

**AGENDA FOR AN ORDINARY MEETING OF THE WAITAKERE COMMUNITY BOARD
TO BE HELD IN THE CIVIC CENTRE, 6 WAIPAREIRA AVENUE, LINCOLN,
WAITAKERE CITY, ON TUESDAY, 1 JUNE 2004,
COMMENCING AT 7.00 PM.**

TABLE OF CONTENTS

<u>ITEM</u>		<u>PAGE NO.</u>
1	APOLOGIES	1
2	CONFIRMATION OF MINUTES	1
3	URGENT BUSINESS	1
4	PRESENTATION - AUCKLAND REGIONAL COUNCIL UPDATES	2
5	PUBLIC FORUM	2
6	CHAIRPERSON'S REPORT	2
7	COMMITTEE SECRETARY'S REPORT	4
8	2004 ELECTIONS - GUIDELINES FOR USE OF COUNCIL RESOURCES IN THE PRE-ELECTION PERIOD	9
9	KEEP WAITAKERE BEAUTIFUL TRUST 2004 COMMUNITY STREET TREE PLANTING PROGRAMME	14
10	PAREMUKA BRIDGE ARTS PROJECT	16
11	PIHA COMMUNITY CENTRE SOCIETY AND LES WAYGOOD PARK	17
12	NEW 'GIVE WAY' CONTROL: INTERSECTION OF GEORDIE STREET AND ESPALIER DRIVE	21
13	FREESTONE PLACE LINK-ROAD, WESTERN HEIGHTS: CONSULTATION	22
14	CANDIA ROAD, SWANSON SPEED LIMIT	27
15	NEW RULE FOR SETTING SPEED LIMITS	29
16	BOARD MEMBERS' REPORTS	32

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1 APOLOGIES



2 CONFIRMATION OF MINUTES

Ordinary - 4 May 2004

RECOMMENDATION

That the minutes of the Ordinary Meeting of the Waitakere Community Board held on Tuesday, 4 May 2004, as circulated, be taken as read and now be confirmed.



3 URGENT BUSINESS

Section 46A(7) and (7A) 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 item is a minor matter; 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, why the item is not on the agenda, and why it cannot be delayed until a subsequent meeting; and
- (iii) the Board resolves to deal with the item.

No resolution, decision, or recommendation may be made in respect of the item except to refer the item to a subsequent meeting for further discussion.

NOTE: Urgent Business need not be dealt with now and may be delayed until later in the meeting.



4 **PRESENTATION - AUCKLAND REGIONAL COUNCIL UPDATES**

Councillors Sandra Coney and Paul Walbran from the Auckland Regional Council may be in attendance to update the Board on Auckland Regional Council activities.



5 **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.



6 **CHAIRPERSON'S REPORT**

Well by the time you get this I will have been to Australia and back again. I'm off to Manly to watch my younger son play league with the Auckland U18 Manly development squad. Now is that the same Manly who th.....ed the Warriors last weekend? Yes it is!

Annual Plan Submission

Attached is the Waitakere Community Boards submission to the Annual Plan process.

Trees For Babies

Unfortunately I will be in Australia when the Waitakere Ward event takes place at Owen's Green, Laingholm but Cr Hulse has agreed to speak for me. I hope there is a fine day for it and all goes well. I did attend the Henderson planting at Halyard Reserve, Te Atatu Peninsula on the 15 May 2004 as a Trustee of Keep Waitakere Beautiful and was very pleased to be able to assist a couple of parents to plant their trees.

Teen West Youth Event

As I often do I volunteered at this event and spent a very 'entertained' evening in the tuck shop selling drinks, chocolate bars and chips to a gathering of over 600 youth attending the social event. About 25 teenagers from a variety of schools throughout Waitakere, the Waitakere City Youth Council and Te Roopu o Puawai Waitakere volunteered for a variety of jobs on the night and did everything from bag check, to door monitors, to crowd control when 'Blind Spot' turned up to sign autographs. I congratulate Leisure Services at Waitakere City Council, YMCA Westgate and Sport Waitakere, the joint organisers for a very well managed event and... there was no trouble!!

Western Heights Resident Petition

I am very pleased to report that David Hallett has met with several representatives of the residents and the issues raised have or are being dealt with by the various departments within council. In respect of the issues raised that were police related I personally attended the Police Liaison group meeting on Friday 21 May 2004 and have asked the police to pay particular attention to and investigate the complaints involving cars and the loitering around the Paramuka Lake area.

Karekare Beach Races

I was so pleased I was able to attend the postponed beach races on the 16 May 2004. The original scheduled day was cancelled due to the rain which was just as well as I was horribly sick. (Food poisoning I think). So on the 16 May 2004 Cr Hulse and I and my 4 year old grandson headed out to Piha first for a Coastcare meeting at Barnett Hall, we then visited Betty who had an operation on her knee and subsequently carried on to Karekare for the races. First there was the Mum's and baby's/toddlers 'buggy' race. This finished with a flourish and the kids looked a bit in awe of it all. Then came the dads!!

The horses obviously demanded the most attention and sped along the beach around the marker and back again. Horse hooves pounding along on wet sand is an experience not to be missed. There was plenty happening to keep everyone occupied between races, food, face painting, horse rides and competitions for the children, you could even have a bet on your favourite 'number' if you were so inclined.

But guess who was one of at least two people who didn't take any money to the beach!!! No ATM's at Karekare. Thanks to Rob we were able to have something to eat, have a coffee and have Adams face painted.

RECOMMENDATION

That the Chairperson's Report be received.






Christine Shepherd, JP



CHAIRPERSON








7 **COMMITTEE SECRETARY'S REPORT**



Issue	Comments	Reporting Council Office
<p>Draft Waitakere Crime Prevention Strategy 2004 - 2007</p> <p>Resolution no: 723/2004</p>	<p>The City Development Committee at its meeting on Thursday, 6 May 2004 resolved that the Community Board nominate a representative to attend the Council/Police Liaison Group.</p>	<p>Mike Mills ☎ 836 8000 Ext 8421</p>
<p>Claude Abel Pond - Piha Public Forum 2 March 2004</p>	<p>In response to the request (and petition) from the Piha Residents and Ratepayers Association to the Community Board during Public Forum at the Community Board meeting on the Tuesday, 2 March 2004, regarding the management of the Claude Abel duck pond in Garden Road, Piha.</p> <p>There were two parts to the request:</p> <ol style="list-style-type: none"> 1. That the pond at Claude Abel Reserve be cleared by hand (as allowed in the Piha Reserves Management Plan). 2. That the following extract be removed from the Management Plan. <p>“Sec 7.3 Claude Abel Reserve”</p> <p>The pond is naturally in-filling and as time passes will become a raupo swamp. This progression is considered desirable and no effort will be made to alter the progression other than the hand removal of water lilies.</p> <p>Parks Assets have investigated the option of hand clearance of the water lilies. The weed contractor reports that the pond is neck-high in places and would need to be drained in order for effective hand removal (ie of the roots) to take place. Therefore it is proposed that hand-clearance of the water lilies in the pond not be carried out until further management options are investigated.</p> <p>An amendment to the Reserves Management Plan could require further public consultation. Draining the pond and disposing of the sediment is likely to be costly and to be an ongoing procedure, requiring consents from both the Auckland Regional Council and Department of Conservation. Before committing to this option, Parks require further information regarding all options for the long-term maintenance of the</p>	<p>Mandy McMullin ☎ 836 8000 Ext 8792</p>




