

**AGENDA FOR A MEETING OF THE COUNCIL TO BE HELD AT WAITAKERE CENTRAL,
6 HENDERSON VALLEY ROAD, HENDERSON, WAITAKERE, ON WEDNESDAY,
10 OCTOBER 2007 COMMENCING AT 9.30 AM**

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1 APOLOGIES



2 URGENT BUSINESS

Section 46A(7) of the Local Government Official Information and Meetings Act 1987 provides that where an item of business is not on the agenda, it may only be dealt with at the meeting if:

- (i) the Council by resolution so decides; and
- (ii) the Chairman has explained at the beginning of the meeting (when open to the public) that the item will be raised for discussion and decision, why the item is not on the agenda, and why it cannot be delayed until a subsequent meeting.

The Council may make a decision on a matter determined to be urgent.

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



3 CONFLICTS OF INTEREST

The Council has acknowledged in its Code of Conduct that Elected Members need to be vigilant to stand aside from decision making when a conflict arises between their role as a member of the Council and any private or other external interest they might have. This note is provided as a reminder to members to check that no such conflicts arise in relation to any items on this agenda.



4 **ANNUAL REPORT 30 JUNE 2007**

This report will be circulated separately.



5 **STURGES ROAD RAIL OVERBRIDGE REPLACEMENT - FIXING OF ROAD LEVEL - OBJECTIONS**

PURPOSE OF THE REPORT

The purpose of this report is to advise Council on the outcome of the public notification process in relation to the proposal to raise the level of Sturges Road and the Sturges Road Bridge to recommend altering said road levels, and that affected persons be given an opportunity to present their issues to Council.

BACKGROUND

The existing road over the rail bridge at Sturges Road, Henderson was built around 1940 by New Zealand Railways Corporation (ONTRACK) to permit ease of rail gradient by excavating a cutting below the road level. The present condition of this bridge is poor with severe alkali silicate reaction producing extensive cracking. The long term safety and life of this structure is limited. ONTRACK has posted a load limit on this bridge in an attempt to ensure vehicle and rail safety.

ONTRACK has commenced double tracking of stage four of the western line from Mount Lebanon Lane to Swanson Station. The existing piers of the Sturges Road Bridge are aligned such that it is not possible to achieve double tracking without undertaking major structural changes. Accordingly a decision has been made by ONTRACK and Council to demolish the old bridge and to rebuild a new wider integrated transport bridge in its place, with bridge deck raised by up to 1.4 metres to permit future rail electrification. Construction of a new bridge requires the road levels to be raised.

Under Section 330 of the Local Government Act 1974 the Council may alter the level of a road subject to schedule 13 of that Act, which sets out the process for the public notification of the proposal to raise the level of the road and to hear submissions in respect of that proposal. Resolution number 951/2007 was approved by Council on 30 May 2007 for public notification.

The original design scope included a replacement bridge as well as the design of new cycle lanes, an additional traffic lane and a revised road intersection with Swanson Road. However, due to cost constraints it is recommended that the cycle lanes be deleted. It is intended to commence with bridge removal and reconstruction later in this calendar year.

STRATEGIC CONTEXT

The Waitakere City Council's "Integrated Transport and Communication" platform provides the strategic context for this report. The vision is for public transport and communications systems that provide fast, effective services and for city travel facilitated by integrated, environmentally responsible and innovative design, with a focus on meeting the essential needs of all, for access, communication and safety. Replacing the Sturges Road Bridge will allow for double tracking of the rail line and will provide an improved transportation link.

ISSUES

Configuration of Sturges Road Bridge

A report was presented to the City Development Committee on 3 August 2006 outlining options for replacement of the Sturges Road Bridge with the following resolution:

“That the Sturges Road Rail Overbridge Replacement – Analysis of Options report be received.

That the recommended Option 3 - “3 Lanes and Cycle Lanes each direction”, being the preferred option for the replacement of the Sturges Road Rail Overbridge be approved.

That a report be submitted to the Finance and Operational Performance Committee on any funding issues with the preferred option for the replacement of the Sturges Road Rail Overbridge.”

1475/2006

Subsequently, detailed designs were prepared giving effect to this resolution and a public tender was advertised. The results of the tendering process were that the lowest tender price exceeded Council's budget by \$2.5 million.

This issue was discussed with ONTRACK who advised that the tender price was unacceptable and that it would not provide additional funding.

Therefore, it is recommended that a revised configuration be adopted, comprising an additional traffic lane and two footpaths. Cyclists will be catered for by the proposed Armada Drive to Henderson cycleways which will provide an alternative route. Adoption of the revised configuration will require resolution 1475/2006 to be rescinded.

Changes to Road levels

A1 Sturges Road is required to be raised about 1.1 metres in height to permit future rail electrification, over a road length of about 55 metres on either side of the planned new higher level bridge. The raised road will affect access to properties, as shown on the plan at page A1, requiring resident's driveways to be adjusted.

In addition the road will be widened to permit the construction of an additional traffic lane and two footpaths. The wider road will need to be retained by timber retaining walls and reduced privacy may affect neighbouring housing because the footpaths will be elevated from the position that previously existed. Screen planting will assist to address this issue. In all, some 22 properties will be affected by either driveway level adjustments or by retaining walls.

Formal Letters and Press Advertisements

Council has sent formal letters of notice of intent to raise the road to 22 house owners and residents affected by the road works. These letters were hand delivered and required the owner/resident to sign for receipt. Two of the 22 residents could not be reached despite numerous attempts and many phone calls, and were eventually legally served on 19 July 2007 by taping them to the front door of the two properties. In addition advertisements were placed in the Western Leader and the New Zealand Herald on 21 June 2007.

A2-A5 The advert requested objections from the public to be put in writing and to be received by Council by 5pm on Monday, 23 July 2007. Two verbal objections and three written objections were received and these are summarised below. The three written objections are attached at pages A2 to A5.

Public Objections and Recommended Actions

Five objections have been received and the objectors have been advised that they can present their objections to the Committee. The detail of the objections and recommended actions are set out in the table below.

Name and address of person	Objections	Recommended Actions	Possible Residents Attending Council Meeting
Mr. Keith Wyllie, 19 Sturges Road	1. Concern that respondent's fence will not be replaced or refurbished on the eastern boundary and would like to pay for the extra over cost of a higher fence.	1. A letter confirming Council's proposals has already been sent to the respondent on 2 July 2007. This letter confirms that Council will ensure that fences will be refurbished or replaced on a like for like basis, as already provided in the construction documents, at Council cost.	No
Mrs. Lorna Street, 7 Sturges Road	1. Concern that the new raised driveway removes the ability to turn the car around to face the road for ease of exit. 2. Concern that the elderly respondent can not walk up proposed stairs to reach the mailbox or to reach the driveway ramp. 3. Concern that the raised driveway prevents drainage of a small area of garden between the house and the raised driveway. 4. Concern that the fence will not be replaced or refurbished.	A letter confirming Council's proposals has already been sent to the respondent on 28 June 2007. This letter confirms that Council will design and construct at no cost to the respondent of: 1. a turning bay at the end of the raised driveway, 2. a one metre wide concrete ramp to the mailbox, gate and driveway with hand rail on one side in lieu of stairs, 3. provision for drainage of the small area between the house and the raised driveway, 4. refurbish or replace on a like for like basis the existing fence, as already provided for in the construction documents. In addition Council will be bridging over the roots of the respondent's large Pöhutukawa trees so that they need not be removed to make way for the raised driveway and Council will also provide screen planting on the boundary between the sidewalk and the property.	No

