



**AGENDA FOR AN ORDINARY MEETING OF THE COUNCIL TO BE HELD IN THE  
CIVIC CENTRE, 6 WAIPAREIRA AVENUE, LINCOLN, WAITAKERE CITY,  
ON WEDNESDAY, 30 JUNE 2004 COMMENCING AT 5.30 PM**

---

**TABLE OF CONTENTS**

<b><u>ITEM</u></b>	<b><u>PAGE NO.</u></b>
<b><u>PART A - OPENING OF MEETING</u></b>	<b>1</b>
1 <b>OPENING PRAYER</b>	<b>1</b>
2 <b>APOLOGIES</b>	<b>1</b>
3 <b>CONFIRMATION OF MINUTES</b>	<b>1</b>
4 <b>URGENT BUSINESS</b>	<b>1</b>
<b><u>PART B - REPORT OF THE MAYOR</u></b>	<b>2</b>
<b><u>PART C - TE TAUMATA RUNANGA AND COMMUNITY BOARDS</u></b>	<b>2</b>
5 <b>TE TAUMATA RUNANGA</b>	<b>2</b>
6 <b>NEW LYNN COMMUNITY BOARD</b>	<b>2</b>
7 <b>WAITAKERE COMMUNITY BOARD</b>	<b>3</b>
1. <b>PIHA COMMUNITY CENTRE SOCIETY AND LES WAYGOOD             PARK</b>	<b>3</b>
2. <b>OTHER MATTERS CONSIDERED</b>	<b>3</b>
8 <b>MASSEY COMMUNITY BOARD</b>	<b>4</b>
1. <b>COMMUNITY GARDEN FOR MARINICH RESERVE</b>	<b>4</b>
2. <b>OTHER MATTERS CONSIDERED</b>	<b>4</b>
9 <b>HENDERSON COMMUNITY BOARD</b>	<b>4</b>
<b><u>PART D - REPORTS OF THE CHIEF EXECUTIVE</u></b>	<b>5</b>
10 <b>CONTRACT NO. TA03550B - SEALED ROAD MAINTENANCE 2004</b>	<b>5</b>
11 <b>CLASSIFICATION OF LOTS 1-5 CROWS PARK AS RECREATION       RESERVE</b>	<b>10</b>
12 <b>HUGH BROWN CARPARK, NEW LYNN</b>	<b>12</b>
13 <b>REGULATORY FEES AND CHARGES 2004/2005</b>	<b>13</b>
14 <b>SHARED SERVICES REFUSE COLLECTION</b>	<b>15</b>

15	LOCAL GOVERNMENT NEW ZEALAND MEMBER VOTING ENTITLEMENTS	19
16	REPRESENTATIVE TO WAITAKERE ARTS AND CULTURAL DEVELOPMENT TRUST AND REGIONAL ARTS AND CULTURE FUNDING ALLOCATION SUBCOMMITTEE	21
17	WARRANTS OF APPOINTMENT	22
	<b><u>PART E - CONFIDENTIAL</u></b>	24
	NOTE: THE CONFIDENTIAL SUPPLEMENT CONTAINS MINUTES OF THE STANDING COMMITTEES. THERE ARE NO ACTUAL CONFIDENTIAL ITEMS FOR CONSIDERATION.	24
	<b><u>PART F - STANDING COMMITTEE REPORTS</u></b>	24
18	CITY DEVELOPMENT COMMITTEE	24
19	ENVIRONMENTAL MANAGEMENT COMMITTEE	24
	1. CLASSIFICATION OF HENDERSON CREEK CORRIDOR RESERVES	24
	2. OTHER MATTERS CONSIDERED	26
20	FINANCE AND OPERATIONAL PERFORMANCE COMMITTEE	27
	1. CITY DEVELOPMENT COMMITTEE	27
	2. OTHER MATTERS CONSIDERED	27
	<b><u>PART G - PRESENTATIONS</u></b>	28
	These presentations will take place at 7.30 pm.	28
21	TRISH MAXWELL, JP	28
22	2004 RECIPROCAL SISTER CITY STUDENT EXCHANGE TO KAKOGAWA, JAPAN.	28
	<b><u>PART H - PROCEDURAL MATTERS</u></b>	28
23	QUESTIONS	28
24	CLOSING PRAYER	28

**AGENDA FOR AN ORDINARY MEETING OF THE COUNCIL TO BE HELD IN THE  
CIVIC CENTRE, 6 WAIPAREIRA AVENUE, LINCOLN, WAITAKERE CITY,  
ON WEDNESDAY, 30 JUNE 2004 COMMENCING AT 5.30 PM**

---

**PART A - OPENING OF MEETING**

**1 OPENING PRAYER**

Captain Stephen Jarvis from the Glen Eden Salvation Army will say the Opening Prayer.



**2 APOLOGIES**



**3 CONFIRMATION OF MINUTES**

Ordinary - Wednesday, 26 May 2004

**RECOMMENDATION**

That the minutes of the Ordinary Meeting of the Council held on Wednesday, 26 May 2004, as circulated, be taken as read and now be confirmed.



**4 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 Council 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.



## **PART B - REPORT OF THE MAYOR**

The report of the Mayor will be circulated under separate cover with this agenda.



## **PART C - TE TAUMATA RUNANGA AND COMMUNITY BOARDS**

### **5 TE TAUMATA RUNANGA**

**I NOHO TE TAUMATA RUNANGA KOMITI MANE TE KAU MA WHA O PIPIRI 2004**

**YOUR COMMITTEE SUBMITS THE FOLLOWING REPORT OF ITS ORDINARY MEETING HELD ON MONDAY, 14 JUNE 2004**

---

#### **MATTERS CONSIDERED**

*1-4  
Part C*

Your Committee dealt with a number of items for which it has delegated powers to act and a copy of the minutes of the meeting is attached at pages 1 to 4 in the supplement labelled Part C.

#### **NGA TAKE E WHIRIWHIRIA**

E whakataua ana Te Taumata Runanga i nga take i whakamanangia i te ture he whakaahua o nga tuhi kua tonoa ki nga mema o te Kaunihera.

#### **Your Committee Recommends:**

That the report of the Ordinary Meeting of Te Taumata Runanga held on Monday, 14 June 2004 be received.

Te Warena Taua  
**CHAIRPERSON**



### **6 NEW LYNN COMMUNITY BOARD**

**THE BOARD SUBMITS THE FOLLOWING REPORT OF ITS ORDINARY MEETING HELD ON MONDAY, 31 MAY 2004**

---

#### **MATTERS CONSIDERED**

*5-14  
Part C*

The Board dealt with a number of items for which it has delegated powers to act and a copy of the minutes of the meeting is attached at pages 5 to 14 in the supplement labelled Part C.

**The Board Recommends:**

That the report of the Ordinary Meeting of the New Lynn Community Board held on Monday, 31 May 2004 be received.

EG Francke  
**CHAIRPERSON**



7 **WAITAKERE COMMUNITY BOARD**

**THE BOARD SUBMITS THE FOLLOWING REPORT OF ITS ORDINARY MEETING HELD ON TUESDAY, 1 JUNE 2004**

1. **PIHA COMMUNITY CENTRE SOCIETY AND LES WAYGOOD PARK**

**Your Committee Recommends:**

That, in the absence of any written objections, 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.

2. **OTHER MATTERS CONSIDERED**

The Board dealt with a number of items for which it has delegated powers to act and a copy of the minutes of the meeting is attached at pages 15 to 22 in the supplement labelled Part C.

**The Board Recommends:**

That the report of the Ordinary Meeting of the Waitakere Community Board held on Tuesday, 1 June 2004 be received.