Issue	Comments	Reporting Council Office
	<p>pond and their associated costs. Parks Planning have tendered an environmental investigation and report on the future management of the pond, including the cost of desilting the pond. The full report is due to go to Council, Wednesday, 30 June, 2004. It is therefore proposed that officers return to the Community Board with recommendations based on the findings of the report in July or August 2004.</p>	
<p>Traffic Issues, Maintenance and After Dark Parties Around the Vicinity of Paremuka Lakeside, Espalier Road and Geordie Street, Western Heights 4 May 2004 Resolution No: 696/2004</p>	<p>Waitakere Community Board at its meeting held on 4 May 2004 requested that a report be prepared on traffic issues particularly around the vicinity of Paremuka Lakeside, Espalier Road and Geordie Street, Western Heights.</p> <p>A report regarding the above issues will be available for the July meeting of the Board as investigations into traffic calming are still being undertaken.</p>	<p>Paul Schischka  836 8000 Ext 8742</p>
<p>Piha Aquatic Risk Signage 5 August 2003 Resolution No: 1616/2003</p>	<p>A community meeting will occur at 11.30am on Sunday, 13 June 2004 at Barnett Hall to endorse a plan on improving water safety signage at Piha.</p>	<p>Warren Oglivie  836 8000 Ext 8561</p>
<p>Surf Tower at Piha Mid Beach</p>	<p>Council has received a report on the structural safety of the Surf Tower. Copies of this report have been circulated to Community Board Members and the Council's Health and Safety/Quality Control Auditor.</p>	<p>Warren Oglivie  836 8000 Ext 8561</p>
<p>Castle Heights Crossing Point between 169-194 Sturges Road, Henderson Board Member's Request</p>	<p>Consideration of the installation of a pedestrian refuge has been programmed into the Minor Safety Projects list for the 2003/2004 year. However, this is subject to the availability of funds. (This was a late request).</p>	<p>Adam Moller  836 8000 Ext 8750</p>
<p>Changing Social And Recreational Needs Of Our Rural Communities 3 June 2003 Resolution No: 1064/2003</p>	<p>At the June 2003 meeting of the Waitakere Community Board it was agreed that the Chief Executive be requested to bring back a report to the Board on the changing social and recreational needs of our rural communities. The changing social and recreational needs of our rural communities will be addressed as part of the new Leisure Strategy process currently underway to replace the current Leisure Strategy, which is ten years old.</p>	<p>Polly O'Brien  836 8000 Ext 8559</p>

Issue	Comments	Reporting Council Office
	<p>The scope of the new Leisure Strategy includes recreational and sporting issues in rural areas and is due for completion in eighteen months.</p>	
<p>McLaren Park Community Project 9 September 2002 Resolution No: 2766/2002</p>	<p>The McLaren Park Community Project is continuing to progress well. The McLaren Park Community Project Community Action Group has recently submitted their application for incorporated society status. Once finalised the McLaren Park Community Project will have much better access to external funding. Upcoming events include a community event on 18 or 19 June (date to be confirmed) and the annual McLaren Park Community Project Talent Quest on Friday 25 June to be hosted by the McLaren Park Community Project Youth Group: "Young Believers Club".</p>	<p>Polly O'Brien  836 8000 Ext 8559</p>
<p>The Laingholm Beach Hall</p>	<p>A survey on the future of the Laingholm Beach Hall was recently distributed to 900 homes in Laingholm to assess community views. 150 responses have been received to date with 50% wanting the hall to be repaired, 45% wanting the hall to be demolished and 5% not sure.</p> <p>The Laingholm Districts and Citizens Association who manage the Village and Beach Halls in Laingholm were recently advised of the close results of the survey and asked by Leisure Services to report back shortly with a Committee consensus for the future of the Beach Hall. A recent structural engineers report for the Beach Hall found structural repairs required at an estimated cost of \$14,000 plus an additional \$20,000 required to renew the interior of the Hall. The engineers report advised that the Beach Hall is safe for use and the Council set a maximum usage number of 60 people until such time that repairs are complete or the Hall is closed. The Laingholm Districts and Citizens Association advised Leisure Services that if they decided to work towards retaining the Hall they needed time to consult the community further and come up with a plan and user commitment. The Laingholm Districts and Citizens Association are currently making a decision regarding the direction they wish to take regarding the future of the Beach</p>	<p>Polly O'Brien  836 8000 Ext 8559</p>

Issue	Comments	Reporting Council Office
	<p>Hall and will be advising Leisure Services within the next two weeks. Outcomes of the Laingholm Districts and Citizens Association's decision and further progress will be reported back to the Waitakere Community Board next month and a report on the future of the Laingholm Beach Hall submitted to the Finance and Operational Performance Committee later this year.</p>	
<p>Munroe Bridge Project 'Paremuka Bridge' Resolution No: 6 May 2003</p>	<p>The Tenders Subcommittee at its meeting on Friday, 14 May 2004, accepted the Tender Evaluation Report that has been submitted by Transport Assets for the Munroe Bridge Project.</p> <p>The Physical Works Contract has been awarded, on 19 May 2004, to Fulton Hogan Limited in the sum of \$1,944,678.66.</p> <p>It is anticipated that the Contractor will commence work in June 2004 and complete the construction works in June 2005.</p>	<p>Nabeel Hammad  836 8000 Ext 8516</p>
<p>Removal of Power Poles from Kauri Point Sea Cave Board Member's Request</p>	<p>Consultation with Auckland Regional Council has been undertaken and it has been resolved that work of this nature is a permitted activity. However, a geotechnical investigation of the area indicated that removing these poles will affect the stability of the bank. The poles are also providing erosion protection to the cave at the base of the cliff by way of a physical barrier and energy dissipation means. Removing these poles will accelerate the erosion of the cave at the toe of the bank. It is therefore suggested that the poles not be removed.</p>	<p>Harish Singh  836 8000 Ext 8953</p>
<p>Karekare Public Toilet Upgrade 6 May 2003 Resolution No: 872/2003</p>	<p>The Auckland Regional Council had publicly notified the discharge consent and twenty submissions were received. Of these, 7 were in support and 13 opposed the application. As the majority of the submitters wished to be heard, an Auckland Regional Council hearing was held on 4 March 2004. The Auckland Regional Council had granted Council the consent, however the submitters were given 15 days from the date of the consent, which is the 25 March 2004, to appeal the decision should they wish to. As a result one of the opposing parties have lodged an appeal with the environment court. Auckland Regional</p>	<p>Harish Singh  836 8000 Ext 8953</p>

Issue	Comments	Reporting Council Office
	Council will obviously be defending their decision in court and we recommend that Council continue to pursue its proposal with the environment court as per the Auckland Regional Council conditions.	
Wekatahi/Marawhara Stream Realignment 1 October 2002 Resolution No: 2938/2002	Works to realign the streams were successfully completed in late October 2003. A survey was undertaken at that stage and a further survey will be taken in June 2004, so a comparison can be made to see if there are any changes to the positions of the streams.	Harish Singh  836 8000 Ext 8953
Waitakere River Realignment 6 May 2003	Physical works to realign the Waitakere River (to prevent erosion of the 4wd access way) were originally carried out in December 2002. The works were reasonably successful and it was August 2003 before the works had to be repeated. However, due to the number of storms and heavy rains experienced since August 2003, the works were carried out again in October 2003 and again in March 2004. It is expected that it will be at least another six months before the realignment works have to be repeated again. Parks will review the situation later this year to determine whether or not the regular river realignment works are a suitable long-term solution for the erosion issue. If not, Council will then have to consider a longer-term 'hard engineering' approach, such as the installation of gabion baskets or rock structures. This would require further community consultation and another consent from the Auckland Regional Council.	Harish Singh  836 8000 Ext 8953

REPORTS PENDING			
Subject	Date Requested	Report Due	Reporting Officer
Signage for Hoani Waititi Marae Board Member's Request	May 2004	July 2004	Adam Moller  836 8000 Ext 8750
Glengarry Road Footpath Board Member's Request	June 2004	July 2004	Adam Moller  836 8000 Ext 8750

REPORTS PENDING			
Subject	Date Requested	Report Due	Reporting Officer
Project Twin Streams - Community Board Participation 5 August 2003 Resolution No: 1620/2003	March 2004	July 2004	Tony Miguel  836 8000 Ext 8294
Piha/Karekare and Huia/Cornwallis Local Water Plan Issue from the Environmental Management Committee	March 2004	July 2004	Tony Miguel  836 8000 Ext 8294
Watercare Waitakere Water Supply Dams Environmental Management Committee 12 August 2003 Resolution No: 1709/2003	March 2004	July 2004	Tony Miguel  836 8000 Ext 8294

RECOMMENDATIONS

1. That the Committee Secretary's Report be received.
2. That the Waitakere Community Board nominate a representative to attend the Council/Police Liaison Group.

Report prepared by: Owena Schuster, Committee Secretary.



