



Waitakere City Council
Te Taiao o Waitakere

NOTICE OF MEETING COUNCIL

I hereby give notice that a meeting of the Council will be held on:-

DATE: **Wednesday, 24 September 2008** **TIME:** **5.30 pm**

MEETING ROOM: **Council Chamber**

VENUE: **Waitakere Central, 6 Henderson Valley Road, Henderson, Waitakere**

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

NOTE: There is no Public Forum

Owena Schuster
**DEMOCRACY AND GOVERNANCE
MANAGER**

18 September 2008

Telephone (09) 836 8000 extn 8864

MEMBERSHIP:

Mayor	RA	Harvey, QSO, JP
Deputy Mayor	PA	Hulse
Councillors	DQ	Battersby, JP
	BA	Brady, JP
	MFP	Chan, JP
	JM	Clews, QSO, JP
	RI	Clow
	LA	Cooper, JP
	AK	Corban, OBE, JP
	RP	Dallow, QPM, JP
	WW	Flaunty, QSM, JP
	MM	Jolley
	JP	Lawley, JP
	PG	Mitchell
	VS	Neeson, JP

(Quorum 8 members)

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(Meeting Room could be subject to change)

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

AGENDA FOR A MEETING OF THE COUNCIL TO BE HELD IN THE COUNCIL CHAMBER
AT WAITAKERE CENTRAL, 6 HENDERSON VALLEY ROAD, HENDERSON,
WAITAKERE, ON WEDNESDAY, 24 SEPTEMBER 2008
COMMENCING AT 5.30 PM

TABLE OF CONTENTS

<u>ITEM</u>	<u>PAGE NO.</u>
<u>PART A - OPENING OF MEETING</u>	1
1 OPENING PRAYER	1
2 APOLOGIES	1
3 CONFIRMATION OF MINUTES	1
4 URGENT BUSINESS	1
5 CONFLICTS OF INTEREST	2
<u>PART B - REPORT OF THE MAYOR</u>	2
6 REPORT OF THE MAYOR	2
<u>PART C - REPORTS OF NEW LYNN COMMUNITY BOARD, WAITAKERE COMMUNITY BOARD, MASSEY COMMUNITY BOARD, HENDERSON COMMUNITY BOARD AND WAITAKERE YOUTH COUNCIL</u>	2
7 NEW LYNN COMMUNITY BOARD	2
8 WAITAKERE COMMUNITY BOARD	3
9 MASSEY COMMUNITY BOARD	3
10 HENDERSON COMMUNITY BOARD	4
11 WAITAKERE YOUTH COUNCIL	4
<u>PART D - REPORT OF THE CHIEF EXECUTIVE OFFICER</u>	5
12 LOCAL GOVERNMENT COMMISSION REVIEW OF THE LOCAL GOVERNMENT ACT 2002 AND LOCAL ELECTORAL ACT 2001	5
13 HOUSING FOR OLDER ADULTS REVITALISATION PROJECT - SUSPENSORY LOAN DOCUMENTATION	9
<u>PART E - REPORTS FROM THE STANDING COMMITTEES</u>	14
14 INFRASTRUCTURE AND WORKS COMMITTEE	14
15 POLICY AND STRATEGY COMMITTEE	15
16 FINANCE AND OPERATIONAL PERFORMANCE COMMITTEE	15
17 PLANNING AND REGULATORY COMMITTEE	16

18	CULTURE AND COMMUNITY COMMITTEE	16
19	TE TAUMATA RUNANGA	17
20	LONG TERM COUNCIL COMMUNITY PLAN AND ANNUAL PLAN COMMITTEE	17
	<u>PART F - PRESENTATIONS</u>	18
	These presentations will take place at 6.15 pm	18
21	CITATION	18
22	UNITEC - SIGNING OF MEMORANDUM OF UNDERSTANDING AND PRESENTATION	18
23	RAIL SERVICES ON THE WESTERN LINE	18
	<u>PART G - PROCEDURAL MATTERS</u>	18
24	QUESTIONS	18
25	NOTICES OF MOTION	18
	<u>PART H - PUBLIC EXCLUDED MATTER</u>	19
26	STURGES ROAD RAISING PROJECT - PROPERTY ACQUISITION	19
27	THE BROADBAND INVESTMENT FUND EXPRESSION OF INTEREST	19

28	CLOSING PRAYER	19

**AGENDA FOR A MEETING OF THE COUNCIL TO BE HELD IN THE COUNCIL CHAMBER
AT WAITAKERE CENTRAL, 6 HENDERSON VALLEY ROAD, HENDERSON,
WAITAKERE, ON WEDNESDAY, 24 SEPTEMBER 2008
COMMENCING AT 5.30 PM**

PART A - OPENING OF MEETING

1 OPENING PRAYER

Reverend Panu from Te Atatu Congregational Church will say the Opening Prayer.



