



Waitakere City Council  
*Te Taiao o Waitakere*

## NOTICE OF MEETING

# POLICY AND STRATEGY COMMITTEE

I hereby give notice that a meeting of the Policy and Strategy Committee will be held on:-

**DATE:** Thursday, 5 November 2009                      **TIME:** 9.30 am

**MEETING ROOM:** Council Chamber

**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.

29 October 2009

Judith Moore  
**COMMITTEE SECRETARY**

Telephone (09) 836 8000 extn 8950

### MEMBERSHIP:

Deputy Mayor	PA	Hulse (Chairman)
Councillors	LA	Cooper, JP (Deputy Chairman)
	DQ	Battersby, QSM, JP
	BA	Brady, JP
	MFP	Chan, JP
	JM	Clews, QSO, JP
	RI	Clow
	AK	Corban, OBE, JP
	RP	Dallow, QPM, JP
	WW	Flaunty, QSM, JP
	MM	Jolley
	JP	Lawley, JP
	PG	Mitchell
	VS	Neeson, JP
Mr	WH	Paki, JP (Chairman, Te Taumata Runanga)

Mayor RA Harvey, QSO, JP (ex officio)

(Quorum 5 members)

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(Meeting Room could be subject to change)

(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 POLICY AND STRATEGY COMMITTEE TO BE HELD IN  
THE COUNCIL CHAMBER AT WAITAKERE CENTRAL, 6 HENDERSON VALLEY ROAD,  
HENDERSON, WAITAKERE, ON THURSDAY, 5 NOVEMBER 2009,  
COMMENCING AT 9.30 AM**

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**AGENDA FOR A MEETING OF THE POLICY AND STRATEGY COMMITTEE TO BE HELD IN  
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**1 APOLOGIES**



**2 URGENT BUSINESS**

Section 46A(7) of the Local Government Official Information and Meetings Act 1987 provides that where an item of business is not on the agenda, it may only be dealt with at the meeting if:

- (i) the Committee by resolution so decides; and
- (ii) the 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 CONFLICTS OF INTEREST**

The Council has acknowledged in its Code of Conduct that Members need to be vigilant to stand aside from decision making when a conflict arises between their role as a member of the Council and any private or other external interest they might have. This note is provided as a reminder to members to check that no such conflicts arise in relation to any items on this agenda.



**4 CONFIRMATION OF MINUTES**

Meeting Minutes - Thursday, 8 October 2009.

**RECOMMENDATION**

It is recommended that the Policy and Strategy Committee resolve to:

**Receive** the minutes of the meeting of the Policy and Strategy Committee held on Thursday, 8 October 2009, as circulated, and that they be taken as read and now be confirmed.



## 5 PRESENTATIONS

### A RAIL ELECTRIFICATION

Kiwirail officers will make a presentation on past developments, recent progress and the planned next stages of the Auckland Region Rail Electrification project

### B BROADBAND SUBMISSION

Council officers will make a 20 minute presentation on Council's Broadband Submission on the recently released discussion document by the Ministry of Economic Development on facilitating the deployment of broadband infrastructure.



## 6 LOCAL AREA PLAN DEVELOPMENT – WAITAKERE RANGES FOOTHILLS WALKWAY FEASIBILITY INVESTIGATION STUDY

### GLOSSARY

Local Area Plan/s	(LAP/s)
Policy and Strategy Committee	(the Committee)
Waitakere Ranges Foothills Walkway Feasibility Investigation Study	(the Study)

### EXECUTIVE SUMMARY

The purpose of this report is to seek endorsement from the Policy and Strategy Committee (the Committee) to investigate the feasibility of establishing a cross foothills walkway and undertake preliminary consultation.

As part of the development of the foothill Local Area Plans (LAPs), extensive consultation is being carried out with the Oratia, Waiatarua and Opanuku/Henderson Valley communities and key stakeholders. A consistent theme of feedback from consultation is the need for better walking facilities and pedestrian linkages, opportunities for rural activities and boutique businesses and the importance of cultural tourism as part of recognising history and creating economic opportunities for Maori.

Council officers have identified that there is an opportunity to link initiatives related to these themes (accessibility and rural economic opportunities). Consultation would be undertaken as part of the LAPs process and it is envisaged that the feasibility study could be reported back to the Committee in March 2010.

### RECOMMENDATIONS

It is recommended that the Policy and Strategy Committee resolve to:

1. **Receive** the Local Area Plan Development – Waitakere Ranges Foothills Walkway Feasibility Investigation Study report.
2. **Direct** the Chief Executive to investigate the feasibility of establishing a walkway, over time, in the eastern foothills of the Waitakere Ranges from Oratia in the south to the Swanson Railway Station in the north and that this be reported back to the Policy and Strategy Committee in March 2010.
3. **Agree** that further consultation on the Waitakere Ranges Foothills Walkway Feasibility Investigation Study be undertaken with key stakeholders and residents of the Waitakere Ranges foothills through the Local Area Plan development process.