8 2004 ELECTIONS - GUIDELINES FOR USE OF COUNCIL RESOURCES IN THE PRE-ELECTION PERIOD

PURPOSE OF THE REPORT

The purpose of the report is to present to the Community Boards the Office of the Controller and Auditor-General's "Suggested Guidelines for Public Communications by Local Authorities" which contain aspects that are particularly relevant to the pre-election period. The guidelines have been adopted by the Council as 'good practice' and that the Council's Code of Conduct has been amended to be consistent with the Guidelines. The Guidelines will apply to all Elected Members including Community Board Members.

BACKGROUND

The Office of the Controller and Auditor-General has recently circulated "Suggested Guidelines for Public Communications by Local Authorities". Among other things, the Guidelines cover the use of Council resources in the pre-election period.

STRATEGIC CONTEXT

Council is committed to increasing community participation in democratic processes. Elections are a key democratic process. Elected Member behaviour, particularly during the lead up to Elections, is considered to be a factor in contributing to the validity and integrity of the election process.

ISSUES

Guidelines from the Office of the Controller and Auditor-General

AI-A28

The Guidelines contain 14 Principles. A full copy of the Guidelines are attached at pages A1 to A28. Those Principles that are relevant to the pre-election period (Principles 12 - 14) are described below.

PRINCIPLE	EXAMPLES
<p><i>Principle 12</i></p> <p>Communication of a Member's personal views or opinions using Council resources is unacceptable during a pre-election period.</p>	<p>Not permitted:</p> <p>communicating personal views using Council stationery, email, postage or fax/phone facilities or any other Council resource</p>
<p><i>Principle 13</i></p> <p>A Council's communications policy should also recognise the risk that communications by or about Members, whether in their capacities as spokespersons for Council or otherwise, during a pre-election period, could result in the Member achieving electoral advantage at ratepayers' expense. The Chief Executive Officer (or his delegate) should actively manage the risk in accordance with the relevant electoral law.</p>	<p>Permitted:</p> <p>photographs of members where it is the practice to include them, such as the Annual Report or website</p> <p>Not permitted:</p> <p>anything that could be construed as giving a sitting member an unfair advantage through a raised profile, such as a photo-opportunity or chairing a public meeting.</p>
<p><i>Principle 14</i></p> <p>The use of Council resources (including stationery and internet, e-mail and telephone communications facilities) for re-election purposes is unacceptable.</p>	<p>Not permitted:</p> <p>using, for re-election purposes, Council stationery, email, postage, fax/phone facilities or any other Council resource.</p>

The Guidelines define the "pre-election period" to be 3 months before the close of polling day (10 July 2004 to 10 October 2004). The Guidelines also note that a Council may decide to apply restrictions over a longer period. An example of this was the decision in December 2003 to discontinue the monthly columns by elected members in the Waitakere City News.

Election irregularity

The Local Electoral Act 2001 sets out a number of principles in section 4:

“4 Principles

- (1) The principles that this Act is designed to implement are the following:*
- (a) fair and effective representation for individuals and communities;*
 - (b) all qualified persons have a reasonable and equal opportunity to:*
 - (i) cast an informed vote;*
 - (ii) nominate 1 or more candidates;*
 - (iii) accept nomination as a candidate.*
 - (c) public confidence in, and public understanding of, local electoral processes through:*
 - (i) the provision of a regular election cycle;*
 - (ii) the provision of elections that are managed independently from the elected body;*
 - (iii) protection of the freedom of choice of voters and the secrecy of the vote;*
 - (iv) the provision of transparent electoral systems and voting methods and the adoption of procedures that produce certainty in electoral outcomes;*
 - (v) the provision of impartial mechanisms for resolving disputed elections and polls.”*

In a case last year the District Court established that a breach of the principles can lead to an election “irregularity” and result in the election result being over-turned. Particularly relevant is the principle that all qualified persons have a reasonable and equal opportunity to accept nomination as a candidate. There should not be a perception that any candidate has an unfair advantage through being able to use Council resources.

Re-election purposes

There may be instances where the use of Council resources would normally be entirely legitimate but doubts are raised because of the pre-election period. Two concepts that are used in the Guidelines and in the Local Electoral Act may be of assistance:

- whether there is a perceived electoral advantage through the use of Council resources;
- whether the activity is being carried out by the member in their capacity as a candidate or in their capacity as a member of the authority.

It is also important to note the activities that need to be accounted for in terms of declaring electoral expenses. The Local Electoral Act 2001 defines “electoral activity” to be (s 104):

- “electoral activity, in relation to a candidate at an election, means an activity*
- (a) that is carried out by the candidate or with the candidate’s authority;*
and
 - (b) that relates to the candidate solely in the candidate’s capacity as a candidate and not to the candidate -*
 - (i) in his or her capacity as a member of the local authority or community board, or as the holder of any other office; or*
 - (ii) in any other capacity; and*

- (c) *that comprises -*
 - (i) *advertising of any kind; or*
 - (ii) *radio or television broadcasting; or*
 - (iii) *publishing, issuing, distributing, or displaying addresses, notices, posters, pamphlets, handbills, billboards, and cards; or*
 - (iv) *any electronic communication to the public, including (without limitation) the establishment or operation of a website or other method of communication to the public using the Internet; and*
- (d) *that relates exclusively to the campaign for the election of the candidate; and*
- (e) *that takes place within the applicable period before the close of polling day.”*

The “applicable period” is the three months prior to polling day.

Complaints

In order to support the principles in the Act referred to above that elections need to be managed independently it is important that any complaints are dealt with independently, outside of the political realm.

Complaints about the integrity of the elections should be made to the Electoral Officer. The Electoral Officer would, in turn, bring any complaints about the use of Council resources to the attention of the Chief Executive.

RESOURCES

There are no additional resources required to action the recommendations contained in this report.

CONCLUSION

The “Suggested Guidelines for Public Communications by Local Authorities” produced by the Office of the Controller and Auditor-General is good practice and has been adopted by the Council. The particular aspects of the Guidelines that relate to elections have also been included in the Council’s Code of Conduct. The guidelines will also apply to Community Board Members.

RECOMMENDATIONS

1. That the 2004 Elections - Guidelines for use of Council Resources in the Pre-Election Period report be received.
2. That the Waitakere Community Board note that the “Suggested Guidelines for Public Communications by Local Authorities” produced by the Office of the Controller and Auditor-General have been adopted as ‘good practice’ by the Council and apply to all Elected members.

3. That the following has been included in the Council's Code of Conduct: and will apply as policy to all Community Board Members:

"Pre-election period

During the three months prior to polling day for local body elections Council resources should not be used in any way that could be deemed to give any sitting member an electoral advantage or by any sitting member solely in their capacity as a candidate for the elections.

During this period the following practice will be observed:

PRINCIPLES	EXAMPLES
<p><i>Communication of a Member's personal views or opinions using Council resources is unacceptable during a pre-election period.</i></p>	<p>Not permitted: <i>communicating personal views using Council stationery, email, postage or fax/phone facilities or any other Council resource.</i></p>
<p><i>There is a risk that communications by or about Members, whether in their capacities as spokespersons for Council or otherwise, during a pre-election period, could result in the Member achieving electoral advantage at ratepayers' expense. The Chief Executive Officer (or his delegate) should actively manage the risk in accordance with the relevant electoral law.</i></p>	<p>Permitted: <i>photographs of members where it is the practice to include them, such as the Annual Report or website</i></p> <p>Not permitted: <i>anything that could be construed as giving a sitting member an unfair advantage through a raised profile, such as a photo-opportunity or chairing a public meeting.</i></p>
<p><i>The use of Council resources (including stationery and internet, e-mail and telephone communications facilities) for re-election purposes is unacceptable.</i></p>	<p>Not permitted: <i>the use, for re-election purposes, of Council stationery, email, postage, fax/phone facilities or any other Council resource.</i></p>

Complaints in regard to any matter relating to the conduct of the elections are to be made through the Electoral Officer. If any complaint involves the use of Council resources the Electoral Officer will bring the complaint to the attention of the City Manager."

Report prepared by: Darryl Griffin, Group Manager, Democracy and Support Services.



9 **KEEP WAITAKERE BEAUTIFUL TRUST 2004 COMMUNITY STREET TREE PLANTING PROGRAMME**

PURPOSE OF THE REPORT

The purpose of this report is to update the Waitakere Community Board on streets nominated for planting as part of the Keep Waitakere Beautiful Trust's Community Street Tree Planting Programme for 2004.

