



Waitakere City Council
Te Taiao o Waitakere

NOTICE OF MEETING

FINANCE AND OPERATIONAL PERFORMANCE COMMITTEE

I hereby give notice that a meeting of the Finance and Operational Performance Committee will be held on:-

DATE: Monday, 6 October 2008 **TIME:** 9.30 am

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.

1 October 2008

Carmen Fernandes
COMMITTEE SECRETARY

Telephone (09) 836 8000 extn 8887

MEMBERSHIP:

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

Mayor RA Harvey, QSO, JP (ex officio)

(Quorum 5 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 FINANCE AND OPERATIONAL PERFORMANCE
COMMITTEE TO BE HELD IN THE COUNCIL CHAMBER AT WAITAKERE CENTRAL,
6 HENDERSON VALLEY ROAD, HENDERSON, WAITAKERE, ON MONDAY,
6 OCTOBER 2008, COMMENCING AT 9.30 AM**

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AGENDA FOR A MEETING OF THE FINANCE AND OPERATIONAL PERFORMANCE COMMITTEE TO BE HELD IN THE COUNCIL CHAMBER AT WAITAKERE CENTRAL, 6 HENDERSON VALLEY ROAD, HENDERSON, WAITAKERE, ON MONDAY, 6 OCTOBER 2008, COMMENCING AT 9.30 AM

PART A - OPENING OF MEETING

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 Committee 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 Committee 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 CONFIRMATION OF MINUTES

Meeting Minutes - Monday, 8 September 2008

RECOMMENDATION

It is recommended that the Finance and Operational Performance Committee resolve to:

Receive the minutes of the meeting of the Finance and Operational Performance Committee held on Monday, 8 September 2008, as circulated, and that they be taken as read and now be confirmed.



PART B - LEGAL AND CONSTITUTIONAL

5 AFFIXATION OF COMMON SEAL

RECOMMENDATIONS

It is recommended that the Finance and Operational Performance Committee resolve to:

1. **Receive** the Affixation of Common Seal report.
2. **Agree** that the action taken in affixing the Common Seal on the documents as set out in the agenda report be adopted.

EXECUTION OF DOCUMENTS: 3 September to 30 September 2008

Nº	NAME	PARTICULARS
4543	WCC – AJ & AM MacDonald	Release of Uncompleted and Maintenance Bond No.7282224.4 – CT.258686 – 62 Glendale Road – RMA20031975
4544	WCC – AJ & AM MacDonald	Release of Uncompleted and Maintenance Bond No.7282224.5 – CT.258687 – 62 Glendale Road – RMA20031975
4545	WCC – The Waitakere City Stadium Trust & Waitakere City Rugby & Athletic Trust	Deed of Lease (in duplicate)
4546	WCC	Plan Change 27: Operative Status – resolution 1549/2008
4547	WCC – Denis Dinneen	Conservation Covenant – 64 Glendale & 72 Savoy Roads – resolution 2480/2005
4548	WCC – Housing New Zealand Limited (Lasque Construction Limited)	Fencing Agreement – CT.417378 – 648 & 648A Te Atatu Road – RMA20061011
4549	WCC – IRF Ross	Drainage easement in gross – CTs.261182 and 261183 – 31, 31A and 31B Kellett Road, Ranui – RMA20041
4550	WCC – Housing New Zealand Limited (Lundo Holdings Limited)	Fencing Agreement – CT.323277 – 45 Bruce McLaren Road – RMA2006971
4551	WCC – Christopher Wadsworth	Warrant of Appointment and Evidence of Identity – No.WCC403
4552	WCC – NN & T Ali	Consent as Encumbrancee under No.7830743.1 – Subdivision at 2 Rimu Street, New Lynn
4553	WCC – Waitakere Properties Limited	Easement Instrument – 51-65 Keeling Road subdivision
4554	WCC – Waitakere Properties Limited	Easement Instrument – 51-65 Keeling Road subdivision
4555	WCC – Waitakere Properties Limited	Agreement as to Fencing – 51-65 Keeling Road subdivision
4556	WCC – Waitakere Citizens Advice Bureau Inc	2008-2009 Funding Agreement (in duplicate)
4557	WCC – MA & LS Rose and Smith & Partners Trustees Co Limited	Drainage easement in gross – CT.384907 – 21 Vina Place, Massey – RMA 20051107 (Replacement documents - Originals misplaced)

Nº	NAME	PARTICULARS
4558	WCC – DJ Hinton	Conservation covenant - 92, 94 and 96 Glendale Road – resolution 2090/2003
4559	WCC – West Coast Community Arts Trust	Deed of Lease – resolution 3871/2007 (in duplicate)
4560	WCC – Her Majesty the Queen (New Zealand Railways Corporation)	Deed of Grant for Waste Water Pipe – Candia/Swanson Roads (in duplicate)
4561	WCC – Douglas Kevin Naylor	Warrant of Appointment & Evidence of Identity – No.WCC404
4562	WCC – JW & DM Voordouw	Encumbrancee's consent to variation of mortgage – 36 Dawnhaven Drive, Te Atatu Peninsula – Rule 44.2 Standing Orders
4563	WCC – Anderson Building Consultants Ltd	Water supply easement in gross – CTs.376215 to 376222 – 97 Simpson Road, Ranui – RMA20061897
4564	WCC – Enviro Holdings Limited	Drainage easement in gross – CTs.265451 to 265454 – 20 Waione Avenue, Te Atatu Peninsula – RMA2005491
4565	WCC – Enviro Holdings Limited	Right-of-Way easement in gross – CTs.265448 to 265455 – 20 Waione Avenue, Te Atatu Peninsula – RMA2005491
4566	WCC – Enviro Holdings Limited	Water supply easement in gross – CTs.265448 to 265455 – 20 Waione Avenue, Te Atatu Peninsula – RMA2005491
4567	WCC – JA & S Lakeman and J & AH De Hoog	Water supply easement in gross – CTs.NA76B/799 and NA79B/585 – 20 Waione Avenue, Te Atatu Peninsula – RMA2005491

Report prepared by: Denis Sheard, Legal Services Manager.

PART C - FINANCE

6 OPERATING AND CAPITAL EXPENDITURE SUMMARY

EXECUTIVE SUMMARY

The purpose of this report is to inform the Finance and Operational Performance Committee on the level of operating and capital expenditure to the end of August 2008 by unit compared to budget.

RECOMMENDATION

It is recommended that the Finance and Operational Performance Committee resolve to:

Receive the Operating and Capital Expenditure Summary report.

BACKGROUND

1. Through the Long Term Council Community Plan and Annual Plan process, the Council approves operating and capital expenditure. The Council follows good practice for procurement of goods and services and ensures that funding has been provided from appropriate sources.
2. If any further information is required in respect of this report, other than of a general nature, please contact the writer prior to the meeting to enable the query to be researched.
3. This report covers expenditure for the two months to 31 August 2008. The financial summary is attached at page A1.

A1

DECISION MAKING

4. There are no decisions required in respect of this report.

Issues

5. Comments on Net Operating Costs:

Explanations are provided below for the net operating costs that show credit balances.

- **Service Management – Animal Welfare Services:** Dog registration revenue for 2008/2009 invoiced in July 2008 for approximately \$750,000 has been recognised as income in the month of invoice billing.
- **Planning and Community Services - Field Services (Parking):** Parking Fines / Infringement revenue collected in July and August 2008 was \$810,000 against the projection of \$607,000 for that period.
- **Regulatory Services – Consent Services:** The revenue for building construction applications for July and August 2008 was \$890,000 against its projection of \$543,000 for the year to date as at 31 August 2008.

STRATEGIC CONTEXT

6. The Council's operating and capital expenditure delivers projects necessary to achieve the Council's strategic direction.

CONSULTATION

7. No consultation was required in respect of this report.

RESOURCES

8. This report has no resource implications.

IMPLEMENTATION ISSUES

9. There are no implementation issues arising from this report.

Report prepared by: Khee Mee Soo, Group Manager: Financial Projects.



7 STATUS OF SPECIAL FUNDS

EXECUTIVE SUMMARY

A2

The purpose of this report is to inform the Finance and Operational Performance Committee on the status of the Council's special funds as at 31 August 2008, as attached at page A2.

RECOMMENDATION

It is recommended that the Finance and Operational Performance Committee resolve to:

Receive the Status of Special Funds report.

BACKGROUND

1. Special funds are those funds held or designated by the Council for a specific purpose or purposes. The balances of these funds are used to offset the Council's borrowing requirements. Interest is allocated to funds where applicable.
2. Special fund movements are recommended through the Long Term Council Community Plan and Annual Plan adoption process. Special funds are classified as either "Restricted Funds" or "Non-Restricted Funds". Restricted funds are those funds that have been received by the Council from a third party or parties and are to be used for a specific purpose or purposes. Non-restricted funds are funds established by a Council resolution to use and set aside its own funds and also to meet a specific purpose or purposes.

DECISION MAKING

3. There are no decisions required in respect of this report.

STRATEGIC CONTEXT

4. The Council uses special funds as provided for in Long Term Council Community Plan and Annual Plans.

CONSULTATION

5. No consultation was required in respect of this report.

RESOURCES

6. This report has no resource implications.

IMPLEMENTATION ISSUES

7. There are no implementation issues arising from this report.

Report prepared by: Khee Mee Soo, Group Manager: Financial Projects.



8 DRAFT ANNUAL PLAN REPORT 2007/2008 STATUS REPORT

EXECUTIVE SUMMARY

The purpose of this report is to update the Finance and Operational Performance Committee on the progress of the draft Annual Report 2007/2008 and audit.

RECOMMENDATIONS

It is recommended that the Finance and Operational Performance Committee resolve to:

1. **Receive** the draft Annual Report 2007/2008 status report.
2. **Agree** in principle that subject to an unqualified audit opinion, the draft Annual Report 2007/2008 be considered and adopted at the meeting of Council scheduled for 15 October 2008.

BACKGROUND

1. The preparation of the Annual Report is a statutory requirement of the Local Government Act 2002. The Annual Report must be adopted no later than four months after the end of the financial year ended 30 June 2008.
2. The draft Annual Report 2007/2008 together with commentary on the financial performance for the year ended 30 June 2008 will be circulated under separate cover prior to the Finance and Operational Performance Committee meeting on 6 October 2008.

DECISION MAKING

3. There are no decisions required in respect of this report.

Issues

4. The preparation of the Annual Report 2007/2008 has been substantially completed. The audit is in progress and final amendments and editing are being agreed with Audit New Zealand. It is expected that confirmation of a clear audit opinion will be given prior to this meeting. The final audited Annual Report will be circulated to the Councillors prior to Council meeting, scheduled for 15 October 2008.

STRATEGIC CONTEXT

5. The Annual Report 2007/2008 completes the planning and reporting cycle for the year ended 30 June 2008. The report contains the actual results of the financial performance against the approved Annual Plan budgets and also the non financial performance measures.

CONSULTATION

6. No consultation was required in respect of this report.

RESOURCES

7. This report has no resource implications.

IMPLEMENTATION ISSUES

8. There are no implementation issues in respect of this report.

Report prepared by: Khee Mee Soo, Group Manager: Financial Projects.



9 BORROWING AND INVESTMENT REPORT

GLOSSARY

Long Term Council Community Plan	(LTCCP)
Waitakere City Council	(the Council)
Finance and Operational Performance Committee	(the Committee)
Liability Management and Investment Policy	(the Policy)

EXECUTIVE SUMMARY

This is a monthly report to Waitakere City Council's (the Council's) Finance and Operational Performance Committee (the Committee) and is also a requirement of the Council's adopted Liability Management and Investment Policy (the Policy). It provides information on the Council's borrowing and investment activities over the past month and also high level information on current financial market conditions. From time to time additional and more detailed information is requested on particular areas of interest by the Finance and Operational Performance Committee or other Committees.

RECOMMENDATIONS

It is recommended that the Finance and Operational Performance Committee resolve to:

1. **Receive** the Borrowing and Investment Report.
2. **Approve** the Borrowing and Investment Report.

BACKGROUND

1. The Council enters into treasury related financial contracts in the ordinary course of its business. It is the role of the Council's Funds Management section to manage such contracts and the impact that they have on the organisation. All funds management transactions are governed by the Policy, prepared in compliance with the Local Government Act 2002. As a requirement of the Policy this report informs the Committee on the current and future movements of the Council's debt and cash investments, and provides a general commentary of financial market conditions.

A3-A8

2. The relevant portfolio and graphs reflect the estimated position as at 31 August 2008 and are attached at pages A3 to A8.

DECISION MAKING

3. The Finance and Operational Performance Committee must consider whether to approve the Borrowing and Investment Report.

