requirements of Section 105 Public Works Act 1981 appear to have been met, it is considered that the land should be offered for exchange under Section 105 Public Works Act 1981 in the first instance. If such a sale does not proceed then it should be offered for public sale.

RESOURCES

The net proceeds from the sale will be used to pay off debt as the purchase of the property was funded from loans raised for Project Twin Streams. Project Twin Streams is ultimately funded by grants from Auckland Regional Council (formerly Infrastructure Auckland) and development contributions. The grants from Auckland Regional Council funded the acquisition of that part of the property affected by the flood plain of the Opanuku Stream and proposed riparian planting. The estimated sale price is circa \$750,000 though valuations are not yet completed.

CONCLUSION

Part of the property at 341 Henderson Valley Road not affected by the flood plain of the Opanuku Streams is surplus to Council requirements. The owner of 307 Henderson Valley Road, has expressed interest to acquire 341 Henderson Valley Road in exchange for this property plus payment by way of additional compensation to achieve equality of exchange. For the sale of the property to proceed, Council must now approve the sale of the surplus property to the owner of 307 Henderson Valley Road under Section 105. If such a sale does not proceed then it should be offered for public sale.

RECOMMENDATIONS

1. That the Project Twin Streams - Sale of Surplus Property at 341 Henderson Valley Road report be received.
2. That it be recommended to the Council:
 - (a) That the balance land at 341 Henderson Valley Road, Henderson be offered for sale by way of exchange to the owner of 307 Henderson Valley Road, Henderson under Section 105 of the Public Works Act 1981 and that the Chief Executive Officer authorised to negotiate and complete the exchange and to sign or authorise the execution of all necessary agreements and documents to give effect to the exchange.
 - (b) That if the owner of 307 Henderson Valley Road, Henderson chooses not to proceed with the exchange that:
 - the balance land be declared surplus to the Council's requirements.
 - Pursuant to Section 40(2)(a) of the Public Works Act 1981, It would be "unfair or unreasonable" to offer the surplus land at 341 Henderson Valley Road back to the former owner.
 - That the Chief Executive Officer be authorised to offer the surplus land for sale, if appropriate by public auction or public tender, and to execute all agreements and documents necessary to give effect to a sale.
 - (c) That the net proceeds of the sale of the surplus land be applied to reduce the relevant Project Twin Streams loan.

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



PART C - LEGAL AND CONSTITUTIONAL

5 AFFIXATION OF COMMON SEAL

EXECUTION OF DOCUMENTS: 6 June 2006 to 3 July 2006

Nº	NAME	PARTICULARS
3665	WCC – FM & RK Maxwell & Veronica House Ltd	Water supply easement in gross – CTs.262487-262490 – 39 Landing Road – SPW 21464
3666	WCC – FM & RK Maxwell & Veronica House Ltd	Drainage easement in gross – CT.262489 – 39 Landing Road – SPW 21464
3667	WCC – EA Kerr	Surrender of Consent Notice – CT.272364 – 130 Parker Road – RMA 20011165
3668	WCC – MO & RL Meisel	Authority for Use of dedicated road – CT.NA4D/40 – 1-3 Shirley Road, Parau
3669	WCC – House New Zealand Ltd	Surrender of Consent Notice – CTs.212412 & 212413 – 431 West Coast Road – SPW 22233
3670	WCC – Waitakere Properties Ltd	Declaration of Trust – 63 Keeling Road – Lot 1 DP 43473 – CT.NA1307/10 – resolution 677/2006