BACKGROUND

Keep Waitakere Beautiful Trust is a community based, environmental trust funded by Waitakere City Council. Keep Waitakere Beautiful Trust has been working in partnership with Council since 1993, and for the past 11 years the Community Street Tree Planting Programme has been a successful core programme of Keep Waitakere Beautiful Trust.

Keep Waitakere Beautiful Trust delivers a wide variety of environmental projects as part of its annual calendar of events including Trees for Babies, Operation Spring Clean and Clean Stream Waitakere.

STRATEGIC CONTEXT

The Community Street Tree Planting Programme is an important component in implementing Council's Green Network and Well-being Support goals by involving the community in creating and improving their neighbourhoods. The planning of this annual programme takes into account requests from residents received throughout the year, recommendations from the Council Arborist, and budget constraints.

ISSUES

Keep Waitakere Beautiful Trust is currently planning the 2004 Community Street Tree Planting Programme. The programme aims to:

- Complete at least 15 suburban street tree plantings each year;
- Involve the local community in planning, executing and maintaining street tree plantings;
- Provide a forum for community building;
- Provide a forum for promoting Waitakere City Council partnerships.

Historically, Keep Waitakere Beautiful Trust has endeavoured to plant an equal number of trees in each of the four wards.

The 2004 Keep Waitakere Beautiful Trust Community Street Tree Planting Programme will be carried out during the months of June/July 2004, when there is optimum rain to maximise survival rates of the trees. As in previous years, wherever possible a local resident Street Co-ordinator will be appointed for each planting. This person is supported by Keep Waitakere Beautiful Trust to liaise with and encourage the support of residents to undertake the planting and ideally oversee the long term care of the trees.

NOMINATIONS FOR 2004

Two nominations were received for Community Street Tree Planting in the Waitakere Ward for 2004:

- Atarua Gardens;
- Pooks Road, (Pooks Road is in both Waitakere Ward and Massey Ward).

Keep Waitakere Beautiful Trust has been liaising with residents on the street nominated to gauge support and to determine the suitability of the street (powerlines, underground services etc) and will be bringing final recommendations for streets to be planted in the Ward to the June Community Board meeting for ratification.

Dates for the Community Street Tree Plantings will be set with the community prior to the meeting and Board members will be advised of these dates at the meeting.

RESOURCES

The funds for this project have been provided for in Council's grant to Keep Waitakere Beautiful Trust for 2003/2004 and Keep Waitakere Beautiful Trust is working with a landscape contractor who will provide trees, equipment, guidance and technical assistance at each planting event.

Each planting begins with a welcome from representatives of Keep Waitakere Beautiful Trust and the Community Board; a planting demonstration follows and the planting day concludes with a community BBQ organised by residents and Keep Waitakere Beautiful Trust.

CONCLUSION

Keep Waitakere Beautiful Trust will be delivering its annual Community Street Tree Planting Programme for the 11th consecutive year in June/July 2004. Nominations have been received for streets to be planted in the Ward and Keep Waitakere Beautiful Trust is liaising with the community to gauge support for the plantings. A final list of recommended streets will be presented at the June Community Board meeting.

Dates for the Community Street Tree Plantings will be set with the community prior to the June Community Board meeting and Board members will be advised of these dates at the meeting. Community Board members are welcome and encouraged to attend the plantings in their Wards.

RECOMMENDATIONS

1. That the Keep Waitakere Beautiful Trust 2004 Community Street Tree Planting Programme report be received.
2. That the recommended streets tabled at the meeting be accepted for this years Keep Waitakere Beautiful Street Tree Planting Programme.
3. That a Community Board Representative be appointed to attend the street tree planting as arranged.

Report prepared by: Jacki Byrd, Parks & Community Projects Co-ordinator.



10 PAREMUKA BRIDGE ARTS PROJECT

PURPOSE OF THE REPORT

This report updates the Waitakere Community Board on progress of the development of an integrated arts concept for the Paremuka Bridge.

BACKGROUND

This bridge will link Munroe Road and Summerland Drive to connect Henderson Valley and Ranui/Swanson, facilitating the flow of traffic in this part of the city. It will be the first road-bridge undertaken by Waitakere City Council in line with the Council's Arts/Design policy. The City Development Committee requested in 2003 that an arts intervention for this project be developed to enhance the bridge and complement the art features in the Paremuka Reserve.

Road and Transport Assets, in partnership with the Public Affairs/Arts Team, contracted Italian-born sculptor Chiara Corbelleto as the artist. The choice of this artist was made on the basis of work submitted by her for the SH16/18 arts project, which demonstrated a wide understanding of materials and structural form. She has a substantial reputation both here and abroad.

Three concepts were submitted, each based on a repeat motif which would create a strong presence without significant distraction for drivers. The version referencing the name of the stream was chosen as the most suitable one to proceed to detailed design.

Research has covered the Draft Management Plan for Paremuka Lakeside Reserve, the West Auckland Historical archives and other bridge developments, here and abroad. Account has been taken of the Eel Man sculpture by Warren Viscoe and the Wai-Manu sculpture, currently being constructed for the Paremuka Reserve Overflow.

CONCEPT

- **Paremuka** - The name *Paremuka* means literally to scrape flax. This presumably came about because a certain type of harakeke (flax) was harvested along the banks of the stream and prepared to make *muka*, a fine thread used in traditional clothing and *taonga*.

The *Paremuka* concept applies the theme of flax weaving to the bridge. The patterns will run the entire length of the bridge, replacing a barrier railing. Entry statements at either end and lights incorporating the same motif are an option that will be added if the budget allows. (Design boards will be displayed at the meeting)

STRATEGIC CONTEXT

Urban and Rural Villages

The bridge will contribute to the ongoing development of a "people friendly" city and its arts component will ensure it conforms to the requirement for attractive and vibrant urban spaces, for public enjoyment, growth and development.

Three Waters

As part of the Paremuka Lakeside Reserve storm-water system the bridge will demonstrate the unique approach to water management by the city.

Arts and Cultural Strategy

Council's Arts and Cultural Strategy endorses the arts/design process used in this project.

ISSUES

Timeline

Budget considerations and time-lines have dictated a more restrained Arts/Design process. The basic design of the bridge is in place and the arts contribution has been shaped by that and the need to produce an intervention that can be engineered, costed, and installed without interrupting the construction programme.

Concept design: Approved - Project Special, 5 December 2003

Detailed design: Currently underway

Implementation: The Build Programme runs from June 2004 to June 2005. The arts component will come into the latter half of this time.

RESOURCES

There is a budget of \$1,940,000 for the construction of the bridge and a further \$150,000 has been itemised in the draft 2004/2005 budget for the arts intervention.

CONCLUSION

This project furthers Waitakere City Councils commitment to the Arts/Design process. It enhances the Paremuka Reserve area as an arts destination (in conjunction with the Eel-man and Wai-Manu sculptures) and has the potential to become an essential stop on the proposed coast-to-coast walkway. It continues the citywide "arts bridge" programme for which Waitakere City is becoming increasingly well known and around which tourism is developing.

RECOMMENDATION

That the Paremuka Bridge Arts Project report be received.

Report prepared by: Naomi McCleary, Manager/Arts.



11 PIHA COMMUNITY CENTRE SOCIETY AND LES WAYGOOD PARK

PURPOSE OF THE REPORT

To consider leasing part of Les Waygood Park, revoking the reserve classification of part of that park and granting an easement to the Piha Community Centre Society.

BACKGROUND

Barnett Hall adjoins Les Waygood Park on North Piha Road, Piha and is owned by the Piha Community Centre Society Incorporated ("the Society") which is an incorporated society under the Incorporated Societies Act 1908. The Piha Community Preschool Trust currently occupies part of Barnett Hall from which it runs a preschool service. The Piha Community Preschool currently has 44 preschool children and 31 playgroup children on its roll and wishes to extend Barnett Hall to cater for increasing demand and add a new children's sleeping area and toilets.

In September 2000, Council resolved to sell Lot 1 on Deposited Plan 173989 to the Piha Community Centre Society (3217/2000). This lot had already been partly built on by the Piha Community Centre Society and the transfer of this land to them regularised an existing situation.