Issues

4. The Council's Funds Management function actively manages a large portfolio of various debt and investment instruments. The benefit of borrowing is that it enables the Council to carry out the projects identified in the Annual Plan and Long Term Council Community Plan (LTCCP), while spreading the costs for those projects over time to recognise the future benefits. Borrowing funds therefore assist the Council with its entire loans funded strategic initiatives. The Liability Management and Investment Policy requires that a report detailing the management of the portfolio be presented to the Committee on a regular basis. The report must include information on the following subjects:
 - Cash/debt position;
 - Forecasted borrowing profile;
 - Interest rate profile;
 - Risk management;
 - Material transactions; and
 - Market commentary.
5. This report addresses the requirement of the Policy and may include other information that is relevant to the Funds Management function.

Financial Implications

6. The active management of the treasury portfolio seeks to minimise the Council's borrowing costs and maximise investment returns of liquid assets. The Funds Management function is also charged with seeking investors, thus ensuring that there is sufficient liquidity available for the Council to continue its work programme. New Zealand financial markets are significantly volatile and therefore interest rate risk management is a key responsibility of the Funds Management function. Detailed financial information included within this report is intended to give assurance of the prudent management of the Council's portfolio.
7. The Council maintains a Standard and Poor's Credit Ratings of A-1 short term, and A+ long term (stable).

Interest Rates

8. International financial markets over the past month have been extremely volatile as the ongoing credit crisis continues to take its toll. Major investment banks throughout the world are collapsing as liquidity dries up. This can be likened to New Zealand's collapsing finance companies which became incapable of funding themselves when they lost the ability to obtain new funding and could not repay maturing investments. The difference between what has happened locally and is happening internationally is the scale. The flow on effects of international developments will continue to be seen locally in both the cost of credit and the access to credit. This means that borrowers will face significantly higher borrowing cost, compared to 18 months ago, or they will not be able to borrow at all. This has been seen locally with large property developments being placed in receivership because they cannot find the appetite from either property buyers or lenders.
9. Interest rates have also proven how volatile financial markets have become. The Reserve Bank of New Zealand did surprise the local market with a 0.50% cut in its Official Cash Rate on 11 September 2008 decreasing it from 8.0% to 7.50%. This temporarily flowed into New Zealand's 90 Day Bank Bill Interest Rates which fell from 8.07% on 10 September 2008 to 7.81% on 11 September 2008. The financial markets had completely priced into the 90 day interest rate a 0.25% cut in the Official Cash Rate which is why it did not decrease further. Since the

Official Cash Rate cut, the 90 day interest rate decreased to a low of 7.66% before rebounding strongly to a current 8.11%. The current 90 day interest rate is largely to do with local banks cleaning up their balance sheets prior to the financial year end on 30 September 2008. It is very likely the Official Cash Rate will decrease further over the remainder of the 2008 calendar year.

10. Long term interest rates have equally been volatile. New Zealand's 10 Year Swap interest rate began September 2008 at approximately 7.0%. This slowly trended downwards to 6.80% before a sudden drop to 6.50% on 16 September 2008, which was shortly after the bankruptcy of the US giant investment bank Lehman Brothers. The rate has subsequently increased to approximately 6.70%. It is clear that financial markets have become increasingly nervous in this environment and every day now comes with new surprises and new international government bailouts. This is an international crisis as banks will not fund each other on the basis they might not get their money back. It is likely to be a long time before stability returns to the financial markets.

STRATEGIC CONTEXT

11. The management and use of borrowing and investments is aligned to all of the Council's strategic objectives, as adopted in both the LTCCP 2006-2016 and the Annual Plan 2008/2009.

CONSULTATION

12. This report includes data sourced by the Council's external treasury advisors, Asia Pacific Risk Management, and material, opinions or views sourced from various financial institutions.

RESOURCES

13. The Council, through its Annual Plan 2008/2009, provided for total new borrowings of \$224.915 million, including loans attributable to projects carried forward from previous years totalling \$105.488 million. Total interest cost has been provided in the Annual Plan 2008/2009 of \$27.292 million.

IMPLEMENTATION ISSUES

14. There are no implementation issues identified for this report.

Report prepared by: Bruce Wilkin, Group Manager: Funds Management.



10 PAYMENTS FOR APPROVAL

EXECUTIVE SUMMARY

The purpose of this report is to advise the Finance and Operational Performance Committee of payments made by the Council.

A9-A14

A summary schedule of payments made for the period 17 August 2008 to 13 September 2008 is attached at page A9. A further schedule of all payments of \$5,000 and above, together with the reason for the payment, is attached at pages A10 to A14.

Payments have been provided for in accordance with approved budgets.

If a Committee member wishes to ask specific questions relating to any of these payments please direct them to the Director: Finance prior to the meeting. This will enable a response to be adequately researched.

RECOMMENDATIONS

It is recommended that the Finance and Operational Performance Committee resolve to:

1. **Receive** the Payments for Approval report.
2. **Approve** the contracts let and the payments made.

BACKGROUND

1. All payments made by the Council are presented to this Committee on a progressive monthly basis. Elected members are able to review the information provided and seek information or clarification in respect of any of those payments.

DECISION MAKING

2. The Finance and Operational Performance Committee must consider whether to approve the contracts let and the payments made for the period 17 August 2008 to 13 September 2008.

STRATEGIC CONTEXT

3. The Council makes various payments as provided for in its Long Term Council Community Plan and Annual Plans. The Council follows good practice for procurement of goods and services and ensures that funding has been provided from appropriate sources.

CONSULTATION

4. No consultation was required in respect of this report.

RESOURCES

5. This report has no resource implications.

IMPLEMENTATION ISSUES

6. There are no implementation issues in respect of this report.

Report prepared by: Alec Third, Group Manager: Financial Operations.



PART D - GENERAL

11 ROAD STOPPING AND SALE OF LAND AND DECLARING LAND TO BE ROAD AT KONINI ROAD

EXECUTIVE SUMMARY

A15

The purpose of this report is to seek the Finance and Operational Performance Committee's recommendation to Council that a part of the road reserve adjacent to 234 Konini Road, Titirangi be stopped and transferred to the adjacent owners in exchange for a similar sized piece of land, which shall be vested in Council and be declared road. The location of 234 Konini Road, Titirangi is shown on the diagram attached at page A15.

RECOMMENDATIONS

It is recommended that the Finance and Operational Performance Committee resolve to:

1. **Receive** the Road Stopping and Sale of Land and Declaring Land to be Road at Konini Road report.
- A16 2. **Agree** that the part of the road marked A on the diagram attached at page A16 be stopped, be transferred to the owners of the adjacent property at 234 Konini Road, Titirangi and be amalgamated with the adjoining land in part Lot 240 DP 24221 pursuant to s.345(2) of the Local Government 1974.
- A16 3. **Agree** that Council receive in exchange for the stopped road that part of the property at 234 Konini Road, Titirangi marked B in the diagram attached at page A16 and following vesting in the Council it be declared as road.
4. **Agree** that all costs incurred by the Council in relation to valuation, survey, road stopping and legalisation be recovered from the owners of the property at 234 Konini Road, Titirangi.

BACKGROUND

- A16 1. Council has been approached by the owners of the house property at 234 Konini Road, Titirangi who have learnt that a part of their dwelling house and a part of their workshop encroach onto the adjacent road reserve. The extent of this encroachment is shown on the diagram attached at page A16.
- A16 2. The owners have asked Council to stop that part of the road reserve shown marked A on the diagram attached at page A16 and transfer the land to them. They offer in exchange the land shown marked B on the diagram attached at page A16, which Council may then declare as road. It is noted that both parcels of land are of equal size.
3. A valuation of the two parcels of land show that they are of equal value.

DECISION MAKING

Issues

4. Council must now decide whether it will comply with the property owners' request.

Assessment of Options

5. Council could simply decline the property owners request and let the status quo remain. The response from the owners may be an application under ss.321-325 of the Property Law Act 2007. Under those sections the Court has wide powers of relief in relation to "wrongly placed structures" including powers to require vesting of land or the granting of easements or rights of possession over the land subject to encroachment. It is likely that such an application would be successful in this case.
6. Council could require the property owners to remove the encroaching buildings. Again the response from the owners is likely to be an application under ss.321-325 of the Property Law Act 2007.
7. Council could require the property owners to have executed and registered against their title an encumbrance in favour of Council, which acknowledged the encroachment upon the understanding that the buildings would have to be removed upon one month's notice in writing. (This is the mechanism usually adopted for structures within the road necessary for vehicular access.)

8. Council can agree to the property owner's request and completely regularise the position by selling sufficient land to accommodate the encroachment and taking an equal amount of land in exchange. An alternative would be to grant an easement to regularise the position but this is an inferior solution and there is no obvious traffic related reason for retention of ownership of the area in question.

Consideration of Community Views

9. The only parties who could be affected by the proposed road stopping and sale are persons using the sealed carriageway adjacent to the land but this is some 20 metres away from the edge of the seal and cannot possibly affect the passage of vehicles or pedestrians. For this reason it is considered that there are no persons likely to be affected by the proposed action.

Preferred Option

10. The preferred option is to agree to the property owner's request and stop part of the road, sell it to them and receive the land offered in exchange and have that land declared road. The verges to the carriageway in this location are steeply sloping and covered in vegetation. Council's traffic engineers confirm that the land marked A on the diagram will never be required for roading purposes but at some future time it is possible that the land marked B might be useful for roading purposes.

STRATEGIC CONTEXT

11. The relevant strategic platform is Integrated Transport and Communication, which focuses on transport systems that are integrated, innovative, and environmentally responsible.

CONSULTATION

12. Consultation has been carried out with Council's Transport Assets Section and the Strategy Unit and for the reasons stated under "Consideration of Community Views" further consultation is considered unnecessary.

RESOURCES

13. As the proposed road stopping, sale and road vesting are to be carried out primarily for the benefit of the land owners they have agreed to pay all survey, valuation, gazette notice and title costs. Council's contribution will be the time spent by its officers.

IMPLEMENTATION ISSUES

14. Should Council pass the resolutions sought, then it is proposed to implement the necessary action by publishing and registering with Land Information New Zealand a single gazette notice as provided in ss. 114, 116, 117, and 120 of the Public Works Act 1981. The land proposed to be acquired by the land owners will be amalgamated with their existing property into one single title.

Report prepared by: Maurice Hieatt, Solicitor.



12 COMMUNITY ASSISTANCE FUNDS REPORT

GLOSSARY

Community Assistance Funds	(CAF)
Finance and Operational Performance Committee	(FOP)
Community Wellbeing Fund	(CWF)
Accommodation Assistance Fund	(AAF)
Out of School Care Fund	(OSCF)
Youth Programme Fund	(YPF)
Fee Waivers Fund	(FWF)
Community Halls Fund and Capital Work Fund	(CHF&CWF)

EXECUTIVE SUMMARY

The purpose of this report is to advise the Finance and Operational Performance Committee (FOP) that the decisions made by FOP in April 2008 revising the process for consideration of funding applications to the Community Assistance Fund (CAF) and the establishment of the Community Assistance Fund Subcommittee have not been progressed, and that a further report recommending amendments to that process will be presented to FOP in December 2008 requesting that FOP consider applications received for the first round of the CAF that closed on 29 August 2008.

RECOMMENDATIONS

It is recommended that the Finance and Operational Performance Committee resolve to:

1. **Receive** the Community Assistance Funds report.
2. **Agree** the assessment and allocation for round one of the Community Assistance Funds 2008/2009 applications using the same criteria used in assessing the Community Assistance Funds 2007/2008.
3. **Agree** that a further review of the community wellbeing grants restructure be undertaken and brought back to the Finance and Operational Performance Committee for consideration at its scheduled meeting on Monday, 8 December 2008.

BACKGROUND

1. The Community Assistance Funds Restructure and Policy Development report detailing the recommendations made at a February 2008 workshop was brought to FOP in April 2008.
2. The Community Assistance Funds Restructure and Policy Development report reviewed of the way applications for funding from the Community Wellbeing Fund (CWF) Citywide fund; Out of School Care Fund (OSCF); Youth Programme Fund (YPF); Accommodation Assistance Fund (AAF); Community Halls Fund and Capital Work Fund (CHF & CWF) and Fee Waivers Fund (FWF) were being dealt with, and recommended a revised practice.
3. The report also reviewed the policy/guidelines covering all funds and recommended the establishment of a new Subcommittee called the Community Assistance Fund Subcommittee to process applications.

4. At its meeting held on 7 April 2008, FOP passed the following resolution (in part):

- “1. **Receive** the Community Assistance Funds Restructure and Policy Development report.
2. **Approve** the recommended option for the Community Assistance Funds restructure and policy development.”

(580/2008)

5. Whilst recommendation 2 above was not descriptive of the process it was envisaged that the Community Assistance Fund Subcommittee be established and that it be charged with making funding allocation recommendations to FOP based on new policies and guidelines.