3671	WCC – Waitakere Properties Ltd	Memorandum of Transfer – Lot 1 DP 43473 – 63 Keeling Road – CT.NA1307/10 – resolution 677/2006
3672	WCC – Waitakere Properties Ltd	Declaration of Trust – 12-22 Totara Avenue – CTs.NA599/156, NA599/287 & NA678/300 – resolution 840/2006
3673	WCC – Waitakere Properties Ltd	Memorandum of Transfer – CTs.NA599/156, NA599/287 & NA 678/300 – 12-22 Totara Avenue, New Lynn – resolution 840/2006
3674	WCC – ID Ludwig & NE Glazumina	Memorandum of Encumbrance re road encroachment – CT.NA34B/809 - 155 Lone Kauri Road
3675	WCC – Jokaal Ltd	Release of Uncompleted Works & Maintenance Bond – CT.207218 – 46 Bethells Road – SPW 21983
3676	WCC – Jokaal Ltd	Release of Uncompleted Works & Maintenance Bond – CT.207219 – 46 Bethells Road – SPW 21983
3677	WCC – Jokaal Ltd	Release of Uncompleted Works & Maintenance Bond – CT.207220 – 46 Bethells Road – SPW 21983
3678	WCC – Jokaal Ltd	Release of Uncompleted Works & Maintenance Bond – CT.207221 – 46 Bethells Road – SPW 21983
3679	WCC – Jokaal Ltd	Release of Uncompleted Works & Maintenance Bond – CT.207222 – 46 Bethells Road – SPW 21983
3680	WCC – BC & DM Lineham	Deed of Waiver under S.40 Public Works Act – 2/22 Woodglen Road – Resolution 1348/2005
3681	WCC – Warrick Briggs	Warrant of Appointment & Evidence of Identity – No.WCC231
3682	WCC – Graham Richard Geary	Warrant of Appointment & Evidence of Identity – No.WCC232
3683	WCC – Mark Phillip Butterworth	Warrant of Appointment & Evidence of Identity – No.WCC233
3683a	WCC – JH Lee et anor to CRNam et enor	Landlords consent for assignment of lease – Ross McLeod delegated authority 21/6/06
3684	WCC – Glidepath Limited	Drainage easement in gross – CT.200668 – 2 Waipareira Avenue – Lot 2 DP 348884
3685	WCC – Glidepath Limited	Transfer of CT.200668 – 2 Waipareira Avenue
3686	WCC – Eveline Bertha Holland	Conservation Covenant – CT.NA71D/494 – 72 Cliff View Drive, Green Bay
3687	WCC – EE Shanks	Deed of Waiver under s.40 Public Works Act – 70A Routley Drive – resolution 1059/2006
3688	WCC – Barnardos NZ Inc	Deed of Lease – Renewal of Lease Cranwell Park – resolution 3892/2000
3689	WCC – NZ Railways Corporation	Agreement to lay pipes – Metcalfe/Pooks Roads - Standing Orders 44(2)
3690	WCC – Te Ahoranga Playcentre Association Inc	Lease of part of Waiatarua Reserve for Waiatarua Playcentre – resolution 45/2006

- | | | |
|------|---------------------|--|
| 3691 | WCC – D Poole | Release of Memorandum of Encumbrance B733002.1 – 3 Fawcett Road, Laingholm – Lot 10 DP 62369 |
| 3692 | WCC – KD & GW Lucas | Drainage easement in gross – CT.285084 – 8 Cron Avenue – SPW 21511 |

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 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

A3 This report covers expenditure for the eleven months to 31 May 2006. The financial summaries 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 Director: Finance prior to the meeting to enable the query to be researched.

CONCLUSION

Expenditure for the 11 months to 31 May 2006 is on track as per 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

A4

The Special Fund report is separated into restricted and non-restricted funds. The balances and summary transactions for the ten months ended 31 May 2006 are attached at page A4.

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.

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 May 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.

A5-A10

The relevant portfolio and graphs reflect the estimated position as at 31 May 2006 and are attached at pages A5 to A10.

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 approved a new loans funded capital works programme for the 2005/2006 year, including carry forward projects from the 2004/2005 year, through the Annual Plan 2005/2006 to a maximum gross debt of \$296.681 million. Interest expense for the 2005/2006 year is budgeted to be \$10.166 million.

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 MAY 2006

Council's estimated gross term debt position has increased by \$4.983 million since April 2006, with an estimated closing balance at May month end of \$232.260 million.