2 APOLOGIES



3 CONFIRMATION OF MINUTES

Meeting Minutes - Wednesday, 20 August 2008
- Wednesday, 27 August 2008

RECOMMENDATION

It is recommended that the Council resolve to:

Receive the minutes of the meetings of the Council held on Wednesday, 20 August 2008 and Wednesday, 27 August 2008, including the public excluded minutes, as circulated, and that they be taken as read and now be confirmed.

*Page 16
Part H*

The public excluded minutes are attached at page 16 of the Confidential Supplement labelled Part H.



4 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.



5 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.



PART B - REPORT OF THE MAYOR

6 REPORT OF THE MAYOR

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

RECOMMENDATION

It is recommended that the Council resolve to:

Receive the Report of the Mayor.

RA Harvey, QSO, JP

MAYOR OF WAITAKERE



PART C - REPORTS OF NEW LYNN COMMUNITY BOARD, WAITAKERE COMMUNITY BOARD, MASSEY COMMUNITY BOARD, HENDERSON COMMUNITY BOARD AND WAITAKERE YOUTH COUNCIL

7 NEW LYNN COMMUNITY BOARD

THE BOARD SUBMITS THE FOLLOWING REPORT OF ITS MEETING HELD ON MONDAY, 1 SEPTEMBER 2008

MATTERS CONSIDERED

*Pages 1-7
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 1 to 7 in the supplement labelled Part C.

It is recommended that the Council resolve to:

Receive the report of the meeting of the New Lynn Community Board held on Monday, 1 September 2008.

GPJ Marshall

CHAIRMAN



8 WAITAKERE COMMUNITY BOARD

THE BOARD SUBMITS THE FOLLOWING REPORT OF ITS MEETING HELD ON TUESDAY, 2 SEPTEMBER 2008

MATTERS CONSIDERED

*Pages 8-11
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 8 to 11 in the supplement labelled Part C.

It is recommended that the Council resolve to:

Receive the report of the meeting of the Waitakere Community Board held on Tuesday, 2 September 2008.

KJP Witten-Hannah, JP
CHAIRMAN



9 MASSEY COMMUNITY BOARD

THE BOARD SUBMITS THE FOLLOWING REPORT OF ITS MEETING HELD ON WEDNESDAY, 3 SEPTEMBER 2008

MATTERS CONSIDERED

*Pages 12-15
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 12 to 15 in the supplement labelled Part C.

It is recommended that the Council resolve to:

Receive the report of the meeting of the Massey Community Board held on Wednesday, 3 September 2008.

JG Riddell
CHAIRMAN



10 **HENDERSON COMMUNITY BOARD**

THE BOARD SUBMITS THE FOLLOWING REPORT OF ITS MEETING HELD ON THURSDAY, 4 SEPTEMBER 2008

MATTERS CONSIDERED

*Pages 16-22
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 16 to 22 in the supplement labelled Part C.

It is recommended that the Council resolve to:

Receive the report of the meeting of the Henderson Community Board held on Thursday, 4 September 2008.

EAG Grimmer, MNZM
CHAIRMAN



11 **WAITAKERE YOUTH COUNCIL**

THE WAITAKERE YOUTH COUNCIL SUBMITS THE FOLLOWING REPORT OF ITS MEETING HELD ON MONDAY, 1 SEPTEMBER 2008

MATTERS CONSIDERED

*Pages 23-26
Part C*

The Waitakere Youth Council dealt with a number of items for which a copy of the minutes of the meeting is attached at pages 23 to 26 in the supplement labelled Part C.

It is recommended that the Council resolve to:

Receive the report of the meeting of the Waitakere Youth Council held on Monday, 1 September 2008.

