

AGENDA FOR A MEETING OF THE INFRASTRUCTURE AND WORKS COMMITTEE TO BE HELD IN THE COUNCIL CHAMBER AT WAITAKERE CENTRAL, 6 HENDERSON VALLEY ROAD, HENDERSON, WAITAKERE, ON WEDNESDAY, 7 JULY 2010, COMMENCING AT 9.30 AM

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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 – Wednesday, 2 June 2010.

RECOMMENDATION

It is recommended that the Infrastructure and Works Committee resolve to:

Receive the minutes of the meeting of the Infrastructure and Works Committee held on Wednesday, 2 June 2010, as circulated, and that they be taken as read and now be confirmed.



5 NEW LYNN INTEGRATED PROGRAMME - STATUS UPDATE MID-JUNE 2010

GLOSSARY

Transit Oriented Development	(TOD)
Dempsey Wood Civil Contractors Limited	(Dempsey Wood)
Auckland Regional Transport Authority	(ARTA)
New Lynn Business Association	(NLBA)
Target Outturn Cost	(TOC)
Harker Underground Construction Limited	(Harkers)

EXECUTIVE SUMMARY

The purpose of this report is to update the Infrastructure and Works Committee on the progress of the New Lynn Integrated Programme to mid-June 2010.

The main developments which have taken place since the last report to the Infrastructure and Works Committee are that:

- Production of the trench wall glass reinforced concrete art panels has been completed;
- The Hetana Street bridge has been completed and opened for two-way traffic;
- The Memorial Drive bridge has been completed and opened for two-way traffic;
- The reconstruction of Totara Avenue East has been completed and opened for two-way traffic;
- The target of having the second-train-in-trench operational on 8 June 2010 was achieved;
- The Council's road works on Stage 1 remain on programme and within budget;
- The works on the concourse and rail trench being undertaken by ONTRACK's contractor on behalf of the Council remain on programme and within budget; and
- The physical works contract for Stages 2 and 3 is currently out to tender.

RECOMMENDATIONS

It is recommended that the Infrastructure and Works Committee resolve to:

Receive the New Lynn Integrated Programme - Status Update Mid-June 2010 report.

BACKGROUND

1. The status of the New Lynn Integrated Programme was last reported to the Infrastructure and Works Committee at its meeting held on 2 June 2010.

DECISION MAKING

2. As this report is for information only, there is no decision making required.

Transport Infrastructure

3. The New Lynn Transit Oriented Development (TOD) Stage 1 construction contract was awarded to Dempsey Wood Civil Contractors Limited (Dempsey Wood) on 2 September 2009. Works are expected to be completed by the end of October 2010.

4. Designs for the New Lynn TOD Stage 2 (Clark Street Extension) and Stage 3 (Todd Triangle/Totara Avenue West Shared Street Concept) have been completed and the resource consents and building consents have been approved. The tender process for the physical works contract is underway and a tender clarification site meeting was held on 25 June 2010. The programmed award date for this contract will be in October 2010 and construction is expected to start on site in November 2010 following the completion of the Stage 1 works.

Artworks Integration

5. Artwork designs on the New Lynn TOD Project are in progress as follows:
 - Production of the trench wall glass reinforced concrete art panels has been completed;
 - The integration of brick artworks into the design for Stage 3 (Todd Triangle/Totara Avenue West Shared Street Concept) is progressing. Team members from Arts, Parks, and Transport Assets have met with the artists and selected sites for the brick artworks. This information has been forwarded to the architects for inclusion into the detailed design plans for the space. Two additional brick artworks for the Totara Avenue West shared space are to be commissioned and the artist's contract is currently being prepared and will progress through the sign off process over the next fortnight;
 - The tiled artwork located in the stairwell between ground level and platform level of the concourse has been completed. The work has been inspected by the Council's Arts Coordinator and the artist. The work has been produced and installed to a very high standard; and
 - The back walls of the buildings adjacent to the south boundary of the trench between Memorial Drive and Hetana Street are being considered for a suitable arts treatment to tidy them up as they face directly onto the New Lynn rail station. Council officers are negotiating with building owners to allow the Council to apply suitable artworks to these walls once ONTRACK's contractor has painted them a suitable base colour to mask the graffiti. Graffiti guard will be applied over the completed artwork. The lead artist is working with Council officers to develop two concepts for these sites. The aim of the work is to reduce tagging and beautify the areas directly adjacent to the rail trench.

