

**AGENDA FOR AN EXTRAORDINARY MEETING OF THE MASSEY COMMUNITY BOARD TO
BE HELD IN THE CIVIC CENTRE, 6 WAIPAREIRA AVENUE,
LINCOLN, WAITAKERE CITY, ON THURSDAY, 2 MARCH 2006,
COMMENCING AT 6.00 PM**

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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 Board by resolution so decides; and
- (ii) the Chairperson has explained at the beginning of the meeting (when open to the public) that the item will be raised for discussion and decision, why the item is not on the agenda, and why it cannot be delayed until a subsequent meeting.

The Board 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 PUBLIC FORUM

For guidance of Community Board Members, the Council's Standing Orders have the following provisions in regard to Public Forum.

- (i) members of the public wishing to address the Board in Public Forum shall furnish their names to the Chairperson at the beginning of the meeting; and
- (ii) the Chairperson shall determine the order of speakers, and allow five minutes for speaking time;
- (iii) questions by members are to be confined to obtaining information or clarification on matters raised by the speaker.

Section 46A(7A) of the Local Government Official Information and Meetings Act 1987 provides that no resolution, decision, or recommendation may be made in respect of any specific item of business not on the agenda except to refer the items to a subsequent meeting for further discussion. Therefore, no decision may be made on matters raised in Public Forum. However, written reports on matters raised may be requested from the Chief Executive Officer.



4 HURUHURU CREEK SWIMMING HOLE PUBLIC SAFETY WORKS UPDATE

PURPOSE OF THE REPORT

The purpose of this report is to update the Massey Community Board of the work programme to address public safety risks at the Huruhuru Creek swimming hole.

BACKGROUND

Fatalities have occurred in the Huruhuru Creek swimming hole over a number of years. Council has approved filling of the swimming hole in order to avert future fatalities.

After consideration of a number of options, from 2001 to 2003, Council decided that the best option was to fill in the swimming hole and funding was approved by Council in the 2004/2005 Annual Plan for planning and consents, and in the 2005/2006 Annual Plan for construction.

STRATEGIC CONTEXT

The Long Term Council Community Plan includes a Safe City as a strategic priority, so that the safety of the community is integral to all of the Council's activities and planning and that the Council advocates for and supports safety initiatives.

ISSUES

A summary of the timeline for this project is as follows:

- Funding was approved by Council for inclusion in the 2003/2004 Annual Plan;
- A Resource Consent application was submitted to the Auckland Regional Council on 3 November 2003;
- A Resource Consent was granted by the Auckland Regional Council on 28 January 2005;
- A report was submitted to the Massey Community Board on 7 September 2005 to advise of the work programme and scope of the work. The Massey Community Board resolved as follows:

“That the Huruhuru Creek Swimming Hole Public Safety Works report be received.”

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- Tenders were advertised on 22 November 2005;
- Tenders were approved by the Tenders Subcommittee on 21 December 2005;
- Work started on 7 February 2006 and is due to be completed early April 2006.

SCOPE OF WORKS

The work involves infilling the swimming hole using the following process:

- Construct a temporary access path over the Woodside Reserve;
- Construct “in stream” coffer dams both up stream and down stream of the hole;
- Construct a temporary diversion drain to divert the streamwater flow around the hole itself;
- De-sludge the hole to remove all silt and organic material;
- Pump low strength bulk fill concrete into the hole to replace the volume of water;

- Excavate into the surrounding sandstone cliff faces and epoxy in reinforcing started bars;
- Place a structural layer of concrete on top of the bulk fill concrete;
- Shape, texture and colour a finishing layer of gunited concrete to form a series of rapids that are clearly visible from the surrounding stream banks;
- Post signs informing the public of the changes that have been made to the stream.

CANCELLATION OF THE CONTRACT

The Massey Community Board has expressed a desire to cancel the contract. However, this is not recommended for the following reasons suggest:

- The circumstances have not changed and the reasons for seeking to fill this hole to avert the further loss of life remains;
- The Massey Community Board does not have delegated authority to cancel the contract. The Board is, however, empowered to make recommendations to Council on matters of concerns to its community;
- As Council has now started the works, it is required to complete the works in accordance with the Resource Consent granted by the Auckland Regional Council;
- Council is bound under Contract EW05 084A with Rogers Earthmoving and will have a significant exposure to a claim from the contractor should the contract be cancelled.

RESOURCES

Funding has been provided in the 2005/2006 Annual Plan.

The actions taken by some members of the community are disrupting the project and consequently Council has had to hire security guards to protect the public and contractors. This requirement, together with a loss of time for the contractor, means that Council is likely to face an additional cost of at least \$50,000.

CONCLUSION

There has been no change to the reasons to fill this hole to avert the loss of further lives and the Council is not in a position to cancel this contract, as it is now bound under the Resource Consent conditions and the contract with Rogers Earthmoving.

RECOMMENDATION

That the Huruhuru Creek Swimming Hole Public Safety Works Update report be received.

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

