



NOTICE OF MEETING

COUNCIL

I hereby give notice that an Ordinary Meeting of the Council will be held on:-

DATE: **Wednesday, 17 September 2003** **TIME:** **9.30 am**

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

to consider the business as set out herein and to take any necessary action connected therewith.

12 September 2003

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, MNZM, JP
	PA	Hulse
	JP	Lawley
	GE	Nash, JP
	VS	Neeson, JP
	GB	Presland
	GW	Russell, JP
	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 AN ORDINARY MEETING OF THE COUNCIL TO BE HELD IN THE
CIVIC CENTRE, 6 WAIPAREIRA AVENUE, LINCOLN, WAITAKERE CITY,
ON WEDNESDAY, 17 SEPTEMBER 2003
COMMENCING AT 9.30 AM**

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1 APOLOGIES



2 WAITAKERE CENTRAL LIBRARY AND UNITEC DEVELOPMENT - HEADS OF AGREEMENT FOR COMPLETION OF CIVIC FUTURE PROJECT

PURPOSE OF THE REPORT

The purpose of this report is to present to Council for approval the Heads of Agreement for the completion of the Civic Future Project.

BACKGROUND

Council has decided to build a Waitakere Central Library in Henderson and undertake this project as a joint development with UNITEC's expanded teaching facilities. Council has previously signed with UNITEC a Heads of Agreement for preliminary design for the project, which has subsequently been varied on two occasions to cover changes in scope of the project and to extend the document to cover the developed design phase.

The relationship with UNITEC under the Heads of Agreement and the broader Memorandum of Understanding has worked well to date. As Council will be aware, significant progress has been made on design, with the preliminary design having been approved as a basis for further work, and the developed design phase nearing the point where it can be reported back to Council.

In order to progress the project through to completion, a number of other agreements between UNITEC and Waitakere City Council are required. Principle among these is the Heads of Agreement for completion of the Civic Future Project. This document is the subject of this Agenda Report, and is presented for approval at this meeting. Also required alongside the Heads of Agreement is a Sale and Purchase Agreement for that part of the site which UNITEC will purchase from Waitakere City Council, and an Agreement for future use and operation of the complex by Waitakere City Council and UNITEC, which includes provisions relating to UNITEC's use of car parks in the car parking building, the use and operation of the Library Building and Library Services, and shared responsibilities for security, cleaning, waste disposal, the supply of services, repairs and maintenance and other costs and outgoings. These issues are dealt with in more detail under issues below.

STRATEGIC CONTEXT

The Waitakere Library/UNITEC Campus Development is a key strategic project within Council's Long Term Council Community Plan, supporting a number of strategic platforms including urban villages, strong innovative economy, integrated transport and communication, strong communities and Green Network. The project also supports previous strategic planning work such as the Henderson 20 Year Strategic Plan (1995) and the Henderson Town Centre Concept Plan (2002).

Specifically, the project supports Council strategy by:

- Increasing density and activity within the Town Centre;
- Creating internal demand for the local economy;
- Being a transit supportive development, by increasing intensity of activity close to rail and bus networks;
- Providing greater access to tertiary education and information services through the Library;
- Offering high quality, safe, vibrant public spaces and amenities facilitating a mixture of uses that encourages the development of a 24 hour life area that extends the commercial trading viability of the Town Centre;
- Providing employment and education opportunities locally;
- Stimulating more employment in the local economy and reducing the need for travel outside of the city.

ISSUES

A1-A16

A Heads of Agreement for the completion of the project is required between UNITEC and Waitakere City Council so that there is an agreed basis for moving forward with the detailed design and construction of the project. A proposed Heads of Agreement document attached at pages A1 to A16. As highlighted above a Sale and Purchase Agreement and an Operational Agreement are also required alongside the Heads of Agreement, and it is intended that the Heads of Agreement will remain conditional upon the completion and execution of the other Agreements. Work on these Agreements has commenced already, with a bullet point list of issues to be covered in the Agreements already having been in principle by the voting parties for UNITEC and Waitakere City Council on the Project Control Group. These Agreements must be in place prior to the signing of any Construction Contract for the project by Waitakere City Council.

Under this Agreement, either party may still withdraw from the project until the signing of the Construction Contract. That is the “point of no return”. However, should either party choose to pull out of the project up until that time, Section 19 of the Agreement provides that each party must pay its proportion of any shared costs that have been incurred up to the date of termination. It also provides that in the event that one party withdraws and the other party decides to proceed with construction, the party proceeding will have a claim against the other party for any costs involved in adapting the detailed design to enable them to proceed with a stand-alone development rather than a shared development. Officers at UNITEC and Waitakere City Council agree that this provides an adequate level of protection for both parties and a disincentive to withdraw once a developed design has been agreed on, and the more costly phase of detailed design has been commissioned.

RESOURCES

Resources for the Heads of Agreement, and the completion of the Waitakere Library Project are provided for within the Long Term Council Community Plan.