Their proposed extension will extend over Lot 2 on Deposited Plan 173989 which is owned by Council and classified as a local purpose (community buildings) reserve under the Reserves Act 1977. It was proposed to lease this lot to the preschool however the preschool has run into a problem in that the Building Act 1991 does not permit the issue of a consent for the construction of a building across the boundary without a certificate under section 37 of that Act which ties the two parcels together. It is doubtful that a section 37 certificate can be registered when those lots are not in common ownership.

The preschool has been granted funding by the Ministry of Education to expand the building and there is some urgency to pick up this funding.

STRATEGIC CONTEXT

The Piha Reserves Management Plan was adopted by the Waitakere Community Board in September 1999 and provides under 6.2 Leases and Commercial Activities that "a lease will be granted to the Piha Community Preschool of an area of Les Waygood Park for the preschool to expand into".

The Parks Strategy at page 35 states:

"Existing neighbourhood parks that do not fulfil a useful neighbourhood role because of limited size, or poor/overlapping location should be considered for divestment provided that:

- *Public consultation is carried out;*
- *The reserve does not meet any Green Network or public access functions;*
- *There is no historical/cultural significance to the land, including the way that the land was acquired;*
- *The land does not have a high level of attractive appearance; and*
- *The proceeds of the sale are directed towards park development within the area."*

ISSUES

Summary of Steps to be Taken

To overcome the problem outlined above, it is proposed that the following steps be taken:

A29

- That the Society vest in the Council the strip of land shown marked dark on the attached plan at page A29 as a reserve to hold in the interim;
- That this Community Board agrees to lease to the Society this strip of land and so much of Lot 2 as the extended building will cover;
- That this Board agrees to the public notification of the intention to revoke the reserve status of Lot 2;
- That once the public consultation has been completed and if the reserve revocation is approved by Council, that Council will transfer Lot 2 and the strip of land formerly owned by the Society to the Society; and
- That Council grants the Society an easement to allow the sewage from Barnett Hall to connect into Council's wastewater treatment system on part Lot 1 on Deposited Plan 32999.

Transfer of Land

As the Building Act 1991 prevents the preschool from building across the boundary between Council land and the land owned by the Piha Community Society, it is proposed that the Society transfer to Council, for the short term, the land shown marked dark on the attached plan. By transferring this land to Council and vesting it as a reserve, the Society will be able to expand their building by building it in such a way that there is a fire wall located on the new boundary between Council land and the society's land. There will be a single opening in this new wall which will allow access to the extension and it would be a condition of the building consent that a Memorandum of Encumbrance be registered for restoration of the opening if required. This will overcome any problems posed by the Building Act. Council approval will be sought for the Chief Executive to enter into an agreement with the Society for Council to hold this strip of land and, if and when the reserve revocation process has been completed and consent obtained to the transfer of the reserve land to the Society, this strip of land will be transferred back to the Society for no consideration.

Lease of Land

It is proposed that that part of Lot 2 on Deposited Plan 173989 together with the part of Lot 1 which will be occupied by the Society's expansion of Barnett Hall should be leased to them under section 61 of the Reserves Act 1977. Lot 2 is a local purpose (community buildings) reserve which is the appropriate classification for buildings on reserves which are leased for playcentres or kindergartens. It is proposed that when the part of Lot 1 is transferred into Council ownership it also will be vested as a local purpose (community buildings) reserve. A lease under section 61 does not require public consultation.

Reserve Revocation

In view of the Society's problems in complying with the Building Act and the clear intention expressed in the Piha Reserves Management Plan that Lot 2 is available for lease to the Society to allow them to expand Barnett Hall, it is proposed that this Board should give authority for the process of revoking the reserve status of Lot 2.

Section 24 of the Reserves Act provides that if Council wishes to revoke the reserve status of this piece of land it must advertise its intention to do so. Every person claiming to be affected by the proposed change has a right of objection to the proposed change. In addition, Council requires the consent of the Department of Conservation to the proposed revocation and is required to consult iwi on the change.

In the present case it is submitted that the land in question fulfils the criteria set out in the Parks Strategy for divestment and also that the transfer of this land to the Society is the most sensible way to resolve the problems posed by this situation. Public consultation on the reserve revocation will be carried out, the Society has agreed that the balance of the land not built on will continue to be able to be used for access to the beach and the land will retain its attractive appearance. Ultimately if there are no objections to the reserve revocation then the proposal to sell is referred to the Council and Council may direct where the proceeds of sale will go.

Section 138 of the Local Government Act 2002 requires a local authority proposing to dispose of a part of a park to consult on the proposal before it sells the land. However the consultation on the revocation of the reserve status that will be undertaken under the Reserves Act will be sufficient for this purpose.

Once the revocation of the reserve status has been achieved, various issues will need to be considered and agreement reached with the Society; these include: what is the market value of the land to be transferred to the Society; access for the public to the beach across the transferred land and also an obligation on the Society to transfer the land back to Council if it is no longer used for community purposes. Other issues may also need to be agreed between Council and the Society at this time.

Sewage Easement

The wastewater treatment system at the rear of the new toilet block on the adjacent piece of Council land (part Lot 1 on Deposited Plan 32999) has been designed with the intention of treating the sewage from Barnett Hall. It is therefore appropriate to grant the Society an easement which will allow them to connect into Council's system. The Society has already agreed with Council that they will pay the cost of all consents required, the costs of connecting into the Council wastewater system and will also, at their own cost, maintain the connection. They have also acknowledged Council's right to terminate the Society's connection at any time if that becomes necessary or desirable such as if Council chose to relocate the toilets.

Section 48(1) of the Reserves Act 1977 requires the consent of the Department of Conservation to the grant of any such easement. Section 48 normally requires public notification but under subsection 3 it is deemed unnecessary where the reserve is vested in Council and is not likely to be materially affected or permanently damaged and the rights of the public are not likely to be permanently affected by the establishment and lawful exercise of the easement. It is suggested that such is the case here and that public notification of the easement is not required.

CONCLUSION

The Piha Community Centre Society wishes to expand the area available to the Piha Community Preschool within Barnett Hall. The Piha Reserves Management Plan envisaged the lease of Council land to allow this to occur however because of the requirements of the Building Act 1991 this presents problems. To resolve this situation it is recommended that this Board authorises the commencement of the process to revoke the reserve status of the adjoining land with the intent that Council, if there are no objections upheld by this Board, will be asked to transfer the adjoining land to the Piha Community Centre Society. It is also proposed that a lease and a drainage easement be granted under the Reserves Act 1977 which will allow the preschool to have access to the Ministry of Education funding and commence work.

RECOMMENDATIONS

1. That the Piha Community Centre Society and Les Waygood Park report be received.
2. That the Chief Executive be delegated authority to negotiate and execute a lease with the Piha Community Centre Society Incorporated under section 61 (1)(2A)(a) of the Reserves Act 1977 for part of Lots 1 and 2 on Deposited Plan 173989 for the footprint of the building extension.
3. That the Board authorises the public notification under section 24(2)(a) of the Reserves Act 1977 of Council's intention to revoke the reserve status of Lot 2 on Deposited Plan 173989 in order that this Lot may be sold to the Piha Community Centre Society Incorporated.
4. That in the absence of any written objections, it be recommended to Council that the reserve status of Lot 2 on Deposited Plan 17398 be revoked in order that this Lot may be sold to the Piha Community Centre Society Incorporated.
5. That the Board approves the granting of an easement over Lot 2 173989 and part Lot 1 Deposited Plan 32999. as shown on the diagram attached for the purpose of allowing the Piha Community Centre Society Incorporated to connect into Council's wastewater treatment system and that this easement be executed under seal.

6. That the consent of the Minister of Conservation be sought to the grant of this easement.
7. That because the reserves are not likely to be materially altered or permanently damaged and the rights of the public are not likely to be permanently affected by the establishment and lawful exercise of the easement, public notification shall not be necessary under section 48(3) of the Reserves Act 1977.

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



12 **NEW 'GIVE WAY' CONTROL: INTERSECTION OF GEORDIE STREET AND ESPALIER DRIVE**

PURPOSE OF THE REPORT

This report seeks the Waitakere Community Board's approval for a new 'Give Way' control on Geordie Street at its intersection with Espalier Drive.