## BACKGROUND

### Development of Local Area Plans and consultation

1. Significant progress has been made on the development of LAPs for the Oratia and Waitatarua areas. Submissions have been received on the proposed LAPs for these two areas. Work on two further LAPs for the Opanuku/Henderson Valley and Swanson/Waitakere areas has also commenced.
2. Extensive consultation on the development of the proposed LAPs, was carried out during 2008 and 2009 with the Oratia and Waitatarua communities. A consistent theme of feedback from the open days, public meetings and community enquiry workshops was the need for better walking facilities and linkages including trails, cycle ways and footpaths.
3. Participants in the Oratia LAP consultation identified that they would like to see opportunities for rural activities and boutique businesses. A hui with Tangata Whenua and Maori of Waitakere raised the importance of cultural tourism as part of recognising history and creating economic opportunities for Maori.
- A1 4. Consequently the LAPs have included a number of objectives, policies and actions that seek to provide opportunities for wilderness, recreation and rural experiences close to metropolitan Auckland. In particular these identify the possible development of walking, cycling tracks and heritage trails as particular opportunities. The LAPs also include objectives, policies and actions relating to providing landowners with opportunities for rural economic innovation. The relevant objectives, policies and actions relating to these two matters are outlined and attached at page A1.
5. At the 2 July 2009 Committee workshop, Council officers introduced the concept of a Waitakere Ranges foothills walkway that is included in the Foothills section of the LAPs Background report. A high level conceptual map was shown at the workshop which outlined an indicative route across the rural part of the foothills from Oratia in the south to Waitakere Village in the north.
6. This concept highlights the opportunity to take an integrated approach to finding solutions to a range of issues and taking these opportunities up during the LAP development process. Improved access across the foothills will also provide opportunities to draw visitors from the urban area and away from the regional parkland to enhance the viability of appropriate rural activities. A more detailed concept plan will be presented to the Committee meeting on 5 November 2009.

## DECISION MAKING

### Waitakere Ranges Foothills Walkway Feasibility Investigation Study (the Study)

7. The objective of the Study is to investigate the feasibility of establishing a walkway in the eastern foothills of the Waitakere Ranges. The walkway would run from Oratia in the south to the Swanson Railway Station area in the north. The proposed walkway would:

- connect communities in the eastern foothills of the Waitakere Ranges;
  - provide safe walking (and cycling) routes for local residents and visitors;
  - provide an iconic walking track on the eastern side of the Waitakere Ranges, adding to the current network within the Waitakere Ranges and beyond. This would provide a different, countryside, experience to that enjoyed on trails in the forested areas of the Waitakere Ranges;
  - provide linkages to other walkways and cycle ways originating in urban areas;
  - provide increased opportunities for the wider public to access a significant walking track through the use of public transport and associated walking trail linkages;
  - encourage increased physical activity and the associated benefits of this;
  - potentially provide local landowners new rural economic opportunities (e.g. to provide different accommodation options compared to the back-country camp sites associated with the Long Trail); and
  - assist in spreading the visitor load from the Waitakere Ranges Parkland.
8. The Study would consider the following matters:
- the route;
  - the potential opportunities to leverage off current subdivision/development potential (i.e. what is currently allowed under the Waitakere District Plan and Structure Plans), links to paper roads, esplanade reserves and other publicly owned land and access arrangements with landowners;
  - costs;
  - benefits;
  - potential positive and negative effects on neighbours or locals;
  - hurdles in establishment;
  - the level of community support;
  - the opportunities to engage the community, iwi, businesses, Non Government Organisations and alternative funding entities;
  - possible links to regional and Council open space, tracks and transport routes (including existing walk and cycle ways); and
  - options for securing land access.
9. From the investigations, analysis and evaluation carried out, the report would address the overall feasibility of the project and provide recommendations. It would outline what the first steps of implementation could be to ensure that future walkway opportunities are not foreclosed. This report seeks endorsement from the Committee to progress the project in accordance with the above outline.

### Timing

10. Consultation related to the development of the Opanuku/Henderson Valley LAP commenced in October 2009 and will continue through the latter part of 2009. Consultation related to the development of the Swanson/Waitakere LAP will occur in early 2010. A significant proportion of the proposed walkway could be located in these two areas. There is an opportunity to investigate and test the concept with the community during these processes. It is also timely that subdivision opportunities have not yet been taken up in these catchments and as a result public access has not been closed off.
11. Council officers have estimated that the proposed study could be completed and reported back to the Committee by March 2010.

## STRATEGIC CONTEXT

12. The Waitakere Ranges and Foothills Protection Project complements the Growth Management Strategy for Waitakere, the Auckland Regional Growth Strategy, and policies in the Auckland Regional Policy Statement. The Waitakere Ranges Heritage Area Act seeks to provide for the social, cultural, environmental and economic wellbeing of the residents of the Heritage Area.
13. A Waitakere Ranges foothills walkway is one initiative that may achieve the objectives of LAPs related to the foothills area and it would also deliver on a number of Council's strategic outcomes. These strategic outcomes include: improving pedestrian and cycling access under the Transport Strategy; identifying and facilitating appropriate rural activities under the Economic Wellbeing Strategy; and promoting quality, connected communities under the Growth Management Strategy. The foothills walkway initiative also aligns to a key objective in Council's Open Space Strategic Plan which is to ensure there is equitable access and a diversity of recreational opportunities and experiences.
14. Council has progressively planned for and increased public walking and cycling access in various parts of the City. Much of this focus has been on urban areas (e.g. the Twin Streams walk and cycle ways). The foothills walkway would provide a natural extension to that work and create a connection from the Waitakere Ranges to the sea.