A Wadsworth
CHAIRMAN



PART D - REPORT OF THE CHIEF EXECUTIVE OFFICER

12 LOCAL GOVERNMENT COMMISSION REVIEW OF THE LOCAL GOVERNMENT ACT 2002 AND LOCAL ELECTORAL ACT 2001

GLOSSARY

Local Government Act 2002	(LGA02)
Local Electoral Act 2001	(LEA01)
Local Government Commission	(LGC)
Long Term Council Community Plan	(LTCCP)

EXECUTIVE SUMMARY

The purpose of this report is to advise the Council of the Local Government Commissions' review of the Local Government Act 2002 (LGA02) and the Local Electoral Act 2001 (LEA01) and to report the key findings and recommendations from the Local Government Commission's (LGC) report on the operation of the LGA02 and LEA01.

RECOMMENDATION

It is recommended that the Council resolve to:

Receive the Local Government Commission Review of the Local Government Act 2002 and Local Electoral Act 2001 report.

BACKGROUND

1. The LGC review was a statutory requirement under section 32 of the LGA02. The LGC could report on any related matter but was required to report on:
 - the impact of conferring on local authorities full capacity, rights, powers and privileges;
 - the cost-effectiveness of planning and consultation procedures; and
 - the impact of increasing participation in local government and improving participation in local authorities.
2. The LGC set out to answer the following two questions:
 - 2.1 Are any of the provisions of the LGA02 and LEA01 a barrier to achieving the policy intent? If there are, is legislative amendment appropriate?
 - 2.2 Are any of the ways councils are operating and/or interpreting the two Acts a barrier to achieving the policy intent? If there are, is the development and dissemination of further good practice guidance appropriate?

- A1-A47* 3 A copy of the full report of the LGC is available in the Elected Members lounges and a copy of the summary report is attached at pages A1 to A47.

DECISION MAKING

Issues

Local Government Act 2002

4. The headline finding from the LGC report is that generally the provisions of the Local Government Act support the policy intent of the legislation, *if fully understood and properly implemented* (emphasis applied). For the most part the LGC considers the legislation is still bedding in and it is too soon to draw valid conclusions about:

- the impact of conferring on local authorities full capacity, rights, powers and privileges;
 - the cost-effectiveness of planning and consultation procedures; and
 - the impact of increasing participation in local government and improving participation in local authorities.
5. As a result the LGC has not recommended significant change to the main elements of the LGA02 (empowerment, planning, accountability, decision making and consultation). While there are recommendations for legislative change these are generally more in the nature of fixing 'glitches', clarifying the intent of provisions and raising the thresholds at which consultation and audit processes are triggered.
6. The most significant of the recommendations for legislative change are:
- 6.1 *changes to the triggers for Long Term Council Community Plan (LTCCP) amendments* - the LGC recommends raising the trigger for amendment to cover only significant changes to funding and financial policies (at the moment any change triggers an amendment) and raising the threshold for section 97 amendments to cover significant changes to significant activities and strategic assets. Both changes are likely to reduce the volume of amendments markedly as some 19 of the 45 amendments made by local authorities in 2006/2007 related to changes to the schedule of charges in a development contributions policy.
- 6.2 *the removal of mandatory requirements to have policies on public-private partnerships and remission/postponement of rates on Maori freehold land.* In both cases local authorities that wish to do these things will need a policy (although in the latter case it would form part of a policy for remission and postponement of rates on land). Removing the requirement to have a policy on rate relief on Maori freehold land is a major departure from existing Government policy and conflicts with the proposed direction that the current Government wishes to take in response to the Rating Inquiry report. It is considered that this part of the recommendation is unlikely to be adopted.
- 6.3 *removal of the restrictions on sale or disposal of water services, and limits on use of alternative service delivery* - in effect a local authority would not be obligated to maintain water supplies, and could engage freely in arrangements such as franchising with private providers. This also is contrary to current Government policy.
- 6.4 *changes to responsibilities when considering proposals for regional councils to undertake significant new activities* - at the present time the Minister is charged with the responsibility of making a binding decision where the regional council and its constituent territorial authorities cannot agree. The LGC report proposes moving this responsibility to the LGC. This will treat these kinds of proposals in a similar manner to local government reorganisation issues which are in the LGC domain.
7. Flowing out of the headline findings, the LGC has made a number of recommendations for good practice work and further research. These are:
- measuring and forecasting levels of service;
 - financial forecasting and projecting price increases based on inflation;
 - developing succinct revenue and financing policies;