CA Shepherd, JP  
**CHAIRPERSON**



15-22  
Part C

8 **MASSEY COMMUNITY BOARD**

**THE BOARD SUBMITS THE FOLLOWING REPORT OF ITS ORDINARY MEETING  
HELD ON WEDNESDAY, 2 JUNE 2004**

1. **COMMUNITY GARDEN FOR MARINICH RESERVE**

**The Board Recommends:**

1. That under Section 53(1)(a)(ii) of the Reserves Act 1977 that it is desirable to farm part of Marinich Reserve (part Lot 59, Deposited Plan 130290) as part of a development, improvement or management programme.
2. That in the absence of any objections or submissions, the Chief Executive be given authority to apply to the Minister of Conservation for consent to grant a lease to the Ranui Action Project Incorporated for a community garden and to negotiate and execute a lease with that society under Section 73(1) of the Reserves Act 1977.

2. **OTHER MATTERS CONSIDERED**

The Board dealt with a number of items for which it has delegated powers to act and a copy of the minutes of the meeting is attached at pages 23 to 32 in the supplement labelled Part C.

**The Board Recommends:**

That the report of the Ordinary Meeting of the Massey Community Board held on Wednesday, 2 June 2004 be received.

RF Jessopp  
**CHAIRPERSON**



9 **HENDERSON COMMUNITY BOARD**

**THE BOARD SUBMITS THE FOLLOWING REPORT OF ITS ORDINARY MEETING  
HELD ON THURSDAY, 3 JUNE 2004**

**MATTERS CONSIDERED**

The Board dealt with a number of items for which it has delegated powers to act and a copy of the minutes of the meeting is attached at pages 32 to 39 in the supplement labelled Part C.

**The Board Recommends:**

That the report of the Ordinary Meeting of the Henderson Community Board held on Thursday, 3 June 2004 be received.

HM Jones  
**CHAIRPERSON**



23-31  
Part C

32-39  
Part C

**PART D - REPORTS OF THE CHIEF EXECUTIVE**

**10 CONTRACT NO. TA03550B - SEALED ROAD MAINTENANCE 2004**

**PURPOSE OF THE REPORT**

The purpose of this report is to seek from Council approval to award Contract No. TA 03550B - Sealed Road Maintenance 2004.

**BACKGROUND**

Waitakere City Council currently has approximately 724km of sealed roads and 368km of surface water channels that require routine maintenance. The existing contract is due to expire on 30 June 2004.

**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 service, and for city travel facilitated by integrated, environmentally responsible, and innovative design, with a focus on meeting essential needs for all, for access, communication, and safety.

Waitakere City Council has an obligation to ensure maintenance of transport assets within the city to serve and meet essential needs of its community. Sealed roads are protected to safeguard the pavement's integrity and prevent infiltration of surface water into the under layers avoiding deterioration of the layers.

**SCOPE OF WORK**

This contract provides for the monitoring and maintenance of Council's sealed road network and public car-parks (but does not include parking areas in parks and reserves) on a city-wide basis, including the annual road rehabilitation programme and the annual resealing programme (approximately 63 kilometres per annum). It also includes the maintenance of unsealed shoulders, surface water channels and culverts adjacent to sealed roads.

Two options were tendered. Option 1 allows for a one-year contract with a completion date of 30 June 2005, and Option 2 for a three-year contract with a completion date of 30 June 2007. Both options provide for two 12-month extension periods, each 12-month period solely at Council's discretion based on the satisfactory performance of the Contractor.

A tender briefing meeting was held on 28 April 2004 to provide an overview of the contract and to respond to any queries from tenderers.

**TENDERS RECEIVED**

Public Tenders were called. Seven (7) tender documents were uplifted and one (1) tender was submitted for the contract on closing date of 18 May 2004, as shown in table 1A:

TENDERER	REG OFFICE	TENDER PRICE OPTION 1 (EXCL. GST)	TENDER PRICE OPTION 2 (EXCL. GST)
Fulton Hogan Ltd	Christchurch	\$8,837,796.27	\$25,385,384.55
<b>Pre-tender contract estimate</b>		\$6,883,526.00	\$20,321,905.00

**Table 1A - Summary of Tender Prices**

It is worth noting that, of the seven documents uplifted, only three were considered to be from potential tenderers for this comprehensive contract; the balance constituting small to medium sized civil engineering companies assessing sub-contracting possibilities, plus one Consulting company. The fact that two potential tenderers did not submit tenders may reflect their current commitments due to the large volume of roading works in the Auckland region.

AI-A2

There is a significant difference between the Engineer's estimate and Fulton Hogan's tender sum. The Engineer's estimate is based on the submitted rates from the previous year's contract, plus a marginal increase. However, the tendered rates are significantly higher for many of the schedule items. This is mainly due to the recent increase in crude oil and petrol prices. Crude oil prices spiked significantly during the second week of May 2004. This increase may have caused concerns to the tenderers especially that the oil price fluctuations greatly influence the price of bitumen and cost of operating plants and equipments. During the second week of April 2004 when the tender was first advertised the crude oil price was in the range of US\$30 per barrel, on the closing date of 18 May 2004, the range of the crude oil spiked to around US\$36 per barrel, an increase of 17% and has continued increasing to reach a high of US\$42 per barrel, refer to the BP graph for crude oil and product costs attached at pages A1 to A2.

Where only one tender is received, the procedures contained within Transfund New Zealand's "Manual of Competitive Pricing Procedures" allows the Tendering Authority to enter into negotiations provided there is no change to the Request for Tender (RFT).

Both tender options are in excess of the original budget available for this contract. A tender negotiation meeting was held with Fulton Hogan Limited on 26 May 2004 to negotiate an agreement on the Tender Sum for both options by an agreed adjustment to scheduled rates and an agreed reduction to the quantum of scheduled work to more closely align with the available budget. The revised Tender Prices are shown in table 1B:

TENDERER	REG OFFICE	REVISED TENDER PRICE OPTION 1 (EXCL. GST)	REVISED TENDER PRICE OPTION 2 (EXCL. GST)
Fulton Hogan Ltd	Christchurch	\$8,301,096.24	\$23,654,257.59

**Table 1B - Summary of Revised Tender Prices**

## TENDER EVALUATION

In accordance with the conditions of tendering, tenders were evaluated in line with the Weighted Attribute Method contained in Transfund New Zealand's "Competitive Pricing Procedures Manual".

These procedures require that where the tender includes Provisional Sums (work valued by the Principal and placed within the Schedule of Prices) they are deducted from the Tender Sum prior to evaluating each tender. These procedures also require that a Qualified Tender Evaluator be included within the evaluation panel since the tendered sum for physical works is in excess of \$100,000. One Qualified Tender Evaluator was included.

In this contract the value of Provisional Sums is \$5,500 for Option 1 and \$196,500 (including \$180,000 for cost fluctuations) for Option 2.

The "Two envelope process" as described in Section 2.7 of the above manual was followed. Under this method, only the first tender envelope is opened and the non-price attributes evaluated for all tenders before the second envelope containing the tender price is opened, and the tender prices duly included in the evaluation.

A summary of the evaluation results is shown in Table 2A and 2B:

Tender Evaluation	Attributes	Exper	Track Record	Tech Skill	Resou.	Manag Skill	Method	Price	Contract Number TA03550B (Option 1)
									Total Weights
	<b>Weights</b>	5	7	5	3	6	4	70	100
Tenderer	Tender Sum	Grades							INDEX
Fulton Hogan Ltd	\$8,295,596.24	90	83	80	82	85	83	50	60
Med.n Tender Price	\$8,295,596.24								

**Table 2A - Summary of Tender Evaluation (Option 1)**

Tender Evaluation	Attributes	Exper.	Track Record	Tech. Skill	Resour.	Manag Skill	Method	Price	Contract Number TA03550B (Option 2)
									Total Weights
	<b>Weights</b>	5	7	5	3	6	4	70	100
Tenderer	Tender Sum	Grades							INDEX
Fulton Hogan Ltd	\$23,457,757.59	90	83	80	82	85	83	50	60
Med.n Tender Price	\$23,457,757.59								

**Table 2B - Summary of Tender Evaluation (Option 2)**

An evaluation of the submitted rates indicate a 5.7% cost savings for the Option 2 contract over Option 1. This equates to savings of \$476,344 per annum. There would be further savings in professional services fees in the order of \$22,000 per annum in not re-tendering. The total savings is approximately \$498,344 per annum. Additionally there are significant advantages such as continuity of work, development of working relationships and forward work programming that have an indirect cost and quality implication.