## CONSULTATION

15. Further consultation with key stakeholders, foothills residents and landowners would be necessary in the investigation of establishing a Waitakere Ranges foothills walkway. Feedback from the Oratia and Waiatarua LAP development process was generic in nature. This highlighted the need for better walking facilities and linkages rather than specifically focusing on an extensive foothills walkway.
16. The proposed consultation on the foothills walkway could be carried out as part of the development of the LAPs for Opanuku/Henderson Valley and Swanson/Waitakere.
17. Preliminary discussions have taken place with relevant Council officers and it is clear that greater certainty around a walkway will also enhance a number of cross-Council work programmes in the Consents, Transport Assets, Community Wellbeing and Parks areas.

## RESOURCES

18. The preparation of the proposed Study can be accommodated within the 2009/2010 Waitakere Ranges and Foothills Protection Project budget.

## IMPLEMENTATION ISSUES

19. There are no implementation issues associated with the preparation of the proposed Study. The report would only provide recommendations on what would be feasible in the future. It would not commit Waitakere or the Auckland Council to the construction of the walkway.

## AUCKLAND COUNCIL TRANSITION ISSUES

20. The decision making proposed in this report is not constrained by section 31 of the Local Government (Tamaki Makaurau Reorganisation) Act 2009, as it does not directly or because of its consequences: significantly prejudice the reorganisation, significantly constrain the powers or capacity of the Auckland Council or any subsidiary of the Auckland Council following the reorganisation, or have a significant negative impact on the assets or liabilities that are transferred to the Auckland Council as a result of the reorganisation.

**Report prepared by:** Matt Heale, Manager: Sustainable Management and Lance Vervoort, Strategic Advisor.



## 7 COMMUNITY LEASES POLICY

### GLOSSARY

Current Community Leases Policy	(the current policy)
Draft Consultation Community Leases Policy	(the draft consultation policy)
Final Draft Community Leases Policy	(final draft policy)
Lease Assessment Group	(LAG)

### EXECUTIVE SUMMARY

A2-A23

The purpose of this report is to provide an analysis of the submissions from the public consultation process on the Draft Consultation Community Leases Policy (the draft consultation policy), as attached at pages A2 to A11, and to present a revised Final Draft Community Leases Policy (the final draft policy), as attached at pages A12 to A23, for adoption.

The final draft policy incorporates feedback and recommended changes from key stakeholders including submitters and the Council's Lease Assessment Group (LAG). The key elements of the draft consultation policy have been retained with no significant changes in the final draft policy as a result of the consultation. The amended clauses enable the final draft policy to be clearly understood with definitions and processes outlined to provide transparency and accountability. The amendments relate to lease eligibility, lease application/assessment processes, types and terms of leases e.g. rents and tenure, the lease renewal and termination processes, and Council and lessee responsibilities including maintenance and reporting requirements.

Overall the final draft policy ensures a fairer fee and tenure structure for effective use of Council amenities, to enhance community wellbeing in Waitakere.

Adoption of the final draft policy will provide security of tenure for lessees, clarification of community lease terms and processes and a consistent approach within Waitakere in relation to other cities in the Auckland region.

### RECOMMENDATIONS

It is recommended that the Policy and Strategy Committee resolve to:

1. **Receive** the Community Leases Policy report.
2. **Agree**, subject to resolution 3 below, that the Community Leases Policy be adopted.

3. **Note** that resolution 2 above is subject to confirmation by the Auckland Transition Agency.

### BACKGROUND

1. The aim of the final draft policy is to support local communities by leasing Council properties at subsidised nominal rates to community organisations that provide local services and activities on a voluntary or not-for-profit basis to enhance community wellbeing in Waitakere.
2. Most community leases are on public land owned or administered by the Council. They fall into two groups, Council-owned buildings or community group-owned buildings. Other leases may include space inside a Council-administered community facility such as the New Lynn Community Centre.
3. There are currently 111 land-only leases where the Council owns/administers the land and the tenant owns the building, 42 land and building leases where Council owns/administers the land and also owns the buildings and 11 leases of space in a Council-owned building.
- A24-A33 4. The current Community Leases Policy (the current policy), as attached at pages A24 to A33, was adopted in 1998 and required reviewing and updating. Many leases are currently overdue for renewal but unable to be fully processed until the final draft policy is adopted.
5. A review of the current policy was undertaken during May-August 2009 by the Strategic Analyst: Social Wellbeing with assistance from an independent consultant. There was considerable input into the revision of the current policy by the LAG comprising officers from Tenancy Operations and Support, Parks and Open Space Assets, Leisure Services, and Property Assets as well as the Social and Cultural Strategy (including the Social Infrastructure Planners) and Legal Services teams. New assessment and reporting templates were also developed to support implementation of the policy.
6. The review also included consultation with elected members and discussions with colleagues from other Auckland regional territorial local authorities.
7. The draft consultation policy and relevant accompanying documentation (including application and reporting forms) were prepared and presented to the Policy and Strategy Committee at its meeting held on Thursday, 3 September 2009.
8. The Policy and Strategy Committee resolved to
  1. **Receive** the Community Leases Policy report.
  2. **Agree**, subject to resolution 3 below, that the draft Community Leases Policy with attached documents be sent out for public consultation.
  3. **Note** that resolution 2 above may be subject to confirmation by the Auckland Transition Agency”

1519/2009
- A34-A44 9. The submission process opened on 8 September 2009 and closed on 8 October 2009. All lessees were sent consultation packs and there were numerous enquiries from many organisations. A total of 18 submissions were received. Most (15) were from existing lessees representing community houses, residents and ratepayers associations, sports and service clubs and early childhood organisations. A summary of the submissions is provided, as attached at pages A34 to A44.

