

NOTICE OF SPECIAL MEETING

COUNCIL

I hereby give notice that pursuant to Standing Order 14.1(b)(i) a Special Meeting of the Council will be held on:-

DATE: **Tuesday, 18 June 2002** **TIME:** **9.30 am**

VENUE: **Civic Centre, 6 Waipareira Avenue, Lincoln, Waitakere City**

to consider the Civic Future Accommodation Review and to take any necessary action connected therewith.

13 June 2002

Owena Schuster
COMMITTEE SECRETARY

Telephone (09) 836 8000 extn 8864

MEMBERSHIP:

Mayor	RA	Harvey, QSO, JP
Deputy Mayor	CA	Stone
Councillors	DQ	Battersby, JP
	BA	Brady, JP
	JM	Clews, QSO, JP
	RP	Dallow, QPM, JP
	AC	Fenton
	OE	Hoskin, JP
	PA	Hulse
	JP	Lawley
	GE	Nash, JP
	VS	Neeson, JP
	GB	Presland
	GW	Russell
	DA	Yates, JP

(Quorum 8 members)

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(The reports and recommendations contained in all agendas are reports and recommendations only and are not to be construed, in any way, as Council policy until adopted.)

**AGENDA FOR A SPECIAL MEETING OF THE COUNCIL (CIVIC FUTURE ACCOMMODATION
REVIEW) TO BE HELD IN THE CIVIC CENTRE, 6 WAIPAREIRA AVENUE,
LINCOLN, WAITAKERE CITY, ON TUESDAY, 18 JUNE 2002
COMMENCING AT 9.30 AM.**

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AGENDA FOR A SPECIAL MEETING OF THE COUNCIL (CIVIC FUTURE ACCOMMODATION REVIEW) TO BE HELD IN THE CIVIC CENTRE, 6 WAIPAREIRA AVENUE, LINCOLN, WAITAKERE CITY, ON TUESDAY, 18 JUNE 2002 COMMENCING AT 9.30 AM.

1 APOLOGIES



2 UNITEC MEMORANDUM OF UNDERSTANDING

PURPOSE OF THE REPORT

The purpose of this report is to bring the draft Memorandum of Understanding between UNITEC and Waitakere City Council for its approval.

BACKGROUND

Waitakere - Demographic Trends

Waitakere City is a large, rapidly growing City, with a young, ethnically diverse population. Waitakere is the only major New Zealand City without a comprehensive tertiary facility.

Waitakere City is the fastest growing City in New Zealand. With a population of 168,753, it has 4.5% of the population of New Zealand and is its sixth largest City. In terms of population, it is set to overtake Wellington City within the next few years.

The City has a young population, with a third of residents under the age of 20 years and a further 7.8% of residents aged 20 to 25 years. The City has a high number of children in the 0 to 10 year age group (2001 census) who will begin entering tertiary education levels by the middle of the next decade. Failure to provide tertiary education facilities locally may result in many people travelling long distances to access facilities, failing to obtain a tertiary education or leaving the area to obtain tertiary training.

Waitakere City is ethnically diverse, with 41% of residents identifying with an ethnic group other than European. Ethnic diversity is greater in younger age groups. Changes since 1991 have been greatest for people identifying with Asian and Pacific Island ethnic groups.

Qualifications

26.6% of Waitakere City residents have no qualifications, similar to national figures but slightly higher than for the Auckland Region. Despite the national drive towards training and retraining, the proportion of the population with no qualifications has increased locally, regionally and nationally. Low or no educational qualifications are strongly correlated with unemployment. Locating a tertiary institute in Waitakere City is likely to assist in developing the education levels of the City's residents. This has the potential to reduce unemployment within the City.

Tertiary Training in Waitakere City

Waitakere City is generally well provided for in terms of primary and secondary education, however, before the arrival of UNITEC Waitakere there were only two major tertiary institutions based within the City - Waitech and the Bible College of New Zealand. Waitech (part of Te Whanau O Waipareira), with 600 students, is the largest provider of education and training in West Auckland.

Of the tertiary students in the City, a third attend UNITEC at its Mt Albert Campus, which provides the primary catchment for tertiary education for a number of schools in the City. Strong relationships are also being built between the City and Massey University at Albany. Ties are particularly strong in the northern part of the city, with Massey-Albany being the main university for students leaving Massey High School.