- the preparation of summary LTCCP statements of proposal;
 - LTCCP amendments;
 - Decision making processes and procedures (including in relation to a sustainable development approach);
 - the application of significance by local authorities (which it is assumed also means the development of significance policies);
 - the range of engagement and consultation mechanisms available and methods for evaluating their effectiveness;
 - effective consultation practice including appropriate use of the special consultative procedure;
 - local authority engagement with Maori and opportunities for contributions to decision-making;
 - the development of triennial agreements - including examples of the benefits of enhanced local authority collaboration and cooperation;
 - good practice template for codes of conduct for community boards;
 - the identification and application of community outcomes as well as ways to enhance community understanding of the outcome process and examples that show the benefits of collaboration; and
 - local authority monitoring and reporting on community outcomes.
8. The LGC has been made aware recently that some work has been done by both Local Government New Zealand and the New Zealand Society of Local Government Managers and further guidelines are being produced to assist local authorities with many of those aspects identified in 7 above.

Local Electoral Act 2001

9. The LGC considers that the provisions and operation of the LEA01 support an appropriate balance between uniformity of rules on electoral processes and diversity on decision making.
10. Many of the significant recommendations in this area relate to the representation aspect of the electoral process. These include:
- amendments that clarify a resolution to adopt a system applies for the following two elections;
 - increasing the maximum size of regional councils to 16;
 - provision for greater flexibility in the so-called '+/- 10 percent rule';
 - changes to the steps that must be undertaken when determining representation arrangements; and
 - a requirement to identify dual candidacy in candidate profile statements.
11. Because of the timeframes it would seem unlikely that any of these changes will be able to be made in time to take effect before the 2010 triennial elections. In particular, the recommendations around representation reviews would need to be enacted in early 2009 to take effect.

12. Other significant recommendations relate more to the conduct of elections. Many of the recommendations have been made to the Justice and Electoral Select Committee and some were included in this Council's submission:
- a full prohibition on Chief Executive Officers serving as an electoral officer - at the moment this can only happen if the local authority considers it not practicable to appoint someone else. It is understood that no Chief Executive Officers served as an electoral officer in either the 2004 or 2007 elections;
 - movement of nomination day to 57 days before election day - allowing more time for the preparation of voting documents and quality control;
 - a requirement on candidates to furnish proof of citizenship;
 - a requirement to submit all candidate documentation together - in other words candidates being required to supply nomination form, profile statement and deposit at the same time;
 - vesting of sole discretion to make the decision on early processing in the electoral officer; and
 - new offences covering obstruction of an electoral officer in their duties and the maintenance of order in official election places.
13. If enacted, these changes will also require revision of the New Zealand Society of Local Government Managers' Code of Good Practice for the Management of Local Authority Elections and Polls - although, again, many of these changes are unlikely to take effect before the 2010 elections.
14. The LGC has also recommended that the sector undertake good practice work in the following areas:
- postal voting processes including ensuring integrity of the vote;
 - initiatives to improve voter turnout;
 - the roll of the electoral officer and job training for electoral officers; and
 - template contracts for the provision of electoral services.
15. All of these are matters are under consideration in the current review of the New Zealand Society of Local Government Managers' Code of Good Practice for the Management of Local Authority Elections and Polls.

Government Consideration of the Report

16. The LGC report is a substantive piece of work and it is expected that the Government will not be able to make an instant response to the report. Some of the recommendations (Maori land, water and wastewater services) run counter to policy decisions taken by the Government of the day. Some are, or could be, contentious.
17. The Department of Internal Affairs has advised informally that a decision on the policy process for evaluating the LGA02 recommendations will not occur before the election, and will most likely not be made until well into 2009 (especially if the next Minister of Local Government has a different set of policy priorities). It is likely that the process will be quite similar to the process that evaluated the Rating Inquiry report. It is therefore anticipated that there will be demands on staff resources to participate in a policy process review during the next financial year.

STRATEGIC CONTEXT

18. The Council is bound to carry out all requirements and comply with legislation that directs it. Both the LGA02 and LEA01 focus directly on local government.

CONSULTATION

19. There are no consultation issues associated with this report. Some changes may be made to legislation that will require consultation with the community at the appropriate time (e.g. in the next Representation Review).