DECISION MAKING

Issues

Establishment of the Community Assistance Funds Subcommittee

6. The Community Assistance Funds Subcommittee has not been established because there are some aspects of the revised process that need further consideration by FOP. A report covering these matters will be brought to FOP for consideration at its scheduled meeting on Monday, 8 December 2008.
7. In the meantime the applications for the first round of funding closed on 29 August 2008 and need to be processed. It is proposed FOP consider these applications in the same way as the 2007/2008 applications were processed.
8. The Council's Community Grants officer has therefore administered round one of the CAF and consideration of applications to the YPF allocations for 2008/2009 and the CWF allocations for 2008/2009 will be considered at this meeting.
9. Applications to the OSCF, the AAF, the FWF and the CHF & CWF will be considered at FOP's meeting on 10 November 2008.

Community Assistance Funds Policy and Guidelines

10. FOP now has the applications for round one of the funding for 2008/2009. There is a need to process these applications as quickly as possible to enable these funds to be distributed to the community to allow programmes and activities to proceed.

Options Identified

Option 1 – Finance and Operational Performance Committee Assessment

11. That FOP assess and allocate round one of the CAF 2008 applications in terms of the CAF Policy and Guidelines and that a further report considering aspects of the previous review be considered at FOP's meeting on Monday, 8 December 2008.

Option 2 – Establishment of Community Assistance Funds Subcommittee

12. That a report be forwarded to FOP to approve the establishment of the CAF Subcommittee and for this Subcommittee to then assess and allocate round one of the CAF 2008.

Assessment of Options

13. FOP has the delegated authority to assess and delegate all Council grants. This would allow for timely response to round one applicants and delivery of funds to the community in adequate time, which would see most of the funds distributed within the three month process time that was originally advised to the community.
14. The applications will initially be assessed by the Community Grants officer and a team of Council officers consisting of the Leisure Manager, Strategic Advisor, Senior Community Liaison Advisor and the Recreation Planner; and this group will make the recommendations to FOP for consideration and final approval.
15. The guidelines and criteria for round one of the CAF 2008/2009 will be focused around the Waitakere City Community Assistance Policy attached at pages A17 to A30.

A17-A30

Option 2 – Establishment of Community Assistance Funds Subcommittee

16. The process to appoint a CAF Subcommittee as recommended in the report would require the following steps to be taken:

Process	Expected Completion date
Present a report to the FOP meeting in November 2008 requesting approval to set up the Community Assistance Funds Subcommittee	November 2008
Community Assistance Funds Subcommittee is established – require applications 3 weeks in advance of meeting	Late November 2008
Applications assessed and funds distributed to community groups	December 2008 or perhaps late January 2009 early February 2009.

17. If this process is to be followed, the community groups would be unlikely to receive funds until early to late February 2009 which is almost six months from the time they applied.

Preferred Option

18. The preferred option is option 1, which allows the CAF to be distributed to the community in a timely manner.

STRATEGIC CONTEXT

19. Direct financial assistance to organisations providing support and activities to the residents of Waitakere assists Council's commitment to the Strong Communities strategic platform

CONSULTATION

20. Considerable internal consultation around the process and options for round one CAF 2008/2009 has been conducted.

RESOURCES

21. There is currently \$280,000 in the Annual Plan 2008/2009 for the CAF:

Community Halls Fund	\$42,000
Community Halls Capital Works fund	\$20,000
Accommodation Assistance Fund	\$50,000
Fee Waivers Fund	\$5,000
Youth Programme Fund	\$30,000
Out of School Care Fund	\$20,000
Community Wellbeing Fund	\$113,000

22. Staff time is also allocated to the process.

IMPLEMENTATION ISSUES

23. There are no implementation issues.

Report prepared by: Janna Gilligan, Community Grants Officer.



13 COMMUNITY WELLBEING FUND ALLOCATION 2008/2009

GLOSSARY

Community Wellbeing Fund	(CWF)
Community Wellbeing Local Fund	(CWLF)
Finance and Operational Performance Committee	(FOP)
Community Assistance Fund	(CAF)

EXECUTIVE SUMMARY

The purpose of this report is for the Finance and Operational Performance Committee (FOP) to assess applications and allocate funding from the Community Wellbeing Fund (CWF) under the Community Assistance Fund (CAF) 2008/2009.

RECOMMENDATIONS

It is recommended that the Finance and Operational Performance Committee resolve to:

1. **Receive** the Community Wellbeing Fund Allocation 2008/2009 report.
2. **Agree** to the recommendations made by the Council officer group for the allocation of the Youth Programme Fund 2008/2009 as outlined in the table below;

Group Name	Funds Requested	Funds Recommended
Ranui Action Project Incorporated	\$3,000.00	\$1,000.00
The Western Refuge Society Inc	\$2,900.00	\$1,200.00
Yoga Institute of New Zealand	\$2,000.00	\$1,000.00
Toroa Preservation Society Inc	\$4,169.00	\$1,000.00
Fruitvale School	\$3,000.00	\$750.00
Laingholm Baptist Church	\$940.00	\$700.00

Group Name	Funds Requested	Funds Recommended
NZ Ethnic Social Services Trust	\$2,500.00	\$900.00
Youthline Waitakere	\$3,703.00	\$1,160.00
The Razzlers	\$3,000.00	\$900.00
Deaf Association of NZ Inc	\$3,000.00	\$800.00
Kidscan Charitable Trust	\$3,000.00	\$1,400.00
Parents Inc	\$3,000.00	\$800.00
Dayspring Trust	\$2,370.25	\$1,200.00
Waitakere Healthlink	\$1,929.50	\$900.00
Care Waitakere Trust	\$3,000.00	\$1,000.00
Waves Trust	\$3,000.00	\$1,000.00
Henderson North Primary	\$3,000.00	\$2,000.00
Ranui Community House	\$600.00	\$600.00
Waitakere Abuse and Trauma	\$2,933.16	\$1,200.00
Karekare Surf Lifesaving Patrol	\$2,888.89	\$2,000.00
Violence Free Waitakere	\$2,969.50	\$680.00
West Auckland Hospice Trust	\$3,000.00	\$1,100.00
Life Education Trust	\$3,000.00	\$1,000.00
West Auckland Mental Health Support Trust	\$2,100.00	\$1,100.00
Watersafe Auckland	\$14,159.00	\$800.00
Auckland Sexual Abuse Help Foundation	\$5,400.00	\$950.00
Kereru Massey Scout Group	\$2,580.00	\$900.00
Age Concern Auckland Inc	\$3,360.00	\$1,100.00
Piha Surf Lifesaving Club	\$3,000.00	\$1,750.00
Henderson Budget Service	\$1,537.40	\$1,025.00
NZ Nepalese Association	\$2,735.00	\$620.00
Alternatives To Violence Project	\$3,000.00	\$1,400.00
Parent Aid Waitakere Inc	\$3,000.00	\$930.00
Waitakere Adult Literacy Inc	\$3,000.00	\$1,000.00
Carelink Trust	\$3,000.00	\$3,000.00
Waitakere Multiple Birth Trust	\$675.00	\$675.00
United Sri Lanka Association	\$1,912.50	\$600.00
Ace Space Waitakere Learning Shop	\$960.00	\$900.00
NZ Guangzhou Chinese Association Inc	\$3,000.00	\$800.00
Glen Eden Community House	\$562.50	\$560.00
Nga Kakano O Te Kaihanga Trust	\$2,171.70	\$1,020.00
Pisces Road Playgroup	\$1,215.79	\$600.00
Lifewise Family Services	\$1,500.00	\$750.00
White Cloud Choir	\$3,000.00	\$900.00
United North Piha Lifeguard Service	\$5,625.00	\$1,800.00
Man Alive Inc	\$1,500.00	\$750.00
Titirangi Community Radio Trust	\$3,000.00	\$1,000.00
Waitakere Ace Network	\$436.87	\$430.00
Drug Free Ambassadors NZ Inc	\$1,344.80	\$800.00
Waitakere Residents and Ratepayers Inc	\$1,422.50	\$800.00
Massey Quilters	\$900.00	\$650.00
Glen Eden Baptist Foodbank	\$1,500.00	\$1,250.00
Tika Maranga Woman's Refuge	\$2,700.00	\$1,000.00
Te Reo Tohu Aroha Te Kohanga Reo	\$1,500.00	\$800.00
Summerland Playgroup	\$1,500.00	\$800.00
McLaren Park, Henderson South Trust	\$2,632.50	\$750.00
TOTAL	\$148,833.86	\$56,500.00

BACKGROUND

1. The CWF provides small sums of money to a wide range of groups in the community, who provide local services and activities on a voluntary or 'not for profit' basis.
2. Recently the Council increased the amount of money allocated in the Annual Plan 2008/2009 to \$113,000. Of this total amount, \$56,500 is allocated to Citywide projects which FOP will allocate for round one of the CWF 2008/2009 as part of the CAF. The balance is allocated to each Community Board on a pro rata ward population basis.
3. For round one of the Community Wellbeing Local Fund (CWLF) 2008 allocations, 14 applications were received for the Community Boards to consider. The total amount requested from the Community Boards was \$19,765.54 (excluding those applications that were ineligible). The balance of the allocated funding to the community boards is (\$36,734.46). This will be allocated to their future rounds in the Annual Plan 2008/2009.

DECISION MAKING

Issues

4. In the recent 2008/2009 funding round, 89 applications were received; 8 of the applications were ineligible and 67 were eligible requesting a total of \$277,253.00. In addition, 14 applications were forwarded to the Community Boards for their consideration. The maximum amount that can be applied for by each applicant is \$3,000. The total amount of funding that is available to distribute is \$56,500 for the Annual Plan 2008/2009.
5. The advertising for this funding round consisted of:
 - 2 advertisements in the Western Leader "Open now" and "Closing soon";
 - Community Assistance Newsletter – posted to 1,000 community groups;
 - CWF workshops;
 - Intranet/ Internet information;
 - Information and application forms were provided to:
 - Waitakere City Council libraries;
 - Waitakere City Council Community Centres;
 - Citizen's Advice Bureau; and
 - Community Waitakere.
6. Due to the issues discussed in the report, also on the October 2008 agenda titled 'Community Assistance Funds Report', a Council officer group was set up to assess the applications and to make recommendations to FOP for consideration.

Assessment of Options:

7. When assessing the applications for the CWF the Council officer group used the following criteria which were approved as part of the CAF review:

Application criteria:

- Applications were assessed against a number of relevant Community Outcomes including; Strong Communities, Working Together, Toiora – Healthy Lifestyles, and Urban and Rural Villages.
- The priority purposes of an organisation were identified in the CWF such as: social service, support, advice, health and disability; services targeted to Maori, Pacific Island, minority ethnic groups, children, women or older people and community based education.
- Strategic planning and training as there are significant long-term benefits from organisations carrying out these activities.
- The level at which the project benefits the community is assessed to ascertain the amount of benefit the community will receive and whether it would be a long-term or of short-term benefit.
- Community events that included community involvement and followed the strategic direction of the Council's policy.
- Equipment that allowed organisations to function adequately.
- Organisation's financial position. If the organisation is relatively self-sufficient (i.e. an organisation has a high net operating surplus), they are deemed to be in a better position to receive less funding.

Application Information

- A31-A117* 8. The original applications are available for inspection from the Council Grants Officer prior to and at the meeting. Attached at pages A31 to A117 are one page summary of each applicant.

Funding available

- A31-A117* 9. FOP has a total of \$56,500 to allocate via this fund. FOP has 67 eligible applications to consider for financial assistance with the total amount requested being \$277,253.00. Please see application summaries attached at pages A31 to A117.
10. Of the applications received, 9 were deemed ineligible because they had either outstanding accountability, had not forwarded enough relevant information with applications or fell out of the eligibility criteria of the CWF as written in the CAF policy and guidelines.