Land Acquisition

6. Stage 1 (Clark Street) - agreement has been finalised for frontage land at 7 Clark Street, New Lynn and the settlement process is underway. A further agreement has been received by the Council and is being reviewed by the Legal Services department.
7. Stage 2 (Clark Street Extension) – acquisition agreements with three remaining properties are close to being finalised.
8. Stage 5 (Crown Lynn Area) - negotiations have begun with some property owners in this area.
9. Stage 6 (Merchant Quarter) – objections to the Environment Court have been lodged in relation to two acquisitions. Negotiations continue.

Development and Implementation

10. The Council's Development and Integration Group are fielding a number of inquiries from interested investors. Infratil Properties Limited are negotiating with a significant party over their site and should this be secured will progress their planning process to the developed design stage.

11. The Council continues to receive expressions of interest from potential business developers and are pursuing these interests over a number of sites within the New Lynn Town Centre. This is a positive indication of the awakening interest of business developers in the newly invigorated New Lynn Town Centre as upgrading works near completion.
12. The New Lynn Returned Servicemen's Association has confirmed that they will be renewing the frontage of their site in Totara Avenue and have lodged for consent to do so.

Crown Lynn Precinct

13. The Crown Lynn Precinct, including the Monier and Claypits sites, forms a key component of Stage 5 (Phase 2) of the New Lynn Integrated Programme. A budget was allocated for the delivery of road and open space infrastructure in the Crown Lynn Precinct through the Long Term Council Community Plan 2009-2019 process.
14. GHD Consultants Limited has been appointed to undertake the design work for the roads within the Crown Lynn Precinct. Council officers will be working closely with GHD Consultants Limited to ensure that a high level of design is delivered in accordance with the expectations outlined in the New Lynn Urban Plan 2010-2030 for the Crown Lynn Precinct.
15. The resolution of appeals to Plan Change 17 is running in parallel to the master planning process. The successful master planning of the Crown Lynn Precinct will be a key element in the resolution of significant appeal points.
16. The Council has been approached by Vuksich and Borich, the owners of the rehabilitated Claypits site. Vuksich and Borich are seeking to accelerate their engagement with the Council across all relevant infrastructure and urban design issues. A comprehensive approach to the site is being proposed to the land owners and their consultants in order to achieve the Council's policy goals for the site.

Communications

17. The Council is working with the Auckland Regional Transport Authority (ARTA) and KiwiRail to organise a major event to mark the completion of the new New Lynn rail station. Council officers are awaiting confirmation of a date from ARTA but it is expected the event will take place near the end of September 2010.
18. Work is almost complete on a series of New Lynn art works to be placed in the McDonald's restaurant on Great North Road, New Lynn – an opportunity offered by the owner. The artworks will consist of various artists' impressions of the future New Lynn.
19. Work is underway on the July 2010 issue of the Council's *New Lynn Matters* newsletter. The *Waitakere News* will feature regular stories about New Lynn and, as and when appropriate, other milestones and initiatives will be communicated.

Relationship Management and Investment

20. Meetings with property/business owners and tenants in New Lynn continue to take place as required.
21. Issues around car parking in the near future during construction have been raised by the Council's New Lynn Design Integration Group and are currently being worked through.

22. The owners of 2 Astley Avenue, New Lynn are working directly with the Council's Special Projects section in respect to their complaint around roading changes. Council officers are working through the complaint to seek a mutually acceptable solution.
23. Discussions with the owners of a potential business consortium in relation to the Merchant Quarter continue. The owners have asked for confidentiality until satisfied that their needs have been met.
24. The New Lynn Business Association (NLBA) and a Council officer have interviewed applicants for the role of New Lynn Town Centre Manager and an offer to an applicant will be made in June 2010.
25. Work on developing the framework around establishing a 'Night Economy' subcommittee is continuing slowly. Once the New Lynn Town Centre Manager is appointed, it is expected that progress will be able to move along more quickly.
26. The NLBA have established, in conjunction with the Council, a 'stop and shop' promotional campaign which will take place for a month from 1 July 2010.
27. An NLBA newsletter and directory are being produced in conjunction with Council officers and it is expected that distribution will take place by 21 June 2010.