RESOURCES

20. There are no resource implications associated with this report. There may be some financial implications if some of the changes are implemented by enactment. They will be addressed at the time the changes are proposed. It is also anticipated that there will be demands on staff resources to participate in a policy process review during the next financial year.

IMPLEMENTATION ISSUES

21. There are no implementation issues at this time.

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



13 HOUSING FOR OLDER ADULTS REVITALISATION PROJECT - SUSPENSORY LOAN DOCUMENTATION

GLOSSARY

Housing New Zealand Corporation (HNZC)
Housing for Older Adults (HFOA)

EXECUTIVE SUMMARY

This report seeks approval to accept the offer of a suspensory loan of \$1.5 million from Housing New Zealand Corporation (HNZC) for the upgrading of Housing for Older Adult (HFOA) villages.

There are three conditions in the letter of offer that require Council resolution. Two conditions relating to security and first right of refusal are the same requirements as the last letter of offer dated June 2007. The third condition is new and requires Council to upgrade all 85 units proposed. This will require any units not upgraded in this year either through exemption given or if tenders are higher than anticipated to be upgraded at a later date.

RECOMMENDATIONS

It is recommended that the Council resolve to:

1. **Receive** the Housing For Older Adults Revitalisation Project - Suspensory Loan Documentation report.

2. **Approve** the giving of first mortgage security to secure repayment of the \$1.5 million suspensory loan for upgrading purposes over the following properties:
 - (a) Westview Village, 100 West Coast Road (42 units) Lot 5 DP 40759
 - (b) North Karaka Court, 19 Karaka Street, New Lynn (14 units) Lot 33 DP 10124
Lot 10 DP 43958
 - (c) Kaumatua Village, 11 Kaumatua Place, Te Atatu (29 units) Lot 10 DP 59308
3. **Agree** in principle to the granting of a first right of refusal in favour of Housing New Zealand Corporation or to a social housing provider approved by Housing New Zealand Corporation at market value in the event that the Council agrees to sell all or any of the properties listed in resolution 2 above at any time before 30 June 2037.
4. **Direct** the Director of Finance to update the register of charges once the mortgage security has been given and to effect any other registration of charges required by law.
5. **Agree** that any of Housing for Older Adult units referred to in Resolution 2 above that are not upgraded in the 2008/2009 year be upgraded in a future year at Council's expense.
6. **Delegate** to the Chief Executive Officer authority to negotiate and finalise the terms of the letter of offer, the mortgage security and the right of first refusal.
7. **Delegate** to the Chief Executive Officer authority to delegate as appropriate the practicalities of the implementation of the loan advance and the giving of the mortgage security by the Council in favour of Housing New Zealand Corporation in accordance with the Local Government Act 2002.

BACKGROUND

1. In June 2007, Council accepted the offer of a suspensory loan from HNZC for \$1.5 million for the upgrading of the first five villages scheduled as part of the programme to upgrade its HFOA villages.
2. The five villages were:
 - Flagstaff Village - 6 Flagstaff Place, Massey Lot 71 DP 76425
 - Jack Smyth Village - 14 Royal Road, Massey Lot 1 DP 84282
 - Kaurilands Court - 18 Kaurilands Road, Titirangi Lot 3 DP 34220
 - North Karaka Court - 19 Karaka Street, New Lynn Lot 33 DP 10124
Lot 10 DP 43958
 - Kaumatua Village - 11 Kaumatua Place, Te Atatu Lot 10 DP 59308
3. Subsequent to the acceptance, the tender prices came in significantly higher than anticipated and, with the agreement of HNZC, 19 Karaka Street was removed from the schedule of works to a future year.
4. Council officers submitted an application for a further \$1.5 million and this was considered by the HNZC Board in late August 2008. On Tuesday, 2 September 2008, officers were advised that Council had been successful in its application and HNZC have subsequently presented a letter of offer containing a number of terms and conditions.

5. The terms and conditions are largely the same as those accepted by Council last year and require those terms and conditions to be met over a 20 year period from the first draw down of funds. At the end of the 20 year period, the loan is written off.
6. The villages to be upgraded are:
 - Westview Village (42 units);
 - 19 Karaka Street (14 units); and
 - Kaumatua Village (29 units - remainder).
7. Upgrading work to each of the villages is scheduled to begin in October 2008 and anticipated to be completed by June 2009. The work will be staged to ensure that all tenants can be relocated temporarily while the work is being carried out and then relocated to their refurbished units.
8. Before upgrading begins, pilot projects will have been carried out on each village so that the tenants can see in advance what improvements will be made and tenants will be consulted with, both individually and as a group.