Preferred Option

11. The Council officer group assessed the 67 applications against the above criteria and recommend the following allocation of funding:

Group Name	Funds Requested	Funds Recommended
Ranui Action Project Incorporated	\$3,000.00	\$1,000.00
The Western Refuge Society Inc	\$2,900.00	\$1,200.00

Group Name	Funds Requested	Funds Recommended
Yoga Institute of New Zealand	\$2,000.00	\$1,000.00
Toroa Preservation Society Inc	\$4,169.00	\$1,000.00
Fruitvale School	\$3,000.00	\$750.00
Laingholm Baptist Church	\$940.00	\$700.00
NZ Ethnic Social Services Trust	\$2,500.00	\$900.00
Youthline Waitakere	\$3,703.00	\$1,160.00
The Razzlers	\$3,000.00	\$900.00
Deaf Association of NZ Inc	\$3,000.00	\$800.00
Kidscan Charitable Trust	\$3,000.00	\$1,400.00
Parents Inc	\$3,000.00	\$800.00
Dayspring Trust	\$2,370.25	\$1,200.00
Waitakere Healthlink	\$1,929.50	\$900.00
Care Waitakere Trust	\$3,000.00	\$1,000.00
Waves Trust	\$3,000.00	\$1,000.00
Henderson North Primary	\$3,000.00	\$2,000.00
Ranui Community House	\$600.00	\$600.00
Waitakere Abuse and Trauma	\$2,933.16	\$1,200.00
Karekare Surf Lifesaving Patrol	\$2,888.89	\$2,000.00
Violence Free Waitakere	\$2,969.50	\$680.00
West Auckland Hospice Trust	\$3,000.00	\$1,100.00
Life Education Trust	\$3,000.00	\$1,000.00
West Auckland Mental Health Support Trust	\$2,100.00	\$1,100.00
Watersafe Auckland	\$14,159.00	\$800.00
Auckland Sexual Abuse Help Foundation	\$5,400.00	\$950.00
Kereru Massey Scout Group	\$2,580.00	\$ 900.00
Age Concern Auckland Inc	\$3,360.00	\$1,100.00
Piha Surf Lifesaving Club	\$3,000.00	\$1,750.00
Henderson Budget Service	\$1,537.40	\$1,025.00
NZ Nepalese Association	\$2,735.00	\$620.00
Alternatives To Violence Project	\$3,000.00	\$1,400.00
Parent Aid Waitakere Inc	\$3,000.00	\$ 930.00
Waitakere Adult Literacy Inc	\$3,000.00	\$1,000.00
Carelink Trust	\$3,000.00	\$ 3,000.00
Waitakere Multiple Birth Trust	\$675.00	\$675.00
United Sri Lanka Association	\$1,912.50	\$600.00
Ace Space Waitakere Learning Shop	\$960.00	\$900.00
NZ Guangzhou Chinese Association Inc	\$3,000.00	\$800.00
Glen Eden Community House	\$562.50	\$560.00
Nga Kakano O Te Kaihanga Trust	\$2,171.70	\$1,020.00
Pisces Road Playgroup	\$1,215.79	\$600.00
Lifewise Family Services	\$1,500.00	\$750.00
White Cloud Choir	\$3,000.00	\$900.00
United North Piha Lifeguard Service	\$5,625.00	\$1,800.00
Man Alive Inc	\$1,500.00	\$750.00
Titirangi Community Radio Trust	\$3,000.00	\$1,000.00
Waitakere Ace Network	\$436.87	\$430.00
Drug Free Ambassadors NZ Inc	\$1,344.80	\$800.00
Waitakere Residents and Ratepayers Inc	\$1,422.50	\$800.00
Massey Quilters	\$900.00	\$650.00
Glen Eden Baptist Foodbank	\$1,500.00	\$1,250.00
Tika Maranga Woman's Refuge	\$2,700.00	\$1,000.00

Group Name	Funds Requested	Funds Recommended
Te Reo Tohu Aroha Te Kohanga Reo	\$1,500.00	\$800.00
Summerland Playgroup	\$1,500.00	\$800.00
McLaren Park, Henderson South Trust	\$2,632.50	\$750.00
Auckland Observatory	\$3,000.00	Nil
Habitat For Humanity Greater Auckland	\$3,000.00	Nil
Manawanui Ariki Charitable Trust Inc	\$3,000.00	Nil
Sturges West Community House	\$2,800.00	Nil
Waitakere Workers Education Association	\$3,500.00	Nil
Te Kura Kaupapa O Hoani Waititi Marae	\$4,000.00	Nil
Fatima Zahra Charitable Association	\$3,668.76	Nil
International Shia Cultural and Human Rights Org	\$1,469.00	Nil
The Kotas Charitable Trust	\$3,000.00	Nil
Barnardos Children's Trust	\$5,000.00	Nil
Interacting Trust	\$2,000.00	Nil
Laingholm Baptist Church	\$1,000.00	Ineligible
Sport Waitakere	\$1,565.00	Ineligible
Rutherford Primary School	\$5,420.00	Ineligible
Holy Cross Primary School	\$34,400.00	Ineligible
Waitakere Aquatic and Ice Centre Charitable Trust	\$3,000.00	Ineligible
Rotary Club New Lynn	\$18,900.00	Ineligible
Adventure Camp Trust Board	\$4,677.90	Ineligible
Tasi Ae Lasi Samoan Teachers Association	\$3,000.00	Ineligible
Interacting Trust	\$2,000.00	Ineligible
Intergrated Neurological Rehab Foundation	\$3,048.00	Community Board
Glen Eden Community House	\$687.00	Community Board
Waima Community Group	\$1,500.00	Community Board
Don Buck Kindergarten	\$1,500.00	Community Board
Massey Presbyterian Church	\$915.78	Community Board
Glen Eden Baptist Church	\$1,500.00	Community Board
New Lynn Kindergarten	\$673.78	Community Board
Green Bay Kindergarten	\$1,500.00	Community Board
Huia Cornwallis Residents and Ratepayers Association	\$1,150.00	Community Board
Glendene Playcentre	\$1,541.74	Community Board
Te Atatu Peninsula Kindergarten	\$1,502.18	Community Board
Melino Moe Loto charitable Trust	\$1,500.00	Community Board
Henderson Samoan Catholic Sunday School	\$1,500.00	Community Board
Holy Cross Samoan Parent Support Group	\$1,500.00	Community Board
Totals	\$ 277,253.00	\$56,500.00

12. The applications that were deemed ineligible fell outside the eligibility criteria as outlined in the CAF Policy and Guidelines.

STRATEGIC CONTEXT

13. The Local Government Act 2002 states that as part of the preparation of the Long Term Council Community Plan a set of community outcomes must be identified for the City. Council takes these into account in the formulation of its strategic direction and budgeting and provides a mandated set of strategic outcomes to assess grants against.

14. A number of Council's Community Outcomes and Council's Strategic Platforms and Priorities have a strong connection to social wellbeing. The Community Outcomes and Strategic Platform priorities are the key areas against which applications to the CWF would be assessed. The key Community Outcomes include; Strong Communities, Toiora, Urban and Rural Villages and Working Together. The Council Platforms are Strong Communities and Urban and Rural Villages.
15. As part of the prioritisation process, applications to the CWF were assessed against the contribution for achieving the social wellbeing oriented Community Outcomes and Council's Strategic Platforms priorities.

CONSULTATION

16. Through the CAF review a wide range of consultation was undertaken with both internal and external stakeholders.

RESOURCES

17. There are 67 eligible applications for financial assistance totalling \$277,253.00 including the 14 applications that have been forwarded to the Community Boards for assessment, with a total budget of \$56,500 to allocate.

IMPLEMENTATION ISSUES

18. There are no implementation issues associated with this report.

Report prepared by: Janna Gilligan, Community Grants Officer.



14 YOUTH PROGRAMME FUND ALLOCATION 2008/2009

GLOSSARY

Community Assistance Funds	(CAF)
Youth Programme Fund	(YPF)

EXECUTIVE SUMMARY

The purpose of this report is to provide information to the Finance and Operational Performance Committee to assess applications and allocate funding for the Youth Programme Fund (YPF) which is part of the Community Assistance Funds (CAF) 2008/2009.

The YPF is a fund to support regular after school programmes run in Waitakere for youth aged between 13 and 20 years of age.

RECOMMENDATIONS

It is recommended that the Finance and Operational Performance Committee resolve to:

1. **Receive** the Youth Programme Fund Allocation 2008/2009 report.
2. **Agree** to the recommendations made by the Council officer group for the allocation of the 2008/2009 Youth Programme Fund as outlined in the table below:

Group Name	Funds Requested	Funds Recommended
Laingholm Baptist Church	\$1000.00	\$1000.00
Salvation Army	\$2144.00	\$2000.00
West Auckland Women's Centre	\$6000.00	\$4000.00
YMCA – West Auckland	\$4778.00	\$4000.00
Vasa Pasifika Creative Learning Trust	\$6500.00	\$5000.00
Chinese New Settlers	\$5000.00	\$3500.00
The Kotas Charitable Trust	\$3000.00	\$1000.00
West City Youth Trust	\$5000.00	\$4000.00
NZ Nepalese Association	\$1000.00	\$1000.00
Te Kura (School) O Hoani Waititi Marae	\$4000.00	\$1500.00
TOTAL	\$38,422.00	\$27,000.00

BACKGROUND

1. At the City Development Committee meeting held on 11 November 2002 the following resolution was passed:

“That the Council endorses in principle the development of partnerships with other organisations that deliver organised youth activities and support services in our City.”

3240/2002

2. A report titled Youth Partnership Initiatives was presented to the June 2003 meeting of the City Development Committee outlining the proposed priorities and criteria for entering into youth partnerships. The following resolution was passed:

“2. That the City Development Committee approves the draft Youth partnerships Priorities/Criteria.

3. That the City Development Committee approves that the partnership agreements be negotiated with existing partnered Youth service providers, and further developed utilising existing networks.”

1112/2003

3. The draft Youth Partnership Priorities and Criteria detailed in the Youth Partnership Initiatives report that went to the City Development Committee in June 2003 are outlined below:

- Increasing participation and access by youth in youth-based activities, events and services;
- Previous experience in the provision of successful youth activities, events and/or services;
- Good support systems in place, in terms of skilled staff and management;
- Sound financial record/viability -
 - i Financial contribution towards programme from provider, e.g. promotions;
- Activities/programmes to be held within Waitakere;
- Are beneficial to youth -
 - i Improving access to information, education and learning opportunities;
 - ii Improving access to health, leisure and other services essential to mental and physical wellbeing;

- Demonstrates a determined need;
 - Fosters co-operation, partnership and sharing of resources with other youth-focused organisations/programmes;
 - Fosters cultural diversity in Waitakere;
 - Fosters iwi, hapu and Maori development; and
 - Promotes a sense of belonging and identity for the youth of Waitakere.
4. The City Development Committee agreed that because of the limited funding, that the fund not be advertised to the wider public and would be made available to youth providers with whom the Council already had a relationship.
5. In November 2007, the Finance and Operational Performance Committee resolved as under to include the YPF as part of the CAF:

“2. That the Youth Programmes Assistance, Out of School Care, Accommodation Assistance and Fee Waivers funds are amalgamated into the Community Wellbeing Fund.”

(3937/2007)

DECISION MAKING

6. The YPF has been setup to support a wide range of Waitakere based programmes for youth between the ages of 13 and 20. The Council is looking for a spread of programmes across Waitakere in which youth can participate on a regular basis. The maximum grant is \$5,000 per programme and this funding can be used to pay for staff and volunteer expenses, venue hire, advertising and promotion and or equipment.

Issues

7. Due to the issues discussed in the report also on the October 2008 Agenda titled ‘Community Assistance Funds Report’, a Council officer group was set up to assess the applications and to make recommendations to the Finance and Operational Performance Committee for consideration.

Assessment of Options

8. When assessing the applications for the YPF the Council officer group used the following criteria which were approved as part of the CAF review.
- **Priority Criteria:**
 - Core programme is for sport and recreation, cultural, art or wellbeing activities;
 - Attracts significant numbers of youth on a regular basis;
 - Programme is held outside of school hours.
 - Is located in areas that do not already have regular youth programmes/ activities; and
 - Programme includes components of the youth development model.
 - **Other criteria which is to be considered:**
 - The positive impact the programme will have on the youth involved;
 - The objectives of the programme;

- The track record of the organisation in running youth programmes;
- The sustainability of the programme;
- The benefit to the wider community;
- Council will not fully fund programmes and a greater weighting will be given to those programmes that do not rely primarily on Council's funding.

Preferred Option

9. The Council officer group assessed the 20 applications against the above criteria and recommend the following allocation of funding.

Group Name	Funds Requested	Funds Recommended
Laingholm Baptist Church	\$1000.00	\$1000.00
Salvation Army	\$2144.00	\$2000.00
West Auckland Women's Centre	\$6000.00	\$4000.00
YMCA – West Auckland	\$4778.00	\$4000.00
Vasa Pasifika Creative Learning Trust	\$6500.00	\$5000.00
Chinese New Settlers	\$5000.00	\$3500.00
The Kotas Charitable Trust	\$3000.00	\$1000.00
West City Youth Trust	\$5000.00	\$4000.00
NZ Nepalese Association	\$1000.00	\$1000.00
Te Kura (School) O Hoani Waititi Marae	\$4000.00	\$1500.00
Faapotopotaga Au Uso Kerisiano	\$3210.00	Ineligible
Whenuapai Pony Club	\$3600.00	Ineligible
Sport Waitakere	\$3275.00	Ineligible
Auckland Nui Community Trust	\$5670.00	Ineligible
Nga Kakano ō tē Kaihanga Trust	\$2607.28	Ineligible
Manawanui Ariki Trust	\$5000.00	Ineligible
Te Atatu Pony Club	\$6443.00	Ineligible
Rainbow Youth	\$5000.00	Ineligible
Massey Pony Club	\$2000.00	Ineligible
Iconz Northwest	\$2840.00	Ineligible
Totals	\$78067.28	\$27000.00

A118-A122

- 10 For more information on each application refer to attachment at pages A118 to A122 for a summary of each application. This summary details the reason for the ineligibility of the above applications.⁵

STRATEGIC CONTEXT

11. One of the Council's 5 strategic priorities is First Call For Children. This strategic priority provides a context for the Council's work with children and youth. In order to make Waitakere City a great place for children, it aims to ensure that the Council understands the rights, needs and best interests of children and takes these into account in the provision of services, projects and activities. The YPF directly supports this priority by providing activities for local youth to develop and participate in on a regular basis.