SIGNIFICANT FUNDING TRANSACTIONS ENTERED INTO DURING MAY 2006

- Agree to issue a new floating rate note, face value of \$10 million for a term of 7 years from 15 June 2006 at an interest rate of New Zealand 90 day bank bill interest rate (mid) plus a margin of 14 basis points
- Agree to issue a new floating rate note, face value of \$15 million for a term of 10 years from 15 August 2006 at an interest rate of New Zealand 90 day bank bill interest rate (mid) plus a margin of 17 basis points

FINANCIAL MARKET COMMENTARY

Market Overview

Interest rates over the past month continued to remain relatively stable with short term 90 day bank bills holding at around 7.50%, while the 10 year swap rate has remained around 6.70%. With the Reserve Bank of New Zealand's next Monetary Policy Statement to be made on 27 July 2006, the Financial Markets expect the Official Cash Rate to remain steady at 7.25%.

Up Coming Dates

Official Cash Rate Announcement 27 July 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.



9 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.

STRATEGIC CONTEXT

The Council makes various payments as provided for in its Long Term Council Community Plan and Annual Plans. The Council follows good practice for procurement of goods and services and ensures that funding has been provided from appropriate sources.

PAYMENTS

A11-A18

A summary schedule of payments made for the period 5 May 2006 to 8 June 2006 is attached at pages A11 to A12. A further schedule of all payments of \$5,000 and above, together with the reason for the payment is attached at pages A13 to A18. 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.

CONCLUSION

The summary schedule of payments is shown for the period 5 May 2006 to 8 June 2006. Payments have been provided for in accordance with approved budgets.

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.



PART E - GENERAL

10 2006 WAITAKERE WARD BY-ELECTION

PURPOSE OF THE REPORT

The purpose of this report is to provide the Finance and Operational Performance Committee with a summary of the conduct of the 2006 Waitakere Ward By-Election.

BACKGROUND

Project Team

The 2006 Waitakere Ward By-Election was run by the Electoral Officer and Deputy Electoral Officer. Processing of voting documents was contracted out to a New Zealand company, Electionz.com Limited. Specialist support was provided by staff within Public Affairs, Legal Services, Information Management, Field Services and Democracy and Support Services. This cross organisational support made a significant contribution to the successful running of the 2006 Waitakere Ward By-Election.

Contested Issue

Councillor Booth tendered his resignation as a Councillor for the Waitakere Ward to the Chief Executive Officer on 23 January 2006.

The Chief Executive Officer notified the Electoral Officer of the resultant Extraordinary Vacancy on Tuesday, 31 January 2006.

Public Notice of the 2006 Waitakere Ward By-Election was given on Thursday, 2 February 2006.

The contested issue was the 2006 Waitakere Ward By-Election which was held on Friday, 21 April 2006.

The 2006 Waitakere Ward By-Election was held for: Councillor - Waitakere Ward (one (1) Councillor to be elected).

Nominations

Nominations opened on Thursday, 2 February 2006 and closed at 12 noon on Thursday, 2 March 2006. At the close of nominations, the Council had received a total of 5 nominations.

Following the close of nominations a total of 21,725 voting documents and candidate profile statements were prepared and mailed. The mailing out of voting documents and candidate profile statements started on Thursday, 30 March 2006 and concluded on Wednesday, 5 April 2006.

Voting Documents

All voting documents and Candidate Profile Statement booklets were printed and mailed out by Moore Gallagher Limited.

The quality of the voting documents was high and facilitated easy scanning for processing; some aspects of the voting paper design had been improved as result of the 2004 Triennial Elections.

Progressive Processing

Progressive processing of the voting forms commenced on Wednesday, 19 April 2006. This process was contracted out by the Council to a private company, Electionz.com Limited.

Electionz.com Limited, were contracted for the 2004 Elections by a number of local authorities throughout the country to process voting papers. The Council has been assisted by Electionz.com Limited with the processing of voting documents since 2001.