### TAGS, ERRORS OR OMISSIONS

There were no tags, errors or omissions identified in either Option 1 or Option 2 tenders.

### CREDIT CHECK

A credit check dated 24 May 2004 revealed Fulton Hogan Limited has a high risk of paying in a severely delinquent manner (90+ days past terms). This slowness of payment can be the result of disputes over invoices, merchandise etc and does not imply a cash-flow problem. The credit check reveals there has been no debt recovery action recorded. It also reveals that this company has a strong financial history, the last financial year (to 30 June 2003) posting a net profit of \$32,744,000.

The credit check reveals no other adverse information and in view of the very substantial financial backing of the company, is considered to be of no concern.

### SUMMARY

Fulton Hogan Limited submitted the only Tender for this contract and is deemed conforming.

Fulton Hogan Limited is a civil engineering contracting company that was founded in 1933 and has been operating in Auckland since 1989.

Fulton Hogan Limited is responsible for the general road maintenance works for 23 Local Authorities, including Rodney District and North Shore City Councils, plus 11 Transit New Zealand roading network contracts nation wide.

They have also carried out resealing works for Waitakere City Council, most recently in the 2001/2002 financial year, to Council's satisfaction. They have two current road maintenance contracts with Waitakere City Council, being the Unsealed Roads Maintenance 2003/2004 and the Footpath, Kerb and Channels, Cesspit and Drainage Repairs 2003/2004 contracts. Both contracts are well managed by Fulton Hogan Limited with no cause for concern.

A financial analysis and comparison for funding between Option 1 and 2 was carried out to justify the additional amount required from Council to fund this contract. If the three-year term contract is awarded a saving to council of \$1,249,037 will accrue over the three-year period. This is without considering the savings in other costs that may be involved for professional services or increase in rates.

Transfund has been requested to increase funds within the National Land Transport Programme 2004/2005. Transfund officials have advised that the request would be considered within the June 2004 monthly review and would recommend the increase to the Transfund Authorities for the 2004/2005 National Land Transport Programme.

It is recommended that the contract be awarded for Option 2 to the end of 2006/2007 with provision to extend the contract on satisfactory performance of the tenderer and at the discretion of Council to two further 12 month extensions (reviewed annually).

Furthermore, it is recommended to approve an increase of \$450,000 to the 2004/2005 Annual Plan and allocate an additional annual amount of \$450,000 in the revised 2006 Long Term Council Community Plan.

As part of City Services vision "Quality and Health and Safety is not negotiable" all contractors have had this focus clearly reinforced through the contract documents and this will be strongly reiterated at the subsequent pre-start meeting and imposed during the contract period.

**JOB COSTS**

	<u>EXCL. GST</u>
Tender - Fulton Hogan Limited (Option 2, to 30 June 2007)	\$ 23,654,257.59
Contingency	\$ 12,000.00
Engineering and Supervision	\$ 1,061,000.00
	-----
Total Job Cost	\$ 24,727,257.59

## SOURCE OF FINANCE

Budget description (from 2004/2005 Annual Plan)	Codes	Budget	Committed to other projects	Allocation to this project (\$)	Unallocated balance
Sealed Roads-Renewals	75-9860-24460	5,940,380	0.00	5,940,253	0
Urban Maintenance - General	46-7114-24250	936,000	10,000	935,000	0
Rural Maintenance- General	75-9860-39220	610,700	263,700	347,000	0
Footpaths - non subsidised maintenance	75-9861-24680	550,000	530,000	20,000	0
RAMM Prof Services	46-7154-24570	180,000	42,000	40,000	98,000
Road Remarking	46-7150-24530	480,000	426,000	45,000	9,000
Reseal - Professional Services	75-9860-24360	269,000	219,000	50,000	0
Subtotal for Physical Works				7,377,253	107,000
Professional Services- Reseals	75-9860-24360	269,000	50,000	219,000	0
Professional Services- Urban	46-7114-24360	93,000	47,000	46,000	0
Professional Services- Rural	46-7118-24360	105,000	17,000	88,000	0
Subtotal for Professional Services				353,000	0
Total available budget 2004/2005 annual plan				7,730,253	
Additional funds requested				450,000	
Total Funds for first year of contract (2004-2005)				8,180,253	
LTCCP 2005/2006 Annual Plan	PW Contract Professional Services Subtotal			7,914,378* 353,000 8,267,378	
	Proposed 05/06 LTCCP Budget			7,818,000	
	Additional funds requested			450,000	
	Total funding			8,268,000	
LTCCP 2006/2007 Annual Plan	PW Contract Professional Services Subtotal			7,924,628* \$355,000 8,279,628*	
	Proposed 06/07 LTCCP Budget			7,830,000	
	Additional funds requested			450,000	
	Total funding			8,280,000	
Total - Option 2 - Costs				24,728,253	

\* Includes provisions for cost fluctuation adjustment as provided for in the Contract

## RECOMMENDATIONS

1. That Contract No. TA03550B - Sealed Road Maintenance 2004 report be received.
2. That the tender for Option 2 (36-month contract) from Fulton Hogan Limited for Contract No. TA03550B - Sealed Road Maintenance 2004 in the sum of \$23,654,257.59 plus \$2,956,782.20 GST, totalling \$ 26,611,039.79 be accepted.

3. That the commitment of \$8,180,253.00 excluding GST to the 2004/2005 Annual Plan for Contract No. TA03550B - Sealed Road Maintenance 2004/2005 be approved.
4. That the commitment of \$8,268,000.00, excluding GST to the 2005/2006 Annual Plan, and \$8,280,000.00 excluding GST to the 2006/2007 Annual Plan respectively for Contract No. TA03550B - Sealed Road Maintenance 2004/2005 be approved.
5. That authority to enter into Contract No. TA03550B - Sealed Road Maintenance 2004 on behalf of Council be delegated to the Group Manager: Asset Management.
6. That authority to extend Contract No. TA03550B - Sealed Road Maintenance 2004 beyond 30 June 2007 on an annual basis until 30 June 2009 based on the satisfactory performance by the contractor be delegated to the Director: City Services.

Report prepared by: Ara Ovanessoff, Principal Transport Engineer, Asset Maintenance.



## 11 **CLASSIFICATION OF LOTS 1-5 CROWS PARK AS RECREATION RESERVE**

### **PURPOSE OF THE REPORT**

The purpose of this report is to gain the approval of Council to undertake the formal process of classification of Lots 1-5, DP21079 in Sunnyvale Road, Swanson as Recreation Reserve under the Reserves Act 1977, as recommended by the Crows Park Reserve Management Plan.

### **BACKGROUND**

The administration and management of reserves is governed by the Reserves Act 1977. The Reserves Act requires that an administering body prepare a Management Plan for all reserves (other than Local Purpose reserves) under its authority. The Reserves Act also requires that all reserves included in a Plan are classified under the Act in order for the final Management Plan to become a legally binding document. Each reserve must be classified according to its primary values. There are eight classifications, which are: Nature, Scientific, Government Purpose, Historic, Scenic, Recreation and Local Purpose.

A3 The Crows Park Reserve Management Plan was formally adopted by the Waitakere Community Board on 6 March 2001. Crows Park is comprised of seven separate titles, refer map attached at page A3. Lots 17 and 41 have already been classified as Scenic Reserve as recommended in the Reserve Management Plan. The balance of the reserve is comprised of five small freehold sections situated on Sunnyvale Road: Lots 1-5, DP 21079. The Reserve Management Plan recommends that Lots 1-5 be classified as Recreation Reserve. The Management Plan was adopted by resolution of the Waitakere Community Board and, under the Reserves Act, the classification of reserves requires a resolution of the administering body, in this case, full Council.

### **STRATEGIC CONTEXT**

Crows Park is located in the Swanson catchment, a Waitakere Ranges Foothills Environment. The five lots are zoned as Open Space - Human Environments, and Protected Natural Area - Natural Areas in the District Plan.