ONTRACK Target Outturn Cost (TOC) Status

28. The target of having the second-train-in-trench by 8 June 2010 was achieved and ONTRACK's double tracking project for the Western rail line is complete.
29. The Hetana Street bridge has been completed and opened for two-way traffic.
30. The Memorial Drive bridge has been completed and opened for two-way traffic.
31. The reconstruction of Totara Avenue has been completed and opened for two-way traffic.
32. Construction of the concourse building and structural steelwork for the canopy is progressing well and is on programme.

Legal Agreements

33. The Council continues to work with ONTRACK to obtain revised Deeds of Grant to allow bridges and services to cross the rail corridor through New Lynn. A Deed of Grant for services crossing the New Lynn rail corridor is currently being reviewed by ONTRACK. A Deed of Grant in respect of the bridges that will cross the New Lynn rail corridor will be completed when the final dimensions of these structures have been confirmed and made available to ONTRACK.

Risk Management

34. Identified risks are collated into a programme risk register on an ongoing basis and risk mitigation strategies are put into place for critical risks. Risk monitoring and reporting is an ongoing activity together with identification and management of new risks. As new risks are identified they are assessed and added to the risk register.

Consideration of Community Views

35. The Council continues its consultation programme with New Lynn landowners in proximity to the rail corridor with ongoing public consultation meetings. Council officers are working with communications advisors from both ONTRACK and ARTA to manage consultation, the media and general public concerns during the construction period to ensure that the views of the community are clearly relayed back to the Council.

STRATEGIC CONTEXT

36. The New Lynn TOD Project is identified as one of the Council's top priority projects and represents a substantial investment in the Long Term Council Community Plan 2009-2019.
37. The New Lynn TOD Project delivers on the following community outcomes:
- Strong Economy;
 - Sustainable and Integrated Transport; and
 - Urban and Rural Villages.
38. The New Lynn TOD Project is aligned with the following strategies:
- Economic Wellbeing - a catalytic environment for a flourishing and resilient community;
 - Transport - a sustainable multi-modal transport system that is integrated with land use and contributes to Waitakere as an eco city;
 - Growth Management - a dynamic network of vibrant town centres and neighbourhoods with a social, physical and natural fabric providing housing choice and employment opportunities for all; and
 - The Auckland Regional Growth Strategy, whereby New Lynn has been identified as a regional growth centre.

CONSULTATION

39. Consultation and the updating of this report have taken place between the units of City Services, Public Affairs, Corporate and Business Services, Strategic Planning and Finance.
40. Council officers continue to liaise with affected property owners and tenants on Clark Street, Totara Avenue and Rankin Avenue with regard to the proposed land acquisitions required for the widening of Clark Street, Clark Street Extension and Totara Avenue upgrade.
41. Council officers continue to liaise with ONTRACK and the ARTA in regard to matters affecting the community and assist ONTRACK and the ARTA with community consultation where possible.

RESOURCES

42. Table 1 below provides a summarised financial status for Phase 1 of the New Lynn Integrated Programme:

	Budget Cluster	Budget (August 2009)	Risk and Escalation Committed To Date		Revised Budget	Expenditure To Date	Balance
		\$	\$	%	\$	\$	\$
1	Land Acquisition, Development and Implementation	12,066,470	758,499		12,824,969	4,189,254	8,635,715
2	Strategic Planning and Coordination	229,553	0		229,553	77,951	151,602
3	ONTRACK Agreements (Works for Council by ONTRACK)						
	• Council contribution to trench	20,000,000	0		20,000,000	18,000,000	2,000,000
	• Council-ONTRACK (TOC 2 Roding Agreement)	11,695,627	0		11,695,627	6,656,756	5,038,871
	• Council-ARTA (TOC 2 Interchange Agreement)	13,866,517	0		13,866,517	7,090,410	6,776,107
	• Risk and escalation	543,034	65,000		608,034	64,975	543,059
4	Professional Services and Consent Fees	11,532,679	1,967,851		13,500,530	8,104,430	5,396,101
5	Artworks	500,000	0		500,000	40,850	459,150
6	Physical Works						
	• Enabling Works	540,100	0		540,100	187,258	352,842
	• Stage 1 Construction	19,704,523	104,985		19,809,508	11,362,872	8,446,636
	• Stages 2 and 3 Combined Construction (Clark Street Extension and Totara Avenue West and Todd Triangle)	25,217,700	0		25,217,700	0	25,217,700
	• Stage 4 Construction (Interchange Option 2) post-electrification	9,380,000	0		9,380,000	0	9,380,000
7	Communications	231,000	217,407		448,407	237,609	210,798
8	Risk and Escalation	19,417,412	(3,113,742)	16.0%	16,303,670	Included above	16,303,670
	TOTALS	144,924,615	0		144,924,615	56,012,365	88,912,250