CONSULTATION

12. Through the CAF review a wide range of consultation was undertake with both internal and external stakeholders.

RESOURCES

13. There is \$49,000 allocated in the Annual Plan 2008/2009 to support youth programmes. Of that \$27,000 has been set aside as part of the CAF to be allocated as part of a contestable fund through the YPF.
14. The remaining \$22,000 is used to support specific youth programmes that met the above criteria but which are run by organisations with whom Council has a long standing partnership with.

IMPLEMENTATION ISSUES

15. There are no implementation issues associated with this report.

Report prepared by: Janna Gilligan, Community Grants Officer.



15 HOOPER COMMUNICATIONS LIMITED – RURAL BROADBAND SITE PROPOSAL ON RESERVOIR AT SCENIC DRIVE, TITIRANGI

GLOSSARY

Hooper Communications Limited (HCL)
Waitakere Ranges Heritage Area Act 2008 (the Act)

EXECUTIVE SUMMARY

The purpose of this report is for the Finance and Operational Performance Committee to approve granting a telecommunications licence to Hooper Communications Limited (HCL) on the fee simple land held as a water tank reservoir located at 272A Scenic Drive, Titirangi.

RECOMMENDATIONS

It is recommended that the Finance and Operational Performance Committee resolve to:

1. **Receive** the Hooper Communications Limited – Rural Broadband Site Proposal on Reservoir at Scenic Drive, Titirangi report.
2. **Agree** that the Chief Executive Officer be authorised to negotiate and conclude a licence with Hooper Communications Limited for that part of the water tank reservoir site at 272A Scenic Drive, Titirangi (being Lot 2 on Deposited Plan 57315 on Certificate of Title NA11B/1475) shown on the plan attached at pages A123 to A124 and that the licence be executed as negotiated.
3. **Agree** that the Chief Executive Officer impose any terms and conditions to a licence considered necessary concerning the implementation of the Waitakere Ranges Heritage Area Act 2008.

A123-124

BACKGROUND

1. HCL is owned and operated by Andrew Hooper who built the existing pilot broadband network currently operating in Laingholm, Parau and parts of Swanson. The network is known and trades as Bushwireless. All other interests previously held by others in the network have been acquired by HCL.

2. HCL is dedicated to providing services to underserved communities in areas such as Laingholm and Parau where there are no broadband services. These services are not limited to internet access and over time HCL hopes to provide services such as VoIP or phone services where practical. Additional sites are required in order to establish and develop HCL's network.
3. The Council acknowledge HCL's previous work in laying the foundations for a broadband network in Laingholm and Parau and the successful operation of the network. The parties had been liaising since late 2005 to address the provision of broadband services to technically difficult areas of Waitakere including Laingholm and Parau.
4. On 3 April 2008, the Council, HCL and Andrew Hooper entered into a mediated agreement concerning the provision of broadband services to the Laingholm area.
5. In the mediated agreement between the Council, HCL and Andrew Hooper it has been agreed that HCL may erect a mast and install its equipment as per the specifications contained in the live resource consent issued on this site on 14 September 2006 (number RMA 20061648). Additional requirements have recently been imposed on HCL to ensure that mounting will not compromise the structural integrity of the reservoir and to ensure any work by HCL or any contractors on site is only undertaken once Council has approved its precautionary measures especially in regards to health and safety.
6. The Council has agreed to HCL installing a small cabinet (if HCL is unable to utilise the existing empty utility cabinet) and the installation of an antenna on a mast for a consideration of \$1 per year over a period of 15 years, subject to any further appropriate terms and conditions being agreed.
7. HCL will be responsible for the electricity costs pertaining to its usage.
8. Council officers have encouraged HCL to approach potential funders, possibly with community organisations, with the objective of securing funding that could be used to encourage and advance the uptake of broadband services in the Laingholm and Parau area.
9. Once the telecommunication facility is installed, its monitoring, inspection and maintenance will be carried out by HCL.

DECISION MAKING

A123-125

10. The water reservoir tank is situated on fee simple property at 272A Scenic Drive, Titirangi. HCL's proposal and site plan relate to Lot 2 on Deposited Plan 57315 on Certificate of Title NA11B/1475. Attachments at pages A123 to A125 are the site plan and proposal for this site.
11. HCL's proposal seeks approval to erect an infrastructure mast on the southern side of the water reservoir tank to facilitate broadband access to the Laingholm and Parau communities.
12. The proposed mast would be approximately 8 meters in height and would be affixed to an existing column on the side of the reservoir so that it would have a total height of just less than 12 metres above ground level as per the granted resource consent. The mast would comprise a steel post on which up to three, 500mm diameter satellite dishes would be located. The structure would be stabilised via a combination of bolting to the existing water tank and the use of two, stainless steel tensioned guy-wires. The entire structure would be grey in colour.

13. It is acknowledged that the broadband infrastructure has functional requirements which dictate the necessary height of the mast and dishes in order to achieve unobstructed coverage. Placing the mast and associated networking equipment required for the provision of broadband and telecommunications services on the water tank reservoir will ensure that good coverage is provided to HCL's customers. The mast height available on this site provides adequate clearance allowing maximum coverage.
14. It is considered that the infrastructure is of a size, colour (mid grey), and finish (non-reflective) to integrate into the surrounding area and not be visible from the existing dwellings at 270 and 272 Scenic Drive. Existing vegetation provides extensive screening.
15. Other sites were considered nearby such as at a private residence at 215 Scenic Drive, but agreement was unable to be reached with the landowner. Other sites reviewed were not viable due to the costs involved with designing and building them.
16. During the process of gaining resource consent it was considered that the broadband site would have no adverse affects on the environment. No vegetation alteration or earthworks are proposed as part of the development. No adverse affects on native vegetation or habitat are anticipated as a result of the installation, operation and maintenance of the infrastructure. No noise or light would be emitted during operation of the infrastructure.
17. The site is not likely to be materially altered nor permanently damaged and the rights of the public are not likely to be affected.
18. Resource consent was issued without public consultation as it was considered that there were no adversely affected persons "*given the slight appearance of the structure, the recessive colour and finish, the backdrop provided by the topography of the area and the location of the existing mature vegetation. While the proposal gives rise to a height in relation to boundary infringement on the southern boundary, this party is not considered to be potentially adversely affected given that the narrow diameter of the proposed infrastructure would not give rise to overshadowing. The adjoining property to the south is a water catchment area and does not contain any residential or other sensitive land use activities*".
19. It is considered that by allowing HCL to occupy this site it will be able to provide high quality internet and broadband coverage to the growing population in underserved areas.

STRATEGIC CONTEXT

20. The Council has two goals, firstly that 100% of homes in Waitakere have access to broadband should they wish to connect. Secondly, that very high speed connections are available and affordable in town centres and in new business and mixed use developments. These goals all support a long term goal that every resident has an email address, access to the internet and the skills to use it.
21. The Waitakere Information Access Framework is a strategy document setting out the vision for Waitakere as an electronically enabled and sophisticated City and outlines the framework to achieve it. It is increasingly recognised that ensuring access to broadband and communications infrastructure is very important. Council has taken leadership to encourage the roll-out of cost effective high-speed communications, taking into account the needs of communities, schools and small businesses.

22. Council is responsible for developing policies which attract IT-intensive industry to the City by enabling high speed IT access, encouragement of community networks and the creation of online content.
23. Key drivers for Council to ensure proactive strategies are in place to address communications infrastructure has been to encourage competitiveness by attracting new business, new investment and community development and for sustainable development such as equitable access to services and technology, travel and life style choice.
24. The Council's 'Urban and Rural Village' platform is for choice about employment in neighbourhoods and town centres and enabling and strengthening home businesses.
25. The Council's 'Integrated Transport and Communication' platform's vision is for communications systems that provide fast, effective services with a focus on meeting the essential needs of a wide range of users.
26. The Council's 'Innovative Economy' platform promotes growing the economy and proving more local jobs, including meeting the challenges of the global economy and developing a more skilled worked force.
27. The Council's 'Communities' platform aims to meet the community's changing needs by providing internet access and support by improving educational opportunities and access to greater range of business, entertainment, social and health services (including access to applications such as video conferencing, clinical decision-support systems and transfer of diagnostic images).
28. Finally, the Council's 'Democracy' platform aims to improve dissemination of information and new methods for public participation in decision-making processes, making services more accessible and affordable.
29. These platforms will further enable the people, business and communities of Waitakere to take maximum advantage of communication technologies and information to improve social and economic well-being.
30. The Council believes that these aims are to ensure that Waitakere has the information technology capabilities necessary for it to compete in and take advantage of the communications age.
31. There are no negative effects on the social, economic, environmental or cultural wellbeing of the local community as a result of this proposal.
32. Section 17 of the Waitakere Ranges Heritage Area Act 2008 (the Act) requires Council to have regard to the purpose of the Act and its objectives in making any decision pursuant to Section 76 of the Local Government Act. The matters regarding effects on the environment have been considered through the resource consent process and it is not considered appropriate or necessary to re-litigate these matters. The Council is satisfied that the proposed licence that will allow the activity to occur supports the well-being of people in accordance with objective 8(i) of the Act.
33. Section 36 of the Act provides that any resource consent for an activity in the heritage area before commencement of this Act must be completed as if the Act had not been enacted. Resource consent for this activity was issued in 2006.

CONSULTATION

33. Consultation with Asset Managers at EcoWater has been undertaken and any issues of concern have been addressed. If further concerns arise they will be addressed between HCL and EcoWater.
34. Consultation with Maori: Te Kawerau A Maki and Ngati Whatua Orakei have been forwarded the site plan and proposals for their information on 19 September 2008 and to date have not raised any concerns about the proposals. Any forthcoming concerns will be verbally acknowledged at this meeting.

RESOURCES

35. No resources are required other than staff time. Council will provide staff to enable HCL to access the site upon terms and conditions imposed by EcoWater.

IMPLEMENTATION ISSUES

36. The implementation of the proposal would be undertaken by HCL and overseen by Council staff.

Report prepared by: John Johnson, Group Manager: Information Management



16 WILSHER VILLAGE REDEVELOPMENT PLANNING

GLOSSARY

Housing for Older Adults	(HFOA)
Long Term Council Community Plan 2009 - 2019	(LTCCP)
Waitakere Properties Limited	(WPL)

EXECUTIVE SUMMARY

The purpose of this report is to provide an update on the Wilsher Village Redevelopment Project.

Wilsher Village is one of 12 social housing sites owned and operated by Council. Since 2006, the Council has been exploring the possibilities for redeveloping Wilsher Village to improve the quality and effectiveness of its Housing for Older Adults (HFOA) Programme. This proposed mixed-tenure older persons housing complex at Wilsher Village has the support of Council and other key stakeholders and is in alignment with Council's draft Social Policy strategy to provide quality housing for all people in Waitakere. The Wilsher Village development will also help to achieve the Housing Action Plan's goals to reduce the City's housing needs, increase the quality of housing and encourage sustainable building practices and energy efficiency measures.

In December 2006, the Council mandated that in-principle support and priority be given to the project and requested detailed plans for such a complex, including information on potential partnerships with other HFOA service providers, commercial considerations, and how redevelopment of Wilsher Village would assist the HFOA programme as a whole.

Waitakere Property Limited was contracted in July 2007 to undertake the commercial overview and project management for the Wilsher Village re-development planning. WPL are currently refining the preliminary design and collating the information needed for lodgement of the resource consent. They plan to lodge the resource application with Council for assessment later this year, building consent applications will then follow and major earthworks are expected to commence late 2010. This work is dependant upon completing the land acquisitions under the Public Works Act 1981.

RECOMMENDATION

It is recommended that the Finance and Operational Performance Committee resolve to:

Receive the Wilsher Village Redevelopment Planning report.