Tertiary Education in Waitakere City- Demand and Barriers

Most Waitakere City students attend some form of tertiary training after leaving secondary school. The proportion doing so varies between schools from approximately 50% to 90%. However, there are some major barriers to attending tertiary education. These include:

- costs. With “user pays” for most tertiary education, people now face increased fees and the prospect of having to pay back student loans. Several local schools reported that a number of students undertake TOPs courses solely because these are funded, when they were capable of undertaking more academic courses. Increasing socio-economic pressures are affecting the ability of families to assist their children in obtaining tertiary training;
- transport / access to facilities. Lack of public and private transport is a significant barrier to accessing education services. Some Waitakere City schools believe that transport difficulties stop some students from obtaining tertiary training. Transport barriers vary between different parts of the City. For example, public transport, particularly to Tertiary Training is poor in the Massey area, particularly around West Harbour.

By having a comprehensive tertiary training facility in Waitakere City, some of these barriers could be reduced for many students.

STRATEGIC CONTEXT

As part of its economic and community development objectives the Council has been seeking the establishment of a public tertiary institute in Waitakere City for a number of years. Council has signalled in the 2002/2003 draft Annual Plan that establishing a Tertiary Institute in Henderson is one of the key goals of the Council.

The development of UNITEC Waitakere in the City will have many benefits for the City. Some of these potential benefits and their relationship to the City's Strategic Goals are outlined in the table below:

	Wellbeing Support	Urban Villages	Passenger Transport	Sustainable Business	Green Network
Support of public transport.		√	√		
Location in Henderson Town Centre.		√	√		
Reduce travelling out of City by students.			√		
Research base for sustainability.	√	√	√	√	√
Increased skill base of workforce.				√	
Closer ties between business and training providers.				√	
Retain skilled people in City.				√	
Increased jobs in the City: <ul style="list-style-type: none"> • academic staff; • support staff; • flow on from increased spending in City. 	√			√	
Increased spending in City: <ul style="list-style-type: none"> • from building of institute; • from operating of institute; • from people retained in City. 	√			√	
Benefits to businesses from having a nearby training institute, filling training gaps.				√	
Ability for joint provision / development of facilities: <ul style="list-style-type: none"> • libraries; • performance venue. 	√	√	√	√	

	Wellbeing Support	Urban Villages	Passenger Transport	Sustainable Business	Green Network
Reduced crime from decreased unemployment levels and poverty.	√				
increased profile for Waitakere City.	√			√	
possible catalyst for further business developments.				√	

Economic Benefits

The development of UNITEC Waitakere is likely to bring a number of economic benefits to the City. These can be categorised as:-

Direct Effects

- economic benefits to businesses and employees from being involved in the building of the institute;
- employment benefits from jobs created in running the institute;
- economic benefits to businesses from spending by the institute;
- economic benefits to local businesses from spending by staff and students.

Indirect Effects

- benefits to businesses from having a nearby training institute, filling training gaps and having a more highly skilled work-force;
- benefits to the city from having less commuting out of the city, and by having students and staff coming into the city from other areas.

Induced Effects

- over a period of time tertiary institutes develop as centres of excellence and catalysts for further business development e.g. science and technology parks. UNITEC for example already has a Memorandum of Understanding with Enterprise Waitakere and is involved in a proposal for a Business Incubator in Henderson;
- raised profile of Waitakere City

The indirect and induced effects noted above are real and significant, but very difficult to quantify. Therefore, this analysis concentrates on evaluating the direct economic benefits of the presence of UNITEC Waitakere.

Operational educational facilities in general do not have a significant impact on the commercial environment in which they operate as only 5 to 10% of the activity of the education sector involves trading with other sectors. However large amounts of central government money from outside the city enter the local economy by way of funding for construction, staff salaries, student allowances, and grants for operating expenses. As this money is spent in the city, its effect is "multiplied" through many sectors and businesses. Without UNITEC Waitakere, we are in effect missing out on a substantial central government subsidy to our local economy.

The quantifiable economic benefits of UNITEC Waitakere developing in Waitakere City include operating expenditure, staff salaries and student spending. For an institute of 3000 students over 200 staff would also be employed, earning over \$8 million per annum. If only 25% of the earnings were spent in the City, this could result in a further 16 full-time jobs for the City. Total student spending is likely to be around \$12 million per annum. Students are likely to spend a greater proportion of their income in the City than tertiary staff, due to paying lower tax rates and spending a greater proportion of their income on basics. If half of student's spending occurred in the City, this could account for a further 40 jobs for the City.