## RESOURCES

Funding has been allocated in the 2003/2004 financial year for the preparation of Management Plans. This budget includes the cost of classification of the reserves included in the Plans.

## CONCLUSION

All reserves are governed by the provisions of the Reserves Act 1977. This Act requires that all reserves have a Management Plan and that the reserves included in a Plan are properly classified under the Act in order for the Management Plan to be operative.

The Crows Park Reserve Management Plan, adopted in 2001, recommends that the Lots 1-5 Sunnyvale Road, Swanson, currently freehold land, be classified as Recreation Reserve under the Reserves Act. The Reserves Act requires that the process of classification or reclassification of reserves be authorised by a resolution of the administering body, which is full Council.

## RECOMMENDATIONS

1. That the Classification of Lots 1-5 Crows Park As Recreation Reserve report be received.
2. That subject to the completion of the necessary statutory processes, the following parcels be classified as Recreation Reserve pursuant to Section 14 of the Reserves Act:
  - a) 2878 m2 more or less, being Lot 1 DP 21079, All Certificate Of Title NA 38A/2;
  - b) 2894 m2 more or less, being Lot 2 DP 21079, All Certificate Of Title NA38A/3;
  - c) 2876 m2 more or less, being Lot 3 DP 21079, All Certificate Of Title NA38A/4;
  - d) 2858 m2 more or less, being Lot 4 DP 21079, All Certificate Of Title NA38A/5;
  - e) 1085 m2 more or less, being Lot 5 DP 21079, All Certificate Of Title NA38A/6.

Report prepared by: Mandy McMullin, Reserves Management Planner.



## 12 HUGH BROWN CARPARK, NEW LYNN

### PURPOSE OF THE REPORT

The purpose of the report is to obtain authority to transfer lands comprising the above property under the usual Declaration of Trust mechanism to Waitakere Properties Limited to enable assessment and potential development as a public work in accordance with the Community Environment attributed under the District Plan.

### ISSUES

A4 A Plan is attached at page A4 with the areas contained in the Certificates of Title involved shown shaded. The properties concerned are traversed by a service lane, vested in Council, which provides access from Hugh Brown Drive. The severance area contiguous to the Rewarewa Creek is attributed under the open space environment and is treated as an esplanade area, but could provide for some additional parking area on the same basis as the property immediately to the north.

A5-A10 The land involved is contained in two Certificates of Title, Lot 5 DP 41964 containing 1523m<sup>2</sup> is comprised in Certificate of Title NA1127/82, and part Lots 39 and 40 DP 20558 containing 3531m<sup>2</sup> are comprised in Certificate of Title NA1109/39. Both these titles are held part cancelled by virtue of the service lane vesting, and copies are attached at pages A5 to A10.

These lands are acquired by the former New Lynn Borough Council authority in the late 1980s from Hickory Fashions NZ Limited, a defunct company now removed from the Register, as part of a project to secure carparking to serve the New Lynn commercial centre, with proper access from Hugh Brown Drive and Delta Avenue respectively.

Strategic Projects are currently undertaking a scoping exercise to underpin a comprehensive report to Council in August which will address these lands and the immediate vicinity, to identify the potential for development including construction above ground level, while retaining the carparking capability.

Meantime, however, it is appropriate to "tidy up" the existing Certificates of Title by separately vesting the severances and dealing with redundant easements and other rights. Waitakere Properties Limited will undertake these preliminary steps in the intervening period and manage the property as Council's agent in the interim, accepting all outgoings and holding costs with effect from 1 July 2004, and will initiate consolidation and amendment to the current titles once it has the requisite standing and status.

### CONCLUSION

This has been identified as a suitable site for scoping and report by Strategic Projects, with development potential for the property company, while ensuring proper provision for carparking continues to be maintained. It is sizeable, well located, and any development will need to be carefully presented and compatible with Council's goals and objectives. The intent to proceed in this fashion was signalled when Waitakere Properties Limited presented its most recent half-yearly report to the Finance & Operational Performance Committee.

### RECOMMENDATIONS

1. That the Hugh Brown Carpark, New Lynn report be received.

2. That approval be given to transfer Lot 5 DP 41964 containing 1523m<sup>2</sup>, and part Lots 39 and 40 DP 20556, containing 3531m<sup>2</sup>, being the lands comprised in Certificates of Title Nos. NA1127/82 and NA1109/39 to Waitakere Properties Limited subject to the usual Declaration of Trust mechanism for the purpose of undertaking subdivision and/or development on Council's part as a public work, provided, however, that any actual development proposal be subject to Council approval prior to any application being lodged for Resource Consent.
3. That no action be initiated by Waitakere Properties Limited other than the preliminary subdivision identified in the report, and action to remove easements and other impediments, pending a full report to Council by the Group Manager: City Development Projects.

Report prepared by: Denis Sheard, Manager: Legal Services and Graham Wakefield, Consultant.



## 13 REGULATORY FEES AND CHARGES 2004/2005

### PURPOSE OF THE REPORT

The purpose of this report is to recommend the Regulatory Fees and Charges for the financial year 2004/2005.

### BACKGROUND

Revenue, from the fees and charges, in the Consent Services and Field Services areas (excluding infringement notices and Resource Management revenue) totals around \$3,000,000 per annum.

Council's Revenue and Financing Policy sets the basis on which fees and charges are to be set and in terms of Consents; 100% user funding applies. The existing and proposed Annual Plan are both geared in accordance with the Revenue and Financing Policy.

A review has now been completed to identify costs in relation to given processes and this forms the basis of the proposed fee structure.

### STRATEGIC CONTEXT

The Regulatory arm of Council working with the community contributes to Council's Strategic Platforms of Urban and Rural Villages and Strong Communities. Input from other areas in Council, ensures contribution to most of the Strategic Platforms, thereby assisting Council to meet its strategic objectives.

Significant drivers are the statutory provisions of the Building Act 1991, the Health Registration of Premises Regulations, the Food Hygiene Regulations and the relevant Council Bylaws.

### BENCHMARKING

A brief analysis has been undertaken as to how the Regulatory fees and charges compare to a number of other Territorial Local Authorities in the Greater Auckland Region. Waitakere City's fees are estimated to be at the high end for the Auckland Region; however, other Territorial Local Authorities are reviewing their fees and it has been indicated that these fees are also set to rise, in some instances well beyond those of Waitakere City (at the time of this report going to print other Territorial Local Authorities proposed fees changes were not available for comparison).

Given the commercial sensitivity, only limited data is available from the private sector (i.e. Building Certifiers).

Definitions and Categories proved to be a major hurdle in ensuring comparability.

## PERFORMANCE

As far as can be gauged, Waitakere City Council is amongst the top performers in relation to Statutory Timeframes.

## FEES AND CHARGES STRUCTURE

Legislation provides that only reasonable and actual costs may be recovered through the fees set. In terms of the framework of charging "actual and reasonable", the following applies in respect of setting fees:

- a) Actual Costs: These have been developed from a zero base against each activity.
- b) Reasonable Costs: this is gauged in two ways:
  - Reference to the Market - where fees set compare favourably with Competitors or other authorities.
  - Cost Efficiency - where actual costs are only those incurred in supplying the service. These have been the basis of the recommended charges.

The fees and charges as proposed framed the basis of the Annual Plan for the year 2004/2005.

*A11-A20* The existing fees and charges are made up of a series of fixed prices for various licenses and miscellaneous services together with category and base fees for Building Consents. The basis for setting fees and charges has been retained, in the proposed schedule of fees and charges as attached at pages A11 to A20.

(Note: All fees and charges as scheduled are GST inclusive).

The recommended changes to the schedule are in line with the Revenue and Financing Policy.

*A21-A32* Due to the complexity of the fee tables and a wide array of fees and charges, an existing fees and charges schedule is attached at pages A21 to A32.

## CONCLUSION

The proposed fees and charges as previously outlined, are in accordance with the Revenue and Financing policy and seek to recover 'Actual and Reasonable' costs in accordance with prevailing statute.