DECISION MAKING

Issues

Letter of Offer

9. HNZA requires that the letter of offer be signed on or before Tuesday, 30 September 2008 otherwise the offer may be withdrawn.
10. The letter of offer is for a loan called the "*Housing Innovation Local Government Modernisation Loan*" by HNZA. This loan remains interest free for 20 years from the date of first draw down. Upon the expiration of this 20 year term, HNZA will forgive repayment of the loan. This will remain so unless it is triggered by a repayment event which would arise if Council either:
 - abandons the housing project;
 - elects not to complete it and does not re-apply the funds for another social housing project approved by HNZA;
 - makes a decision pursuant to the relevant provisions of the Local Government Act 2002 to alter its Long Term Council Community Plan in a manner that affects the provision by the Council of social housing; or
 - Makes a decision to otherwise withdraw or significantly alter its investment in joint funded social housing.
11. Under these terms the Council would retain the right to make changes to operational policies, procedures and practices, provided that these changes are made in accordance with the decision making principles and processes of the Local Government Act 2002.
- A48-A52 12. The full terms of conditions of the loan are attached at pages A48 to A52. As required in the previous letter of offer, there are two approvals required in this Letter of Offer which are beyond the Chief Executive Officer's delegated authority. These are (1) security and (2) first right of refusal. In addition there is a third requirement which is new to this offer pertaining to the numbers of units required to be modernised. These three requirements are discussed below:

(1) Security

13. The letter of offer requires that the Council give security for the loan over the three properties in respect of which advances are to be made for upgrading, by way of registered first mortgage. It is proposed that the mortgage be in the standard Auckland District Law Society All Obligations mortgage form, with a priority recital of \$2,250,000 pursuant to section 80A(2) of the Property Law Act 1952. The Legal Services Manager advises that this particular form of mortgage is in common use by solicitors throughout New Zealand for lending transactions of this type. Its terms are considered to be fair and balanced as between lender and borrower.
14. The giving of this security requires an approval by Council because of the requirements of the Council's Liability Management and Investment Policy which provides (Long Term Council Community Plan, volume 4 page 93) that:
- *"physical assets will be charged only where:*
 - *there is a direct relationship between the debt and the purchase or construction of the asset which it funds (e.g. an operating lease or project finance);*
 - *the Council considers a charge of the physical assets to be appropriate;*
 - *the Director: Finance ensures that the required register of charges and any associated documents are provided, filed and kept in accordance with the provisions of the Local Government Act 2002 and any other relevant legislation,"*

(2) First right of refusal

- A48-A52 15. It is a term of the letter of offer (attached at pages A48 to A52) that:
- "If at any time before 30 June 2037, the Council decides to sell all or any part of the properties referred to on Page 1 of this letter of offer ("the Property"), it will first offer the sell the property to the Corporation or to a social housing provider approved by the Corporation on the terms set out below..."*
16. Council's HOFA assets are strategic assets for the purpose of the Council's significance policy and before any decision could be made to sell or any part of the Council's HOFA portfolio there would need to be extensive public consultation using the special consultative procedure. The right of first refusal sought by the Crown does not impact in any way upon that obligation. What it seeks to do is to say that if any future time the Council is in a position where it can lawfully offer these assets for sale it will give the Crown the first opportunity to buy, at market value.
17. The right of first refusal applies until 30 June 2037. The terms noted in paragraph 15 refer to a process where HNZN gets the first right of approval if Council decides to sell all or any part of the properties in which they get 30 working days to assess any proposal from Council. It also provides another 30 days to negotiate the price if it is not acceptable to HNZN. If after that time, a price cannot be agreed upon, Council are free to sell the property on the open market, subject to the condition that if a price cannot be obtained which is the same or more favourable than that offered to HNZN then there is another opportunity for HNZN to consider this new price. It is considered that the first right of refusal is acceptable to Council and that in the unlikely event that it will be triggered there will be no loss to Council as a result.