Name and address of person	Objections	Recommended Actions	Possible Residents Attending Council Meeting
Mr. RM Soljan, on behalf of his sister residing at 20/1 Sturges Road	1. Concern that the existing driveway that currently falls very slightly from the house to the road will drain towards the house once the new driveway is raised.	1. A letter confirming Council's proposals has already been sent to the respondent on 11 July 2007. This letter confirms that Council will install the necessary drainage needed at the base of the new driveway at no cost to the respondent, as already provided in the construction documents.	No
Mr. Keith Miller, 5 Sturges Road	<p>1. Concern over water run off and footpath widening.</p> <p>2. Concern over access in and out from private driveway.</p> <p>3. Concern over the ability to subdivide his property in future and to build a new driveway in an area where the road is raised.</p> <p>4. Concern that a hedge on his boundary will be trimmed, leading to less privacy.</p> <p>5. A letter dated 19 July 2007 was also received at which the respondent requested to be included in the "consultation and valuation process".</p>	<p>No letter was sent to the respondent but discussions were held at the open day between Mr. Miller and the Senior Engineer, Special projects.</p> <p>1. The Council will install the necessary drainage needed at the driveway at no cost to the respondent.</p> <p>2. A painted median will be provided along Sturges Road for motorists to take refuge when turning in and out from private driveways.</p> <p>3. The ability to subdivide the respondent property is subject subdivision resource consent approval.</p> <p>4. The Council will redesign the works to keep well clear of the hedge. Screening plantings to be provided to reduce noise levels.</p> <p>5. The respondent will be involved in all consultation and valuation process and was invited to attend the Council's meeting.</p>	No

Name and address of person	Objections	Recommended Actions	Possible Residents Attending Council Meeting
Mrs. JB Wheeler, 23 Sturges Road	<ol style="list-style-type: none"> 1. Concern over the safety of turning in and out from the property and suggested to have no stopping controls on both sides of Sturges Road from the bridge to the junction of Septimus Place and Vintage Drive. 2. Suggested to have no bus stops and no vehicle parking or drop off zones. 3. Concern of pedestrian safety and suggested to install traffic signals/pedestrian crossing at Sturges Road/ Septimus Place/ Vintage Drive intersection. 4. Concern of increase in noise level and damage to property (due to vandalism) because the new footpath will be closer to the property. 5. Concern that the raised road would increase stormwater run off outside the property. 	<p>A letter confirming Council's proposals has already been sent to the respondent on 19 July 2007.</p> <ol style="list-style-type: none"> 1. Car turning movements will be improved with the proposed painted median on Sturges Road for motorists to take refuge when turning in and out from private driveways. 2. Bus services are to be rescheduled in accordance with ARTA policy. 3. It is proposed to construct a pedestrian refuge island on Sturges Road adjacent to Septimus Place/ Vintage Drive intersection. 4. The proposed footpath is located next to kerb away from private properties. 5. Council will install the necessary drainage needed along Sturges Road. 	Yes – only Mr Wheeler accepted to attend the meeting

Risks

A1

At this stage, the final road level has not been agreed with ONTRACK and there is a possibility that the bridge deck could be an additional 300 mm higher than shown on the plan attached at page A1.

The road level will be finalised over the next few weeks by ONTRACK and every effort is being made to avoid increasing the road level. However, detailed design may show that this is not feasible. In the event that the road level does end up higher, it would be necessary to re-notify the new road level and re-submit the issue to Council for its determination.

Local Government Act Requirements

The Local Government Act 1974 enables Council to fix road levels by resolution, taking into account the views of affected persons. The Local Government Act 1974 also requires Council to pay for compensation under the Public Works Act 1981.

Accordingly, it is recommended that submitters be given the opportunity to address Council on their concerns.

RESOURCES

Funding for this project has been provided in the 2006-2016 Long Term Council Community Plan with assistance from ONTRACK.

The recommended actions in this report are also provided for in the Long Term Council Community Plan.

CONCLUSION

The Sturges Road Bridge needs to be replaced, lengthened and raised, to permit future rail double tracking and rail electrification. Five responses have been received from the public notification process. These responses may be dealt with during the course of the construction works.

RECOMMENDATIONS

1. That the Sturges Road Rail Overbridge Replacement - Fixing of Road Level - Objections report be received.
2. That pursuant to Standing Order 27.18 resolution 1475/2006:
 - “2. That the recommended Option 3 - “3 Lanes and Cycle Lanes each direction”, being the preferred option for the replacement of the Sturges Road Rail Overbridge be approved.
 3. That a report be submitted to the Finance and Operational Performance Committee on any funding issues with the preferred option for the replacement of the Sturges Road Rail Overbridge.”

be rescinded.

3. That the Sturges Road bridge replacement include three traffic lanes and two footpaths.
4. That the submissions made by affected residents to the Sturges Road Rail Overbridge Replacement - Fixing of Road Level be received.
5. That the actions recommended in the Agenda report for the Sturges Road Rail Overbridge Replacement - Fixing of Road Level, be approved by Council in order to address concerns raised by submitters.
6. That the road levels for Sturges Road, from Swanson Road to Vintage Drive be fixed as delineated on plan number 22200 7P GA 00 attached to the Agenda at page A1.

A1

Report prepared by: Vinh Bui, Senior Transport Engineer, Transport Assets.



6 NEW LYNN TRANSIT ORIENTED DEVELOPMENT PROJECT - PROGRESS REPORT AND CONCEPT DESIGN APPROVAL

GLOSSARY

AMP	- AMP, owners of Lynn Mall
ARTA	- Auckland Regional Transport Authority
BCR	- Benefit Cost Ratio
LTCCP	- Long Term Council Community Plan
LTNZ	- Land Transport Authority
MUL	- Metropolitan Urban Limit
ONTRACK	- New Zealand Railways Corporation
TOD	- Transit Oriented Development

PURPOSE OF THE REPORT

The purpose of this report is to seek approval of the Concept Design developed for the New Lynn Transit Oriented Development (TOD) project and the partnering and funding agreement between Council and ONTRACK.

A brief presentation will be provided on the elements of the Concept Plan.

BACKGROUND

ONTRACK has advised that the Crown's funding for the New Lynn rail trenching will expire on 30 June 2009. Accordingly, a work programme was developed to ensure that Council maintained an adequate input to this project, as well as ensuring that Council's infrastructure would be completed in a timely manner.

One work stream included in the overall programme was the development of a Concept Design for aspects of the New Lynn TOD project, to assist in establishing preferred outcomes for Council and to provide a means of communicating these preferred outcomes to ONTRACK throughout their design/build procurement and design processes.

It is expected that ONTRACK will have appointed a Design/Build contractor by 1 October 2007 and that this contractor will progress elements of the New Lynn TOD project to detailed design by February 2008. In order to work within this timeline it is essential that Council confirms the Concept Design so that this can be put forward for inclusion in the detailed design process.