Table 1: Summarised Financial Status

IMPLEMENTATION ISSUES

Timeline/Milestones

43. Current established key milestones for the New Lynn Transport Interchange include:

Key Milestones	Timeline
Approval of TOC 2 contributions (Council/ARTA) by end of August 2009	completed
First train track installed in trench and new rail station partially complete for single line public service	completed
Second train installed in trench	completed
Completion of transport interchange	October 2010

Table 2: Key Milestones for New Lynn Transport Interchange

44. Current established key milestones for the Council's roading works include:

Key Milestones	Timeline
Council roading works (Stage 1) commenced	September 2009
Council roading works (Stage 1) due for completion	October 2010
Clark Street Extension and Totara Avenue West	November 2010

Key Milestones	Timeline
(Stages 2 and 3) due to commence	
Clark Street Extension and Totara Avenue West (Stages 2 and 3) due for completion	March 2012

Table 3: Key Milestones for Council Roothing Works

Project Risks

45. An alternative exit road from the New Lynn Community Centre car park is required as the existing exit road will be obstructed by Clark Street Extension. Additional land is required to accommodate the alternative exit road and construction of the alternative access must be completed before construction of the Stage 2 (Clark Street Extension) can be completed to the north of the rail trench.
46. An alternative access road to 1B and 1C Rankin Avenue, New Lynn is required off Ambrico Place, New Lynn as the existing access road will be obstructed by Clark Street Extension. Additional land is required to accommodate this new road and construction of the new road must be completed before construction of Stage 2 (Clark Street Extension) can commence on the south side of the rail trench.
47. Traffic delays and associated complaints are likely to increase as the construction of new signalised intersections are completed while construction of Stage 1 and the Interchange progress. However, now that the trains are running in the trench, a significant point of conflict has been removed.
48. Harker Underground Construction Limited (Harkers) have disestablished from site to enable Dempsey Wood and Fletchers to complete their work in Clark Street and Rankin Avenue. Harkers completed the manhole in Rankin Avenue before they disestablished to facilitate completion of the sewer at a later date with minimal impact to the new roads. In collaboration with Council officers, Dempsey Wood have accelerated their programme and are back on track to complete their stage 1 contract by November 2010 as programmed.
49. Concerns have been raised by local business owners over the proposed removal of car parking spaces from the New Lynn Community Centre car park and from Totara Avenue West as a result of the new works for Stages 2 and 3. A year-by-year transition plan showing parking availability throughout the various construction phases of the project is being prepared and will be communicated with affected businesses.
50. Land acquisitions at 24 and 30 Totara Avenue have stalled due to unresolved issues over the valuation of slot machines at each of the properties, which according to regulations are not permitted to be relocated. The tenant at 24 Totara Avenue has indicated that he may object to the Public Works Act 1981 proposal. This could impact on the design and construction of McCrae Way, New Lynn and the proposed Infratil car park building.
51. Newly appointed tier 1, 2 and 3 managers will begin to take up responsibilities with the new Auckland Council from 1 August 2010. Capacity for some key portfolios could be diminished following this and alternative portfolio resources may be required to ensure continuity of the New Lynn Programme's momentum.

AUCKLAND COUNCIL TRANSITION ISSUES

52. The Local Government (Tamaki Makaurau Reorganisation) Act 2009 section 31(4)(b) imposes restrictions on Waitakere City Council's decision making capabilities in respect of a decision to adopt or amend a long-term council community plan or to adopt an annual plan.

53. The Auckland Transition Agency notified Council on 29 June 2009 that it approved the Long Term Council Community Plan 2009-2019, but issued a notice under section 20 and 31(1)b of the Local Government (Tamaki Makaurau Reorganisation) Act 2009, that any decision with regards to the wider New Lynn project required specific Auckland Transition Agency confirmation prior to implementation.
54. Subsequently the Auckland Transition Agency notified Council on 31 August 2009 of approved expenditure on the New Lynn project (ATA No. 0099) and thus the recommendations in this report do not require confirmation by the Auckland Transition Agency.