BACKGROUND

A resident of Espalier Drive who has witnessed several near miss accidents at the intersection has requested that a 'Give Way' control be installed.

STRATEGIC CONTEXT

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

'Give Way' controls can improve safety at intersections by ensuring that drivers behave in an appropriate manner at intersections where approach site distance is limited.

ISSUES

Geordie Street is an important link between the Braeburn Estate subdivision and Sturges Road. Geordie Street slopes down from its intersection with Sturges Road to its western end where it connects with Espalier Drive. There is a road narrowing traffic calming device that was installed by the Braeburn Developer near the street's western end. The resident who requested the 'Give Way' control is concerned that drivers are traveling down Geordie Street at excessive speed and are failing to check before turning into Espalier.

As Geordie Street forms the main link for residents out of Braeburn Estate most traffic in Espalier Drive at the intersection will be turning into Geordie Street rather than traveling straight through. Without a 'Give Way' control traffic turning right from Geordie Street into Espalier Drive has priority over traffic turning right from Espalier Drive into Geordie Street, due to the operation of the right hand rule. With a 'Give Way' control this priority is reversed. This is the sole difference in turning priorities between an uncontrolled and a 'Give Way' controlled T junction intersection. However the use of the right hand rule at uncontrolled intersections is not well understood by New Zealand drivers. In situations where there is enough right turning traffic for conflicts to occur it is safer to install a 'Give Way' control.

The installation of two speed humps is planned for Geordie Street in the near future and this measure combined with a new 'Give Way' control at the intersection with Espalier Drive should improve motorist safety in this street.

The occupants of the surrounding properties have been consulted by letter about the proposal. No favourable or unfavourable replies to the proposal were received.

RESOURCES

The proposed alterations can be implemented under the 2003/2004 maintenance contracts.

CONCLUSION

The proposal to install a new 'Give Way' control at the intersection Geordie Street and Espalier Drive is desirable to improve safety at this intersection, and no objection has been received in response to consultation.

RECOMMENDATIONS

1. That the New Give Way Control: Intersection of Geordie Street and Espalier Drive report be received.
2. That in relation to **GEORDIE STREET:**
3. That, in accordance with the powers conferred by virtue of the Local Government Act 1974, The Transport Act 1962 and the Waitakere City Council Bylaw No.7, 1991 - Traffic, the following controls be now resolved to be specified and imposed, namely:
 - (i) That a '**GIVE WAY**' control be established on Geordie Street at its intersection with Espalier Drive.
3. That the appropriate marking, in accordance with the Traffic Regulations 1976, be hereby approved to be put in place to properly establish, delineate and record the said give way controls.

Report prepared by: Paul Schischka, Transport Engineer.



13 FREESTONE PLACE LINK-ROAD, WESTERN HEIGHTS: CONSULTATION

PURPOSE OF THE REPORT

This report presents information on, and the results of, consultation in regard to the proposed closure of the link-road between Freestone Place and Summerland Drive, Western Heights.

BACKGROUND

At its meeting on Tuesday, 6 April 2004 the Waitakere Community Board received, through the Public Forum requests that:

- The link-road be permanently closed to motor vehicles, from Messrs Dennis Dean, Michael Ward, and Derek Lawford, and Ms Gail Howard;

- The link-road not be permanently closed to motor vehicles from Messrs Brett Cameron and Doug Milton, and 39 signatures from 26 households (in the form of a petition);
- More options be considered to control traffic on the link-road, from Ms Angela French.

At the same meeting the Waitakere Community Board received a report from the Group Manager: Asset Management recommending:

'That it be recommended to Council that the link-road at the end of Freestone Place, Waitakere be closed, in accordance with the procedures set out in the Local Government Act'.

The Waitakere Community Board resolved that:

'The Freestone Place temporary road closure remains in place until further community consultation is undertaken at minimum cost to Waitakere City Council and within a specified catchment area, and that the findings of the consultation be brought back by way of a report to the June 2004 meeting of the Waitakere Community Board.'

576/2004

STRATEGIC CONTEXT

The Waitakere City Council's 'Active Democracy' strategic platform for a sustainable city affords the context for this report. The vision is that:

'People are able and willing to engage in city issues, and feel that they can make a difference. There are high levels of community participation, and people respect each other's views'.

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

ISSUES

Consultation was carried out on two options, as follows:

- Option 1 - access-way permanently closed to motor vehicles; and
- Option 2 - access-way opened to motor vehicles after safety factors are corrected.

Consultation Process

Through the Chair, the Board distributed to a catchment of households, Wednesday morning 28 April 2004, information on the issues together with a questionnaire and reply-paid envelope. The responses to the questionnaire were to be posted to the Council by Monday, 10 May 2004.

A30 The map of the catchment (110 households) is attached at page A30.

A31-A41 Copies of the information provided and of the questionnaire are attached at pages A31 to A41.

The Waitakere Community Board, in agreement with Summerland School, also offered a 'drop-in' opportunity for residents of the catchment. This was between 10am and 2pm on Saturday 1 May 2004, in the main school foyer. The Chair, two Community Board Members and two Council officers were present to respond to questions and receive any fresh ideas having a bearing on the issues.

Consultation Results

A42-A44 A detailed summary of the questionnaire responses are attached at pages A42 to A44.
Significant outcomes are presented under the headings below.

Response

A30 Forty questionnaires were returned, a 36% response. The distribution of responses within the catchment is indicated in the map attached at page A30. Two parties made use of the 'drop-in' opportunity at Summerland School.

One late response was received. This supported Option 1 and raised no issues or concerns. Although not included in the analysis the percentages produced below are not materially affected.

Overall Preferences

22% (9) respondents selected Option 1: 'access-way permanently closed to motor vehicles'. 78 % (31) respondents selected Option 2: 'access-way opened to motor vehicles after safety factors corrected'. Both parties attending the 'drop-in' wanted Option 2.

Pedestrians

98% of responding households have members that walked through the link-road. Of these, 28% walked through up to 2 times a week, 41% 3 to 6 times a week, and 31% more than 6 times a week. 77% of these households requested Option 2.

Cyclists

32% of responding households have members that cycled through the link-road. Of these, 54% cycled through up to 2 times a week, 38% 3 to 6 times a week, and 7% more than 6 times a week. 77% of these households requested Option 2.

Motorists

80% of responding households have members that motored through the link-road. Of these, 25% motored through up to 2 times a week, 28% 3 to 6 times a week, and 47% more than 6 times a week. 91% of these households requested Option 2.

Age Distribution of Pedestrians and Cyclists that Used the Link-road

The following results refer to the % of responding households with pedestrians or cyclists predominantly in the stated age groups using the link-road: 18% had children alone using the link-road, 18% had children with adults, 7% had adolescents, 38% had adults alone, and 7% had elderly persons. With regard to every age grouping, the majority of households (70 to 100%) requested Option 2.

Specific Comments from the Consultation

A42-A44 The literal comments received are classified and summarised at pages A42 to A44. This is further condensed and commented upon below.

Additional Safety Features

- Reduce Speed (11 respondents - humps).
Comment: Bollards would be effective without the disadvantage of noise for frontage properties.

- Footpath Modifications (5 respondents - raise footpath, both sides, low level barrier).
Comment: first 2 suggestions not considered cost effective, barrier would block access to footpath.
- Bollards (4 respondents - more bollards, spacing to stop trucks).
Comment: number proposed is considered optimal, practically no trucks, should not penalise weekly efficient route for rubbish collection
- Shrubs (3 respondents - keep low, slow growing, no shrubs).
Comment: first 2 suggestions are agreed and provided for in Option 2, shrubs will soften appearance encouraging driving care and pride in the locality.
- Option 2 (3 respondents - proposal is enough, leave to the professionals, Road Safety Coordinator should work with Summerland School).
Comment: for the best solution professionals need local knowledge, RSC does work with the School.
- Signs and Lights (5 respondents - speed sign, road markers for lanes, direction signs on islands, painted footprints for kids to follow, lighting, posters on fences).
Comment: the final treatment should be low key, keep left-signs already provided have been effective, Option 2 provisions are considered sufficient.
- Speed Camera (1 respondent).
Comment: cameras are the responsibility of the NZ Police but probably not economic for low traffic, 80 a day.
- Traffic Island (1 respondent - leave intact).
Comment: road markings are proposed to make un-parking safe, island would stay.