10. An analysis of the submissions has been undertaken with Tenancy Operations and Support. Further feedback was sought from the LAG on key areas such as fees and maintenance and recommended changes were incorporated into the final draft policy.

## DECISION MAKING

### Issues

11. The main areas of concern raised by submitters were rent costs, right of renewal of leases and building maintenance.
12. Several of the submitters sought further explanation and clarification and there appeared to be misinterpretation of some of the clauses. Some of the changes sought are more appropriately included at the operational level through the lease process and individual contracts than at a policy level and will be addressed by relevant Council officers at that stage.
13. Further clarification and definitions were identified as being needed in several sections of the final draft policy covering lease eligibility, the lease application/assessment processes, types and terms of leases, lease renewal and termination processes, and Council and lessee responsibilities including maintenance and reporting requirements.
14. Changes have now been made to the final draft policy to ensure there is a clearer understanding of the rationale and definitions are more explicitly expressed as outlined below.

### Policy Scope and Eligibility (7.0 and 7.1)

15. Expanded definitions of “**community**” and “**non-profit**” are provided in *Section 7.1, “Who is eligible for a community lease”*. Other wording has been deleted where it was considered ambiguous, or not necessary.

### Lease Application Process (8.0)

16. In Section 8, a clause has been added to clarify that groups who own their own buildings have an automatic right to reapply for lease renewal without public notification. This recognises the considerable investment that groups who own their own buildings have made and provides some certainty of future tenure provided there is continuing compliance with the terms of the lease.
17. Another clause has also been added to indicate that public notification may not necessarily apply to community halls and community houses. This acknowledges that many have agreements with the Council to undertake specific services on behalf of the Council in their communities. It also recognises that community needs may change in the future, so allows discretion with regard to the need for public notification.
18. Some submitters were opposed to a \$100 application fee as an unnecessary cost on community groups and requested the waiving, or reduction of this fee for new and/or existing leaseholders, where it was in the best interests of the community. It is considered that these fees are not high and represent a fraction of the cost of administering the lease application process.
19. A reference to opening up of the process to other applicants was removed from this section of the policy, as it was considered to be already covered by other clauses and not necessary.

### Criteria for assessing lease applications (8.1)

20. There was support for a robust application process to ensure community facilities were well utilised for the benefit of the community. The main issue of concern for several submitters, particularly for those leasing Council-owned buildings was the requirement relating to the **“Ability to fulfil lessee requirements, including maintenance”**. Some submitters contended that this would place a financial burden on community groups that they could not afford. This clause was retained as it was considered that groups need to be able to take responsibility in offering some assurance of basic maintenance for the use of the building.
21. The requirement for **“Alignment with Council strategies, policies and plans”** was noted by one submitter, who thought this required further explanation and needed to be linked to the lease application forms. This is considered to be an issue that can be addressed as an operational matter when lease applications are submitted and assessed.

### Types and Terms of Leases (9.0)

22. The proposed new length of lease terms (up to 10 years for those leasing Council-owned land and/or buildings and up to 15 years for those with their own building on Council land) drew little comment and has been retained without change in the final draft policy. Two submitters sought longer lease terms (20-30 years plus) to ensure greater certainty for future planning, secure tenure and protection of their building and improvements investment.
23. A very divergent range of annual rents from \$5 to \$2500 is currently being paid by lessees. The proposed new standard rent structure is \$500 p.a. for Council-owned land and buildings and \$250 p.a. for those with their own buildings, or leasing Council land only.
24. Some submitters, who are currently paying lower rents, are opposed to the proposed increase. Raising the base rent from the current \$150 per annum to a minimum level of \$500 per annum for lessees occupying Council-owned buildings was considered by these submitters to be a significant increase that would particularly penalise smaller community groups and make it uneconomic for them to continue. They contended that rents should reflect the overall facility, location, commercial opportunities and ability of the group to afford the increase. One submitter asked for a provision to waive lease charges where it was in the best interests of the community, if services were being provided that would otherwise need to be provided by the Council. One submitter thought the rents reflected the current economic climate. Another submitter thought the rents were too low.
25. Council officers consider that the rent is reasonable, equating to less than \$10 a week and is an indicator of the financial viability, membership base and general ability of groups who want to lease Council-owned buildings for community services and activities. As some lessees currently paying much higher rents would have rent reductions under the proposed new rent structure, the final draft policy has been amended to read **“minimum of”** so that higher rents may continue to apply as relevant depending on individual lease conditions.
26. There was a mixed response to the proposed additional 5% rental charge (after the first \$100,000 of total gross sales revenue from commercial activities) from groups that undertake commercial activities from Council leased land and/or buildings. Some thought this was fair, but submitters for whom this may apply, considered they were already paying enough in rates and related charges and their level of community activity and contribution to the community would suffer if they were required to pay additional charges. A more detailed rationale has been included in the final draft policy. There is a worked example of how the 5% additional charge would apply, as attached at page A45.