Report prepared by: John Schermbrucker, Special Projects Manager (Programme Director: New Lynn Integrated Programme).



6 **BRIAR WAY, NEW LYNN - NEW ROAD NAME**

GLOSSARY

Transit Oriented Development (TOD)

EXECUTIVE SUMMARY

The purpose of this report is to seek the Infrastructure and Works Committee's approval that the new access way at 8 Ambrico Place, New Lynn be named Briar Way as part of the ongoing works for the New Lynn Transit Oriented Development (TOD).

Consultation with the New Lynn Community Board, Council officers, New Zealand Post and affected land owners has not raised any issues.

RECOMMENDATIONS

It is recommended that the Infrastructure and Works Committee resolve to:

1. **Receive** the Briar Way, New Lynn - New Road Name report.
2. **Approve** that the new access way at 8 Ambrico Place, New Lynn be named Briar Way.

BACKGROUND

1. The townhouse complex at 1C Rankin Avenue, New Lynn is currently served by a long access way from Rankin Avenue, adjacent to the existing Lollipops Childcare Centre. As part of the New Lynn TOD project, it is necessary to relocate the existing access way to cross Ambrico Historic Reserve at 8 Ambrico Place, New Lynn. This proposal was included in an amendment to the New Lynn Reserves Management Plan, which was approved by the New Lynn Community Board at its meeting on 30 November 2009.
2. Construction of the new access way is expected to start in July/August 2010 and be completed by October 2010.

DECISION MAKING

Issues

3. A road name is required for the new access way at 8 Ambrico Place, New Lynn.
4. New Lynn is synonymous with brick making and when researching the history of the area two names were distinctive in helping to determine the name of the new access way. They were Briar Gardner and William Parker.

History of Briar Gardner

5. Gardner Reserve is located within a triangle of land formed by Rankin Avenue and the railway line. The current reserve is a remnant of the family garden and orchard associated with John and Louisa Gardner. Briar is the name of the daughter of John and Louisa Gardner. Briar Gardner developed a talent for pottery and in 1930 she held what is believed to be the first exhibition of studio pottery in Auckland. Following the death of Louisa Gardner in 1938, Briar Gardner leased the property from Amalgamated Brick and Pipe Company until her death in 1968. The house was demolished after Briar's death and, in 1986, the Gardner Reserve area, along with the kiln reserve, were vested in the New Lynn Borough Council. The two reserves form an important link with the area's brick making past.

History of William Parker

6. William Parker went into partnership with the Gardner family in 1903 manufacturing bricks from the site. William Parker had previously been in partnership with Frank Jagger (they both owned the land that was later re-developed for the brickworks).

Local Government Act 1974

- A1
7. A plan of the new access way is indicated on the diagram attached at page A1. Once a name is selected and approved by the Infrastructure and Works Committee for the access way, under section 319A of the Local Government Act 1974, the Council must send a copy of the resolution to the Registrar-General of Land and the Surveyor General.

Options Identified

8. Two options have been identified:
 - Option 1 is to name the new access way as Briar Way.
 - Option 2 is to name the new access way as Parker Way.

Assessment of Options

9. An assessment of both names for the new access way is as follows:

Option	Assessment of Option
Option 1 – Briar Way	The current Gardner Reserve is a remnant of the family garden and orchard associated with John and Louisa Gardner.
	Briar Gardner held what is believed to be the first exhibition of studio pottery in Auckland.
	Briar Gardner leased the property from Amalgamated Brick and Pipe Company from 1938 until 1968.

Option	Assessment of Option
Option 2 – Parker Way	William Parker went into partnership with the Gardner family in 1903.
	William Parker had previously owned land, with Frank Jagger, that was later re-developed for the brickworks.

Table 1: - Assessment of Options

Consideration of Community Views

10. Consultation has taken place with affected landowners and occupiers at 1C Rankin Avenue, New Lynn through the Body Corporate with the naming of the new access way.

Preferred Option

11. Option 1 is the preferred option as overall it was felt Briar Gardner's ties had been more closely linked to that of the community through her interest, and that of her family, in pottery.

STRATEGIC CONTEXT

12. The naming of streets in a standard, logical and clear manner assists with delivery to addresses, response by emergency services and generally enables people to find their way around the City. It is also recognised by the Council that naming of streets is a mechanism which can provide a link to the heritage and cultural values of an area.