Other Issues and Concerns: Respondents Wanting the Link-road Closed (Option 1)

- Drivers (3 respondents - disregard for pedestrians, speeding, control of vehicle, boy racers, actual near miss car cutting corner left into link-road from Freestone Place).
Comment: Option 2 addresses each of these concerns.
- Travel time saving (3 respondent - less than 1 minute).
Comment: individual road improvements often produce savings of this order. The accumulative effect of many projects is a substantial overall time saving.
- Children's perception of traffic environment (3 respondent - link-road seems like a driveway, they don't understand need to stop and look).
Comment: Option 2 is designed to address this issue and children are assisted through the road safety coordination activities of the school and Council.
- More traffic and more children (3 respondent - the school roll is increasing and the Munroe Bridge will draw more traffic into Summerland Drive).
Comment: the safety factors are a function of the facilities provided in the link-road rather than the number of children; Option 2 addresses the original deficiencies. The bollards proposed will discourage use of the link-road by through traffic which will tend to use Waterford Way.

Other Issues and Concerns: Respondents Wanting the Link-road Opened (Option 2)

- Property rights (6 respondents - properties were purchased with prior knowledge of the link-road and its advantages to them of neighbourhood connection and security).
Comment: this is why the comprehensive procedure of schedule 10 to the Local Government Act 1974 needs to be invoked if it is decided to close the link-road.
- Option 2 provisions (8 respondents - support for the safety and visual amenity enhancements, belief that the safety measures are necessary and sufficient).
Comment: the proposed safety enhancements in Option 2 have been carefully evaluated by the Council's traffic engineers. Their appearance has been enhanced through landscape architect input.

- Democracy and property rights (8 respondents - 3 of the 4 parties opposed to opening the link-road are alleged to have purchased in the last 15 months with the link-road open, 40 people signed a petition opposing the closure, reasons for closure are exaggerated, majority not considered in recommendation to close the link-road).

Comment: the Community Board has responded to the residents request for more consultation.

- Unproven claims (6 respondents - regarding clashes with motor vehicles and pedestrians, injuries, inadequate footpaths, these respondents use the link-road frequently and have not experienced any inconvenience and don't feel unsafe).

Comment: the Council's investigations find that safety improvements are desirable and can be economically and quickly provided through Option 2. Council survey's found no conflict between vehicles or pedestrians over the period of the survey but the geometric factors would not help an unexpected event such as a child running heedlessly across the link-road from behind a high fence or from the Checkerberry walkway.

- Miscellaneous issues (6 respondents - information provided by Council greatly appreciated, common sense should prevail (Option 2), boy racers a concern, pedestrian crossing for Summerland School in Summerland Drive, link-road provides efficient route to Palomino Road shops, trees apparently on the boundary of 13 Freestone Place affect visibility off Checkerberry walkway).

Comment: Boy racers would be unable to speed through with the proposed arrangement of bollards in Option 2. Council monitors the effect of vegetation on visibility lines and can arrange for tree trimming if necessary.

RESOURCES

Either option can be implemented from the existing Road Maintenance budget.

CONCLUSION

Consultation with local residents has been undertaken in accordance with the wishes of the Waitakere Community Board. The methodology and summarised results are presented in this report. A clear majority of residents (78%) favour Option 2. It remains for the Waitakere Community Board to make a recommendation taking into account the information it has requested and received, and the safety implications for pedestrians and traffic.

RECOMMENDATIONS

1. That the Freestone Place Link-Road, Western Heights: Consultation report be received.
2. That, after taking into account the safety implications for pedestrians and traffic and consideration of community consultation, the Waitakere Community Board give consideration and recommend to Council one of the following:
 - Option 1 - the Freestone Place Link-Road be permanently closed to motor vehicles; or
 - Option 2 - the Freestone Place Link-Road be opened to motor vehicles after safety factors are corrected.

Report prepared by: Ross Hill, Service Manager: Transport Assets.



14 CANDIA ROAD, SWANSON SPEED LIMIT

PURPOSE OF THE REPORT

The purpose of this report is to update the Waitakere Community Board on the progress with the speed limit review in Candia Road, Swanson.

BACKGROUND

At the meeting held on 6 April 2004 the Waitakere Community Board resolved the following:

“That in light of the ability for Local Authorities to now set their own speed limits, the Chief Executive be requested to prepare a report on the process to initiate a 40km zone outside Waitakere Primary School and to advise the Board on how to respond to the request by the residents of Candia Road to lower the speed limit on their road.”

(570/2004)

This report deals only with the Speed Limit in Candia Road, the speed limit outside Waitakere Primary School will be dealt with separately.

Candia Road is a 4.1km long collector road located on in Swanson's urban fringe. The southernmost 3.3km of Candia Road currently has a 100km/h limit whilst remaining 800m has a 70km/h limit.

STRATEGIC CONTEXT

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

Safe and appropriate speed limits play an essential role in ensuring motorist safety when using Council's road network.

ISSUES

This report will focus on the matters specific to reviewing the speed limits on Candia Road including results of a speed limit survey and consultation process to date. A summary of provisions of the new rule for setting speed limits is the subject of another report to be presented to the Community Board at the same meeting.

Speed Limit Survey

A speed limit survey using the procedure laid down in 'Speed Limits New Zealand' was undertaken by transport engineers on Friday 7 of May 2004. There has been some recent development in Candia Road and survey showed that there is scope to extend the existing 70km/h another 1300 metres southwards, giving a 2.1km 70km/h zone south from the intersection with Swanson Road. The 70km/h speed limit would then cover a portion of Candia Road containing 67 out of the total of 88 dwellings in the road.

Consultation

The new rule requires that Council consult in writing with the Land Transport Safety Authority, Police, Automobile Association and Road Transport Forum when setting speed limits.

Council transport engineers have met with the Land Transport Safety Authority's Regional Engineer to discuss the results of the speed limit survey and the process for going interpretation of the speed limit survey has been agreed.

At the time this report was prepared Transport Asset's staff have contacted all parties and are in the process of organising appropriate consultation. By the time this report is considered by the Community Board responses these parties may have been received.

The new rule also requires that Council consult with *'all persons that may be affected by the proposed speed limit'*, therefore it will be necessary to consult the occupants of the residences and businesses in Candia Road. A mailout to these people will be prepared in the near future.

Legal Issues

The new rule requires that road controlling authorities pass a by-law ensuring that all existing speed limits are retained before any new speed limits are set. The Land Transport Safety Authority are currently working on producing a model by-law for councils which is expected to be released in the near future. The constraining factor in getting the speed limit changed in Candia Road in the near future is the passing of this savings bylaw. Until the Land Transport Safety Authority provides Council with the model bylaw and the bylaw is passed by Council the speed limit in Candia Road cannot be changed.

RESOURCES

Other than the time of Transport Assets staff no additional resources are needed to complete the review of the speed limit in Candia Road.

CONCLUSION

It appears that the speed limit for a portion of Candia Road may be able to be reduced, however it may be some time before any change can be put into effect due to the need for Council to enact a Bylaw yet to be received from the Land Transport Safety Authority and passed by the Waitakere City Council.

RECOMMENDATION

That the Candia Road, Swanson Speed Limit report be received.

Report prepared by: Paul Schischka, Transport Engineer.



15 **NEW RULE FOR SETTING SPEED LIMITS**

PURPOSE OF THE REPORT

The purpose of this report is to provide the Waitakere Community Board with a summary of the provisions of the new rule regarding the setting of speed limits.

BACKGROUND

In early 2003 the Minister of Transport signed a new rule altering the way speed limits are set in New Zealand. The new rule came into force in April 2004. Under the new rule Councils and other road controlling authorities take over many of the Land Transport Safety Authority's responsibilities for setting speed limits.

There have been numerous reports in the media about the changes, many of which give a misleading impression of the changes. The elected members are often the first point of contact for members of the public with traffic concerns, and it is desirable that they are well informed of the process and rules for setting speed limits.

STRATEGIC CONTEXT

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

Safe and appropriate speed limits play an essential role in ensuring motorist safety when using Council's road network.