BACKGROUND

A126

1. Wilsher Village is one of 12 social housing sites owned and operated by Council. All sites are exclusively for tenants over the age of 60 years, who meet relevant criteria (income, assets, etc.). Wilsher Village is situated on two sites, 21 and 33 Henderson Valley Road, Henderson, which join via a walkway at the rear of the property, see attachment at page A126. The property comprises of 58 single bedsit units and 10 double bedroom units with communal laundry facilities, community lounge and community shed. The units were constructed in 1960.
2. Tenancies are currently managed by the Council's Tenancy Management Team, and ongoing maintenance is managed by Council's Property Assets Team. A major upgrade to 12 single units on 21 Henderson Valley Road was undertaken in 1992. This upgrade included extending the existing buildings, and redesign and redecoration of the interior. A minor upgrade to the remaining 26 units located on 21 Henderson Valley Road was undertaken in 2008. Work undertaken included interior decoration, minor reconfiguration and repairs.
3. Due to its poor condition, site configuration and prime location, Wilsher Village has been identified as an optimal site for Council to undertake an ambitious medium-rise housing complex project which could deliver on a range of strategic objectives and housing service provision.
4. The Council has completed an evaluation of a range of development options for the existing village and at its meeting held on 12 December 2006, the City Development Committee resolved:

1. *That the following redevelopment objectives for Wilsher Village be confirmed:*

By acquiring land and carrying out redevelopment at Wilsher Village, Council seeks to:

- i) *Improve the quality and effectiveness of its Housing for Older Adults programme.*
- ii) *Promote innovative and sustainable forms of Housing for Older Adults and other at-risk residents.*
- iii) *Set new benchmarks for intensive residential development.*
- iv) *Support affordable housing provision for all Waitakere residents, by building partnerships with Housing New Zealand Corporation and other social housing providers.*
- v) *Limit the financial impact of achieving these goals.*

2. *That in-principle support and priority be given to creating a mixed-tenure older persons housing complex at Wilsher Village, including options for low-modest income people to own their own units, and enjoy a wider range of services than currently available through Council's Housing for Older Adults programme.*
3. *That Council officers report back with detailed plans for such a complex, including potential partnerships with other Housing for Older Adults service providers, commercial considerations, and how redevelopment of Wilsher Village would assist the Housing for Older Adults programme as a whole.*
4. *That the report back includes costings and potential arrangements that could minimise or eliminate the costs to ratepayers.*
5. *That the Chief Executive Officer be authorised to commence acquisition of the following properties, for the purpose of housing, in accordance with Council's powers under the Public Works Act 1981:*
 - *31 Henderson Valley Road Lot 1 DP 80023;*
 - *31A Henderson Valley Road Lot 2 DP 80023;*
 - *29 Henderson Valley Road Lot 3 DP 80023;*
 - *25 Henderson Valley Road currently Lot 2 DP 47225;*
 - *27 Henderson Valley Road Lot 3 DP 47225.*
6. *That additional pre-development operational funds be sought via the 2007/2008 Annual Plan process for the Wilsher Village redevelopment.*
7. *That Council officers report back with detailed plans on funding and implementing an interim refurbishment programme for Wilsher Village and that Council provide an update on development plans to the residents of Wilsher Village.*
8. *That the Wilsher Village Redevelopment - Options Analysis Agenda report and associated resolutions remain confidential until such time as the reasons for confidentiality no longer exist.*

2504/2006

5. The Wilsher Village Redevelopment Project is currently in feasibility / project scope stage and will be moving into the project consenting phase in 2008/2009 dependant upon the final successful land acquisitions under the Public Works Act 1981. The next phase will be to seek approval for the final development proposal (including application for resource consent), development phasing, and designing a financial model to deliver the project.

DECISION MAKING

Issues

Development Funding

6. WPL has been working closely with its consultants and strategic partners to investigate viable development proposals that align to the vision and aspirations provided by Council. The Selwyn Foundation, a charitable trust focused on providing housing and care for older adults, a private senior living village developer and Housing New Zealand Corporation have provided constructive input to this preliminary design process.

- A128
7. The initial proposal for Wilsher Village anticipated a joint venture with Housing New Zealand and possible further parties (refer Wilsher Village Feasibility Study – Sills van Bohemen architecture, April 2006). Council has since resolved that the mix of the 68 public and 137 private units model will best suit the City's objectives of sustainable, affordable housing for older adults and meet the objectives of minimal costs to the ratepayer. Preliminary financials indicate a shortfall of approximately \$3.8 million (see attachment at page A128). This is in the upper limit of the parameters initially advised to the Council.
 8. An approach has been made to the Minister of Housing to discuss the possibility of seeking a special funding appropriation for the Wilsher Village Re-development Project.

Comprehensive Development Planning

9. The planned redevelopment is for a 205 unit Village, with 147 one-bedroom units and 58 two-bedroom units. Sixty eight of the one-bedroom units will be returned to Council. This ratio of one to two-bedroom units is currently being tested to see if it reflects what the market wants.
- A127
10. The current master concept plan as attached at page A127 provides for the units in mostly two-storey blocks around the perimeter of the development site. A community hub in the centre of the development will provide a 'heart' to the development which is visible upon site entry. There are two four-storey buildings on the inner perimeter which would contain a lift and walkway gallery. The design provides for a possible residential care facility to provide and enable 'aging-in-place' through assisted care. View shafts are maintained throughout the development, public/private space is maximised, and parking provisions are internalised. Development design will build in flexibility for use and tenancy.
11. As 137 of these units will be sold on the open market, the quality and amenities of all 205 units will be competitive with other villages. The units will be constructed to meet Council and industry standards. The units will be built to the Life Mark standard. These products and services meet a rigorous set of Lifetime Design Standards (LifeStandards) and specifications, proving they can be easily used, or adapted for use, by people of all ages and abilities.
12. The Wilsher Village will be unit-titled. The residents will own their homes, with the ground lease to Council. As a form of ownership, unit title is similar to other property in that it can be bought and sold, or leased or mortgaged. But unlike other forms of title, it is made up of three components:
 - i) ownership in the particular unit;
 - ii) an undivided share in the ownership of the common property; and
 - iii) an undivided share in the ownership of the units if the unit plan is cancelled.
13. The vast majority of the market is license to occupy. In terms of ongoing management the unit title is easier and it also gives a point of difference in the market.
14. The works are proposed to commence in late 2010, the Village will be constructed in four stages over five years. The project is anticipated to be completed in 2015.

Sustainable Building

15. The Council's goal is to provide a flagship, green environment while minimising running costs to the residents. The development will incorporate a number of sustainable features, such as rainwater harvesting, low volatile organic compound materials, thermal mass and cross flow ventilation.

16. Further investigation into environmentally sustainable design initiatives is underway. Cost benefit analysis of the viability and life cycle of these materials and features will determine those that will be considered for inclusion into the final design.

Amenities

17. The intention is for the residents to remain integrated with the community at large and to use the local facilities. West Wave Aquatics Centre, the bowling green, medical facilities, shopping and supermarkets are all within an accessible 1.5km radius.
18. The development has been designed so that amenities provide a better quality of life for older adults e.g.:
- (i) The units will have level access, either directly off the ground floor or via a lift. No unit is more than 30 metres from the lift. All the units will be fitted with panic buttons linked to a 24-hour call centre.
 - (ii) There will be a central activities facility and craft room for fitness classes, social gatherings, arts and crafts and clubs.
 - (iii) Centrally located post boxes will mean that residents have a hub to meet, and if a resident's box isn't emptied for a while it will serve as an alert.
 - (iv) Communal barbecue areas to encourage a sense of community within the village where residents care for each other.
 - (v) The Village will not provide cooked meals or cleaning services, it is hoped to utilise the services put into place by the District Health Board and other services that are currently available to the wider community.
 - (vi) There will be raised allotment gardens and fruit trees planted throughout the Village. The pathways will encourage the residents to walk to where they need to go.
 - vii) Each level will have a communal sun lounge adjacent to the lift, a place where residents can gather and interact with each other.

Strategic Land Acquisition

19. The viability and potential of the Wilsher Village Redevelopment Project is reliant on the purchase of all five privately-owned properties that currently bisect the existing site, in order to form a contiguous square development site of approximately 1.6 hectares. Given that a start has been made with the planning process well in advance, Council has time to negotiate the purchase of these sites in a timely manner to maximise opportunities for the existing owners to find suitable alternatives.
20. Council has acquired three of the five privately-owned properties, being numbers 25, 31 and 31A. The owners of 27 and 29 have rejected the prices offered by the Council, and are in discussion with each other as to their position.
21. Legal Services continues to lead on the purchase of No. 27 and No. 29 Henderson Valley Road. Legal counsel for both the proprietors of both properties are contesting Council's ability to purchase the properties under the Public Works Act 1981 which will result in compulsory purchase action.

Financial Implications

22. The Council is dealing with the proposed replacement (and potential increase in service level) of a strategic asset of Council. Initial plans for this site were based on an assumption that an ambitious mixed use development could be delivered at no net cost to Council however circumstances have now changed. In order to deliver an outcome which aligns with Council's strategic objectives Council will need to provide funding and accept that there will be associated development and funding risks to manage. Council has also utilised its powers under the Public Works Act 1981 to compulsorily acquire privately owned land to provide certainty over the development site.
- A128 23. Although the endorsed option will require Council to spend more (premium cost of up to \$3.8 million, see attachment at page 128) this is realistic given the fact that this is an innovative project that will set new quality standards for publicly-funded HFOA housing and will result in a significant increase in the value of Council's asset base. The one bedroom units have been estimated to sell at \$5920psm, or \$260,480 each. As the Council is taking 68 of these to replace the existing units, it puts an estimated market value of \$17,712,640 total. In April, 2008 Council has also resolved rental increases from 25% of income to 70% of market rental for singles and 80% for couples, to be implemented in one year's time (582/2008). Non-tangible benefits (flagship project etc) should also be significant.
- A128 24. WPL is working to deliver on a premium quality development at an affordable cost. The project financial model has been designed to provide tenants' with manageable costs and ensures that the sales value of the units is reasonable for the older persons market. The total cost of the development will be \$35.6 million. The sale of the private units will generate an income of approximately \$34.9 million which will help fund the costs of the development. The current model leaves a shortfall of approximately \$3.8 million (inclusive of the cost of land estimated at \$3 million) to execute the project as attached at page 128).
25. This financial pay back model has assumed 100% pre sales. Research into the New Zealand market (CBRE "Retirement Village Supply & Demand A short term Headache?" 2008) highlights the demand for retirement villages. The two major factors are:
- (i) the general aging trend, which forecasts people aged 65 and over will reach one million people by 2031,
 - (ii) the proportion of people who want to reside in a retirement village, currently 5.1 % of the over 65's live in retirement villages.
26. The risk to Council relying on income to sales to fund the majority of the development is that Council may bear some shortfall while the units sell. The mitigation strategies include staging the development and ensuring that the design is flexible to cope with market conditions. Financial feasibility modelling is programmed post resource consent application and will be reported back to the Council at the appropriate time. There is no commitment to the next stage until the feasibility model has been approved by Council.
27. Preliminary costs are in keeping with previous development cost estimates for this project as reported to the City Development Committee in December 2006 (resolution no. 2504/2006 referred above in para 4). Capital expenditure has been approved for Property Acquisitions within the current budget, and further capital budget has been allocated in the Long Term Council Community Plan 2009-2019 for the Wilsher Village Development.

28. Further public consultation will be undertaken in conjunction with requests for funding at the appropriate time. It is currently proposed that an extensive consultation programme could be undertaken as part of the LTCCP consultation planned in early 2009 or in the Annual Plan 2009/2010, once there is a clear understanding of the scale of the project and Council mandate to progress a particular development proposal. Alternatively, if required, a Special Consultative Procedure may be followed for this project.

Consideration of Community Views

29. The Wilsher village community and other external stakeholders will have a number of formal and informal opportunities to express their views both through the preliminary informal consultation and further planned individual consultation in late 2008 and through the formal channel of the LTCCP consultation in 2009.

STRATEGIC CONTEXT

30. The redevelopment of Wilsher Village is intended to be an innovative and transformational design and build project which supports Council's strategic platforms and priorities. Council has the opportunity to meet several social housing and sustainable urban development objectives through comprehensive redevelopment of the Wilsher Village site. An innovative and significant housing redevelopment would support the direction of Council's draft Social Housing Policy. It would also contribute to Council's vision of future urban and economic development and community wellbeing, through the following strategic platforms: Urban and Rural Villages, Strong Communities, Strong Innovative Economy and Sustainable Energy and Clean Air.
31. The development of the Village will concurrently contribute to some of the community outcomes identified for Waitakere by its people. The collective vision for the future includes thriving urban and rural villages, strong communities and promotion of healthy lifestyles.
32. As partial fulfilment of Council's obligation under the Local Government Act 2002, to assess the benefits and costs of all reasonably practicable options before committing to a particular scheme of development, various development models, such as mixed tenure, equity building schemes, and joint venture opportunities have been investigated and explored over the past five years.
33. The Council has resolved that mixed tenure dedicated housing for older adults, as compared to a high density mixed use development, is the best development option for this site. Reasons for this include:
- i) Feedback from Council HFOA tenants (and HFOA housing providers) indicates a strong preference for village-style housing, rather than being integrated into a mixed affordable housing development.
 - ii) A larger HFOA complex would create economies of scale needed to deliver extra services to residents, for instance health and community services.
 - iii) Potential problems managing a higher density housing complex that has a mix of owners, and a high proportion of social housing.
 - iv) Council could potentially take a larger share of units. This would allow residents from other villages to transfer to the new complex, and free up land for other forms of affordable housing.