CONSULTATION

13. Consultation has been carried out with the Legal Services, Urban Planning and Design and Resource Management and Building sections of the Council and the New Lynn Community Board. There were no objections to the use of the name Briar Way.
14. New Zealand Post has approved the use of the name Briar Way.

RESOURCES

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

IMPLEMENTATION ISSUES

16. Once a name is selected and approved, under section 319A of the Local Government Act 1974, the Council must send a copy of the resolution to the Registrar-General of Land and the Surveyor General.

AUCKLAND COUNCIL TRANSITION ISSUES

17. The Local Government (Tamaki Makaurau Reorganisation) Act 2009 section 31(4)(b) imposes restrictions on Waitakere City Council's decision making capabilities in respect of a decision to adopt or amend a long-term council community plan or to adopt an annual plan.
18. The Auckland Transition Agency notified Council on 29 June 2009 that it approved the Long Term Council Community Plan, but issued a notice under section 20 and 31(1)(b) of the Act, that any decision with regards to the wider New Lynn project required specific Auckland Transition Agency confirmation prior to implementation.

19. Subsequently the Auckland Transition Agency notified Council on 31 August 2009 of approved expenditure on the New Lynn project and thus the recommendations in this report can be made without referral to the Auckland Transition Agency.

Report prepared by: Vinh Bui, Team Leader: Transport Assets.

7 **UNITED NORTH PIHA LIFEGUARD SERVICE INCORPORATED - NEW LEASE OF CAMPGROUND AT LES WAYGOOD PARK, PIHA**

GLOSSARY

United North Piha Lifeguard Service Incorporated	(UNPLS)
North Piha Campers Club Incorporated	(NPCC)
Piha Reserves Management Plan	(Management Plan)
Waitakere Ranges Heritage Area Act 2008	(WRHAA)

EXECUTIVE SUMMARY

The purpose of this report is to seek approval from the Infrastructure and Works Committee to grant United North Piha Lifeguard Service Incorporated (UNPLS) a lease of the campground at Les Waygood Park, Piha on part of Lot 1 DP 32999 and part of Lot 1 51205.

RECOMMENDATIONS

It is recommended that the Infrastructure and Works Committee resolve to:

1. **Receive** the United North Piha Lifeguard Service Incorporated – New Lease of Campground at Les Waygood Park, Piha report.
2. **Approve** that a new lease be granted to the United North Piha Lifeguard Service Incorporated for a term of five years with one right of renewal for five years at \$633 + GST per annum, in accordance with Council's Community Leases Policy on part of Lot 1 DP 32999 and part of Lot 1 DP 51205.
3. **Approve** that formal notice of termination of lease be given to the North Piha Campers Club Incorporated.
4. **Agree** that the Chief Executive Officer be authorised to negotiate and conclude with the United North Piha Lifeguard Service Incorporated a new lease at Les Waygood Park under section 54(1)(a) of the Reserves Act 1977.

BACKGROUND

1. At the time that Les Waygood Park was purchased in 1979 by Waitemata City Council, the campground had been used for camping since the 1940s and as a caravan park since 1959. Following the purchase, the users of the camp established an incorporated society, the North Piha Campers Club Incorporated (NPCC). Thereafter the NPCC continued to occupy the campground by way of licence from Waitemata City Council pending a decision on the long term future of Les Waygood Park. A two-year lease was granted to NPCC by Council in 1997 followed by a five-year lease in 2000, expiring in February 2005.

- A2
2. Les Waygood Park is a Citywide park and was classified by Council as a recreation reserve under the Reserves Act 1977 in 1997 when the Waitakere Community Board resolved to grant NPCC a lease.
 3. The UNPLS has a long history at North Piha, operating from its own land and building adjacent to Les Waygood Park at 4 North Piha Road, Piha. The Infrastructure and Works Committee approved the grant of an easement over Les Waygood Park to UNPLS for a wastewater system on 15 December 2008. UNPLS is linked to NPCC in that several members of UNPLS are also members of the NPCC and use the campground during summer weekends in order to accommodate themselves and their families while on lifeguard duties.
 4. The Piha Reserves Management Plan (Management Plan) was adopted in September 1999. Whilst the Management Plan recognises the importance to the local and Citywide communities of the two Piha camping grounds (at Piha Domain and at Les Waygood Park), the occupation by the NPCC of the campground at Les Waygood Park greatly reduces the use by the public of that part of Les Waygood Park. The Management Plan also recognises the importance of the UNPLS to the safety of the public and the increasing number of visitors to North Piha and therefore proposed that after one further and final lease to the NPCC for a term of five years, a lease of a smaller area of the campground at Les Waygood Park be granted to the UNPLS for camping. A plan identifying the location of the campground at Les Waygood Park circled in red is attached at page A2.
 5. No such final lease was ever granted to NPCC and since February 2005 the lease has continued on a monthly basis. Had it been granted, it would have expired in February 2010.