STRATEGIC CONTEXT

The New Lynn Transit Oriented Development project is aligned with a number of strategies, as follows:

- The Regional Growth Strategy, whereby New Lynn has been identified as a regional growth centre;
- The Regional Land Transport Strategy;
- The Council's Transport Strategy; and
- Council's plans for urban intensification and economic developments.

ISSUES

Concept Design Plan

The Concept Design previously presented to Council at the 10 July 2007 workshop has now been developed further. Copies of the Concept Plan have been provided in the Councillors Room.

Some elements of the design, such as the bus interchange, the nature of and facilities on the deck and the Clark Street extension (bypass) are still to be fully developed. There are some options available to Council in terms of scope and/or timing for these larger cost items. For example investment in a canopy has to be balanced against future development over the corridor. This is an important option to consider if there are difficulties in filling any funding gap.

The project costs developed to date do not include private sector development at the Stagecoach site or over the rail corridor.

Programme and Implementation Issues

ONTRACK has advised that they expect to let a design-build contract in October 2007 and that they expect to commence enabling works in December 2007/ January 2008.

Council staff will be involved in this process.

The opportunity to include Council's projects is being investigated as part of ONTRACK's contractor selection process. In relation to this the following resolutions were made by the Council's Tenders Subcommittee, at the 22 June 2007 meeting:

"That authority be given to participate in ONTRACK's Expression of Interest process for the construction of infrastructure associated with the New Lynn Transit Oriented Development project".

"That the outcomes of the Expression of Interest process be reported back to the Tenders Subcommittee for its consideration and determination as to whether Council wishes to enter into any contracts arising from this process".

1101/2007

A6-A25

A partnering agreement with ONTRACK has been prepared and a copy of this document is attached at pages A6 to A25 and is submitted for Council's approval. The key features of the partnering agreement are:

- An understanding of what ONTRACK considers to be the base cost to be funded by ONTRACK (including if needed for structural reasons, provision of a cover to prop the walls of the trench);
- Clarification of who will own elements of the project such as the trench, platform, roading connections etc;
- Each party's individual and shared objectives;
- A collaborative delivery model allowing Council significant input into the design process and contractor selection process, as well as participation in a joint programme group between Council and ONTRACK with the ability to involve other stakeholders where appropriate.

Timing of Election Process

Decisions and commitments are likely to be required in relation to this project in October and November. Due to the election process occurring during this period it will be necessary to ensure that the Chief Executive Officer has authority to act in all matters, including:

- Lodgement of any consents or regulatory applications that may be required under the Resource Management Act;
- Submission of any funding applications;
- Taking of any land identified as necessary for the project that has not already been specifically approved by Council;
- Letting of any contracts; and
- Finalising any financial agreements between Council and ONTRACK or ARTA.

Land Acquisition

It is critical that all necessary land is secured by December 2007. Additional resources are to be engaged to assist in this process.

Project Costs and Funding

Project costs are still being worked through and a clearer understanding of what ONTRACK, ARTA and LTNZ will fund will be required before the full cost implications for Council can be confirmed. Once this information is available a report on costs and funding will be prepared and submitted.

Interim cost estimates, for the Council Works component of the project, have been prepared for the purposes of supporting an LTNZ funding application (discussed below) based on the Concept Design. The costs were estimated allowing for delivery of Council's preferred option, which includes allowance for 'improvements' to key aspects of the project, over and above the 'base cost' items normally allowed for by ONTRACK and ARTA.

These cost estimates do reflect cost increases that have become apparent since the 2006-2016 LTCCP budgets were identified for the project. These cost increases have resulted from inflation and cost escalations and changes in project scope. Examples of scope changes include:

- The requirement to widen Clark Street to provide for parking, resulting from the MUL shift and Plan Change 17 process;
- An increase in the required level of amenity that has become apparent through discussions with Councillors; and
- The shift of the planned rail platform position from the current position, further to the east opposite the AMP site.

The current estimated costs for Council's works, including the \$20M contribution to the Rail Box works are summarised in Table 1 below:

	Preferred Option
Interchange	
<i>Fees (Design / Const)</i>	\$ 2.421M
<i>Construction</i>	\$ 16.139M
Sub Total (Interchange)	\$ 18.560M

	Preferred Option
Bridge Works	\$ 3.803M
Intersection Works	\$ 7.046 M
Link Works	\$ 11.127M
Clark Street Bypass	\$ 11.166M
Fees (Design / Const)	\$ 3.977M
Land Costs	\$ 11.200M
Sub Total (Remainder WCC Works)	\$ 48.320M
Total Estimate (WCC Works)	\$ 66.880M
Risk Contingency and Escalation	\$ 9.300M
Mean Escalated Total	\$ 76.180M
<i>Council Contribution to 'Rail Box'</i>	\$ 20.000M
TOTAL	\$ 96.180M

Table 1 - WCC Project Cost Summary

An estimated programme has been prepared for the project, in conjunction with ONTRACK and is summarised in Table 2 below:

Work Element	2007/2008	2008/2009	2009/2010
ONTRACK Works			
Procurement	*		
Design	*		
Building Consents	*	*	
Enabling Works	*		
Construction			
Piling	*	*	
Earthworks		*	
Trench and Station		*	
Bridge Beams		*	
WCC Works			
Communications (Consultation and Information)	*	*	*
Concept Design	*		
Resource and Building Consents	*		
Detailed Design and Procurement	*		
Construction			
<i>Roads, Walkways and Cycle Lanes</i>		*	
<i>Station and concourse</i>		*	
<i>Bus Interchange</i>		*	*
<i>Bridges</i>		*	*
<i>Clark Street Extension</i>		*	*

Table 2 - Estimated Works Programme

Crown funding of ONTRACK's "Rail Box" works, comprising largely the 'trenching' and duplication of the rail line, is dependant on completion of these works by the end of June 2009 setting a 'fixed milestone date' for project delivery.

Estimated annual costs for the project, based on the programme of works summarised above, are provided in Table 3 below:

	Total	2006/2007	2007/2008	2008/2009	2009/2010
Investigation and Design Costs	\$2.651M	\$0.695M	\$1.956M		
Land Costs	\$11.200M	\$1.963M	\$9.237M		
Interchange (incl fees)	\$18.560M	\$0.423M	\$1.352M	\$5.036M	\$11.749M
Intersection Works	\$7.046M			\$7.046M	
Link Works	\$11.127M			\$11.127M	
Clark Street By-pass	\$11.166M				\$11.166M
Bridge Works	\$3.803M				\$3.803M
Construction Management	\$1.326M			\$0.727M	\$0.599M
Risk Contingency & Escalation Costs (Mean)	\$9.300M		\$1.828M	\$3.490M	\$3.982M
Sub Total (WCC Works)	\$76.180M	\$3.081M	\$14.373M	\$27.426M	\$31.300M
<i>Council Contribution to 'Rail Box'</i>	\$20.000M		\$5.000M	\$15.000M	
Total	\$96.180M	\$3.081M	\$19.373M	\$42.426M	\$31.300M

Table 3 - Estimated Annual Cashflow

RESOURCES

As noted above the costs for this project remain very indicative at this stage. Further work will be required to develop a greater understanding of the cost implications of the project and the funding commitments to be made to the project by ARTA, ONTRACK and LTNZ.

