



Waitakere City Council
Te Taiao o Waitakere

NOTICE OF MEETING

POLICY AND STRATEGY COMMITTEE

I hereby give notice that a meeting of the Policy and Strategy Committee will be held on:-

DATE: Thursday, 5 August 2010 **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.

29 July 2010

Judith Moore
COMMITTEE SECRETARY

Telephone (09) 836 8000 extn 8950

MEMBERSHIP:

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

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 POLICY AND STRATEGY COMMITTEE TO BE HELD IN
THE COUNCIL CHAMBER AT WAITAKERE CENTRAL, 6 HENDERSON VALLEY ROAD,
HENDERSON, WAITAKERE, ON THURSDAY, 5 AUGUST 2010,
COMMENCING AT 9.30 AM**

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1 APOLOGIES



2 URGENT BUSINESS

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

- (i) the 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 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 - Thursday, 5 August 2010.

RECOMMENDATION

It is recommended that the Policy and Strategy Committee resolve to:

Receive the minutes of the meeting of the Policy and Strategy Committee held on Thursday, 8 July 2010, as circulated, and that they be taken as read and now be confirmed.



5 DRAFT STRATEGIC WALKING PLAN FOR WAITAKERE

GLOSSARY

Draft Strategic Walking Plan for Waitakere	(the draft Plan)
Policy and Strategy Committee	(the Committee)
Waitakere City Transport Strategy 2006-2016	(Transport Strategy)

EXECUTIVE SUMMARY

This purpose of this report is to present to the Policy and Strategy Committee (the Committee) contents of a draft Strategic Walking Plan for Waitakere (the draft Plan). This report seeks the Committee's endorsement of the draft Plan's proposed contents and endorsement of the wording of objectives, outcomes and set of guiding principles for pedestrian planning.

A draft Plan for Waitakere is required as an update to the current Walking and Cycling Strategy which was adopted by the Council in 2003.

The Committee's support for continued development of the draft Plan is sought, as is support for targeted community consultation on the draft Plan.

RECOMMENDATIONS

It is recommended that the Policy and Strategy Committee resolve to:

1. **Receive** the Draft Strategic Walking Plan for Waitakere report.
2. **Agree** to the continued development of the draft Strategic Walking Plan for Waitakere as outlined in the proposed draft contents.
3. **Agree** to endorse the draft objectives, outcomes and guiding principles as outlined in the draft Strategic Walking Plan for Waitakere.
4. **Agree** that Councillor Linda Cooper, Waitakere City Council Elected Member walking and cycling advocate, be invited to write a foreword for the draft Strategic Walking Plan for Waitakere.
5. **Agree** to the proposed targeted external consultation of a draft Strategic Walking Plan for Waitakere prior to 1 November 2010.

BACKGROUND

1. In 2003 the Council adopted a Walking and Cycling Strategy for Waitakere. This document was superseded by the adoption of the Waitakere City Transport Strategy 2006-2016 (Transport Strategy) in 2006. The Transport Strategy noted that whilst the exact timing and details of some routes had changed since 2003, the objectives of the 2003 Walking and Cycling Strategy remained valid. However, there have been occasions when the high level objectives and direction outlined in the Walking and Cycling Strategy have not been specific enough to help guide officers in planning for pedestrian infrastructure and amenity.
2. It is intended that a Strategic Walking Plan for Waitakere be used as a reference document to aid and influence decisions and to help determine the way forward should opposing points of view or differing perspectives exist between elected members, residents, ratepayers, advocates, council officers and/or other professionals. A Strategic Walking Plan for Waitakere would draw on tools, policies and practices currently in use, and also recommend further guidance for the future planning, prioritisation and investment in pedestrian infrastructure and amenity.

3. The draft Plan will recommend issues and areas of focus for Local Boards. The draft Plan may help Local Boards make decisions about investment in pedestrian infrastructure by offering guidance on prioritisation.
4. The draft Plan may be of use to Auckland Transport as it will provide useful information about issues specific to Waitakere and information about priorities relating to pedestrian investment.
5. It was initially intended that a Strategic Walking Plan for Waitakere would be commissioned externally, but funding constraints resulted in agreement that a Strategic Walking Plan could be developed in-house by Transport Strategy.
- AI-A17 6. The draft Plan has been developed by the Strategic Advisor-Transport. To date, draft sections have been completed comprising an outline of the draft Plan's contents and draft objectives, outcomes and guiding principles, by which planning for pedestrian projects would be directed. These are attached at pages A1 to A17.