DECISION MAKING

6. It is proposed that a lease to UNPLS be negotiated and concluded for part of the campground at Les Waygood Park as contemplated in the Management Plan.

Issues

Lease

7. It is proposed that the new lease be as contemplated in the Management Plan and in accordance with Council's Community Leases Policy for a term of five years with one right of renewal of five years on part of Lot 1 DP 32999 and part of Lot 1 51205.
8. As the lease to NPCC has been continuing on a monthly basis, formal notice of termination of their lease will be necessary in order to be able to grant a lease to UNPLS.
9. Piha is within the Waitakere Ranges Heritage Area, protected by the Waitakere Ranges Heritage Area Act 2008 (WRHAA). The WRHAA aims to promote the protection and enhancement of the area's heritage features for present and future generations. Amongst the heritage features the WRHAA lists in section 7(2) are:
 - (g) *the opportunities that the area provides for wilderness experience, recreation, and relaxation in close proximity to metropolitan Auckland:*
 - (l) *Its distinctive local communities."*
10. The proposal will not compromise the aims of the WRHAA as there will be no change of use. The proposal will however support the continued provision of recreation and relaxation in the area and recognise Piha's distinctive community.

11. The consent of the Minister of Conservation for this lease is not required under section 54(1)(a) of the Reserves Act 1977. The Minister's authority is delegated to Council as the administering authority because the proposed use is contemplated in the Management Plan, is an existing use and the effects of the continued use will be the same or similar (if not less) in character intensity and scale as before.
12. Public notice is not required under section 54(2) of the Reserves Act 1977 because the proposed use is in conformity with and contemplated by the Management Plan.
13. A lease of the campground to the UNPLS will enable the UNPLS to continue to contribute to the fabric of the Piha community and to the benefit of users of the beach at North Piha.

STRATEGIC CONTEXT

14. The proposal will enable UNPLS to continue to provide lifesaving activities and water safety education at North Piha Beach, thus contributing to Council's Safe City strategic priority.
15. UNPLS's activities contribute to the strategic outcome of Great Living Places under Council's Social Strategy. Supporting a safe environment for people to enjoy is consistent with Council's Great Lifestyles strategic outcome.

CONSULTATION

16. Council's Lease Assessment Group has been consulted and is agreeable to the proposal.
17. The President of NPCC has been consulted on the proposal. NPCC have not applied for a new lease because they did not believe a new lease would be offered to them by Council in view of the contents of the Management Plan. NPCC are aware the proposal is being reported to the Infrastructure and Works Committee on 7 July 2010.

RESOURCES

18. No Council resources will be required to implement the new lease other than staff time.

IMPLEMENTATION ISSUES

19. Terminating the old lease to NPCC and negotiating and agreeing the new lease to UNPLS.

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: Stephanie Willcox, Community and Reserves Lease Officer.



8 **GLEN EDEN UNITED SPORTS CLUB INCORPORATED – NEW LEASE AT SINGER PARK**

GLOSSARY

Glen Eden United Sports Club Incorporated	(GEUSCI)
Singer Park Final Management Plan	(Management Plan)
Waitakere Sports Club Taskforce	(the Taskforce)

EXECUTIVE SUMMARY

The purpose of this report is to seek the Infrastructure and Works Committee's approval to grant the Glen Eden United Sports Club Incorporated (GEUSCI) a lease of the footprint of their building at Singer Park, Glen Eden on part Allotment 544 Waikomiti Parish being part of certificate of title NA1800/99.

RECOMMENDATIONS

It is recommended that the Infrastructure and Works Committee resolve to:

1. **Receive** the Glen Eden United Sports Club Incorporated – New Lease at Singer Park report.
2. **Approve** that a new lease be granted to Glen Eden United Sports Club Incorporated for a term of five years with one right of renewal for five years at \$250 + GST per annum.
3. **Agree** that the Chief Executive Officer be authorised to negotiate and conclude a new lease at Singer Park with Glen Eden United Sports Club Incorporated under section 54(1)(b) of the Reserves Act 1977.