There are no funding issues anticipated for the 2007/2008 financial year and a fully developed funding plan will be submitted to the Council in December 2007, or February 2008 depending on the ability to reach agreement on cost sharing/funding with these other parties.

LTNZ Funding Applications

The process of securing LTNZ funding for the project continued with the lodgement of an application with LTNZ, on 6 August 2007, for investigation and design costs relating to the New Lynn TOD project. This application included an allowance for investigation costs already incurred by Council.

The LTNZ funding application process will be undertaken in multiple stages, with the current application being lodged for the actual costs incurred, up to the end of the 2006/2007 financial year, in the investigation and development of this project and the costs estimated for the completion of detailed design works associated with those components of the New Lynn TOD project that are Council's responsibility.

The total value of funding sought in this application was \$3.8M.

While estimates for the costs associated with construction of the New Lynn TOD project and the costs of acquiring the necessary land for the project, were required to be provided with this application, these estimates were provided for information only, to assist with the LTNZ/ARTA assessment of the application. No funding for land acquisition or construction costs was sought in this application.

In addition the application did not include costs associated with below rail works, or other project components that are the responsibility of ONTRACK and/or ARTA. Therefore funding toward the Council's contribution of \$20M, toward the total cost of the Crown funded works (\$140M) was not claimed.

Timeline for Decision of the Current Application

The decision process for the current application is expected to continue to adhere to the following programme:

- | | |
|--------------------------------------|------------------------------------|
| • Application lodgement with ARTA | Completed 6 August 2007 |
| • Interactive post-lodgement process | Completed August to September 2007 |
| • WCC / LTNZ / ARTA Workshop | Completed 17 September 2007 |
| • LTNZ Board Report | 24 October 2007 |
| • LTNZ Board Meeting | 8 November 2007 |
| • LTNZ Board Decision Released | To be confirmed |

Staging of Application Processes

As noted above separate, future applications will be made to LTNZ for financial assistance towards the cost of land acquisition and for construction costs. The application for funding towards land acquisition costs could be lodged in late 2007 or early 2008, subject to progress of the current application. The application for funding of construction costs would not be lodged with LTNZ until the early part of 2008, with the actual lodgement time to be dependant on ONTRACK's progress with their processes around procurement of a selected design/build consortium and their design processes.

Approval is sought at this time to develop these subsequent applications, subject to further design works in the case of the funding for construction costs.

Portage Road Rail Crossing

A separate grade separation project is also to be developed for the current at-grade rail crossing at Portage Road to off-set traffic impacts of increased train frequencies. Should preliminary analysis of this option indicate a favourable BCR might be achievable then an additional application could be lodged with LTNZ for funding towards the associated investigation, design and construction costs.

Additional Funding Options

A range of additional options may also be available to Council to assist with the funding of costs for this project. An advocacy program is required to ensure that opportunities for funding are maximised with other parties, including ARTA and Infratil.

A list of possible options for additional funding sources and cost reduction strategies are provided in Table 4 below:

Additional Funding Options
• ARTA funding (Interchange)
• Additional LTNZ Subsidy (of remainder)
• Seek additional funding from ARTA towards the interchange
• 75% Regional Funding Subsidy (likely only to be available for investigation and design costs)
• Private-public partnerships (e.g. Stagecoach)
• Funding for public good sources for amenity/art
• Targeted Rate (Local Main Street Rate)
• Development Contributions
• Return on strategic property investment
Cost Reduction Options
• Reduce scope and/or quality of project
• Partner with ONTRACK to deliver project
• Defer some project elements

Table 4 - Options for funding

It is essential that funding is confirmed to cover project costs expected in 2008/2009.

A presentation on the Concept Design was made to the ARTA Board meeting of 21 September 2007.

At this meeting the ARTA Board approved an exchange of letters between Council and ARTA which focussed on a collaborative approach to the New Lynn TOD. ARTA is keen to bring ONTRACK and Infratil into a four way agreement. This will be followed up by Council officers.

Private Sector Contributions

Both LTNZ and ARTA have asked what private sector contribution should be made, or can be made, including the following:

- Development Contributions;
- Betterment;
- Targeted rates;
- Developer Agreements;
- Development opportunities.

Both organisations consider that the New Lynn TOD project enables private sector landlords to profit from public sector investment. This issue will need to be addressed to secure support from these organisations.

Council officers and Waitakere Properties Limited will explore development opportunities with the private sector and seek to generate benefits which can contribute to project costs.

CONCLUSION

The New Lynn Transit Oriented Development Project needs to be substantially completed by 30 June 2009 and it has reached the stage when key decisions will need to be made on the concept and detailed design and communications for this project.

A number of recommendations are put forward for Council's consideration to enable this project to be progressed during the Triennial Elections.

RECOMMENDATIONS

1. That the New Lynn Transit Oriented Development Project - Progress Report and Concept Design Approval report be received.
2. That the Concept Design be approved.
3. That as necessary due to the upcoming election process, the Chief Executive Officer be delegated authority to act in all matters relating to the New Lynn TOD project, including:
 - Lodgement of any consents or regulatory applications that may be required under the Resource Management Act;
 - Submission of any funding applications to LTNZ and ARTA;
 - Taking of any land identified as necessary for the project that has not already been specifically approved by Council;
 - Letting of any contracts; and
 - Finalising any financial agreements between Council and ONTRACK or ARTA.
4. That the draft partnering and funding agreement with ONTRACK be approved.
5. That a further report be submitted to Council in December 2007 on implementation and funding issues for the New Lynn Transit Orientated Development project.

Report prepared by: Tony Miguel, Group Manager: Asset Management.



7 REVISED SCHEDULE OF FEES FOR WATER SUPPLY, WASTEWATER AND STORMWATER SERVICE CONNECTION AND OTHER SERVICES

PURPOSE OF THE REPORT

The purpose of this report is to set out for Council's approval a proposed new schedule of fees for water supply, wastewater and stormwater service connections and other services, and proposes that the revised fees take effect from 1 November 2007.

BACKGROUND

New construction activities in the City result in applications from developers and individuals to Council to provide new service connections for water supply and drainage. Annually these applications number approximately 1,200 for water supply, 135 for wastewater, and 70 for stormwater. Council provides this service through a term contract with a reputable contractor. The previous contract for service connections commenced in November 2002 and expired on 30 June 2007.

The Commerce Commission's determination on service connections requires Council to tender the work. The existing fees were last reviewed on 1 July 2004 and it is now necessary to increase the fees to reflect the increased cost established through the tendering process.

A report on this issue was submitted to the Council meeting of 29 August 2007 and Council resolved as follows:

- “1. *That the Revised Schedule of Fees for Water Supply, Wastewater and Stormwater Service Connections and Other Services report to be received.*
2. *That approval be granted to proceed with the special consultative procedure, as set out in section 83 of the Local Government Act 2002, in order to set the Schedule of Fees for Water Supply, Wastewater and Stormwater Service Connections and Other Services.*
3. *That the Schedule of Fees are set out in the Statement of Proposal and the Summary of Information attached at pages A1 to A4 to the Agenda, be approved for public consultation.”*

3269/2007

STRATEGIC CONTEXT

The provision of water, wastewater and stormwater connections is an essential service that is required to ensure that buildings can be occupied and therefore enabling development of the city.