CONCLUSION

Work is progressing on the design of the Waitakere Library/UNITEC Development Project. Council will shortly be receiving developed design concepts for approval. A Heads of Agreement between UNITEC and Waitakere City Council is required to cover the completion of the project, and it is timely for this to be agreed upon now. It should be noted that executing the Agreement at this time, does not mean that Council has approved the developed design which it will look at over the next few weeks.

RECOMMENDATIONS

1. That the information be received.
2. That the Chief Executive be delegated authority to execute the Heads of Agreement for completion of the Civic Future Project between Waitakere City Council and UNITEC Institute of Technology, and further that the Chief Executive be authorised to negotiate and execute any variations to the Heads of Agreement necessary to manage the implementation of the project, provided such variations are within the framework set by the budget approved by Council, and the developed design concept approved by Council.

Report prepared by: Ross McLeod, Director: Corporate & Civic Services.



3 HENDERSON HUB DEVELOPMENT PROJECT

PURPOSE OF THE REPORT

The purpose of this report is to update Council on progress of the Henderson Hub development project, including the design for the Waitakere Civic Centre. The report seeks approval of the Council for the preliminary design concept for the Civic Centre. The report also seeks approval of the Council to subdivide the site in order to transfer the surplus land to Waitakere Properties Limited in order to allow concurrent commercial development at the Henderson Hub site.

BACKGROUND

At its meeting of 18 December 2002 the Council resolved to develop the new Waitakere Civic Centre adjacent to the Railway Station on the ex Carter Holt land in Henderson Valley Road. The proposal was seen as part of a wider redevelopment of the Henderson Railway Station surrounds into a major transit oriented development, with associated redevelopment of the Henderson Railway Station, the bus/taxi interchange and the Railside Ave - Ratanui Street link between the Henderson Hub, the new UNITEC campus and Waitakere Central Library and the Henderson main street.

Preliminary design work for this project has commenced with the awarding of the Architectural Services contract to the design team led by Architectus and Athfield Architects on 3 April 2003. The design team have completed the first stage of the three-stage design process for the Waitakere Civic Centre, with the Preliminary Design being presented today.

STRATEGIC CONTEXT

Urban Strategy

Henderson is one of the three major town centres in Waitakere City and is recognised as a key centre in the Urban Strategy. It is the city's most centrally located town centre. It is located on the rail corridor and has the largest percentage of retail floor-space and community facilities. There has been significant recent investment, notably at Westfield's West City Mall, Sel Peacock Drive retirement complex and Council's Aquatic Centre. There is significant opportunity for further development and redevelopment. Good planning and co-ordination are essential to ensure Henderson consolidates its critical position as a key working environment and employment locality, hence furthering Council's objectives in creating a sustainable City.

The Henderson Hub project will play a pre-eminent role in catalysing the redevelopment of the Henderson Town Centre, providing a cornerstone of transit oriented development within the town centre, as well as defining Henderson as the Central Business District of Waitakere City. An analysis of the Quadruple Bottom Line benefits of the Civic Centre and UNITEC/Waitakere Central Library components of the Henderson Hub redevelopment has identified significant environmental, social and environmental benefits to the City from the projects.

The project in particular will catalyse the redevelopment of the Henderson Town Centre, provide a leading edge example of transit supportive development, increase street and pedestrian activity within the town centre, allow the south-western portion of Henderson to be opened up to integration with the rest of the town centre, provide a “civic heart” and significant boost to the “business address” of Waitakere City, provide significant improvement in access to tertiary education for the City’s residents and provide a significant boost to the economic activity within Waitakere City. In addition the project will be a contributor toward the Regional Growth Strategy agreements that this Council is party to, including the target of 74% growth within the City being within the existing urban area, and in particular around town centres and public transport nodes.

Transport Strategy

Development of the rail corridor as the pre-eminent public transport network within Waitakere City has long been a strong policy of this Council. In addition, the upgrading of bus/taxi/rail interchange facilities has long been a key objective in all of the major town centres in the City.

Regionally, the redevelopment of the Henderson Railway Station as a major station within the regional network is a priority within the Regional Passenger Transport Action Plan and the Rail Business Plan.

The Regional Land Transport Strategy however recognises that the delivery of a high quality Land Transport System requires a range of measures, summarised below:

- land use supporting transit;
- increased access for commuters and businesses to public transport;
- maximised efficiency of transport system;
- reduced environmental effects;
- increased safety of the transport system.

Seen within this context, the Henderson Hub development will be a key contributor of Waitakere City Council to the overall implementation of the Regional Land Transport Strategy and improvements to the rail and bus networks within Waitakere City in particular. Key benefits of the project to public transport are as follows:

- integrated bus/taxi/rail interchange incl. kiss & ride and some park & ride;
- models how rail will be managed under agreement proposed by central govt;
- consolidation of town centre development around rail corridor & public transport interchange;
- link to UNITEC campus - increase student use of public transport;
- improved use, safety and frequency of public transport systems;
- development of Henderson as a destination as well as a point of origin for passenger transit;
- better provision of pedestrian and cycling opportunities and linkages.