(3) Number of Units to be Modernised

18. Last year, due to the increase in tender prices the number of units to be modernised was reduced by excluding those units at 19 Karaka Street from the original scope in order to be able to deliver the project within budget. There were also two exemptions provided and approved through the Project Advisory Group which will be carried out at a later date.
19. This effectively means that the Council takes the risk that, if there are any increases in tender prices, we will not be able to claim any further loan should this occur. In accordance with this requirement from HNZC there is a resolution proposed in this report that Council will undertake the reconfiguration of the 85 units but, as already discussed with HNZC staff, there is no guarantee as to the timing of this work as it is reliant on the Annual Plan process and for any exemptions for health reasons timing may be contingent on the tenant.
20. Council's application and HNZC's letter of offer is to modernise 85 units. The Board at HNZC have resolved that:

“agreed that in the event there is a requirement for further support to complete the reconfiguration of the 85 units, that the cost of such support shall be covered by the Waitakere City Council.”

Options Identified

21. HNZC do not provide for any options. Rejection of any of the three requirements is likely to result in forfeiture of the loan.

Assessment of Options

22. It is considered that the requirements of HNZC can be met with minor inconvenience to Council and the benefit of the loan outweighs this inconvenience.

Consideration of Community Views

23. The Community have been consulted through the Annual Plan and Long Term Community Council Plan processes.

Preferred Option

24. The HNZC requirements are contained in the recommended resolutions.

STRATEGIC CONTEXT

25. Council's strategic priorities that are of particular relevance to housing include 'sustainable development' and 'safe city'. Of further strategic importance when considering Council's provision for housing in the City, are the following platforms: 'urban and rural villages' and 'integrated transport and communication' by ensuring people have choices in housing and have accessibility to transport and communication links and 'strong communities' by supporting the health and wellbeing of the community.

CONSULTATION

26. The Community have been consulted through the Annual Plan and Long Term Community Council Plan processes.

RESOURCES

27. There is a total of \$3.308 million allocated in the 2008/2009 Annual Plan for HFOA. This includes the upgrades which are the subject of this letter of offer (Kaumatua, Westview and 19 Karaka Street of \$2.914 million) and external area renovation to those villages upgraded in 2007/2008 (\$0.244 million) and the remaining \$150,000 is to develop concept plans for the other villages.

IMPLEMENTATION ISSUES

28. There are no implementation issues but it is expected that a contract could be awarded in October 2008 to carry out construction.

Report prepared by: Stephen Drumm, Group Manager: Service Management.

Vijaya Vaidyanath
CHIEF EXECUTIVE OFFICER



PART E - REPORTS FROM THE STANDING COMMITTEES

14 **INFRASTRUCTURE AND WORKS COMMITTEE**

YOUR COMMITTEE SUBMITS THE FOLLOWING REPORT OF ITS MEETING HELD ON WEDNESDAY, 3 SEPTEMBER 2008

MATTERS CONSIDERED

*Pages 1-4
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 4 in the supplement labelled Part E.

It is recommended that the Council resolve to:

Receive the report of the meeting of the Infrastructure and Works Committee held on Wednesday, 3 September 2008.

DQ Battersby, JP
CHAIRMAN



15 **POLICY AND STRATEGY COMMITTEE**

YOUR COMMITTEE SUBMITS THE FOLLOWING REPORT OF ITS MEETING HELD ON THURSDAY, 4 SEPTEMBER 2008

MATTERS CONSIDERED

*Pages 5-14
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 5 to 14 in the supplement labelled Part E.

It is recommended that the Council resolve to:

Receive the report of the meeting of the Policy and Strategy Committee held on Thursday, 4 September 2008.

PA Hulse
CHAIRMAN



16 **FINANCE AND OPERATIONAL PERFORMANCE COMMITTEE**

YOUR COMMITTEE SUBMITS THE FOLLOWING REPORT OF ITS MEETING HELD ON MONDAY, 8 SEPTEMBER 2008

MATTERS CONSIDERED

*Pages 15-22
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 15 to 22 in the supplement labelled Part E.

It is recommended that the Council resolve to:

Receive the report of the meeting of the Finance and Operational Performance Committee held on Monday, 8 September 2008.

RI Clow
CHAIRMAN



17 **PLANNING AND REGULATORY COMMITTEE**

YOUR COMMITTEE SUBMITS THE FOLLOWING REPORT OF ITS MEETING HELD ON TUESDAY, 9 SEPTEMBER 2008

MATTERS CONSIDERED

*Pages 23-26
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 23 to 26 in the supplement labelled Part E.