Council provides the services in the context of its water cycle strategy with the objective of reducing water use in the long term and ensuring sustainable wastewater and stormwater services.

ISSUES

Special Consultative Procedure

The Local Government Act 2002 requires under Section 150 (3) (b) that Council must use the special consultative procedure, as set out in Section 83, to prescribe fees or charges.

The special consultative procedure requires Council to publicly notify the fees and allow a minimum of 1 month for submissions, and submitters have the right to be heard.

The special consultative procedure has been implemented as follows:

- Public notification 3 September 2007;
- Submissions closed on 3 October 2007;
- Hearing of submission and confirmation of fees, at the Council meeting of Wednesday 10 October 2007.

To date no submissions have been received.

Service Connections

The Council provides service connections for new buildings on a cost recovery basis. Contract No. EW07006A - Service Connections for Water Supply, Wastewater and Stormwater was publicly advertised and two tenders were received. The schedule of fees is based on the rates scheduled by the lowest tenderer. The Contract is for a period of two years, with an option for extension for a further two years.

Other Services

Council provides a range of other services to the public such as hydrant standpipe hire and permits. The fees for these services also need to be updated to reflect the actual cost and to be publicly notified.

Revised Schedule of Fees

The revised schedule of fees is calculated to recover all costs incurred by Council and accordingly will not impact on the 2007/2008 Annual Plan.

A26-A29

Contract No. EW07006A - Service Connections for Water Supply, Wastewater and Stormwater has been tendered and awarded to a new contractor and accordingly a new set of fees and charges are required. Where the service has variable cost based upon the extent and nature of the particular service involved, the proposed fee is expressed simply as "full cost recovery" and will be assessed according to the actual requirements of the work. A schedule of current and revised fees is included in the statement of proposal attached at pages A26 to A29.

Revenue and Financing Policy

The Long Term Council Community Plan 2006-2016 sets out Council's Revenue and Financing Policy in Volume 4, page 7 to 43.

The Revenue and Financing Policy confirms that the "user pays" principle is appropriate for services that are of private good, such as the provision of service connections for new buildings.

Section 8 states that "*The allocation of revenue needs to those who directly benefit from the services or those who are responsible for causing the costs to Council is considered to be an efficient and effective method of funding the services which have the characteristics of private goods. User pays methods generally contribute to the current and future environmental and economic wellbeing of the community through efficient use of scarce resources.*"

Cost Comparisons with other Local Network Operators

It is not possible to provide cost comparison of the connection fees charged by other local network operators, in order to demonstrate the reasonableness of the proposed new fees.

The reason for this is that there is a wide range of service standards and connection policies for wastewater and stormwater. For example, some local network operators quote for services, while others allow drain layers to provide the connection under supervision.

The most common service is the provision of 20 millimetre water meter connection and the relevant fees are shown in Table 1 below:

Connection size	Metrowater	Manukau Water	North Shore	United Water	Rodney	Waitakere (Proposed)
20mm	\$580, plus \$3,861 Network Upgrade Charges for new connections	\$2,120 plus \$1,450 + GST Network Growth Charges	\$635	\$775 plus \$2,025 Infrastructure charge	\$740	\$600

Table 1 - Comparison of fees for 20mm Water Service Connection

Council does not charge for network growth and infrastructure, but instead recovers growth and infrastructure costs through Development Contributions.

RESOURCES

There are no resource issues arising from this report. Council is entitled to recover the reasonable cost incurred in providing this service, including contract costs, established through public tendering, and administration and overhead costs.

If the fees are not increased, then the additional cost will be a charge on ratepayers and thus ratepayers would be subsidising development.

CONCLUSION

The fees for water supply, wastewater and stormwater service connections and other services have not been reviewed since 1 July 2004.

The cost of services has been established through open tendering and there has been significant cost increases due to escalation of the cost of labour, plant and materials.

The special consultative procedure has been implemented and ____ submissions have been received. It is recommended that a new schedule of fees be approved in order to ensure that Council recovers all reasonable costs.

RECOMMENDATIONS

A26-A29

1. That the Revised Schedule of Fees for water supply, wastewater and stormwater service connections and other services report be received.
2. That the schedule of fees for water supply, wastewater and stormwater service connections and other services as set out in the attached pages at A26 to A29 to the Agenda, be adopted and take effect from 1 November 2007.

Report prepared by: Tony Miguel, Group Manager: Asset Management.



8 AUCKLAND MOTORWAY RAMP SIGNALS

PURPOSE OF THE REPORT

The purpose of this report is to seek approval from Council to enter into an Agreement with Transit New Zealand for the Auckland Motorway Ramp Signals, covering operational protocols, levels of service and key performance indicators.

BACKGROUND

Transit New Zealand proposes to install ramp signals to manage the real time supply of capacity at each motorway ramp.

At its meeting of 2 August 2005, the City Development Committee approved Council's commitment to the Partnering Charter in relation to this project.

A presentation and a report on this project was also considered by the City Development Committee at its meeting of 7 June 2007, with the following resolutions:

*“That the Presentation by Peter McCombs, Travel Demand Project Director:
Transit New Zealand be received.”*

974/2007

“That the State Highways Update report be received.

That the expectations in relation to the proposed North Western ramp signals project as set out in this report be approved.

That the Chief Executive Officer be requested to write to Transit New Zealand confirming the City Development Committee’s expectations in relation to the proposed North Western ramp signals project.

975/2007

The resolutions above have been communicated to Transit New Zealand and have been given effect in the Agreement.

STRATEGIC CONTEXT

The Council’s Integrated Transport and Communications platform provides the strategic context for this report.

Significant congestion at peak times is currently experienced at Te Atatu and Lincoln interchanges and along Hobsonville Road. Significant queuing is common on the motorway and motorway approaches at weekdays and in the weekend. Good access to state highways is vital for movement of people, goods and services.

Traveller information systems and ramp signals are part of a broader travel demand management programme in the region which is aimed at managing demand for travel by single-occupant vehicle and providing choice for other modes and times of travel.

The Waitakere City Transport Strategy 2006-2016 provides for integration of arterial roads with State Highways within the overall vision of ‘a sustainable multi-modal transport system that is integrated with land use and contributes to Waitakere as an eco city.’

ISSUES

A30-A52

An Agreement has been prepared, between Transit New Zealand and the Auckland Territorial Local Authorities, for the installation of Auckland Motorway ramp signals as detailed at pages A30 to A52. A schematic layout is also included at page A52.

Ramp signals will be installed at all on-ramps along the North Western Motorway, as follows:

- Royal Road (Eastbound);
- Lincoln Road (Both Eastbound and Westbound);
- Te Atatu Road (Both Eastbound and Westbound).

Construction works for ramp signalling will start from December 2007 and are expected to be completed by early 2009.

Commissioning of the ramp signals will start at the Westbound on-ramps closest to the Auckland Central Business District and rolled out to the western end of the North Western Motorway. The Eastbound on-ramp closest to the western end of the North Western Motorway will then follow, and roll out to the Auckland Central Business District end of the North Western Motorway. The earliest commissioning of ramp signals within Waitakere is expected around mid 2008.