27. Some submitters opposed the provision that allowed rents and fees for the policy to be reviewed at any time. The provision was included to allow for rent adjustments over the course of lease periods (5-15 years). Further clarification has been provided that tenants' rental payments would not be affected until the next rent review documented in the deed of lease.
28. Clarification of the terms "*ad hoc*" and "*sub-lease*" was requested and has been included.
29. The need for an annual written report and the level of detail i.e. financial and membership required in annual reports was queried as not necessary by some submitters. One suggested an annual inspection instead. As Council officers are required to monitor community leases, annual written reports are an essential input and a key component of implementing the final draft policy.

#### **Right of Renewal (9.1)**

30. Some concern was expressed, particularly by groups with their own buildings and long-standing community leases, with the lease review provisions which they considered gave rise to uncertainty for their continued tenure. This section has been renamed (formerly Lease Review) to "**Right of Renewal**" to better reflect its purpose and provide assurance that the final draft policy does operate on a right of renewal basis, giving them preferential status, but providing a process where both parties can review lease conditions and negotiate any changes.
31. A few submitters wanted a right of appeal and/or disputes resolution process where an application for a lease is declined.
32. An appeal process was also requested at the two workshops by elected members and Community Boards. Legal advice was given that appeals/disputes processes would require special designations that are not considered appropriate, given the transition towards the new Auckland Council currently underway. An appeal process has therefore not been included in the final draft policy.

#### **Council responsibilities to Lessees (10.0)**

33. Clarification was sought regarding the clause "**Any building offered for lease will meet an acceptable standard of maintenance prior to occupancy**". The word "**empty**" has been added to "**building**" to clarify that the Council is not responsible for buildings that are currently occupied by lessees.
34. Some submitters considered the Council should be responsible for all maintenance. One submitter considered there should be a provision for financial compensation by the Council if a lessee was required to vacate a Council-owned premise. It is not considered appropriate that the Council should bear these costs in either instance, as the lessees are enjoying the benefits of heavily subsidised premises that are well below market rental.

#### **Right to terminate a lease (10.1)**

35. Two submitters were strongly opposed to the clause, referring to no compensation being payable if a building/land was required for public purposes under the Public Works Act. This clause has been removed from the final draft policy, as any issues relating to compensation with respect to public works requirements is addressed in the first paragraph and can also be addressed through specific terms in lease contracts.
36. Some submitters sought specified timeframes for termination. It is considered that any such timeframes are best dealt with through lease contracts.

37. The term “**audit**” in the first sentence was queried “**Council reserves the right to audit and terminate a lease on notice in accordance with the lease terms**” and has been replaced with “**investigate**” as a more accurate expression of the intent of the clause.

#### **Lessee responsibilities (11.0)**

38. Several submitters were strongly opposed to the provision requiring lessees of Council-owned buildings to be “**responsible for the building interior, services and fixtures and fittings, excluding the building structure and exterior of the building**”. There were contentions that these were onerous and they could not afford to comply with this provision. One submitter asserted that this was a major change to the policy. However, interior maintenance requirements have always been required to differing degrees in community leases, although this is not spelt out explicitly in the current policy. This provision makes transparent a standard rental requirement to ensure tenants take responsibility for the day to day use of their buildings. For clarification purposes, additional wording has been inserted in the above provision in the final draft policy “**according to the terms of the lease**”. It is not the intent of the Council to impose difficult conditions on lessees and this issue can be addressed in the terms of lease and leases tailored to suit special circumstances.
39. Council officers involved in LAG have discussed these concerns and reiterated that internal maintenance relates to normal wear and tear through tenancy use (light bulbs, tap washers, worn carpet etc.) and remains the responsibility of tenants. Where groups have limited funds and/or wish to undertake renovations, then funds may be available from the Council through the Community Accommodation Assistance Fund, Community Facility Upgrade Fund and Community Facility Support grants. These are outlined in the Waitakere City Council facility support diagram appendix in the final draft policy. Specific attention will be drawn to assistance available for maintenance, following the adoption of the final draft policy when lessees are notified of the change in policy.
40. Further clarification was sought on obtaining consents for changes to Council buildings relating to the clause formerly in the draft consultation policy “**Where the building is owned by the Council, approval by the Council must be obtained for any changes to the building**”. This has now been replaced in the final draft policy by “**To seek in writing and obtain written landlord approval for any proposed building alterations**”.

#### **Other issues raised by submitters**

41. One submitter considered there was insufficient time to make submissions on major shifts in policy and wanted a further consultation document provided, with detailed comparisons and costings. The submitter asked for the submission time to be extended and/or the implementation of the final draft policy deferred to allow further consultation with affected lessees/interested groups. Another submitter wanted submissions to be re-opened once draft lease documents were written in accordance with the new policy.
42. Some submitters commented on the new lease application and reporting forms sent out as part of the public consultation pack. A couple of submitters opposed the requirements to supply details such as financial, membership, names of other groups using the facility and their hours of use. This is essential compliance and accountability information for ensuring that the Council’s facilities are being used effectively to benefit the community.

43. Most of the other issues raised by submitters are not within the scope of the Community Leases Policy, but may be addressed, as appropriate, at the operational level. These include:
- A central database at the Council to hold generic information sent by community groups; and
  - Ability to place advertising signage on buildings to earn revenue.