## RECOMMENDATIONS

1. That the Regulatory Fees And Charges 2004/2005 report be received.
2. That the Regulatory Fees and Charges 2004/2005 as attached at pages A11 to A20 and made pursuant to Section 28 of the Building Act 1991, Section 150 of the Local Government Act 2002, the Health Registration of Premises Regulations, the Food Hygiene Regulations and the relevant Council Bylaws as appropriate, be adopted and come into force on 1 July 2004 and remain in force until specifically revoked or amended.

Report prepared by: Ellen Hale, Administration Manager: Regulatory.



## 14 SHARED SERVICES REFUSE COLLECTION

### PURPOSE OF THE REPORT

The purpose of this report is to seek approval to proceed with a joint tender with Rodney District Council and North Shore City Council for the City's refuse collection services which are due to expire on 30 June 2005.

### BACKGROUND

The Solid Waste Unit of Council has for the past four years worked in a collaborative manner with other local authorities in the Auckland Region. The Councils of Rodney District and North Shore City are similar to Waitakere insofar as they have long term goals of achieving zero waste and operate user pays refuse collection services and offer kerbside recycling collections.

In October 2003 a Memorandum Of Understanding was drafted between these Councils that propose amongst other things the concept of a joint tender for Solid Waste collection services.

Currently this Memorandum Of Understanding has been signed by Waitakere City and is in the process of being considered by the North Shore City and Rodney District Councils. The following is an extract from the Memorandum Of Understanding,

*"There are operational, geographic and cultural similarities between the three Councils comprising the Northern Sector Group that could lead to economies of scale for implementing waste minimisation plans. In 2003 in recognition of these similarities, Councillors and Chief Executive Officers from the Northern Sector Group held several informal meetings on shared services, including solid waste. Since then officers have been taking part in general discussions on shared services for solid waste. Discussions have included the potential alignment of waste management bylaws. Such an alignment is consistent with the Northern Sector Group's zero waste strategies.*

*In relation to the above the Northern Sector Group agrees to:*

1. *Continue pursuing shared service options for solid waste.*
2. *Collaborate in the research, drafting, legal review, finalisation and consultation on a model solid waste bylaw that will give power to implement waste operator licensing, to collect a resource efficiency levy and other statutory powers in relation to waste management afforded to Territorial Local Authorities.*
3. *Engage Kensington Swan as the Northern Sector Group's legal advisors for the solid waste bylaw.*
4. *Share the legal costs in the development of the solid waste bylaw as follows:*
  - *Rodney District, a third of all costs not exceeding \$15,000; North Shore City and Waitakere City, a third of all costs; or North Shore City and Waitakere City to pay equal amounts for all costs exceeding the Rodney District contribution, from within approved budget allocations.*
  - *Administer legal payments to Kensington Swan through Waitakere City Council. North Shore City and Rodney District will be accountable for their pre-approved share of the legal payments and will be invoiced for their share by Waitakere City Council on a regular basis.*
5. *Exclude from this agreement consideration for legal costs associated with hearings or legal proceedings taken against the respective Councils.*

- 6 *Approach other districts in the Auckland region including Auckland City and Manukau City requesting their involvement and contribution to costs.*
- 7 *Revise this Memorandum to include other Councils as required.*
- 8 *Keep the broader Regional Bylaws Working Group informed of the Northern Sector Group's progress and outputs.*
- 9 *Investigate the feasibility of joint consultation on the draft bylaw.*
- 10 *Investigate the feasibility of joint enforcement mechanisms for the draft bylaw.*
- 11 *The intent is to enact the bylaw no later than 1 July 2005."*

An internal working party was established in October 2003 to fully investigate all possibilities for regional cooperation in shared service/joint tender concepts in Solid Waste. The working party comprises of,

- John Dragicevich - Sponsor;
- Grant Gillard - Convenor;
- Robert Rudd;
- Stephen Drumm;
- Jon Roscoe - Advisor for Solid Waste;
- Carol Berquist- Strategic Policy.

This group recommends that Council proceed with a non-obligatory tender and once tenders are received would make further recommendations to Council whether or not to proceed with sole or joint contracts for refuse collection services.

North Shore and Waitakere City Council's existing refuse/recycling collection and disposal contracts expire on 30 June 2005. In October 2002 Waitakere City negotiated its ability with Waste Management Limited, our landfill contractor to broker landfill services on behalf of North Shore City. Staff have since this time explored all other avenues in pursuit of both economies of scale and the ultimate benefits of furthering zero waste initiatives by collaboration.

Rodney District Council does not have any formal contract for domestic refuse collection services but a licensing regime allowing private collectors to operate. These licensing arrangements are not likely to conclude until 2006/2007 at which time Rodney will have the opportunity to exercise their options under the proposed contract. Rodney anticipate bringing their waste services back 'in house' in order to further there Zero Waste objectives.

Given the magnitude of plant acquisition that would be required by any successful contractor it is imperative that the contract be considered no later than December 2004. For this timeline to be maintained the tender must reach the market not later than late July 2004. The respective Council work groups have agreed that Kensington Swan be jointly engaged to assist with tender and contact development work.

It is anticipated that any successful contractor will need at least a six month lead in period into the contract. The purchase and modification of an anticipated 38 trucks under a shared service contract will require this amount of time.

The proposed project timeline for this tender is:

<b>June 2004</b>	Business Case and Procurement Plan completed and approved by internal management
<b>July 2004</b>	Tender documents completed and approved by internal management
	Approval to proceed to tender approved by both Councils
	Request for Tender issued to market, tender closing mid October 2004.
<b>Late October-November 2004</b>	Tender evaluation and subsequent negotiations.
<b>December 2004</b>	Formal award and Council approval
<b>July 2005</b>	New contracts operational

It is important that should the decision be made to collectively accept a joint contract between the Cities then an agreement must be entered into to ensure that the Cities respective positions and benefits are protected over the term.

### STRATEGIC CONTEXT

Waitakere City's Long Term Council Community Plan states that by 2020 Waitakere will be a clean and attractive city that turns all its waste into resources. Joint refuse collection contract, with other Councils with similar strategic goals, will help achieve this aim, because the resulting economies of scale will make waste minimisation initiatives, such as recycling and organic waste separation, more feasible.

Local authorities also have a legal obligation to produce a waste management plan focussed on reduction, reuse, recycling and residual disposal. Waitakere City, North Shore City and Rodney District Councils all have common long term goals of zero waste to landfill. North Shore City and Waitakere City Councils have already worked collaboratively on solid waste initiatives such as regional waste bylaw review and /food waste collection options.

The Local Government Act 2002 encourages Territorial Local Authorities to "collaborate" in order to provide best value business services. Such collaboration can include a wide range of options from simple sharing of information to the formation of formal joint ventures.

### ISSUES

To ensure a secure provision of service from 1 July 2005 Council must let a contract for renewal of its Solid Waste collection services by at least December 2004 regardless of whether it does so in a joint tender situation. A tender for waste collection services is proposed to be on behalf of North Shore, Rodney and Waitakere Councils.

The services to be tendered are:

- Domestic refuse collection;
- Commercial refuse collection;
- Inorganic collection;
- Kerbside Recycling collection;
- Food/Wet waste collection;
- Litter bin emptying and collection;
- Loose street litter collection.

A Request for Information was sent to the respective waste collection companies and disclosed that in terms of the next five to seven years the benefits of City collaboration in the upcoming waste services tender are likely to be forthcoming based on submissions received. There is sufficient evidence of the potential economic savings from combined tendering to justify a combined approach to the tender and contracting process.