The key performance indicators from the ramp signalling project are as follows:

- Improving operating safety;
- Improve travel time;
- Improve travel time reliability;
- Increased motorway throughput at selected locations;
- Improve target hourly motorway on ramp flow;
- Improve customer satisfaction;
- Improve travel efficiency of High Occupancy Vehicles, public transport and freight transport;
- Manage the motorway system interface with the local arterial network.

The above key performance indicators are derived from the goals of Travel Demand Management Partnering Charter of which Waitakere City Council is a signatory.

RESOURCES

There are no resource implications arising from this report. The Agreement will be managed at an operational level and accordingly it is recommended that the Group Manager Asset Management be delegated authority to enter into this Agreement.

CONCLUSION

Transit New Zealand has prepared an Agreement for the Auckland Motorway ramp signals, including operational protocols, service levels and key performance indicators.

As the Agreement gives effect to guidance provided by Council, it is recommended that the Group Manager Asset Management be authorized to enter into this Agreement.

RECOMMENDATIONS

1. That the Auckland Motorway Ramp Signals report be received
2. That the Group Manager: Asset Management be delegated authority to enter into an Agreement with Transit New Zealand for the Auckland Motorway Ramp Signals project.

Report prepared by: Tony Miguel, Group Manager: Asset Management.



9 **METROPOLITAN URBAN LIMIT SHIFT - INTEGRATED CATCHMENT MANAGEMENT PLAN RESOURCE CONSENTS APPEALS**

PURPOSE OF THE REPORT

The purpose of this report is to seek Council endorsement of appeals lodged by Council's legal representatives with the Environment Court, opposing the Auckland Regional Council's resource consent conditions for Integrated Catchment Management Plans necessary for the Metropolitan Urban Limit Shift.

BACKGROUND

Council is implementing a work programme to plan for network and community infrastructure to support Council's application to the Auckland Regional Council to shift the Metropolitan Urban Limit and associated District Plan changes in accordance with the Local Government (Auckland) Amendment Act 2004.

Council prepared Integrated Catchment Management Plans for the Totara (Massey North), Waiarohia (Hobsonville Village), Hobsonville Peninsula and New Lynn East catchments to support applications for network discharge consents.

The Auckland Regional Council granted the associated network discharge consents on 25 June 2007, but some of the conditions of the consents were considered unreasonable and would have resulted in unaffordable implementation costs. Due to time pressures, an appeal was lodged by the Council's legal representatives based on legal and technical advice. Endorsement of this action is sought.

STRATEGIC CONTEXT

The provision of wastewater and stormwater infrastructure is essential to advance Council's strategies for sustainable urban development, with an emphasis on economic growth and good urban design, for the development of the Northern Regional Strategic Growth Area.

ISSUES

The proposed Auckland Regional Plan: Air, Land and Water requires that territorial authorities prepare Integrated Catchment Management Plans.

The purpose of an Integrated Catchment Management Plan is to undertake a review of the resource management values and issues that apply to the catchment, and identify objectives for future stormwater management. In addition to the Air, Land and Water Plan, the objectives of the catchment study must take in to account other local and regional policies such as the Auckland Regional Policy Statement and relevant planning documents.

The Totara, Waiarohia, Hobsonville and New Lynn East Integrated Catchment Management Plans were prepared to support Council's application to the Auckland Regional Council to shift the Metropolitan Urban Limit.

These Integrated Catchment Management Plans form the basis of a comprehensive stormwater and wastewater discharge consent application, and is consistent with requirements of the Auckland Regional Council.

An overview of the issues to be addressed in these Integrated Catchment Management Plans is as follows:

- stormwater flooding;
- stream channel stability and erosion;
- natural values of streams;
- contaminant potential for receiving environments from stormwater run-off and wastewater overflows;
- low impact development;
- institutional capability; and
- management options.

A53-A56

A plan showing the catchment areas in Waitakere is included at pages A53 to A56. There are minimal properties affected by flooding in these catchments, especially in Totara, Wairohia and Hobsonville catchments because these catchments are primarily greenfields.

Council has looked at a range of management options for future development in these catchment areas and the preferred approach is to implement "low impact design to minimise stormwater effects on the environment, and various development options will be considered as part of the planning process.

The low impact design approach takes the natural features of a catchment and focuses on enhancement and protection being incorporated to the design. Low impact design devices utilise natural processes to attenuate flows and remove contaminants. Low impact design also promotes "at-source controls". At source controls means managing affects at the point of generation. It refers to both flow and contaminants.

Council has conducted a series of consultation meetings and workshops to enable the affected property owners, iwi, Massey and New Lynn East communities to fully understand all the issues raised in the Integrated Catchment Management Plans.

The consents generally supported the approach taken by Council, however, there were a number of conditions that caused concern. Legal advice received by the Council was to file an appeal with the Environment Court, so as to reserve Council's position in relation to those conditions. Any renegotiation of the conditions would need to be either in the context of an appeal, or by way of an application for variation.

Appeals have also been lodged by IMF New Zealand and New Zealand Steel, challenging some of the conditions.

Of particular concern is the over-prescription by the Auckland Regional Council of the detailed management of the storm water and wastewater networks. Also of concern is provision to review the conditions so as to require Waitakere City Council to adopt the "best practicable option".

Council's concern is that the conditions do not recognise financial constraints or the integration required among the various catchments for which Council is responsible. Under the Local Government Act the allocation of funding to, and among, the various catchments must take into account issues which the Auckland Regional Council seems not to regard as its concern.

A further purpose for appealing is that these consents are among the first to be issued under the Proposed Regional Plan: Air, Land Water for stormwater and wastewater networks. The Auckland Regional Council acknowledges that the conditions can be improved and it would be most unsatisfactory if there was no opportunity to renegotiate the conditions for these particular consents, to align with others.

RESOLUTION PROCESS

All three appeals are likely to be progressed together by the Environment Court. The Court has requested a report from the Auckland Regional Council as to initial progress towards resolving the appeals. The first stage will be to negotiate directly with the Auckland Regional Council officers to see if agreement can be reached on the less controversial matters, and to identify areas of real dispute.

The Environment Court promotes the resolution of appeals through mediation, and involves Court-appointed commissioners as mediators for this purpose. The Council's legal advisors have already been in contact with the Auckland Regional Council legal representative to work through the mediation process. Council officers have also been in contact with the Auckland Regional Council officers to initiate discussions.

It is only if agreement cannot be reached that the appeals will proceed to a Court hearing. Before that occurs, Council will have the opportunity to reconsider its position in relation to any issues that have not been resolved either by negotiation or through mediation.

There is a risk to Council in that, if the resolution process is not effective, there could be significant delays in the timeframe for developing the areas approved as extensions to the Metropolitan Urban Limits. This risk will be mitigated by a proactive approach and forward planning the infrastructure so that it could be constructed as soon as appeals have been resolved.

RESOURCES

Provision has been made in the 2007/2008 Annual Plan for the preparation of Integrated Catchment Management Plans and the application of network discharge consents. In addition, part of the costs incurred will be reimbursed by the Auckland Regional Council through the funds they received from the former Infrastructure Auckland.