The processing of voting documents was undertaken at Electionz.com Limited's Head Office in Christchurch. At all times of processing Waitakere City Council's Deputy Electoral Officer was present to oversee the process. A Justice of the Peace was also present, as required by the Local Electoral Act 2001.

Results

A preliminary result was available at 3pm on Election Day, Friday, 21 April 2006. The preliminary result was posted on the Council's website on Election Day, Friday, 21 April 2006.

The final results were declared on Wednesday, 26 April 2006. Public Notices were then placed in the New Zealand Herald, the Western Leader and the Aucklander (West Edition) declaring the final result.

Special Votes

Special Votes were available for electors at the Civic Centre at Waipareira Avenue, as well as by mail. Special Voting was available from Thursday, 30 March 2006 until noon Friday, 21 April 2006.

In total 30 Special Voting Documents were issued, with 12 valid votes included in the final count. A total of 4 votes were ruled as invalid. The balance of Special Voting Documents were not returned.

Communications/Promotions

Leading up to the election there was extensive advertising/promotion carried out locally within the Ward concerned, maximising use of local publications.

Elector Turnout

The final turnout was 27.28%. This was disappointing as it reflected a further decline in voter turnout as compared with the 2004 Triennial Elections.

STRATEGIC CONTEXT

Active democracy is one of the Council's nine strategic platforms. Providing registered electors with an opportunity of electing their chosen representatives is one mechanism of bringing this platform to the communities of Waitakere.

ISSUES

Election Hoardings

The electoral office operated on the principle of responding to complaints on any allegations that the election hoarding's policy was being breached, rather than taking a pro-active approach to the enforcement of the policy. However, it should be noted that very few complaints were received and all of these related to misplaced vandalised signs rather than to the placement of signs by candidates. The Electoral Officer was fully supported by Field Services staff in dealing with these complaints.

Ward Boundaries

Election officials dealt with a small number of enquiries from electors who believed they were located within the Waitakere Ward, but whom, it subsequently transpired, were actually resident in the New Lynn or Henderson Wards.

Issues with New Zealand Post and the Electoral Enrolment Centre

New Zealand Post miss-delivered a total of 31 completed Voting Documents to the Civic Centre instead of to the dedicated Election post box. That this was not higher was due to prompt action by New Zealand Post managers.

A four hour delay was experienced with the delivery of the final consignment of completed Voting Documents to the Electionz.com Limited processing office in Christchurch on Election Day.

There were no issues with the Electoral Enrolment Centre. As in the case of the 2004 Triennial Elections the Registrar of Electors for Helensville rendered invaluable and prompt assistance with information requests relating to Special Votes.

RESOURCES

Financial and staff resources used to conduct the election were provided, although not budgeted for, in the Annual Plan 2005/2006. The Council has a statutory obligation to conduct by-elections in the case of extraordinary vacancies.

CONCLUSION

The 2006 Waitakere Ward By-Election was properly conducted in terms of the statutory requirements. Issues arising out of the 2006 Waitakere Ward By-Election process will be evaluated and future improvements to the electoral process will be instituted as necessary.

RECOMMENDATION

That the 2006 Waitakere Ward By-Election report be received.

Report prepared by: Darryl Griffin, Electoral Officer and Charlie Inggs, Deputy Electoral Officer.



11 THREE WATERS STRATEGY

PURPOSE OF THE REPORT

The purpose of this report is to recommend to the Finance and Operational Performance Committee a work programme to develop a Three Waters Strategy in partnership with other stakeholders.

BACKGROUND

At the Finance and Operational Performance Committee meeting of 12 June 2006, a report was submitted on Watercare Services Limited's Funding Plan 2006. That Committee discussed the need to reduce demand in order to minimise capital investment in Three Waters Infrastructure and the Committee resolved as follows:

- “1. That the Watercare Services Limited Funding Plan 2006 report be received.*
- 2. That options be explored with the Shareholders Representative Group and the Local Network Operators Group to work together with Watercare Services Limited to minimise long term costs, with reporting back to Council through the Annual Plan 2007/2008 process.*
- 3. That the price impact of Watercare Services Limited Funding Plan 2006 be reported to the Long Term Council Community Plan and Annual Plan Special Committee.*
- 4. That a report be brought back to the appropriate Committee on the regional demands, management and bulk water supply tariffs.”*

1051/2006

STRATEGIC CONTEXT

Waitakere was the first territorial authority in the region to develop the Three Waters Strategy as one of its nine strategic platforms. The strategy of integrating the management of the Three Waters has now been adopted by Watercare Services Limited and other service providers.