Further information considered in the industry responses were the advantages of a longer term contract, and the re-evaluation of our service frequencies and methods. Whilst the levels of service would not materially alter, the efficiency and resulting financial and environmental benefits need to more fully explored. The options that vary from the current service are as follows,

- **Kerbside Recycling** - A 240 to 120 litre mobile garbage bin (MGB) service that collects commingled recycling every second week as an option. The general consensus amongst Request for Information respondents did not portray this as a financial benefit however, the tender is anticipated to see interest from specialist recycling operators that did not respond in the Request for Information.
- **Inorganic Collection** - Condensing the inorganic activity in each city to a 20 week period, as opposed to the current 42 week collection cycle.
- **Commercial Collection** - Reducing the frequency of residual waste collection to three collections per week as opposed to six. This is largely Trade Waste that should not be collected by the city in any event. Increasing the recycling collection to three times per week as opposed to the current one.
- **Food Waste Collection.** Tendering this service is important at this point even though it is not proposed to be operational by 1 July 2005. A number of matters such as funding and refining methodology require further consideration. It is proposed that the tender include provision for Food Waste Collection based on best practice methodology. This will provide information to assist Council in determining service levels, funding and other outstanding matters at a later time.

There is no obligation at any stage on any participating Council to accept any tender service, either collectively or individually. It is proposed to structure the tender in a manner that will allow contractors to tender for one or more of the three Councils' services and enable Council to evaluate the benefits of single or shared services.

## RESOURCES

The required financial resources to cover the expected value of the collection contract and the required staff resources are available in the current Long Term Council Community Plan.

## CONCLUSION

Staff from North Shore City and Waitakere City Councils have commenced the development of a combined procurement plan and tender exercise.

It is expected that financial and strategic benefits will occur from the proposed joint tender process.

The detail and management of a joint tender process will be included in a procurement plan to be reviewed by Council's Director: Quality Assurance and Manager: Legal Services.

While the process should seek economies of scale from bundling of services, flexibility can be retained in the structure of the tender. Specifically tenderers should have the option to price the total provision of services for both Councils, as well as pricing individual services for each Council separately. Another key finding is that the more closely aligned the services specification for all Councils are, then the greater the potential is for maximising financial benefit.

In addition the tendering specification should allow tenders to price several recycling collection options to allow Council to make its own judgement on the service option that will maximise cost effective waste reduction.

### **RECOMMENDATIONS**

1. That the Shared Services Refuse Collection report be received.
2. That Council resolve to tender for the city's refuse collection services due to expire on 30 June 2005 in a joint tender with Rodney District Council and North Shore City Council.
3. That the Chief Executive be authorised to carry out the tender and negotiate any agreements between the Cities with a view to presenting a suitable option back to Council.

Report prepared by: Jon Roscoe, Business Unit Manager. Solid Waste.



## **15 LOCAL GOVERNMENT NEW ZEALAND MEMBER VOTING ENTITLEMENTS**

### **PURPOSE OF THE REPORT**

This report is to advise the Council of changes to member voting entitlements.

### **BACKGROUND**

The Local Government New Zealand conference will take place this year from Sunday, 26 July to Wednesday, 28 July 2004 in Auckland. The Annual General Meeting of Local Government New Zealand will take place during the Conference on Wednesday, 28 July 2004.

### **STRATEGIC CONTEXT**

Membership of Local Government New Zealand has the potential to be of assistance to Council as it pursues a wide range of strategic and advocacy aims. Local Government New Zealand provides a vehicle through which Council's voice can be heard on the national stage as Local Government New Zealand undertakes its activities on behalf of its members.

The Conference and Annual General Meeting provides opportunities for Elected Members to discuss a wide range of Local Government issues and to network and share experiences with other Elected Members across the country.

## ISSUES

Voting entitlements are based on the annual subscriptions that members pay to Local Government New Zealand (refer to the Constitution Rule H1). Voting entitlements have been amended following the setting of subscription levels for 2004/2005. The new voting entitlements will be in effect for the 2004 Annual General Meeting and for the election for National Council representatives and Zone chairs immediately following the October 2004 local authority elections.

There is no change to the Waitakere City entitlement which remains at 5 votes.

Without detailing all changes throughout New Zealand, changes in the Zone 1 area and in the Metro Sector authorities are as follows:

<b>Zone 1</b>	Auckland City reduced from 6 votes to 5 Manukau City reduced from 6 votes to 5 Northland Region increased from 1 vote to 2
<b>Metro Sector</b>	Auckland City reduced from 6 votes to 5 Manukau City reduced from 6 votes to 5 Christchurch City increased from 5 votes to 6

A33-A34 The amended voting entitlements effective from the 2004 Annual General Meeting are attached at pages A33 to A34.

## RESOURCES

There are no resource implications in this report.

## CONCLUSION

The Local Government New Zealand Conference and the Annual General Meeting provides the Council with opportunities to influence the leadership and direction of Local Government New Zealand. The Council's voting entitlements remain unaltered.

## RECOMMENDATION

That the Local Government New Zealand Member Voting Entitlements report be received.

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



16 **REPRESENTATIVE TO WAITAKERE ARTS AND CULTURAL DEVELOPMENT TRUST AND REGIONAL ARTS AND CULTURE FUNDING ALLOCATION SUBCOMMITTEE**

**PURPOSE OF THE REPORT**

The purpose of this report is to enable Council to:

- a) re-appoint a representative to the Waitakere Arts and Cultural Development Trust from the Waitakere Central Community Arts Council; and
- b) appoint a replacement representative to the Regional Arts and Culture Funding Allocation Subcommittee from the Waitakere Central Community Arts Council.

**ISSUES**

Council at its meetings held on 29 May 2002 and 31 July 2002 respectively made the following re-appointments:

- a) Marilyn Davey was appointed as a Trustee of the Waitakere Arts and Cultural Development Trust to replace Grant King as the Waitakere Central Community Arts Council representative; and
- b) Janet Holtrichter was appointed to the Regional Arts and Culture Funding Allocation Subcommittee to replace Grant King as the Waitakere Central Community Arts Council representative.

A35 The Waitakere Central Community Arts Council now in a letter received by Council on 18 June 2004 advises of Marilyn Davey's resignation, and as a result requests Council to appoint Lindsay Nash, to be the Waitakere Central Community Arts Council representative to the Waitakere Arts and Cultural Development Trust. The letter is attached at page A35.

A36 In a separate letter also received by Council on 18 June 2004 (attached at page A36), the Waitakere Central Community Arts Council nominates Lindsay Nash to be their representative to the Regional Arts and Culture Funding Allocation Subcommittee meetings. Lindsay Nash will replace Janet Holtrichter, who is no longer the Co-ordinator for the Waitakere Central Community Arts Council.

Lindsay Nash is the newly elected President of the Waitakere Central Community Arts Council. He has a background in performing arts. He is a teacher of Speech and Drama and is currently an examiner for the New Zealand Speech Board.

**CONCLUSION**

With the resignation of Marilyn Davey, the Waitakere Central Community Arts Council requests that their newly elected president, Lindsay Nash, be appointed to the Waitakere Arts and Cultural Development Trust. At the same time, the Waitakere Central Community Arts Council also nominates Lindsay Nash as their representative on the Regional Arts and Culture Funding Allocation Subcommittee, replacing Janet Holtrichter.

**RECOMMENDATIONS**

1. That the Representative To Waitakere Arts And Culture Development Trust And Regional Arts And Culture Funding Allocation Subcommittee report be received.
2. That Lindsay Nash be appointed as a Trustee of the Waitakere Arts and Cultural Development Trust to replace Marilyn Davey as the Waitakere Central Community Arts Council representative.

3. That Lindsay Nash be appointed to the Regional Arts and Culture Funding Allocation Subcommittee to replace Janet Holtright as the Waitakere Central Community Arts Council representative.
4. That Janet Holtright be thanked for her contribution to the Regional Arts and Culture Funding Allocation Subcommittee, and Marilyn Davey for her contribution to the Waitakere Arts and Cultural Development Trust.

Report prepared by: Audrey Chan, Committee Secretary.



## 17 WARRANTS OF APPOINTMENT

### **PURPOSE OF THE REPORT**

The purpose of this report is to obtain Council's approval for the issuing of warrants of appointment under the Local Government Act 2002 and the Building Act 1991 for those officers required to undertake the role as Enforcement Officers under these Acts. For ease of reference, where warrants of appointment under the Resource Management Act 1991 are also required in respect of the same staff members, these are also included.