The resource implications arising from the Integrated Catchment Management Plans will be reported to Council through the 2008/2009 Annual Plan and 2009/2010 Long Term Council Community Plan process. The cost of infrastructure will be substantially recovered by Development Contributions.

CONCLUSION

The proposed Auckland Regional Plan, Air, Land and Water establishes an expectation that territorial authorities will prepare Integrated Catchment Management Plans for stormwater catchments. The Integrated Catchment Management Plan provides a series of tactical action plans and management options to address stormwater issues in the catchment. However, the associated resource conditions as they stand are over prescriptive and need to be modified so that wastewater and stormwater infrastructure is affordable

The appeals were lodged to protect Council's position and as there was only 15 working days to lodge the appeals, it was not possible to advise Council prior to the closing date for submissions. Accordingly, it is recommended that the action taken be endorsed.

RECOMMENDATIONS

1. That the Metropolitan Urban Limit Shift - Integrated Catchment Management Plan Resource Consents and Appeal report be received.
2. That the action taken in lodging appeals with the Environment Court, regarding the Metropolitan Urban Limit Shift - Integrated Catchment Management Plan Resource Consents be endorsed.

Report prepared by: Tony Miguel, Group Manager: Asset Management.



10 GREAT NORTH ROAD, HENDERSON TOWN CENTRE STREETScape AND TRANSPORT IMPROVEMENTS

GLOSSARY

New Zealand Railways Corporation (ONTRACK)
Auckland Regional Transport Authority (ARTA)

PURPOSE OF THE REPORT

The purpose of this report is to seek approval from Council to acquire land for road under the Public Works Act 1981, and to recommend an adjustment to the approved 2007/2008 Annual Plan to cover costs for the Great North Road, Henderson Town Centre infrastructure upgrade project.

BACKGROUND

In May 2006 the Council undertook stage one of the street infrastructure upgrade of Henderson Town Centre. The extent of area included Catherine Mall, Ratanui Street, and Railside Avenue from Stevies Lane to Great North Road intersection.

As part of the 2007/2008 Annual Plan work programme, the Council proposes to carry out the second stage of the Henderson Town Centre infrastructure upgrade work. A number of works have been proposed for the Great North Road, Henderson main street as a further stage of the integration of the bus / rail facility and Council buildings with the town centre. The main purpose of the project is to improve the overall pedestrian amenity and facilitate better bus movement to and from the interchange.

STRATEGIC CONTEXT

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

The Council has more recently worked with ARTA and ONTRACK to develop the integration of bus / rail facility and the Council buildings. The proposed works being considered in this report are designed to further integrate land use and transport by facilitating bus, pedestrian and private vehicle movements.

ISSUES

A57

The scope of works includes constructing bus / cycle advance lanes on Great North Road west bound approach (towards the town centre) intersecting with Edsel Street, Henderson. The proposed bus/cycle advance lanes require additional land, which is currently in Ministry of Education ownership and would require land taking of Henderson Primary School at Montel Avenue, Henderson - a strip of land with an area of approximately 440 square metres, as delineated on the plan attached at page A57. This land is a small portion of the school's playing field and its taking is not expected to have much impact on the use of the site.

RESOURCES

Now that the final design for the project has been completed, the updated engineering estimate of the works is \$4,200,000. Funding of \$2,817,000 has been provided in the 2007/2008 Annual Plan and thus there is a funding shortfall of \$1,383,000.

The increase in project costs results from the following:

- Provision of art works on the Great North Road Bridge located approximately 30 metres west of Great North Road / Edmonton Road intersection;
- Increase in construction costs since the original budgets were prepared for the 2006-2016 Long Term Council Community Plan;
- Additional land purchase costs are due to the increase in the land value, the employment of a Land Agent to assist with the purchase and relocation of structures;
- Additional relocation of underground services on Great North Road adjacent to Henderson Primary School and provision of additional infrastructure;
- Increase in professional services fees due to an increased scope of works.

The additional funding could be provided by adjusting the line item in 2007/2008 Annual plan for the Marinich Drive Financial Contribution of \$1,947,000.

Funding for the Marinich Drive Financial Contribution has been provided to cover the outcome of legal proceedings. Legal advice to Council is that the amount of settlement is likely to be significantly less.

Accordingly, it is recommended that the additional funding of \$1,383,000 be provided by reducing the Marinich Drive Financial Contribution line item to \$564,000.

Decision Making

This proposal is presented with due consideration of relevant criteria, as required by Section 77 of the Local Government Act 2002. The principal community outcome to be derived is an improvement in the level of traffic management resulting in an increase in safety and convenience for residents of the City.

CONCLUSION

Land acquisition is required from the Henderson Primary School to provide bus / cycle advance lanes on Great North Road west bound approach intersecting with Edsel Street, Henderson.

The level of funding for the Great North Road Henderson Town Centre infrastructure upgrade project is not sufficient to complete the project scope of works.

As stated above, the cost estimate is \$4,200,000 and thus there is a funding shortfall of \$1,383,000. It is recommended that this funding be provided by adjusting line items in the 2007/2008 Annual Plan for the Marinich Drive Financial Contribution.

RECOMMENDATIONS

1. That the Great North Road, Henderson Town Centre Streetscape and Transport Improvements report be received.
2. That a 440 square metre (approximate) of land adjacent to Great North Road, Henderson at Henderson Primary School Montel Avenue (PT ALLOT 8 PSH OF WAIPAREIRA) be acquired for road under the Public Works Act 1981.
3. That the Chief Executive Officer be authorised to carry out negotiations and sign all documentation necessary to complete the acquisition of land either by agreement or by compulsory acquisition.
4. That the amendment budget of \$4,200,000 for the Henderson Town Centre Streetscape and Transport Improvements be approved.
5. That additional funding of \$1,383,000 be provided by adjusting the 2007/2008 Annual Plan, line item for Marinich Drive Financial Contribution; that is from \$1,947,000 to \$564,000

Report prepared by: Vinh Bui, Senior Transport Engineer, Transport Assets.



11 WAITAKERE UNITED FOOTBALL CLUB - REQUEST FOR GRANT, FRED TAYLOR PARK

GLOSSARY

Waitakere United Football Club	(WUFC)
Waitakere Stadium	(Stadium)

PURPOSE OF THE REPORT

The purpose of this report is to seek Council's approval to contribute a sum of money, received as an insurance settlement, to the costs Waitakere United Football Club (WUFC) will incur as a result of their displacement from Waitakere Stadium (Stadium) during the current period of renovation of the Douglas Field.

BACKGROUND

The WUFC purchased a shade structure with funding support from inter alia the Trusts Charitable Foundation for the sum of \$30,127 in December 2004. Council approved the structure thus enabling the Stadium to comply with certain licence conditions applying to venues used in the NZ Football Championship summer league competition.

The structure was affixed to the spectator terrace at the Stadium becoming a permanent fixture on Council land, available for the benefit of all Stadium users. The structure was subsequently destroyed by wind damage on 24 January 2006. Given that it had become Council property, Council's insurance policy responded accordingly. An insurance settlement of \$21,550 including GST was received in December 2006, representing the original cost of the structure less depreciation and insurance excess.

STRATEGIC CONTEXT

One of Council's Strategic Platforms is 'Strong Communities' which addresses how the health and well being of the City's residents is promoted, including the provision of leisure facilities and opportunities that people can enjoy.