### **STRATEGIC CONTEXT**

44. The policy aligns with the Long Term Council Community Plan 2009-2019 and the Council's high level strategic framework, particularly the Social, Economic Wellbeing, Cultural Wellbeing and Governance Strategies. Key Community Outcomes supported by the final draft policy are Strong Communities, Strong Economy, Urban and Rural Villages, Toi Ora - Healthy Lifestyles, Vibrant Arts and Culture and Working Together.
45. Community leases are an essential component of the Council's support for meeting its Community Outcomes and its commitment to implementing key Council policies and plans such as the Social Strategy, Parks and Open Space Strategic Plan and Active Recreation Strategic Plan. Community leases enable social infrastructure to be in place, to effectively meet existing and future growth needs of the City and ensure equitable outcomes are achieved for its diverse population groups.

### **CONSULTATION**

46. A public consultation process sought community views through flyers and consultation packs, which were distributed through libraries and sent to all lessees, as well as to key stakeholders such as the Community Boards, Te Taumata Runanga, Waitakere Pacific Board and Waitakere Ethnic Board.
47. Public notices were published in the NZ Herald and in the Western Leader. The Council website advertised that the current policy was being reviewed and provided an online Have Your Say submission process. Details of the review and submission process were also publicised in newsletters/e-bulletin boards of local community networks.
48. Approximately 20 telephone enquiries were received, seeking further clarification about elements of the draft consultation policy. Eighteen submissions were received, five from community houses, six from sports clubs, two from residents and ratepayer organisations, one from a Returned Services' Association, one from an environmental trust and three from individuals, including one from a Community Board chairman.
49. The LAG comprising officers from Tenancy Operations and Support, Parks and Open Space Assets, Leisure Services, and Property Assets as well as the Social and Cultural Strategy (including the Social Infrastructure Planners) and Legal Services teams have been consulted extensively about the final draft policy. The input from the two Councillors' and Community Board Members' workshops also informed the final draft policy.

### **RESOURCES**

50. There are no resources required other than staff time.

## IMPLEMENTATION ISSUES

51. Implementation of the policy, including addressing the backlog of expired leases, can commence following approval of the final draft policy. Full notification will take place for all lessees and a workshop is proposed with lessees to explain the new policy further and discuss implications for their lease.

## AUCKLAND COUNCIL TRANSITION ISSUES

52. The Local Government (Tamaki Makaurau Reorganisation) Act 2009 imposes restrictions on Waitakere City Council's decision making capabilities in respect of s.31 (5) (d) (i) as any contracts entered into may impose an obligation on the Auckland Council after 30 June 2011.

Report prepared by: Kim Conway, Strategic Analyst: Social Wellbeing.



## 8 STRATEGIC ACTION PLAN FOR THE CREATIVE AND CULTURAL INDUSTRIES IN WAITAKERE

### GLOSSARY

Creative and Cultural Industries in Waitakere	(CCI)
Waitakere Economic Wellbeing Strategy 2009	(WEWS)
Prospects for the Creative and Cultural Industries in Waitakere Report September 2009	(Prospects Report)
Gross Domestic Product	(GDP)

### EXECUTIVE SUMMARY

The purpose of this report is to seek the support of the Policy and Strategy Committee to continue pursuing the actions specified in the Creative and Cultural Industries (CCI) Strategic Action Plan over the next 12 months and to investigate the viability of other actions not currently funded.

This report follows from the Prospects for the Creative and Cultural Industries in Waitakere Report presented to the Policy and Strategy Committee at its meeting held on Thursday, 3 September 2009. That report signalled the key findings of research undertaken to investigate and assess growth prospects for the creative and cultural industries in Waitakere.

The creative sector has been the fastest growing part of the Waitakere economy in terms of Gross Domestic Product (GDP) and employment over the 1998-2008 period. The creative sector also contributes to social cohesion, strengthens connectivity through identity and place, social and economic wellbeing and improved quality of life.

The research analyses the growth potential and identifies appropriate interventions to sustain the opportunities already initiated in the creative sector and build industry development in Waitakere over the next 10–15 years. It also identifies how strategic interventions in the creative economy can contribute to job creation, attract investment, innovation, diversification, and export development.

A46-A51

The CCI Strategic Action Plan, attached at pages A46 to A51 has been further developed from the action plan of the Prospects Report, to guide the Council's interventions in maximising growth potential in the creative economy through the creative, cultural and tourism industries.

It is intended that the delivery of actions in the short term will contribute to Waitakere's creative legacy and in the longer term provide direction for the continuation of areas of work to grow Waitakere's creative economy, both for the benefit of its local communities and the Auckland regional economy.

### **RECOMMENDATIONS**

It is recommended that the Policy and Strategy Committee resolve to:

1. **Receive** the Strategic Action Plan for the Creative and Cultural Industries in Waitakere report.
2. **Agree** that the Creative and Cultural Industries Strategic Action Plan be adopted to guide the development of Council specific initiatives, and taken into account in setting budget reprioritisation during 2009/2010.

### **BACKGROUND**

1. At the 3 September 2009 Policy and Strategy Committee meeting, a report was presented on the Prospects for the Creative and Cultural Industries in Waitakere. The Policy and Strategy Committee resolved as follows:

*“The Policy and Strategy Committee resolved to:*

1. **Receive** the Prospects for the Creative and Cultural Industries report.
2. **Agree** that the Prospects for the Creative and Cultural Industries report be used to provide guidance to economic development initiatives in the rural areas and Waitakere Ranges Heritage Area.
3. **Agree** that a further report on the prospects for the Creative and Cultural industries including an action plan, be brought back to the November 2009 Policy and Strategy Committee with recommendations for consideration.”