### **BACKGROUND**

Clause 32(1)(g) Schedule 7 of the Local Government Act 2002, specifically prohibits Council from delegating the power to appoint enforcement officers pursuant to Section 177 of that Act.

Schedule 16 of the Local Government Act 2002 repealed and replaced Section 78 of the Building Act 1991. This amended Section 78 of the Building Act 1991 extends the prohibition on delegation of powers to issue warrants to warrants issued in terms of Section 77 of the Building Act.

The prohibition against delegating the power to issue warrants to enforcement officers does not, in terms of Section 34A of the Resource Management Act 1991, apply to warrants issued under Section 38 of that Act. However, for ease of reference appointments of enforcement officers under Section 38 of the Resource Management Act 1991 are included (where required in respect of the same staff members), with warrants issued under Section 177 of the Local Government Act 2002, and Section 77 of the Building Act 1991.

Warrants issued in terms of other enactments are issued under delegated authority, and not included here, unless the officers requiring the warrants also require the powers under such other enactments.

### **ISSUES**

On 14 July 2003 the Council adopted a policy in relation to the issuing of warrants of appointment.

As part of that policy the Council requires specific vetting processes to be undertaken before warrants may be issued. All of the checks required as part of the vetting process have been carried out.

In accordance with the policy the Chief Executive recommends that the following warrants of appointment be issued:

## CONCLUSION

In terms of Clause 32(1)(g) Schedule 7 of the Local Government Act 2002, it is necessary for Council to resolve to issue warrants of appointment pursuant to Section 77 of the Building Act 1991 and Section 177 of the Local Government Act 2002, as recommended by the Chief Executive.

Warrants of Appointment pursuant to Section 38 of the Resource Management Act 2002, in respect of the staff members listed, are included in the Chief Executive's recommendation, for ease of reference.

## RECOMMENDATIONS

1. That the Warrants of Appointment report be received.
2. That Warrants of Appointment to exercise the powers and responsibilities of Enforcement Officer under Section 177 of the Local Government Act 2002 and the powers under the other Acts listed be issued to the following person as follows:

Name	Position	Section	Requirement(s) of Warrant
DE VILLERS, (Tineke) Margaretha Wilhelmina Christine	Building Surveyor	Section 77 Section 177  Section 5	Building Act 1991 (1) Local Government Act 2002 (7) Litter Act 1979 (6)
WILKINSON Desmond William	Building Surveyor	Section 77 Section 177  Section 5	Building Act 1991 (1) Local Government Act 2002 (7) Litter Act 1979 (6)
KINGSTON, Samantha	Animal Welfare Officer	Section 13 Section 8 Section 9 Section 8 Section 8	Dog Control Act 1996 (12) Impounding Act 1955 (14) Impounding Act 1955 (15) Impounding Act 1955 (16) Reserves Act 1977 (8)
DULLABH, Balvant	Customer Field Advisor - Field Services	Section 8 Section 11  Section 38  Section 77 Section 177  Section 5	Reserves Act 1977 Fencing of Swimming Pools Act 1987 Resource Management Act 1991 Building Act 1991 (1) Local Government Act 2002 (7) Litter Act 1979 (6)
HENDERSON Boyd	Drainage & Water Engineer	Section 177	Local Government Act 2002

Report prepared by: Charlie Inggs, Democracy and Governance Team Manager.

HV O'Rourke  
**CHIEF EXECUTIVE**



## **PART E - CONFIDENTIAL**

**NOTE:** The Confidential Supplement contains minutes of the Standing Committees. There are no actual confidential items for consideration.



## **PART F - STANDING COMMITTEE REPORTS**

### **18 CITY DEVELOPMENT COMMITTEE**

**YOUR COMMITTEE SUBMITS THE FOLLOWING REPORT OF ITS ORDINARY MEETING HELD ON THURSDAY, 3 JUNE 2004**

---

#### **MATTERS CONSIDERED**

1-6  
Part F  
Page 1  
Part E

Your Committee dealt with a number of items for which it has delegated powers to act and a copy of the minutes of the meeting is attached at pages 1 to 6 in the supplement labelled Part F, with the public excluded minutes attached at page 1 of the confidential supplement labelled Part E.

#### **Your Committee Recommends:**

That the report of the Ordinary Meeting of the City Development Committee held on Thursday, 3 June 2004 be received.

CA Stone

**CHAIRPERSON**



### **19 ENVIRONMENTAL MANAGEMENT COMMITTEE**

**YOUR COMMITTEE SUBMITS THE FOLLOWING REPORTS OF ITS ORDINARY MEETING HELD ON THURSDAY, 27 MAY 2004, THE RECONVENED MEETING HELD ON THURSDAY, 27 MAY 2004 AND THE ORDINARY MEETING HELD ON TUESDAY, 8 JUNE 2004**

---

#### **1. CLASSIFICATION OF HENDERSON CREEK CORRIDOR RESERVES**

##### **Your Committee Recommends:**

That subject in each instance to the completion of the necessary statutory processes, the following parcels be declared, classified or re-classified appropriately under the Reserves Act 1977.

- (a) The following parcels be Declared as Local Purpose (Community Purposes) Reserve pursuant to Section 14 of the Reserves Act 1977:
  - 575m<sup>2</sup> more or less being Part Lot 123 DP 50809 residue CT NA8D/448.
  - 227m<sup>2</sup> more or less being Part Lot 124 DP 50809 residue CT NA8D/449.
  - 355m<sup>2</sup> more or less being Part Lot 125 DP 50809 residue CT NA8D/450.

- (b) The following parcels be Declared as Local Purpose (Esplanade) Reserve pursuant to Section 14 of the Reserves Act 1977:
- 313m<sup>2</sup> more or less being Allotment 638 Parish of Waipareira all CT NA33A/1342.
  - 1644m<sup>2</sup> more or less being Lot 9 DP 55828 residue CT NA3A/1430.
  - 1902m<sup>2</sup> more or less being Lot 1A DP 7645 all CT NA70A/209.
- (c) The following parcels be Classified as Local Purpose (Esplanade) Reserve pursuant to Section 16(2A) of the Reserves Act 1977:
- 338m<sup>2</sup> more or less being Part Lot 141 DP 46794 part CT NA831/110.
  - 5405m<sup>2</sup> more or less being Part Lot 142 DP 46794 part CT NA831/110.
  - 266m<sup>2</sup> more or less being Part Lot 161 DP 47631 part CT NA831/110 being area shown as "Section 2" on SO Plan 334482.
  - 8780m<sup>2</sup> more or less being Lot 37 DP 134559 part CT NA82C/61.
  - 1847m<sup>2</sup> more or less being Lot 3 DP 130997 part CT NA61D/257.
  - 1811m<sup>2</sup> more or less being Lot 4 DP 130997 part CT NA61D/257.
  - 259m<sup>2</sup> more or less being Lot 5 DP 130997 part CT NA61D/257.
  - 4479m<sup>2</sup> more or less being Part Lot 5 DP 104914 part CT NA2C/1325.
  - 2468m<sup>2</sup> more or less being Part Lot 3 DP 149953 part CT NA89C/80.
  - 452m<sup>2</sup> more or less being Lot 16 DP 170140 all CT NA103D/258.
  - 577m<sup>2</sup> more or less being Lot 46 DP 170140 all CT NA103D/268.
  - 5326m<sup>2</sup> more or less being Lot 51 DP 170140 part CT NA103D/269.
  - 3900m<sup>2</sup> more or less being Lot 52 DP 172230 all CT NA105C/109.
  - 45m<sup>2</sup> more or less being Lot 53 DP 172230 part CT NA105C/110.
  - 255m<sup>2</sup> more or less being Lot 79 DP 45661 part CT NA1131/44.
  - 6258m<sup>2</sup> more or less being Lot 4 DP 112259 part CT NA58C/633.
  - 9190m<sup>2</sup> more or less being Lot 2 DP 151743 all CT NA91D/189.
  - 1.0882ha more or less being Lot 4 DP 109243 part CT NA61A/130.
  - 3680m<sup>2</sup> more or less being Lot 12 DP 114035 part CT NA61C/347.
  - 1900m<sup>2</sup> more or less being Lot 6 DP 106359 part CT NA714/146.
  - 2275m<sup>2</sup> more or less being Lot 2 DP 120491 part CT NA22C/1210.
  - 1.1129ha more or less being Lot 68 DP 40617 part CT NA126/297.
  - 4502m<sup>2</sup> more or less being Lot 89 DP 42777 part CT NA107/133 and part CT NA1123/271.
  - 1492m<sup>2</sup> more or less being Lot 74 DP 44106 part CT NA1126/300.
  - 260m<sup>2</sup> more or less being Lot 2 DP 114211 part CT NA2047/67 and part CT NA14B/291.
  - 965m<sup>2</sup> more or less being Lot 1 DP 152180 part CT NA93C/124.
- (d) The following parcels be Classified as Local Purpose (Community Purpose) Reserve pursuant to Section 16(2A) of the Reserves Act 1977:
- 3804m<sup>2</sup> more or less being Part Lot 161 DP 47631 part CT NA831/110 being area shown as "Section 1" on SO Plan 334482.
  - 784m<sup>2</sup> more or less being Part Lot 141 DP 46794 part CT NA831/110 being Area "D" on SO Plan 63709.