ISSUES

WUFC have now been displaced from the Stadium for the entire 2007/2008 summer season due to comprehensive renovations and replacement of the Douglas Field. The grandstand is also still under construction. Council has allocated WUFC the No. 1 field at Fred Taylor Park on SH16 for all home league and Oceania 2007/2008 games. To comply with NZ Soccer and FIFA requirements WUFC must upgrade the changing room facilities and also provide a 500 capacity temporary grandstand before its first home match on 26 October 2007. WUFC has requested that Council contribute the shade structure insurance sum to the cost of complying with these national and international venue requirements.

The shade structure was not replaced at the Stadium given that construction of a covered grandstand commenced this year. There has, however, always been an expectation that the insurance monies would be used in some way to benefit WUFC and sport generally within the City. For that reason it has been held in a separate suspense account since receipt nine months ago.

RESOURCES

There are no resources implications attached to this report.

CONCLUSION

Contributing an insurance sum (received by Council for the destruction of property "funded" by WUFC) to the WUFC's cost of compliance with regulatory venue requirements, ensures that local and international football will be played and enjoyed within the City this summer season. In addition, Fred Taylor Park is held by Council as a recreation ground. Any permanent upgrade of the current changing room facilities will benefit WUFC and all other users of the Fred Taylor Park for years to come.

RECOMMENDATIONS

1. That the Waitakere United Football Club - Request for Grant, Fred Taylor Park report be received.
2. That subject to the Waitakere United Football Club obtaining appropriate consent and approval from Council for the proposed works and providing evidence of the cost of the works, Council officers are authorised to grant a sum of up to \$21,550 GST inclusive (being the insurance sum received for the destruction of the shade structure at the Waitakere Stadium), towards the cost of complying with NZ Soccer and FIFA venue requirements at Fred Taylor Park for the forthcoming 2007/2008 summer season.

Report prepared by: Denis Sheard, Manager: Legal Services.



12 DELEGATED AUTHORITY TO REPRESENT COUNCIL

GLOSSARY

Auckland Regional Amenities Funding Bill (the Bill)

PURPOSE OF THE REPORT

The purpose of this report is to formalise delegated authorities for the Auckland Regional Amenities Funding Bill (the Bill) between Election Day 2007 and the reconstitution of Council.

BACKGROUND

At the 6 August 2007 meeting of the Finance and Operational Committee, Council mandated a position on the Bill. The Bill has now been advertised by the Local Government and Environment Select Committee for submissions.

STRATEGIC CONTEXT

Council has determined its position on the Bill as drafted. The purposes of the Bill are of central importance to the continuing operation of local government in Auckland. Debate about the Bill will grow through the Select Committee process. The period for submissions to the Select Committee closes, according to the Select Committee Secretary, in the first week of November 2007.

ISSUES

The submission drafting and hearing periods for this Bill falls partially inside the period in which there is no formally constituted Council. The positions that the Council has already mandated should be delivered clearly and in a timely fashion to the Local Government and Environment Select Committee.

The Council faces a measurable rates impact if the Bill is enacted as currently drafted. A regional view has yet to emerge about this Bill. The Bill was supported by both Government and Opposition to go to Select Committee. The Council position from the August 2007 Finance and Operational Performance Committee is:

- “2. That the Chief Executive Officer write to the proponents’ organisations of the Auckland Regional Amenities Funding Bill and any other parties identified as appropriate, advising that the Bill and the issues it attempts to address should be dealt with through discussions with the councils of the region, as agreed through the Auckland Regional Governance project, prior to its introduction to Parliament.
3. That Council notes the concerns related to the Auckland regional Amenities Funding Bill set out in the Agenda report and instruct the Chief Executive Officer to commence work on a submission opposing the Bill in its current form for reporting back to Council, should the Bill be introduced to Parliament without reference to the process outlined in no. 2 above.
4. That Council authorise the Chief Executive Officer to communicate Council’s concerns regarding the Auckland regional Amenities Funding Bill to other parties as he considers appropriate.”

3910/2007

Approval is now sought to authorise the Chief Executive Officer to prepare and lodge a submission on the Bill, with the Local Government and Environment Select Committee by 7 November 2007. The submission will be reported to the incoming Council, and decisions can be made at that time about representation before the Committee.

RESOURCES

There are no resources required other than staff time.

CONCLUSION

The Council position will be protected and advanced if the Chief Executive Officer is provided with this delegation.

RECOMMENDATIONS

1. That the Delegated Authority to Represent Council report be received.
2. That the Chief Executive Officer be authorised to prepare, and to sign-off and lodge a submission on behalf of the Council that supports Council's position on the Auckland Regional Amenities Funding Bill.
3. That the submission on the Auckland Regional Amenities Funding Bill be referred to the incoming Council for endorsement and decisions about representation before the Select Committee.

Report prepared by: Alan Rodgers-Smith, Manager: Government Relations.



13 REPORT FROM THE CREATIVE COMMUNITIES SCHEME ALLOCATION SUBCOMMITTEE - CREATIVE COMMUNITIES SCHEME ALLOCATION - FIRST ROUND 2007/2008

The Creative Communities Scheme Allocation Subcommittee recommends that the Council approve the 2007/2008 First Round Creative Communities Scheme Allocation funding as set out:

App. No	Applicant (NAR)	Funding Requested	Funding Allocated
1	Living Works Trust	\$2,819	\$2,819
3	Vaitupu Association Trust	\$1,308	\$768
4	West Coast Community Arts Trust	\$5,000	\$5,000
5	Ezekiel 33 Trust	\$5,000	\$5,000
7	Auckland Festival Of Photography Trust	\$2,750	\$2,000
10	Mau Dance Ltd	\$4,830	\$4,830
11	Waitakere City Orchestra	\$1,920	-
12	Waitakere Pacific Arts & Cultural Trust	\$5,000	-
15	Te Rautahi Maori Culture Group	\$2,900	\$2,900
16	Interacting Trust	\$5,000	\$2,948
18	Te Ukaipo Mercy Initiatives Rangatahi	\$5,000	\$5,000
20	Massey High School	\$3,800	\$3,800
22	Te Runanga O Te Kura O Waitakere	\$2,520	\$2,000
25	Antique Fabric & Lace	\$4,668	-
26	Splore Dynamics Ltd	\$3,500	\$3,500
27	Miranda Brown	\$2,800	\$2,800
2	Thaumatology Visual Associates	\$5,000	\$4,000
29	Stage Challenge Foundation	\$5,000	\$4,000
30	Ranui Community House	\$2,106	\$1,553
13	Ohomairangi Ltd	\$2,840	-

App. No	Applicant (NAR)	Funding Requested	Funding Allocated
19	Tokelau Community – Waitakere City	-	-
23	Antique Fabric & Lace	-	-
6	Filipino Society Inc	-	-
8	Chinese New Settlers Services Trust	-	-
9	West Auck Primary Schools Multicultural Festival	-	-
17	Klapa Dalmatina	-	-
21	Kelly King	-	-
24	Harmonic Overtone Workshop	-	-
28	New Zealand Comedy Trust	-	-
14	Massey Community House Inc	-	-
	Total	\$73,761	\$52,918