BACKGROUND

1. Singer Park is a Citywide sports field. Singer Park consists of four parcels of land, namely Allotments 543 and 544 Waikomiti Parish, situated in Block II, Titirangi Survey District in certificate of title NA1800/99; Part Allotment 13 Parish of Waikomiti in certificate of title NA1975/77; and Lot 2 DP 153031 in certificate of title 90D/840. The land on which GEUSCI's clubhouse is located is on Allotment 544 which has been classified as a recreation reserve under the Reserves Act 1977.
- A3 2. The Singer Park Final Management Plan (Management Plan) refers to the Glen Eden Soccer Club being formed in 1972 and Singer Park being opened in 1973 for soccer. The clubhouse was built in 1975 and is currently owned by GEUSCI. At the time the Management Plan was prepared (estimated to be in the early 1980's – it is not dated) there were several clubs established at Singer Park. Officially there now appear to be only two clubs, namely GEUSCI and Harbour City Rod Club Incorporated. A plan attached at page A3 identifies the location of GEUSCI's clubhouse.
3. GEUSCI was incorporated in July 2002. The GEUSCI's objectives include promoting and playing football and netball and other sporting activities as GEUSCI determines.
4. Whilst Singer Park has been used for football since its inception, no lease appears to have ever been granted to either the "Glen Eden Soccer Club", or to GEUSCI.

5. It recently came to Council's attention that works had been done to GEUSCI's clubhouse without any consents. Consequently Council officers have worked with GEUSCI for the last year and all issues relating to their clubhouse have been resolved with the final building, and plumbing and drainage inspections passed. A code of compliance certificate will follow in due course.

DECISION MAKING

6. It is proposed that a new lease be negotiated and concluded with GEUSCI for the footprint of their building located on part of Allotment 544 Waikomiti Parish, situated in Block II, Titirangi Survey District being part of certificate of title NA1800/99.

Issues

Lease

7. It is proposed that the new lease be for a term of five years with one right of renewal of five years. Other than the term (which under the Community Leases Policy GEUSCI would normally be for 10 years with one right of renewal of five years because they own their building), the lease will be in accordance with Council's Community Leases Policy.
8. As a result of the unconsented building work to the clubhouse and because there has never been a lease before, Council's Lease Assessment Group has taken the view that a term of five years with one right of renewal of five years is appropriate. In addition, Council's Lease Assessment Group received representations in regard to the proposed lease from Sport Waitakere on behalf of the Waitakere Sports Club Taskforce (the Taskforce). The Taskforce promotes collaborative strategies for the development of club sport in Waitakere. The Taskforce considers that only a short term lease should be granted as it is currently working with football clubs to identify opportunities for improved management of the sport, including joint venture and relocation opportunities.
9. The consent of the Minister of Conservation is not required under section 54(1)(b) of the Reserves Act 1977 and neither is public notice required because the activity is an existing use and is in conformity with and contemplated by the Management Plan.

Singer Park Final Management Plan

10. The Management Plan makes reference to Singer Park being developed to a full sized field and the possibility of a second soccer field on what was the clean fill tip site. The proposed use is therefore consistent with the Management Plan.

Community Leases Policy

11. GEUSCI conform with Council's criteria for assessing lease applicants. GEUSCI are willing to share the facility by hiring it out to fulfil a community need.

STRATEGIC CONTEXT

12. The proposal to grant a lease to GEUSCI contributes to Council's Healthy Lifestyles community outcome. The existing football pitch at Singer Park is suitable for use only by junior players which supports Council's First Call for Children Strategic Priority. The presence of GEUSCI on Singer Park contributes to Council's Social Strategy and Great Lifestyles Strategic Outcome by providing access to facilities and activities in the community.

CONSULTATION

13. Council's Lease Assessment Group and Council's Community Projects Liaison Officer have been consulted and are agreeable to the proposed new lease for the proposed term.

RESOURCES

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

IMPLEMENTATION ISSUES

15. If approval is granted to GEUSCI a new lease will need to be negotiated and agreed.

AUCKLAND COUNCIL TRANSITION ISSUES

16. 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: Stephanie Willcox, Community and Reserves Lease Officer.