- (e) The following parcels be Classified as Local Purpose (Road) Reserve pursuant to Section 16(2A) of the Reserves Act 1977 and contemporaneously dedicate the following parcels as legal road pursuant to Section 111 of the Reserves Act 1977:
- 1074m<sup>2</sup> more or less being Part Lot 161 DP 47631 part CT NA831/110 being Area "A" on SO Plan 63709.
  - 3626m<sup>2</sup> more or less being Part Lot 141 DP 47694 part CT NA831/110 being Area "B" on SO Plan 63709.
  - 420m<sup>2</sup> more or less being Part Lot 142 DP 46794 part CT NA831/110 being Area "C" on SO Plan 63709.
  - 420m<sup>2</sup> more or less being Part Lot 5 DP 104914 part CT NA2C/1325 being Area "D" on SO Plan 64154.
- (f) The following parcels be Classified as Recreation Reserve pursuant to Section 16(2A) of the Reserves Act 1977:
- 6176m<sup>2</sup> more or less being Lot 45 DP 45708 part CT NA201/276.
  - 4047m<sup>2</sup> more or less being Lot 46 DP 45708 part CT NA201/276.
  - 464m<sup>2</sup> more or less being Lot 38 DP 134559 all CT NA82C/62.
  - 9908m<sup>2</sup> more or less being Lot 3 DP 112259 part CT NA58C/633.
  - 3350m<sup>2</sup> more or less being Lot 89 DP 174685 all CT NA107C/95.
- (g) The following parcels be Classified as Historic Reserve pursuant to Section 16(2A) of the Reserves Act 1977:
- 188m<sup>2</sup> more or less being Lot 8 DP 130997 part CT NA61D/257.
  - 91m<sup>2</sup> more or less being Part Lot 3 DP 149953 part CT NA89C/80 being Area "B" on SO Plan 66736.
  - 47m<sup>2</sup> more or less being Part Lot 5 DP 130997 part CT NA61D/257 being Area "C" on SO Plan 66736.
  - 2032m<sup>2</sup> more or less being Lot 39 DP 134558 all CT NA82C/63.
- (h) The following parcels be Re-classified as Local Purpose (Esplanade) Reserve pursuant to Section 24 of the Reserves Act 1977:
- 1.3772ha more or less being Part Lot 161 DP 50809 part CT NA1984/78.
- (i) The following parcels be Re-classified as Local Purpose (Access way) Reserve pursuant to Section 24 of the Reserves Act 1977:
- 177m<sup>2</sup> more or less being Lot 162 DP 50809 part CT NA1984/78.
  - 152m<sup>2</sup> more or less being Lot 26 DP 54677 part CT NA5B/548.

## 2. OTHER MATTERS CONSIDERED

7-18  
Part F

Your Committee dealt with a number of items for which it has delegated powers to act and a copy of the minutes of the meeting is attached at pages 7 to 18 in the supplement labelled Part F.

### **Your Committee Recommends:**

That the reports of the Environmental Management Committee meetings be received as follows: a) the Ordinary Meeting held on Thursday, 27 May 2004, b) the reconvened Ordinary Meeting held on Thursday, 27 May 2004, and c) the Ordinary Meeting held on Thursday, 8 June 2004.

PA Hulse  
**CHAIRPERSON**



**20 FINANCE AND OPERATIONAL PERFORMANCE COMMITTEE**

**YOUR COMMITTEE SUBMITS THE FOLLOWING REPORTS OF ITS ORDINARY MEETING HELD ON MONDAY, 14 JUNE 2004 AND THE EXTRAORDINARY MEETING HELD ON THURSDAY, 17 JUNE 2004**

**1. CITY DEVELOPMENT COMMITTEE**

**Your Committee Recommends:**

That the current schedule of deposits for street damage be updated with effect from 1 October 2004, in pursuant to clause 11 (a) of Bylaw No 22, 1990: Use of Public Roads, as scheduled below:

<b>Work Value</b>	<b>Deposit (per street frontage)</b>
Any residential building work below \$5,000	No deposit
Residential alterations, additions, swimming pools and associated fences	\$1,000
New single unit, single storey dwellings	\$1,000
Multi unit and multi storey dwellings (2-5 units)	\$2,500
Commercial building work, sub division work between \$5,000 and \$99,999	\$1,000
Commercial building work, sub division work between \$100,000 and \$249,999	\$2,500
Commercial building work, sub division work between \$250,000 and \$499,000	\$3,500
Commercial building work, sub division work above \$500,000	\$5,000
Building relocation, removal or demolition works	\$1,000

**2. OTHER MATTERS CONSIDERED**

19-34  
Part F  
Pages 2-3  
Part E

Your Committee dealt with a number of items for which it has delegated powers to act and a copy of the minutes of the meeting is attached at pages 19 to 34 in the supplement labelled Part F, with the public excluded minutes attached at pages 2 to 3 of the confidential supplement labelled Part E.

**Your Committee Recommends:**

That the reports of the Ordinary Meeting of the Finance and Operational Performance Committee held on Monday, 14 June 2004 and the Extraordinary Meeting held on Thursday, 17 June 2004 be received.

JM Clews, QSO, JP  
**CHAIRPERSON**



## **PART G - PRESENTATIONS**

These presentations will take place at 7.30 pm.

### **21 TRISH MAXWELL, JP**

Mayor Bob Harvey will present to Trish Maxwell, JP, a Citation that recognises her outstanding contribution to the West Auckland Neighbourhood Support, in particular for Junior Neighbourhood Support, the Waitakere Village Community Patrols, and involvement with the Waitakere Voluntary Rural Fire Force and Civil Defence.

### **22 2004 RECIPROCAL SISTER CITY STUDENT EXCHANGE TO KAKOGAWA, JAPAN.**

From 13 to 27 April 2004, eight students from Green Bay High School and Massey High School, Fred Chyan, Amy Keal, Martin Child, Laureen Williams, Lance van Niekerk, Do Young Ka, Yea Young Lee and Briar Engle, the two Council chaperons, Tracy Haggio and Neville Colling, and a support teacher from Green Bay High School participated on the reciprocal Sister City Student Exchange to Kakogawa, Japan. Several of the students will be present at the meeting to relay to Council the highlights of the Exchange.



## **PART H - PROCEDURAL MATTERS**

### **23 QUESTIONS**

Pursuant to Standing Order 39.2, any member of the local authority may at any ordinary meeting of the local authority at the appointed time, put a question to the Mayor as Chairperson of the local authority, or through the Mayor to the Chairperson of any standing or special committee, or to any officer of the local authority concerning any matter relevant to the role or functions of the local authority concerning any matter that does not appear on the order paper, nor arises from any committee report or recommendation submitted to that meeting.



### **24 CLOSING PRAYER**