34. Wilsher Village presents an opportunity for Council to improve the quality and efficiency of its HFOA assets and service and to demonstrate best practice that sets new benchmarks for urban design and sustainability initiatives through a creative housing project. Wilsher Village is well-located for older people and the wider population. The site is adjacent to Henderson town centre and is well-served by public transport, schools and employment opportunities. With this model Council can continue to look after the current residents and provide an environment where other older adults' city residents can move into a retirement village and retain their capital. Furthermore by having owner/occupiers as the majority of the residents there will be a higher standard of care of the built environment. This includes options for low-modest income people to own their own units, and enjoy a wider range of services than currently available through Council's HFOA programme. The key goal is to provide a quality, safe living environment for older adults where the ongoing running costs are manageable.
35. This model delivers a flagship medium density housing project, but could also break new ground in the provision of publicly-funded housing for older adults. In this context, it aligns closely with Council's aspirations for its HFOA programme and principles to be incorporated into Council's draft Social Housing Strategy, and opens up other possibilities for affordable housing in the City. The intention is to use this retirement village model as a pilot which could then be implemented throughout the City's portfolio.

CONSULTATION

36. Consultation with Councillors took place in May 2008. Representatives from Urban Design and Development, Parks Planning, Legal Services, Resource Management, Consents Services, Heritage, Transport Assets, Transport Strategy and Waitakere Enterprise have been involved in discussions on the preliminary planning for the Wilsher Village Redevelopment.
37. Preliminary consultation has taken place both with the village residents and the landowners of the properties that Council proposes to acquire. Individual consultation with neighbouring property owners is planned for late 2008. There will also be associated consultation through Council's LTCCP so that further spending can be accounted for in a transparent manner.

RESOURCES

38. The Council does not have the capacity to deliver this project through use of its internal resources. Those Council officers who have specific skills and direct experience required in property development are already engaged on other key projects. This project work cannot be reasonably deferred to such time as those staff would become available.
39. The use of WPL and additional external service providers is required to complete the pre-development planning for this project. WPL held the previous contract for pre-development in 2007/2008 and from which development designs and costings have been reported to Council. The engagement of WPL to progress this next stage of work means that the Council expects to obtain benefits through experience, efficiency and continuity.
40. Council officers from Strategic Projects are responsible for working alongside WPL to ensure that the vision for Wilsher Village is delivered on the ground. This work is supported by Council officers in other teams, who will provide critical technical advice and a peer review function through the preliminary planning process and financial modelling.

41. Capital expenditure has been approved for Property Acquisitions and the redevelopment project within the current year's budget, \$2,500,000 and further capital budget, \$2,500,000 has been allocated for the first year of the Long Term Council Community Plan 2009-2019 for the Wilsher Village Development.

IMPLEMENTATION ISSUES

Communication with Residents

42. Significant care, attention and planning will be applied to the transitional management of existing Wilsher Village residents throughout this project. Given that a significant project at Wilsher Village will take longer to plan and deliver (estimated at up to five years), provision has been made to ensure that the immediate needs of Wilsher Village residents were addressed through an interim refurbishment programme which was delivered by Property Assets and completed in June 2008. Tenancy managers are constantly on site and the tenants are content with the current status of the Village.
43. Proposed development staging will take account of the requirements of these residents, and Property Services will maintain the direct management of Council's Housing for Older Adult service provision throughout the development process. Due to the proposed major project on the site, all tenants have been moved to 21 Henderson Valley Road. All units at 33 Henderson Valley Road will remain vacant until final decisions have been made about the future of the site. This reduced revenue has been accounted for in Property Assets budgets for this financial year. There will be a maximum estimated loss of \$145,000 per annum.
44. A preliminary project update has been provided to the Wilsher Village residents in early May 2007 and further information will be provided at an on-site meeting scheduled for October 2008.

Resource Consents

45. The current immediate implementation risk is that until the purchases of No. 27 and 29 Henderson Valley Road are finalised WPL cannot proceed with the Resource Consent lodgement.

Property Acquisition

46. Legal Services continues to progress the purchase of No. 27 and No. 29 Henderson Valley Road. Legal Counsel for both the proprietors of both properties are contesting Council's ability to purchase the properties under the Public Works Act 1981 which will result in compulsory purchase action. This will result in the dispute escalating to the Environment Court, effectively delaying the project further.

Development Funding

47. If external funding is sought to supplement the shortfall in the development as an alternative to providing the Council providing the funds potential development partners may require an increase in social housing. International best practice suggests that one third development be for social housing. As the Wilsher Village development is already at 33% social housing in the complex, any increase may compromise the outcomes sought by Council and make the balance of the units difficult to sell to the general public. This needs to be a consideration during the negotiation period.

Management Model

48. A key determinant to the long-term success of this project will be the effective management of the mixed-tenure community established at Wilsher Village. In order to achieve Council's objectives for this village, particular attention will need to be paid to overall design and the distribution of Council's HFOA units versus privately tenanted/owned units, and to the model for ongoing operational management and access to on-site services.

Report prepared by: Dionne Hindson, Project Manager Strategic Projects



17 ORANGIHINA (HARBOURVIEW PARK) HERITAGE

GLOSSARY

Orangihina (the Harbourview Park)

EXECUTIVE SUMMARY

This report recommends that the Finance and Operational Performance Committee release \$80,000 of the Harbourview budget to establish heritage interpretation material, fencing and lighting thereby preserving the unique heritage at Orangihina (Harbourview Park).

RECOMMENDATIONS

It is recommended that the Finance and Operational Performance Committee resolve to:

1. **Receive** the Orangihina (Harbourview Park) Heritage report.
2. **Agree** that Council officers seek expressions of interest from lighting, fencing and interpretive signage contractors for heritage design concepts for the gun emplacements, brick villa, Auckland Brick and Tile site, Maori middens and McCormick's cottage on the Harbourview Park.
3. **Agree** that \$80,000 of the Harbourview budget be set aside for heritage fencing and interpretation, subject to design concepts being provided to and approved by the Finance and Operational Performance Committee.

BACKGROUND

1. Te Atatu Anti Aircraft Battery was constructed in 1943 to a New Zealand Public Works Department design modification of a British War Office standard gun emplacement. The battery is one of a group of similar structures deployed throughout the Auckland Isthmus. The battery was constructed to protect the western airfields, in particular the Hobsonville Airbase, from aerial attack. It was active for only a year but is now the only one of its type remaining.
2. Due to its association with the defence of Auckland during WWII, the Te Atatu Anti Aircraft Battery is identified as a Category I heritage item under the District Plan. Category I buildings and structures are the most significant and therefore special care and attention needs to be taken with maintenance programmes and any modifications to the structures. The Harbourview Park has many heritage features with little or no explanation of what they are or their significance. The report recommends that this should be addressed.

DECISION MAKING

Issues

Graffiti Treatment of the Anti Aircraft Battery

3. In December 2007, it was brought to Council's attention that the extensive graffiti on the five historic gun emplacements located on the Harbourview Park needed to be removed. Although it would have been possible to complete a quick removal of the graffiti, the Category I heritage status of the structures meant that a more considered approach would be appropriate. The Council had previously commissioned a Conservation Plan for the gun emplacements in 2003.
4. The first anti aircraft guns arrived in Auckland in February 1936 and were based at the Northern Military District School of Artillery at Narrowneck, part of the army base at Fort Takapuna. At the start of WWII an air attack was seen as quite unlikely. However, the threat of air attack on Auckland became a distinct possibility in June – November 1940 when it became apparent that German raiders were operating around New Zealand in the Tasman and South Pacific-when a mine sank RMS *Niagra* on 9 June 1940 within hours after leaving Auckland and RMS *Rangitane* was lost on 27 November 1940 due to gunfire and torpedo attack less than two days after leaving port.
5. Twelve Anti-Aircraft batteries were eventually built in Auckland. In August 1941 the War Office advised that the first shipment of 3.7 inch guns was en route to New Zealand and this led to an assessment of the best positions for the guns. The areas deemed of military and strategic importance were the naval dockyard at Devonport, the fuel tank installation on the Western Reclamation, the two airbases at Hobsonville and Whenuapai. In January 1942, it became clear that the number of guns allocated was far less than anticipated with only eight guns coming to Auckland. No construction work could begin on the batteries until the guns arrived, the New Zealand Army were told to re-calculate the vulnerable area based on observations of recent Japanese air attacks in the Far East.
6. Work on the coastal defences began in earnest and by May 1942 work was underway at Belmont, Hobsonville, Orakei, Ponsonby, Te Atatu and Whenuapai. By May 1943 the initial construction programme of the twelve batteries was completed and Auckland's anti aircraft defences were at their peak. By then, the threat of air attack had receded to the point where some of the batteries were reduced to reserve status even before they were completed.
7. Over the years the anti-aircraft batteries have not fared as well as the abandoned coast artillery sites in the Auckland region. Alexandra Park, Auckland Domain, Bayswater, Belmont, Northcote, Ponsonby and Stanley Bay have all been completely destroyed, one emplacement at Chamberlain Park remains, and two each at Hobsonville and Whenuapai Aerodromes. Only Orakei and Te Atatu have retained their four emplacements and command post. The sites are easily accessible from Gunner Drive, Te Atatu and offer the public of Auckland a visual reminder of coastal defence systems during WWII in a pleasant coastal setting.
8. Although the cheapest option for graffiti removal at the site would have involved painting the concrete, this was not pursued as it would have obscured the concrete which is an integral feature of the site. One of the key principles of the Conservation Report was that the complex should be preserved as far as practicable in the state that was in the mid-1940s. New works should not substantially alter the appearance of the complex and should aim to have minimum alteration to the structures.

9. The Anti-Aircraft Battery is part of a broader heritage landscape that covers the Auckland Brick and Tile Company site, the brick villa, McCormick's cottage, and pre-European middens.

Options Identified

10. The contractor who removed the graffiti had specialist experience in heritage projects and had worked on the North Head site. It was decided that the removal of the graffiti and the application of the graffiti guard should be undertaken by specialists and the contract has a maintenance period that will finish in May 2009. The specialist chosen to carry out the work was Graffiti Guard Services Limited. The contract has been successful and it is considered that further work should now occur to bring back options to the Finance and Operational Performance Committee on the following matters: further site interpretation and signage for the Harbourview Park, lighting, different fence options for the gun emplacements and other heritage features on the Citywide Park.
11. Decisions on these matters will also require consultation with Te Taumata Runanga as the Harbourview Park has special significance to Maori. It is considered that consultation with Te Taumata Runanga will elicit useful information that can be fed into the overall decision making process.

Consideration of Community Views

12. The primary beneficiaries of further site interpretation, improved fencing options and lighting are the local residents, businesses and visitors to the area that wish to appreciate the heritage of Harbourview Park.

Preferred Option

13. The preferred option involves bringing back a further report to the Finance and Operational Performance Committee on options for the interpretation of the heritage landscape at Harbourview. That landscape includes the Auckland Brick and Tile Company Site, the brick villa, McCormick's Cottage, gun emplacements and pre-European heritage sites.

STRATEGIC CONTEXT

14. The work at Harbourview Park involves the Vibrant Arts and Culture Platform. "Waitakere city's arts and culture is reflected and appreciated in our everyday life and the City is itself a work of art. We participate in creative pursuits and have a deep and wide perception of arts and cultures in our City."
15. Development of heritage interpretation material will be achieved in consultation with the NZ Historic Places Trust, the lead central government agency involved in heritage protection.

CONSULTATION

16. The Council's Heritage Advisor has consulted with the Manager: Parks Planning and Parks Assets staff in preparing this report. The Manager: Parks Planning supports further on-site interpretation of heritage features at the Harbourview Park as it is one of the most visited parks in the city.
17. Te Taumata Runanga will be invited to provide their comments for site interpretation of Maori cultural heritage.

18. Council officers will consult with the New Zealand Historic Places Trust as part of developing site interpretation concepts.

RESOURCES

19. The resources required to deliver signage, fencing and lighting on the ground will need to be met from the Harbourview Park OPEX budget.

IMPLEMENTATION ISSUES

20. It is considered that despite the legal claim over the Harbourview Park, the park is one of the mostly frequently visited in the City. The history of the existing heritage items on Harbourview Park should be highlighted through on-site interpretation that would add significant value to the visitor experience and City profile.

Report prepared by: Alina Wimmer, Principal Advisor: Heritage



18 LICENCE TO OCCUPY COUNCIL ROAD RESERVE – 10 TODD AVENUE, NEW LYNN

GLOSSARY

Local Government Act 1974	(LGA 1974)
Portage Licensing Trust	(The Trust)
Square Metres	(sqm)

EXECUTIVE SUMMARY

The purpose of this report is to seek approval from the Council to enter into a licence with the Portage Licensing Trust to occupy and lease 64 square metres (sqm) of Council road adjoining 10 Todd Avenue, New Lynn. This portion of road is closed to traffic and forms part of the Todd Triangle pedestrian mall.

Pursuant to section 357(1) of the Local Government Act 1974 (LGA 1974), the Council is empowered to authorise encroachments on the road and the pedestrian mall is legally classified as a type of road.