ISSUES

A45

Under the new rule Council is legally required to follow a certain procedure set out in the rule when setting or reviewing speed limits. This process comprises three steps, firstly conducting a speed limit rating survey, then conducting consultation, then finally passing a bylaw and registering the speed limit, refer to page A45. The detail of each step is elaborated on below:

Speed Limit Rating Survey

In this survey the road is divided into a series of 100 metre sections each of which is given a development rating and a roadway rating which are then combined together to get a total rating.

The development rating is based on the number of houses and businesses that have direct access onto the road combined with a value based on the development in any side road. A residence with its own driveway is worth one rating point while businesses and other facilities or several houses sharing a driveway are worth between one and four rating points based on the scale and type of the development. Only schools and kindergartens can be worth more than four rating points, their value being based on the number of pupils.

The roadway rating is based on the number of pedestrians, the availability of a footpath, the number of cyclists, the number of cars parked on street and their distance from the traffic lanes, the forward visibility for drivers, the presence of a flush median or median barrier, the presence of traffic control devices like "Stop" and "Give Way" controls and pedestrian crossings, road classification and the type of development adjacent to the road. Each of these factors is considered and a number of rating points assigned. These are totaled and compared to the total number of development rating points. If there are more roadway rating points than development points then the roadway rating is reduced to equal the development rating.

The combined total rating is then used to find a speed limit for the section of road: the attached chart shows the number of rating points required for a particular speed limit as well as other criteria. The speed limits for all the sections within a road are then compared with a view to achieving a consistent speed limit throughout the road. A small section of developed land within an undeveloped area will not warrant a reduced speed limit, neither will a small undeveloped section within an urban area warrant an increased speed limit. Rules for the minimum distance between speed limit changes and where to place the boundaries are included within the new rule. Thus the final limit chosen for a road will be the same for the entire road or large sections of the road. The speed limits in connecting roads also need to be taken into account.

It is important to note that since the roadway rating cannot exceed the development rating, regardless of other factors, the development adjacent to the roadway is the driving factor in determining speed limits. A well developed urban area will have 50km/h limit regardless of other factors, whilst an undeveloped rural area will have a 100km/h limit. This means that a 100km/h limit may apply on a road where, because of a number of curves in the road or other geometric features, it is unsafe or impossible to travel at the speed limit. Mountain Road is a good example of a road with a 100km/h limit which cannot be safely traversed at 100km/h. In situations like these roadway delineation and warning measures like curve warning signs, chevron signs, advisory speed signs, edge marker post and edge lines can be used to improve motorist safety.

Consultation

The new rule requires that Council consult the following parties in writing before setting a new speed limit, as follows:

- The Land Transport Safety Authority;
- The Police;
- The Automobile Association;
- The Road Transport Forum;
- Any other road controlling or territorial authority affected by the change;
- *'Persons which may be affected by the proposed speed limit'* (In practice this will normally mean members of the public or business whose properties are adjacent to the road or use the road regularly).

Council is obliged to take into account any submissions received during consultation when setting speed limits, however this does not relieve Council of the requirement to set limits according to the rigid procedure laid down in the rule.

Bylaw and Registration of Speed Limits

The final step in setting a speed limit is for Council to make a bylaw setting the new limit. Council is also required to keep an up to date register of all speed limits in the city and all correspondence and other documentation relating to speed limits for seven years. Council must inform the Land Transport Safety Authority of any change in the speed limit at least 14 days before the new limits come into effect.

The new rule requires that road controlling authorities pass a bylaw ensuring that all existing speed limits are retained before any new speed limits are set. The Land Transport Safety Authority are currently producing a model bylaw for councils which is expected to be released in the near future.

Role of the Land Transport Safety Authority

The role of the Land Transport Safety Authority under the new rule is to oversee the application of the rule by road controlling authorities. A consistent national approach is essential and the Director of the Land Transport Safety Authority has the power to compel Council to review or change a speed limit or by notice in the New Zealand Gazette change a speed limit if Council refuses to do so.

Differences when Compared with the Old Method for Setting Speed Limits

The method by which speed limits are set has not changed significantly. The speed limit ratings survey which is the determining factor in choosing a limit is the same method previously used by the Land Transport Safety Authority. The consultation requirements are new, but as the limit chosen is determined by the survey result this makes little practical difference. The main change is an administrative one, Council rather than the Land Transport Safety Authority is now responsible for the bulk of the administration of speed limits and this will enable faster processing of reviews and requests.

Timeframe for Setting New Speed Limits

After the bylaw has been passed the process for changing a speed limit is still likely to be rather lengthy. The speed limit rating survey can be undertaken quite quickly, but consultation and the process required to pass a new bylaw whenever a speed limit is changed are both likely to take some time. The 14 days notice that must be given to the Land Transport Safety Authority before a new limit comes into effect will also add another two weeks to the time needed to change a speed limit.

The new rule requires Council to review all non-50 limits in urban areas and all non-100 limits in rural areas before 1 July 2005, for this reason there are likely to be a number of speed limit changes within the next year.

Pilot Study

At the request of the Waitakere Community Board Transport Assets is conducting a pilot application of the new rule in Candia Road. Final outcomes of the pilot will be distributed to all Community Boards and the City Development Committee.

RESOURCES

The requirement to review a number of speed limits before 1 July 2005 will require approximately three person months of time. This can be absorbed into existing budgets through the use of Transport Assets staff time and consultants paid for from the transport planning budget.

CONCLUSION

The new rule for setting speed limits represents more of an administrative change than a major shift in the philosophy of setting speed limits in New Zealand. Council will take over much of the administrative workload to do with speed limits from the Land Transport Safety Authority but the actual limits that can be set will still be determined by the necessarily rigid rules used previously to set limits. For this reason it is unlikely that there will be many extensive changes to speed limits within the city.

The main benefit of the new rule to Council is that Council may now review limits when it feel that a change may be warranted rather than wait for the Land Transport Safety Authority to process a review the limit. The speed limit review process was also very drawn out when it was conducted by the Land Transport Safety Authority. Council now has the ability to ensure that speed limit reviews are conducted promptly where constituents consider that there is a discrepancy.

The main disadvantage to Council is that the majority of the cost of administering the speed limits must now be borne by Council.

RECOMMENDATION

That the New Rule for Setting Speed Limits report be received.

Report prepared by: Paul Schischka, Transport Engineer.



16 BOARD MEMBERS' REPORTS

Provision has been made on this agenda for Board Members should they so wish to submit a report on their activities during the month in regard to matters within the scope and delegations of the Board. However, to comply with the provisions of the Local Government Official Information and Meetings Act 1987, no decision may be made on matters raised in Board Members' reports.

WAITAKERE COMMUNITY BOARD APPOINTMENTS

OUTSIDE ORGANISATIONS	APPOINTMENT
Auckland Region Community Boards' Association Executive Committee	Christine Shepherd
Corban Reserve Workers Memorial Workshops	David Hallett
Footpath Construction: Budget Allocation	Kevin Healy
Friends of Arataki Trust	Kevin Healy
Glen Eden Citizen Advice Bureau	Betty Hanson
Keep Waitakere Beautiful	Christine Shepherd
Huia/Cornwallis Local Water Agenda Steering Group	Diane Goodley (Alternate: Rob Taylor)
Indoor Youth Facility Project Team	Christine Shepherd
McLaren Park Community Project Steering Group	Christine Shepherd Diane Goodley
Piha/Karekare Local Water Agenda Steering Group	Betty Hanson (Alternate: Rob Taylor)
Piha/Karekare Stormwater Liaison Group	Betty Hanson
Summerland Drive proposed Community Facility Project Advisory Group	Christine Shepherd
The Weedfree Waitakere Trust	Diane Goodley
West Coast Plan Liaison Group	Betty Hanson
Waitakere Ward Weed Control (Working Party)	Diane Goodley
COUNCIL COMMITTEES	
Community Sport Fund Allocation Subcommittee	David Hallett (Alternate: Diane Goodley)
Lower Oratia Stream Reserves Management Plan Subcommittee	Kevin Healy Diane Goodley
Hearings Committee	Rob Taylor (Alternate: Diane Goodley)

Kay Road Balefill Site Management Committee	David Hallett
WORKING GROUPS	
Glen Eden Library Working Party	Betty Hanson
Project Twin Streams	Kevin Healy
Wai Care Programme	Betty Hanson and Rob Taylor
Wellbeing Fund Working Party	Diane Goodley