Benefits to Henderson Town Centre

A key benefit in relation to Council's Urban Villages Strategy is the effect of UNITEC Waitakere on the Henderson Town Centre. Apart from the economic benefits outlined above, many of which will accrue directly to Henderson, there are also a range of social and community benefits. In particular the presence of UNITEC Waitakere in the Henderson Town Centre will result in an enlivened environment with increased pedestrian counts, both during the day and at night. In addition there are likely to be significant positive effects on public transport usage - both rail and bus, as Henderson is a major public transport hub and students are significant users of public transport.

ISSUES

UNITEC has long acknowledged the special nature of its western catchment and has sought to establish itself as the tertiary institution of choice for residents of Waitakere City. To this end, UNITEC Waitakere was established in 2001 in the former State Insurance Building in Ratanui Street, Henderson, initially as a subsidiary campus to their existing Mt Albert campus.

Following the establishment of UNITEC Waitakere, UNITEC and the Waitakere City Council have been working collaboratively and have identified a number of areas of common interest. These relate to both the provision of services to the community and the physical development of the Henderson Town Centre.

Discussions over opportunities and partnering options have been taking place over the past two years and the number and significance of these opportunities has now increased to the point where it is considered a Memorandum of Understanding is required as a basis to discussion and decision making. Council staff and UNITEC representatives have been working together to develop the Memorandum of Understanding over the past two months.

DRAFT MEMORANDUM OF UNDERSTANDING

A1-A7

The draft Memorandum of Understanding is attached at pages A1 to A7. Key outcomes of the Memorandum of Understanding and its process of development are:

- establishing points of common interest, and ways of working together;
- developing a better understanding of each other's roles and responsibilities;
- establishing a formal working relationship between UNITEC and the City Council;
- establishing processes for:
 - collecting and exchanging information on community needs and aspirations;
 - collaborating on joint developments in the Henderson Central Business District and elsewhere;
 - resolving potential differences.

The draft Memorandum of Understanding outlines the common objectives of the two organisation, principles under which it is proposed the organisations will work, and provides a framework for the key areas of co-operation between the parties.

CONCLUSION

Council has long desired the establishment of a tertiary institute within the City. UNITEC have recently established a small campus in Henderson Town Centre and propose to expand this. A draft Memorandum of Understanding has been developed between Waitakere City Council and the UNITEC Institute of Technology. This provides a formal basis to the relationship as well as a platform for which the Trust can take on work on behalf of Council as its resources and expertise grow.

RECOMMENDATIONS

1. That the information be received.
2. That the Memorandum of Understanding between Waitakere City Council and UNITEC Institute of Technology be approved for execution.

Report produced by: Lois Easton, Manager: City Projects



3 CIVIC FUTURE PROJECT: REVIEW OF COUNCIL'S ACCOMMODATION NEEDS AND CIVIC PARTNERSHIPS

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

PROCEDURAL MOTION TO EXCLUDE THE PUBLIC

1. That the public be excluded from the following part of the proceedings of this meeting, namely Civic Future Project: Review of Council's Accommodation needs and Civic Partnerships.

The general subject of the matter to be considered while the public is excluded, the reason for passing this resolution in relation of the matter, and the specific grounds under Section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

General subject of the matter to be considered.	Reason for passing this resolution in relation to the matter.	Ground(s) under Section 48(1)(a) for the passing of this resolution.
<ul style="list-style-type: none"> • Civic Future Project: Review of Council's Accommodation needs and Civic Partnerships 	<p>The withholding of information is necessary in order to:</p> <ul style="list-style-type: none"> • enable the Local Authority holding the information to carry on, without prejudice or disadvantage negotiations (including commercial and industrial negotiations). 	<p>That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist.</p>

This resolution is made in reliance on section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by Section 7(2)(i) of that Act which would be prejudiced by the holding of the relevant part of the proceedings of the meeting in public as follows:

- The ability for Council to conduct commercial negotiations.
2. That Brian Haratsis, Gary Cheyne, Campbell Barbour, Malcolm Bowes, Patrick Clifford and representatives of UNITEC including Andrew Codling, John Robb and Roger Paul be permitted to remain at this meeting, after the public has been excluded, because of their knowledge of each of the matters to be discussed. This knowledge, which will be of assistance in relation to the of the matter to be discussed, is relevant to that matter because it provides the basis of advice which the Council will consider in making its decision of the Civic Future Project.