1517/2009

### **Definitions**

2. The term “creative industries” is used to refer to commercial businesses providing creative services and products, often business to business, such as design; or providing creative content, including fields such as books, film, news media, digital technology, and computer based game design and production. Culture or “cultural activities” is used to refer to the largely subsidised sector providing creative experiences, covering areas such as theatre, dance, music; or creative product, such as art, crafts or artisan work. Each of these definitions is flexible, and they overlap considerably. When talking about both the creative industries and cultural activities, together with the infrastructure that supports them, the term “creative economy” is used.
3. The Council has completed an assessment of the growth potential of the CCI sector over the next 10 -15 years. The Prospects Report highlights a number of defining features about Waitakere that form the basis of the CCI Strategic Action Plan detailed in this report.

4. CCI are the artistic soul of the economy and the Council has played a variety of roles in supporting the sector. This is reflected by the Council:
  - Understanding the local history and traditions that provide the unique inspiration for tomorrow's creative entrepreneurs;
  - Supporting the provision of services including local museums and galleries, libraries and festivals; and
  - Providing business support through Waitakere Enterprise to nurture and grow existing and encourage new creative businesses.
5. The Council has made a significant investment in the creative sector, as demonstrated by its budget allocations towards the City's arts infrastructure. This places the City in a good position for further development of its creative and cultural industries, together with tourism, to increase the returns on this investment.
6. The creative sector has been the fastest growing part of the Waitakere economy in terms of GDP and employment over the 1998-2008 period. The fastest growing industries are the motion picture, radio and television services industry followed by libraries, museums, the arts, sport and recreation, all of which are sectors that Council invests in.
7. There is an intrinsic connection between the CCI and the visitor economy. Waitakere has an opportunity to stimulate the visitor economy by leveraging off its creative economy. Waitakere's creative economy is linked to that of the wider Auckland region and the country as a whole. Waitakere's unique competitive and comparative advantages will inform its future position in the Auckland regional fabric. The regional visitor strategy *Bringing the World to Auckland* identifies that the future success of Auckland's visitor economy lies within its hinterland precincts, positioning Waitakere at the heart of this potential.

## DECISION MAKING

### Issues

#### Focus of the CCI Strategic Action Plan

8. The CCI Strategic Action Plan has a 10 -15 year horizon for growing Waitakere's creative economy. The regional governance context and the transition work underway to establish the Auckland Council, has focussed delivery on short-term actions to steer longer-term developments and resource commitments.
9. The CCI Strategic Action Plan therefore has been designed to deliver on immediate outcomes that can be achieved within a two to three year timeframe. This allows for the consolidation of projects currently in progress at the same time enabling future associated and complementary developments.
10. Analysis of the Waitakere creative economy and its associated components (i.e. tourism, CCI and CCI infrastructure) informs the CCI Strategic Action Plan on ways to safeguard the City's strengths and how to capitalise on its competitive and comparative advantages.
11. Defining the Waitakere identity and explaining the attributes of the eco city vision is necessary, not only to position the creative economy accurately in the regional context, but also to preserve the identity of the eco city, creativity, natural assets, community building and the "westie way" all of which Waitakere is renowned for.

12. A carefully considered and well-managed approach to harmonise the economic development outcomes with those of arts, culture and heritage including the tourism sector, is very important for Waitakere over the next 12 months. Within the context of the creative economy, these domains are mutually reinforcing, with the potential to accelerate Waitakere's prosperity. Co-ordination of current and future work is occurring within the different parts of Council, that will contribute to well aligned and joined up approaches to strategies and action plans.

### Strategic Objectives

13. The CCI Strategic Action Plan proposes four key objectives to grow the creative economy and highlights specific areas for this to occur:
- Develop infrastructure;
  - Grow business skills and support the increase of more business;
  - Attract more buyers; and
  - Seize opportunities to grow the economy.
14. It is important to safeguard the City's heritage and iconic assets like Corban Estate Arts Quarter and Lopdell House Gallery for future cultural purposes. These assets encapsulate the rich history of the west and the creativity of Waitakere's arts and cultural communities.
15. Eco-tourism and cultural economic development are niche sectors that are compatible with Waitakere's creative and economic profile. The City is well placed to offer unique products and services to maximise these areas.
16. Waitakere has an opportunity to stimulate the visitor economy by leveraging off its creative economy. Major visitor attractions are located in the non-urban areas, including the Waitakere Ranges, where CCI activities are also located.
17. At the 3 September 2009 meeting the Policy and Strategy Committee agreed that the Prospects Report be used to provide guidance to develop the City's events and tourism potential, and to guide the development of Local Area Plans and proposed District Plan changes to encourage rural economic development.
18. The Council has approved a process for the Rural Economic Development Plan Change, to provide an opening for new development opportunities for tourism and rural economic development. Furthermore, the Council has also re-instated funding in the Long Term Council Community Plan 2009-2019 for tourism initiatives, to enable local tourism operators to leverage regional tourism opportunities. The CCI Strategic Action Plan will give further effect to these priorities.
19. It is important to utilise the opportunity to future proof Waitakere's creative and cultural assets during the transition period to the Auckland Council. Priorities have been packaged into a short-term 12 month work programme of deliverable actions. Longer term actions that will not be addressed in this financial year, can contribute to a future regional context.