ISSUES

At present there is a joint project between Watercare Services Limited and the Local Network Operators to develop a Regional Three Waters Strategy. While there is good alignment at management and operational level, there is a risk that the strategy will not be able to be implemented unless there is political alignment.

At the same time, Government has released its Water Programme of Action that aims to develop a more sustainable approach to the management of water.

Following on from the comments made at the Finance and Operational Performance Committee meeting of 12 June 2006, a work programme is recommended to enable Council to commence discussions with its partners as to how to best influence the two initiatives discussed above. Therefore, the following work programme is recommended:

- Development of a discussion document to be approved by the Chairmen of the City Development Committee and the Finance and Operational Performance Committee.
- Development of an advocacy plan to be approved by the Chairmen of these two Committees.

Once the advocacy plan has been implemented, Council will be able evaluate feedback from stakeholders and determine any further action that may be required. This will be reported back to the committees at a later date.

RESOURCES

Staff will prepare the discussion document, and the document will be published in-house.

The advocacy plan and its implementation will be carried out using existing staff resources.

CONCLUSION

There is a need to establish political support and buy in for a Three Waters Strategy and this report recommends a work programme to initiate this process.

RECOMMENDATIONS

1. That the Three Waters Strategy report be received.
2. That a work programme be approved to advocate for a Three Waters Strategy, including the following:
 - Development of a discussion document to be approved by the Chairmen of the City Development Committee and the Finance and Operational Performance Committee;
 - Development of an advocacy plan to be approved by the Chairmen of these two Committees.

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



12 COMMUNITY SPORT FUND ALLOCATION SUBCOMMITTEE REPRESENTATIVES

PURPOSE OF THE REPORT

The purpose of this report is to seek endorsement from the Finance and Operational Performance Committee of a change of the alternate representative from Waitakere Ethnic Board on the Community Sport Fund Allocation Subcommittee.

BACKGROUND

The Finance and Operational Performance Committee has the delegated authority to appoint external Members to the Community Sport Fund Allocation Subcommittee. The Community Sport Fund Allocation Subcommittee comprises of:

- 1 Representative of the Finance and Operational Performance Committee who shall Chair the Subcommittee.
- 1 Representative from each Community Board.
- 1 Representative from Waitakere Regional Sports Trust.
- 2 Representatives from the Maori community recommended by Te Taumata Runanga.
- 1 Representative from the Pacific Island community recommended by the Pacific Islands Advisory Board.
- 1 Representative from the community.
- 1 Representative from the Waitakere Ethnic Board.

This agenda report is to provide to the Finance and Operational Performance Committee the name of the alternate representative nominated by Waitakere Ethnic Board for the Community Sport Fund Allocation Subcommittee.

STRATEGIC CONTEXT

The Community Sport Fund Allocation Subcommittee allocates funding from the Community Sport Fund. Through its strategic documents and adoption of Strong Communities, Council outlines its commitment to undertaking initiatives that will contribute to making Waitakere City a safe, healthy place to live and to improving local leisure and recreation opportunities and choices.

Through adoption of First Call for Children, Council has also stated its commitment to proactively supporting children, young people and their families in Waitakere City. Direct financial assistance to organisations providing sport and recreation in Waitakere City supports Council's commitment to these policies.

ISSUES

The composition of the Community Sport Fund Allocation Subcommittee is reviewed every three years and organisations are requested to confirm their Subcommittee membership. Jean-Pierre Karabadogomba has been nominated as the alternate represent from the Waitakere Ethnic Board. Mr Karabadogomba replaces Camille Nakhid who is no longer on the Executive of the Waitakere Ethnic Board, accordingly it is requested that this nomination be accepted.