Memorandum of Understanding

between

UNITEC Institute of Technology

and

The Waitakere City Council

Adopted this day of, 2002

Signed on behalf of the **Waitakere City Council**:

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Signature

.....
Signature

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Name

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Name

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Position

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Position

Signed on behalf of **UNITEC Institute of Technology**:

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Signature

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Signature

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Name

.....
Name

.....
Position

.....
Position

MEMORANDUM OF UNDERSTANDING
BETWEEN
UNITEC AND THE WAITAKERE CITY COUNCIL

Preamble

Waitakere City Council is committed to the future of UNITEC in Waitakere City, as one of the City's key strategic partners. There are significant historical links between UNITEC and Waitakere City with the Mt Albert Campus being the closest tertiary institute to the city. UNITEC has also shown a willingness to engage with the Council on issues of concern and has a strong interest in sustainability, fitting well with the City's Eco City direction.

As part of its economic and community development objectives the Council has been seeking the establishment of a public tertiary institute in Waitakere City for a number of years.

Similarly, UNITEC has long acknowledged the special nature of its western catchment and has sought to establish itself as the tertiary institution of choice for residents of Waitakere City. To this end, UNITEC Waitakere was established in 2001 in the former State Insurance Building in Ratanui Street, Henderson, initially as a subsidiary campus to their existing Mt Albert campus.

Following the establishment of UNITEC Waitakere, UNITEC and the Waitakere City Council have been working collaboratively and have identified a number of areas of common interest. These relate to both the provision of services to the community and the physical development of the Henderson Town Centre.

Discussions over opportunities and partnering options have been taking place over the past two years and the number and significance of these opportunities has now increased to the point where it is considered a Memorandum of Understanding (is required as a basis to discussion and decision making. Key outcomes of the Memorandum of Understanding and its process of development are:

- Establishing points of common interest, and ways of working together
- Developing a better understanding of each other's roles and responsibilities
- Establishing a formal working relationship between UNITEC and the City Council
- Establishing processes for:
 - collecting and exchanging information on community needs and aspirations
 - collaborating on joint developments in the Henderson CBD and elsewhere
 - resolving potential differences

Joint developments within the Henderson CBD which are contemplated in the early phases of implementing this Memorandum of Understanding include, but are not limited to:

- Libraries
- Carparking
- Building Space for Learning
- Residential Accommodation
- Performing Arts Venue
- Other joint use of space to the mutual advantage of both parties

This Memorandum of Understanding has been developed over a series of meetings between the parties during April and May 2002. It does not replace the need for entering a more detailed formal contractual relationship over any specific joint venture project.

Purpose

The purpose of this document is to provide the basis for an ongoing working relationship between UNITEC Institute of Technology (UNITEC) and the Waitakere City Council (Council). It signals the importance of the relationship in achieving the shared goals of both the Council and UNITEC of providing residents, businesses and the wider community of Waitakere City with better access to tertiary education services. It also outlines the roles of both parties and provides a framework for continued co-operation in achieving shared objectives.

Objectives

The objectives of relationship between Waitakere City Council and UNITEC embodied in this memorandum of understanding are:

1. To increase the participation and success of the residents of Waitakere City in tertiary education.
2. To develop tertiary education facilities and services within Waitakere City in a way that reflects the emerging needs of residents, businesses and the wider community and that provides all parties with improved access to tertiary education.
3. To maximise the environmental, economic and social benefits of UNITEC's presence in Waitakere City.
4. To maximise the effective and efficient growth of UNITEC's educational services to and through Waitakere City.
5. To help assist the development of Henderson as a vibrant and visually attractive town centre for business, education and leisure.
6. To provide a framework for possible joint building or other facility development which ensures:
 - o Good urban design
 - o Incorporation of sustainable building methodologies
 - o Strengthening of the business and employment opportunities within the Henderson town centre
 - o Increased safety and attractiveness of the town centre.
7. To further strengthen the relationship between UNITEC and Council by formally providing a key account relationship for UNITEC in its dealings with the Council.