### Options identified

20. The CCI Strategic Action Plan outlines both immediate and longer-term actions. Identified immediate actions are those with known allocated budgets and resources. In some cases, the CCI Strategic Action Plan specifies areas for immediate action, although there is no assigned resource allocation. These have been included as essential prerequisites for future ongoing developments and provide the case for considering longer term resource commitments.

## Assessment of Options

21. The Policy and Strategy Committee previously endorsed the Prospects Report. Therefore, the options are limited to the confirmation of the CCI Strategic Action Plan.

## STRATEGIC CONTEXT

22. Economic Wellbeing is a key element of the eco city vision, and is encapsulated in the Waitakere Economic Wellbeing Strategy 2009 (WEWS) vision statement:

*Waitakere is home to innovative and sustainable economic activities, which provide residents with a range of quality local jobs that improve communities' standard of living. All Waitakere people have opportunities to participate in and benefit from this dynamic local economy.*

23. The Economic Wellbeing Strategy 2009 supports the notion of culture and creativity, as important in building an innovative economy. WEWS recognises the vital contribution that culture and certain "strong" sectors in the creative industries have already made and will continue to make to Waitakere's economic development.
24. WEWS identifies a range of actions to profile Waitakere through an Events and Visitor Strategy, a Tourism Strategic Plan, by profiling successful business and innovation stories and through the promotion of the value of community, cultural and recreational assets.
25. The CCI Strategic Action Plan is an outcome of WEWS and supports the outcomes of the Council's Social Strategy and the draft Cultural Wellbeing Strategy. It also serves as a precursor and potential guide to the proposed Creative City and Arts Infrastructure Plans that are currently being prepared.

## CONSULTATION

26. The CCI Strategic Action Plan has been developed following consultation with the consultant, Margaret Farrell and a wide range of stakeholders. Individual interviews were conducted with stakeholders and focus groups were held with the various sectors of the creative economy.
27. Consultation took place with Council staff from the Economic Development Strategy, Strategic Governance, Arts, Events, International Relations, Social and Cultural Strategy, Maori Relations and Leisure Services. Stakeholders included representatives from business, the cultural and creative sectors, tourism organisations, Maori and Pacific peoples.

## RESOURCES

28. Funding is available within the Annual Plan 2009/2010 for a number of initiatives that support the CCI sector. This includes funding from various parts of Council to address the immediate actions specified in the CCI Strategic Action Plan:

<b>Public Arts</b>	<b>Affairs:</b>	Lopdell House Gallery Precinct	\$7,154.118
		Gallery extension and refurbishment	
		Corban Estate Arts Quarter site management	\$89,000
		Corban Estate Arts Quarter restoration of Still Building	\$300,000 (capex)
		Pacific Mamas Arts & Cultural Trust	\$110,000

	Pacific Arts Centre ( ARST) Auckland Regional Services Trust	\$264,000
<b>Public Affairs: Events</b>	Rugby World Cup	\$285,000
<b>Transport Assets:</b>	Signage audit and signage for key visitor destinations, cultural and heritage sites	\$180,000
<b>Sustainable Management:</b>	Local area Plans for Titirangi, Oratia, Henderson Valley and District Plan Changes	\$250,000
<b>Economic Development</b>	Leveraging regional tourism	\$20,000

29. An assessment of the unfunded actions in the CCI Strategic Action Plan will be undertaken as a next step. This will require identification of gaps in the short term budgets, to assess actual costs and resource requirements, including an appraisal of their feasibility within the current time frames. Council officers will also review and monitor the funded actions and their results. Any future funding needs that are identified as part of the assessment, will be addressed through the 2010/2011 Annual Plan process. Reprioritised budget may be available, as part of the first quarter review that will allow further work to be undertaken.
30. Council officers are currently investigating ways to rationalise and collaborate on resourcing issues, by aligning work programmes within a comprehensive cross-Council approach.

#### **IMPLEMENTATION ISSUES**

31. The CCI Strategic Action Plan informs and guides the parts of Council involved in the CCI sector and aligns current funding with the Prospects Report objectives. The CCI Strategic Action Plan also acts as a longer term guide, to support Waitakere's priorities for the CCI sector within the new regional context. It is envisaged that this will provide a legacy of identified actions for the new Auckland Council.

#### **AUCKLAND COUNCIL TRANSITION ISSUES**

33. The decision making proposed in this report is not constrained by section 31 of the Local Government (Tamaki Makaurau Reorganisation) Act 2009, as it does not directly or because of its consequences: significantly prejudice the reorganisation, significantly constrain the powers or capacity of the Auckland Council or any subsidiary of the Auckland Council following the reorganisation, or have a significant negative impact on the assets or liabilities that are transferred to the Auckland Council as a result of the reorganisation.

**Report prepared by:** Peta Si'ulepa, Strategic Partnerships Advisor: Economic Development Strategy.



#### **9 PROPOSED LOCAL AREA PLANS - UPDATES**

The Strategic Advisor: Sustainable Management will give a 10 minute update on the Henderson Valley/Opanuku Local Area Plan Community Meeting.