RESOURCES

There are no additional financial or staffing requirements in regard to this matter.

CONCLUSION

The composition of the Community Sport Fund Allocation Subcommittee is reviewed every three years and organisations are requested to confirm their Subcommittee membership. Jean-Pierre Karabadogomba has been nominated as the alternate represent from the Waitakere Ethnic Board. Mr Karabadogomba replaces Camille Nakhid who is no longer on the Waitakere Ethnic Board Executive and accordingly it is requested that this nomination be accepted.

RECOMMENDATIONS

1. That the Community Sport Fund Allocation Subcommittee Representatives report be received.
2. That Jean-Pierre Karabadogomba be appointed as the alternate representative from the Waitakere Ethnic Board on the Community Sport Fund Allocation Subcommittee.

Report prepared by: Jan Brown, Community Assistance Facilitator.



PART F - RECOMMENDATIONS FROM OTHER MEETINGS

13 RECOMMENDATION FROM CULTURE, ARTS AND EVENTS SPECIAL COMMITTEE: EVENTS BID - OCEANIA UNDER 16 BASKETBALL TOURNAMENT

The Culture, Arts and Events Special Committee Recommends to the Finance and Operational Performance Committee:

That the Arts, Events & Cultural Special Committee recommends to the Finance and Operational Performance Committee that \$20,000 for the hire of The Trusts Stadium for the Oceania Under 16 Basketball Tournament from the events bid budget be carried forward to the 2006/2007 financial year.



PART G - REPORTS FROM THE SUBCOMMITTEES

14 EMERGENCY SERVICES SPECIAL COMMITTEE

THE SPECIAL COMMITTEE SUBMITS THE FOLLOWING REPORT OF ITS MEETING HELD ON TUESDAY, 13 JUNE 2006.

MATTERS CONSIDERED

A19-A21

The Special Committee dealt with a number of items for which it has delegated powers to act and a copy of the minutes of the meeting is attached at pages A19 to A21.

The Special Committee Recommends:

That the Meeting report of the Emergency Services Special Committee held on Tuesday, 13 June 2006 be received.

DQ Battersby, JP
CHAIRMAN



15 TENDERS SUBCOMMITTEE

THE SUBCOMMITTEE SUBMITS THE FOLLOWING REPORT OF ITS MEETING HELD ON FRIDAY, 2 JUNE 2006, FRIDAY, 16 JUNE 2006 AND FRIDAY, 30 JUNE 2006.

MATTERS CONSIDERED

A22-A35

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 A22 to A35 including the public excluded minutes in the Confidential Supplement attached at page C6 labelled Part H.

*Part H
C6*

The Subcommittee Recommends:

That the Meeting reports of the Tenders Subcommittee held on Friday, 2 June 2006, Friday, 16 June 2006 and Friday, 30 June 2006 be received.

JM Clews, QSO, JP

CHAIRMAN



PART H - PUBLIC EXCLUDED MATTER

16 LAND ACQUISITION UPDATE - CLARK STREET, GREAT NORTH ROAD AND TOTARA AVENUE, NEW LYNN

This item will be considered in the Confidential Supplement of the agenda, and has been circulated to members separately with this agenda.

PROCEDURAL MOTION TO EXCLUDE THE PUBLIC

That the public be excluded from the following part of the proceedings of this meeting, namely, Land Acquisition Update - Clark Street, Great North Road and Totara Avenue, New Lynn.

The general subject of the matter to be considered while the public is excluded, the reason for passing this resolution in relation of the matter, 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 matter to be considered.	Reason for passing this resolution in relation to the matter.	Ground(s) under Section 48(1)(a) for the passing of this resolution.
Land Acquisition Update - Clark Street, Great North Road and Totara Avenue, New Lynn.	The withholding of information is necessary in order to: <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). 	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.

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.