The proposed licence will set out the terms and conditions whereby the licensee can encroach on the road for the primary purpose of locating tables and chairs on the road for dining purposes.

The licensee will comply with all statutes, regulations and bylaws affecting the use of the land made or imposed on it by any Authority.

The licence will take into account the Council's 2006 draft Outdoor Dining Policy, the principles of which were approved by the Council's June 2006 Planning and Regulatory Committee.

The granting of the licence contributes to the Council's strategic vision for the urban regeneration of New Lynn Town Centre and this property is within the Merchants Quarter, which will form the heart of New Lynn once redeveloped. Any licence will be subject to the granting of a resource consent for the proposed activity.

RECOMMENDATIONS

It is recommended that the Finance and Operational Performance Committee resolve to:

1. **Receive** the Licence to Occupy Council Road Reserve – 10 Todd Avenue, New Lynn Report.
2. **Agree** that the Council enter into a licence with the Portage Licensing Trust to encroach onto 64sqm of Council road adjacent to 10 Todd Avenue, New Lynn as shown in the plan attached, subject to resource consent being obtained.
3. **That** the Chief Executive Officer be authorised to negotiate and execute a licence for \$6,000 per annum as per the valuation for the report, subject to resource consent being obtained.

BACKGROUND

1. The Council's draft Outdoor Dining Policy aims to balance encouraging the emergence of an outdoor dining culture in the City by not being overly prescriptive, with ensuring that the look, ambience and safety of outdoor dining in the City enhances the Council's vision for its town centres.
2. A revised draft Outdoor Dining Policy was reported to the June 2006 meeting of the Planning and Regulatory Committee which resolved:

- “ 1. *That the Draft Public Places Bylaw 2006 - Trading report be received.*
2. *That having considered all possible options, a bylaw is the most appropriate mechanism to assist in the regulation of trading in public places.*
3. *That the principles contained within the draft bylaw relating to trading in public places produced at this meeting be approved, and be included in the complete draft Public Places Bylaw 2006 to be brought back to the Planning and Regulatory Committee for approval in due course.*
4. *That the contents of the draft bylaw have no implications which are inconsistent with the New Zealand Bill of Rights Act 1990.*
5. *That Council officers finalise the terms and conditions of a Street Trading Policy, and refer back to the Planning and Regulatory Committee for discussion.*
6. *That the principles contained within the draft Outdoor Dining Policy also be approved.”*

(1007/2006)

3. The Council's draft Outdoor Dining Policy is still to be finalised as it is tied up in the public places bylaw consultation and review process, but its principles will be taken into account in the preparation and finalisation of the Licence to Occupy for the road adjacent to 10 Todd Avenue, New Lynn. These principles relate to the design requirements of the outdoor dining area and the balance to be achieved between commercial and public access to public space.

DECISION MAKING

Issues

- A129
4. The Portage Licensing Trust (the Trust) is planning to open a boutique bar and restaurant with outdoor dining at 10 Todd Avenue in New Lynn as shown in attachment at page A129. It is proposed to establish outdoor seating for 70 patrons in Todd Triangle. Building consent has already been granted by the Council for the construction of the two storey building. Resource consent was previously granted to establish the proposed building as a retail activity. Further resource consent is now being sought to operate a restaurant, bar and function centre with an outdoor dining area. The applicant is seeking consent to operate 7 days a week from 10am to 1am, with extended hours till 3am on Saturday and Sunday morning, for the entire activity including the external seating area.
 5. The District Plan allows such activities to operate from 11am to 10.30pm Sunday to Thursday and from 11am to 11.30pm Friday to Saturday as a permitted activity in this current location, subject to compliance with the noise limits. The current application seeks to exceed the hours and noise limits of the District Plan as noted above. This is a Discretionary Activity. At the time of writing this report, these matters were still under consideration by the Council and resource consent had not yet been granted.
 6. The proposed 64sqm of outdoor dining area proposed by the Trust is located within Council road. Further, Todd Avenue was declared to be a pedestrian mall in accordance with section 336 of the LGA 1974 by the Council at its meeting held on 28 July 2004 as follows:
 - “1. *That the Todd Triangle - Creation Of Pedestrian Mall report be received.*
 2. *That the concept plan for the Todd Triangle development be modified to include no fewer than 10 car parking spaces within the overall development.*
 3. *That the Council’s decision, resolution 854/2004 passed on 26 May 2004, to declare Todd Avenue a pedestrian mall in accordance with section 336 of the Local Government Act 1974 (in the form it existed at the date of that resolution) be confirmed.*
 4. *That written notice of this decision be given to the submitters and that public notice of the decision be given in the same manner as if the Local Government Act 1974 Amendment Act 2004 had not been passed.*
 5. *That the New Lynn Community Board consider the following amendments as part of the Todd Triangle concept plan:*
 - a) *Additional parking along Totara Avenue, New Lynn adjacent to the pedestrian crossing;*
 - b) *All parking adjacent to the Triangle be 90-minute parking.*
 6. *That the following issues be considered and discussed with the submitters as part of the detailed design process for Todd Triangle:*
 - *Use flexibility of the central Triangle area;*

- *Layout of stalls on market days;*
 - *Spacing and variety of trees, subject to Councils arboricultural and landscape architectural advice;*
 - *Lighting layout.*
7. *That staff work with the submitters in relation to the following matters:*
- *New Lynn public toilets.*
 - *Pedestrian connections and lighting between Todd Avenue and the Council car park behind the shops, including liaison with the police station.*
 - *The potential for allocated and/or leased staff parking in Council-owned car parks.*
 - *The timeline and outcomes from the Council-commissioned New Lynn parking study.”*

1344/2004

7. Under section 357(1) of the LGA 1974, the Council is empowered to authorise encroachments on the road and the pedestrian mall is legally classified as a road.
8. In addition to working through the above resource consent issues, officers have been progressing the work required to establish a Licence to Occupy. This would however be subject to any resource consent being granted to the proposed activity and any conditions of consent that might also be imposed as part of that resource consent decision.



10 Todd Avenue,
location of
proposed Bar
and
Restaurant

Draft Licence to Occupy

9. Broadly the licence will set out the land owners terms and conditions whereby the licensee can encroach on the road for the primary purpose of locating tables and chairs for dining purposes. It is proposed that the licence be for a term of five years with a right of renewal for a further term of five years, if the terms and conditions are complied with to the Council's satisfaction.

10. The licence will set standards for the street furniture to be used and any structures that the Trust may wish to erect. It will provide that a clear footpath width of 1.5m is maintained so that pedestrians may traverse the area without being hindered by patrons of the Trust's bar and restaurant. The Trust will be obliged to keep the area clean and tidy and clean up any grease, food or drink stains. The Trust will also be obliged to comply with any alcohol ban in effect in the area at any time. Any conditions imposed as part of the current resource consent application will also need to be adhered to.
11. The licensee will comply with all statutes, regulations and bylaws affecting the use of the land made or imposed on it by any Authority.
12. The licence will take into account the Council's 2006 draft Outdoor Dining Policy, and is based on a best practice model from Christchurch City Council.
13. The granting of this licence will result in the first licensed outdoor dining area on road in Waitakere and as such, is likely to set a precedent for further outdoor dining licences.

Options Identified

14. The options identified fall into two broad categories, grant the licence or do not grant the license.
15. Reasons to grant the licence are that the use of the street on a non-exclusive basis will contribute to the Council's vision for New Lynn and its vision for active street frontages that are vibrant, dynamic and attractive. Potentially undesirable effects relating to health and safety, pedestrian movement/obstruction and visual amenity issues will be dealt with as part of the terms and conditions of the licence.
16. The Finance and Operational Performance Committee need to consider the annual cost that the licensee will pay for being able to utilise the Council's road reserve and the terms of the licence that will be granted.

Assessment of Options

A130-A139

17. Registered Valuers Darroch Valuations have assessed the appropriate method for determining the rental for the use of the road, based on their earlier valuation. Their comments are provided in attachment at pages A130 to A138 and suggest an annual license fee of between \$5,500 - \$6,000. The method used to calculate this figure is based on the Christchurch City Council model shown in attachment at page A139, which Darroch considered as appropriate for Waitakere City. This method uses a formula based on the rental value of the adjacent commercial space.

Consideration of Community Views

18. Planning for the future of New Lynn has been ongoing since the 1996 design charette and the community has had a number of formal and informal opportunities to express their views.
19. Through the processing of the resource consent application for the original consented bar/restaurant at 10 Todd Avenue, the Council has assessed the cumulative effects of the application on the adjacent community. The effects of that proposal were determined to be less than minor and as such the application was not notified. The issue of the increased hours, potential noise infringements and the outdoor seating are being assessed as part of the current resource consent application.

20. As part of the Sale of Liquor Act 1989 a public notification process is required before a new liquor licence can be issued. Members of the public will be able to comment on the application for the liquor licence for the outdoor dining area at 10 Todd Avenue, New Lynn.

Preferred Option

21. The preferred option is for the Council to agree to enter into a licence with the Trust to encroach onto 64sqm of Council road, adjacent to 10 Todd Avenue, New Lynn. This would be subject to compliance with resource consent and any associated conditions.

STRATEGIC CONTEXT

22. New Lynn is identified in the Council's 2006 Draft Growth Management Strategy as one of the City's future urban growth areas. Significant growth is expected to occur in New Lynn as urban development and intensification takes place in residential, retail and employment areas, as part of the implementation of the New Lynn Plan Change 17 and 18. This growth contributes to the Council's Urban and Rural Villages and Strong Innovative Economy strategic platforms and Strong Economy and Urban and Rural Villages community outcomes.
23. The establishment of a licensed outdoor dining area within the Merchant Quarter in New Lynn contributes to the Strategic Platform and Community Outcome of Strong Communities and Waiora – Environmental Protection, helping to make the City a safe and interesting place to live, while protecting the health, wellbeing and safety of the community.
24. The establishment of bar and restaurant facilities also needs to be balanced with the Council's desire to encourage residential activities within town centres. At the present time residential activities can establish in this environment as of right and care is needed to ensure that all activities contribute to the vibrancy of the city without compromising the amenity of existing and future residents. The resource consent process is the appropriate mechanism to assess the scale and character of the proposed activity (including noise effects) and to impose any necessary conditions on the activity.

CONSULTATION

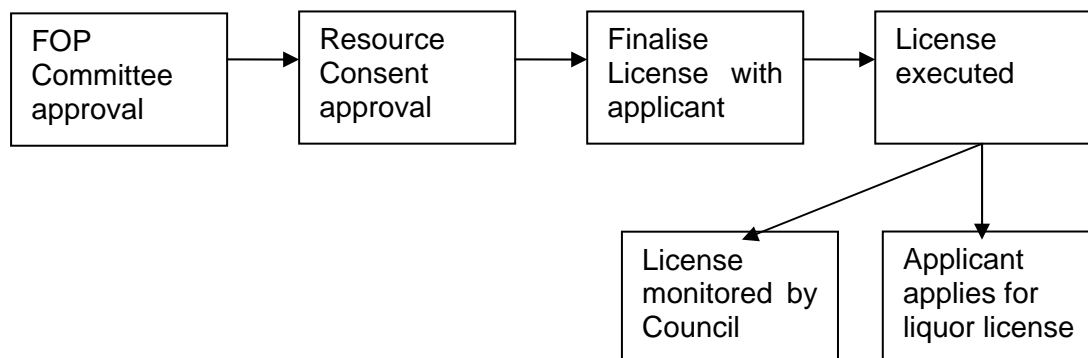
25. Consultation with staff from Legal Services, Consents Services and Field Services has taken place.
26. No specific consultation has taken place with iwi.

RESOURCES

27. The finalisation of the licence to occupy will require officer time for negotiation and legal process.
28. Field Services will need to enforce the conditions of the negotiated Licence to Occupy, this will be resourced through existing budgets and staff resources. The resource consent process is fully cost recovered.

IMPLEMENTATION ISSUES

29. Staff resources are available to finalise the license to occupy with the Trust. The terms and conditions of the license will be enforced by Field Services. The following flow chart outlines the steps to finalise the license.



Report prepared by: Stephanie Jowett, Strategic Planner, Strategic Projects



PART E - REPORTS FROM THE SUBCOMMITTEES

19 TENDERS SUBCOMMITTEE

THE SUBCOMMITTEE SUBMITS THE FOLLOWING REPORT OF ITS MEETING HELD ON FRIDAY, 5 SEPTEMBER 2008 AND ON FRIDAY, 19 SEPTEMBER 2008

MATTERS CONSIDERED

A140-A145

The Subcommittee dealt with a number of items for which it has delegated powers to act and a copy of the minutes of the meetings are attached at pages A140 to A145.

It is recommended that the Finance and Operational Performance Committee resolve to:

Receive the meetings reports of the Tenders Subcommittee held on Friday, 5 September 2008 and Friday, 19 September 2008.

RI Clow
CHAIRMAN