ISSUES

Henderson Railway Station and Bus/Taxi Interchange

Planning has commenced for the development of the Henderson Railway Station, the new Bus and Taxi Interchange and the associated linkages to the Waitakere City Council development on the west of the rail corridor. Both the Auckland Regional Transport Network Limited and the Auckland Regional Council have expressed strong support for the Henderson Hub project. Auckland Regional Transport Network Limited and Auckland Regional Council staff are currently working with Waitakere City Council to ensure the delivery of the integrated redevelopment of the railway station and bus/taxi interchange as part of the overall Henderson Hub development.

Henderson Traffic and Car parking Strategy

Concurrent with improvements in the public transport infrastructure, work is underway planning the improvements to the road and car park networks within the wider Henderson area. Discussions are underway with Auckland Regional Transport Network Limited regarding the need for an additional rail crossing in the Henderson Town Centre. Progression of the acquisition of land for the Oratia Stream bridge/eastern entry point to Henderson is also underway.

In addition to traffic planning, work on providing adequate car parking, and park and ride/kiss and ride facilities is being undertaken as part of the Henderson Hub development. A Registration of Interest has been undertaken for private sector car parking developers and operators and six companies have registered their interest. Negotiations are currently underway with two of these development companies regarding possible private sector involvement in the development of car parking buildings in Henderson, both at the Henderson Hub site, and in conjunction with the Waitakere Central Library/UNITEC development. Work is also underway to implement the Charge Car parking trial in off street car parking in Henderson. Charge car parking for off-street car parking is a necessary pre-requisite for car parking building development in Henderson, as well as a way of reducing the effective subsidy for car use over public transport which is currently provided with free all day parking. Further reports to the Finance and Operational Performance Committee and the City Development Committees will be brought back on the issues around car parking buildings and charge car parking.

Henderson Hub Development - Preliminary Concept

Architectus & Athfield Architects and the design team have now developed the preliminary design concept for the Henderson Hub development, including the civic centre, car parking, public open space, road links, high density residential and office development, which they will present at the meeting.

A17-A23 Copies of the preliminary design drawings are also attached at pages A17 to A23.

Subdivision of the former Carter Holt Site

Key to the development of the Henderson Hub is the development in parallel of the public transport, civic and commercial developments. Now that a preliminary design concept for the civic centre and integrated rail station has been developed, it is appropriate to consider the subdivision of the site and transfer of the commercial development land to Waitakere Properties Limited. This will enable concurrent marketing and development of the commercial office and residential components of the project.

The subdivision and commercial development of the site was envisaged when the site was purchased and in the proposal incorporated in the Draft Long Term Council Community Plan. It is considered that the land can be transferred to Waitakere Properties Limited without further consultation, as the decision to use the land in this way is consistent with the Long Term Council Community Plan.

Timeline for Development

Following approval of the preliminary design concept for the Henderson Hub, work will commence on the developed design aspects. This should see applications for resource consent lodged in December, and applications for Infrastructure Auckland funding of the public transport components of the project in February 2004. Construction is planned to commence in mid 2004, with an opening date of April 2006.

RESOURCES

Resources for Council's portion of this project have been approved through the 2003/2004 Annual Plan and Long Term Council Community Plan. Current quantity surveyors estimates see the project coming in comfortably within the budget envelope allocated.

CONCLUSION

The Design Team has completed the first stage of the design process for the Henderson Hub development. Work is concurrently underway with Council's partners in the development, Auckland Regional Transport Network Limited, their funders, Infrastructure Auckland and the Auckland Regional Council to ensure the overall integrated development of the Henderson Hub project. Following Council approval of the preliminary design, the next stage of the process, developed design, will commence and is due to be completed by December 2003 when the developed design will be presented to Council.

RECOMMENDATIONS

1. That the information be received.
2. That the preliminary design for the Henderson Hub development be approved as a basis for the developed design.
3. That the Chief Executive be authorised to undertake the necessary action to subdivide the land at 2-6 Henderson Valley Road in order to facilitate the transfer of the commercial development land to Waitakere Properties Limited.
4. That this report be circulated to the Community Boards for their information.

Report prepared by: Lois Easton, Group Manager: City Development Projects.



4 SALE OF CIVIC CENTRE - UPDATE TO COUNCILLORS AND RECOMMENDED ACTION

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

That the public be excluded from the following part of the proceedings of this meeting, namely Sale of Civic Centre - Update to Councillors and Recommended Action.

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"> Sale of Civic Centre - Update to Councillors and Recommended Action 	<p>The withholding of information is necessary in order to:</p> <ul style="list-style-type: none"> enable any 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 report contains information which if released would affect the Council's negotiations.*