It is recommended that the Council resolve to:

Receive the report of the meeting of the Planning and Regulatory Committee held on Tuesday, 9 September 2008.

VS Neeson, JP
CHAIRMAN



18 **CULTURE AND COMMUNITY COMMITTEE**

YOUR COMMITTEE SUBMITS THE FOLLOWING REPORT OF ITS MEETING HELD ON WEDNESDAY, 10 SEPTEMBER 2008

MATTERS CONSIDERED

*Pages 27-30
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 27 to 30 in the supplement labelled Part E.

It is recommended that the Council resolve to:

Receive the report of the meeting of the Culture and Community Committee held on Wednesday, 10 September 2008.

JP Lawley, JP
CHAIRMAN



19 **TE TAUMATA RUNANGA**

I NOHO TE TAUMATA RUNANGA KOMITI I TE TEKAU MA RIMA O MAHURU, 2008

YOUR COMMITTEE SUBMITS THE FOLLOWING REPORT OF ITS MEETING HELD ON MONDAY, 15 SEPTEMBER 2008

MATTERS CONSIDERED

*Pages 31-35
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 31 to 35 in the supplement labelled Part E.

NGA TAKE E WHIRIWHIRIA

E whakatau 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.

It is recommended that the Council resolve to:

Receive the report of the meeting of Te Taumata Runanga held on Monday, 15 September 2008.

W Paki, JP
CHAIRMAN



20 **LONG TERM COUNCIL COMMUNITY PLAN AND ANNUAL PLAN COMMITTEE**

YOUR COMMITTEE SUBMITS THE FOLLOWING REPORT OF ITS MEETING HELD ON TUESDAY, 16 SEPTEMBER 2008

MATTERS CONSIDERED

*Pages 36-39
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 36 to 39 in the supplement labelled Part E.

It is recommended that the Council resolve to:

Receive the report of the meeting of the Long Term Council Community Plan and Annual Plan Committee held on Tuesday, 16 September 2008.

JM Clews, QSO, JP
CHAIRMAN



PART F - PRESENTATIONS

These presentations will take place at 6.15 pm

21 CITATION

Mayor Bob Harvey will make a presentation to Jack Kingston in recognition of his outstanding service to the community of Piha.

22 UNITEC - SIGNING OF MEMORANDUM OF UNDERSTANDING AND PRESENTATION

The signing ceremony of the updated Unitec New Zealand and Waitakere City Council Memorandum of Understanding 2008 will take place, immediately followed by a presentation by the invited Unitec guests.

23 RAIL SERVICES ON THE WESTERN LINE

Mayor Bob Harvey has asked Ontrack and Auckland Regional Transport Authority (ARTA) representatives to attend and to make a presentation updating the Council on the recent disruption to rail services on the Western line.



PART G - PROCEDURAL MATTERS

24 QUESTIONS

Pursuant to Standing Order 39.2, any member of the local authority may at any meeting of the local authority at the appointed time, put a question to the Mayor as Chairman of the local authority, or through the Mayor to the Chairman 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.



25 NOTICES OF MOTION

Pursuant to Standing Order 28.1, notices of motion shall be in writing by the mover, stating the meeting at which it is proposed that the notice of motion be considered, and shall be delivered to the Chief Executive Officer at least five clear days before such meeting.



PART H - PUBLIC EXCLUDED MATTER

26 STURGES ROAD RAISING PROJECT - PROPERTY ACQUISITION

27 THE BROADBAND INVESTMENT FUND EXPRESSION OF INTEREST

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

PROCEDURAL MOTION TO EXCLUDE THE PUBLIC

That the public be excluded from the following parts of the proceedings of this meeting namely, Sturges Road Raising Project - Property Acquisition and The Broadband Investment Fund Expression of Interest.

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

General subject of the matters to be considered.	Reason for passing this resolution in relation to the matters.	Ground(s) under Section 48(1)(a) for the passing of this resolution.
Sturges Road Raising Project - Property Acquisition	The withholding of information is necessary in order to: <ul style="list-style-type: none"> • enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations). 	That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist
The Broadband Investment Fund Expression of Interest	The withholding of information is necessary in order to: <ul style="list-style-type: none"> • enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations). 	That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist

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

- *These reports contain information which if released could affect Council's negotiations.*



28 CLOSING PRAYER