Key Principles

1. The relationship between UNITEC and Council is based on mutual trust, respect and understanding.
2. The relationship is mutual and two-way, and any changes to this Memorandum of Understanding shall be discussed openly and agreed to by both parties.
3. Both parties recognise that adequate resources are necessary to achieve the objectives of the relationship and to support the processes established to conduct the relationship. To that end, each party will:
 - (a) commit resources to support mutually agreed work programmes
 - (b) support specific initiatives that the parties agree on and that further the relationship, or, in the case of the Council, are of benefit to the City as a whole; with any financial resourcing for such initiatives being considered through its Annual Plan process
 - (c) exchange relevant information with the other party.
4. The independence of both parties is recognised, including:
 - (a) The role of the Council as a Territorial Local Authority (according to the Local Government Act 1974) and decision-maker for the community as a whole;
 - (b) The role of UNITEC as a public tertiary institution constituted under the Education Act 1989, and serving the professional education and vocational training needs of the City
5. The responsibilities of both parties is acknowledged, including:
 - (a) Waitakere City Council's accountability to function as a regulatory authority in accordance with the purposes, functions, powers and duties as set out in the Local Government Act 1974, the Resource Management Act 1991 and other Acts.
 - (b) The responsibilities of UNITEC under statute and Government Regulations to gain approval from the Tertiary Advisory and Monitoring Unit for any borrowing of finance for asset development or the sale of any assets owned by, or on behalf of, UNITEC.
6. The autonomy of each party is protected and maintained irrespective of this Memorandum of Understanding. For that reason, the parties recognised that they may not be able to, and need not always, reach agreement on projects or programmes that have been proposed within the framework of this relationship.

Key Areas of Co-operation

The parties agree that the following are key areas for co-operation:

1. Strategic Planning
2. Information Sharing
3. Education and Training Programmes
4. Research and Development Initiatives
5. Building and Facility Development
6. Communication

1. Strategic Planning

Strategic Planning is a key tool used by the Council to achieve its objectives in relation to City form and town centre development. The parties will involve each other during any strategic planning process that involves the Henderson Town Centre. This might include discussions around land ownership decisions or student numbers and involve planning to minimise negative impacts and maximising positive outcomes.

2. Information Sharing

The constant sharing of information is an important principle in working together in any partnering arrangement. The Council and UNITEC also have a need to collect information on such matters as the number and background of students coming from within the City, in order to report against strategic performance measures.

In addition to sharing information the parties agree to involve each other in the planning of work programmes. As an agreed minimum, each party shall commit to informing the other well in advance of their work programme commitments to optimise the chance for the parties to work together. An annual combined work programme should be prepared and treated as an appendix to this agreement.

3. Education and Training Programmes

Both parties have an interest in seeing that appropriate education and training services are made available to meet the current or potential future needs of residents, businesses and the wider community.

Opportunities may also exist for the parties to work together either to deliver education and training programmes for the Council, or to use expertise available within the Council to deliver education and training programmes for UNITEC. Where such opportunities are taken up detailed agreements will be developed in relation to each instance dealing with issues such as intellectual property and funding.

4. Research and Development

Both parties recognise that the timely availability of research and development services may be critical for the environmental, social and economic wellbeing of Waitakere City, and that UNITEC may often be able either to provide or to source such services for the Council.

In particular, the Council is interested in the development and application of sustainable technologies and recognizes that UNITEC already has a high standing in this area.

Other opportunities for joint research exist and will be pursued. In addition, the Council may, from time to time, commission research work, and UNITEC will be on the list of preferred suppliers for research proposals.

5. Building and Facility Development

A number of joint building proposals have been developed as a result of work on the strategic planning for the Henderson Town Centre. These include possible joint ventures around libraries, teaching and office accommodation, parking and performance venues.

Council and UNITEC intend to work together to progress these proposals, and any others as may be identified in the future. It is recognized however that each proposal will need to be evaluated in accordance with recognized practice and the final outcome will depend on this evaluation.

Within framework of this MOU the parties propose that if it is decided to go ahead with any joint development proposals, a separate, legally binding agreement will be developed, if required in relation to such a proposal.

6. Communication

Any joint projects will be subject to confidentiality until such time as the nature and timing of communication to external parties has been agreed by UNITEC and the Council.

Issues Resolution

This agreement is based on the shared objectives of the parties and their willingness to work together. It is recognised that good communication is essential to avoid and address conflict. Conflict may arise in two situations:

1) There is a change that brings divergence to the shared objectives included in this Memorandum of Understanding.

To mitigate the potential for conflict to develop, each party agrees to contact the other if a change in the party's objectives has occurred that impacts on the shared objectives outlined. The parties acknowledge that such a change may necessitate review of the terms of the memorandum.

2) The shared objectives remain, but conflict has arisen over how to meet them.

In this case the currently agreed objectives will form the foundation for resolving conflict or potential conflict. Should it be difficult for the parties to achieve resolution, they may agree to independent facilitation.

Monitoring the Relationship

Periodic monitoring is needed to ensure that the parties remain on track to achieve items in the agreed work programme, and the general aims of this Memorandum of Understanding. It is agreed that UNITEC staff and Council staff will meet together on a regular basis in the form of a properly constituted working group to monitor the progress of the implementation of the objectives of this Memorandum of Understanding in accordance with the principles outlined.