DECISION MAKING

7. Officers are seeking the Committee's endorsement of the parts of the draft Plan which have been completed to date, and guidance on future community consultation. This report outlines issues in relation to the timing and formal adoption of the Strategic Walking Plan for Waitakere and recommends options for the future development of the draft Plan.

Issues

Timing

8. It is not likely that the draft Plan will be completed in time to undertake a full public consultation prior to 1 November 2010. Targeted external consultation may be possible, particularly for specific sections such as the objectives, outcomes and guiding principles but a completed draft Plan appropriate for full public consultation and wider distribution is unlikely to be available.

Formal adoption of a Strategic Walking Plan for Waitakere

9. Due to a full public consultation not being proposed, it is recommended that the draft Plan remains in draft form and is not formally adopted by the Council.
10. The option of undertaking targeted community consultation is possible. Community-based walking advocates, including the Wae Wae Waitakere Walking Group, Living Streets Aotearoa and Walk Auckland are already aware that development of a Strategic Walking Plan for Waitakere has commenced and have expressed interest in providing feedback should the opportunity arise. The Strategic Advisor-Transport has strong relationships with these groups and could undertake targeted consultation with them. The Strategic Advisor-Transport is also a member of the Auckland Regional Walking and Cycling Forum. Membership of this forum includes officers from all Auckland councils, the Auckland Regional Transport Authority, community walking and cycling advocates, the Ministry of Transport, the New Zealand Transport Authority and disability groups. The draft Plan can be presented to this forum with an invitation to individual organisations to provide comment. Feedback could be sought based on work completed to date rather than a completed draft.
11. Wider public consultation, prior to 1 November 2010, would require the completion of the draft Plan. An opportunity for the Council to formally adopt the completed draft Plan would likely be required should full public consultation be the preferred option.

12. The option of the Committee endorsing the proposed contents of the draft Plan and the wording of the objectives, outcomes and set of guiding principles, as presented, is recommended. Feedback and comment from Elected Members would be possible and welcomed at any time prior to 1 November 2010.
13. Further political endorsement, by means of a foreword from Councillor Linda Cooper, as the Elected Member walking and cycling advocate, is also an option.
14. Subject to the Committee's endorsement of the draft Plan's proposed contents and wording of the objectives, outcomes and guiding principles, the preferred option is for the draft Plan to continue to be developed in-house. This option would involve targeted community consultation to specified walking advocacy groups who have a focus and specific interest in pedestrian issues and planning.

STRATEGIC CONTEXT

15. The vision for transport in Waitakere is:

'A sustainable multi-modal transport system that is integrated with land use and contributes to Waitakere as an eco city.'
16. This vision supports a change from single-occupancy vehicle use to more sustainable modes of travel. Walking contributes to this vision by being the most sustainable and environmentally friendly mode of transport and the most frequently used mode of transport.
17. The development and implementation of a Strategic Walking Plan for Waitakere would contribute to the achievement of the following strategic outcomes:
 - **Transport Strategy:** Improved pedestrian planning and provision is a component of integrated land use and transport planning resulting in quality town centres and increased local employment. The implementation of a Strategic Walking Plan for Waitakere will result in improved access for pedestrians and improve the environmental sustainability of the transport sector;
 - **Economic Wellbeing Strategy:** Quality town centres support local economic growth. A component of these quality town centres is a desirable walking environment that attracts more people to them and supports intensification in these centres;
 - **Environment Strategy:** Walking is the most sustainable mode of transport. 'More people walking more often' has the potential to decrease fossil fuel use and transport related greenhouse gas emissions;
 - **Social Strategy:** Great walking environments tend to be great places to live, shop and work. Built environments that have excellent pedestrian infrastructure are accessible, sustainable and promote the health and wellbeing of all people; and
 - **Growth Management Strategy:** Vibrant and compact town centres and neighbourhoods require high quality pedestrian environments to create liveable communities where people can live and work.
18. The draft Plan will contribute to and reflect the regional policies set out in the Auckland Regional Land Transport Strategy 2010-2040.

CONSULTATION

19. Consultation with Council officers included a presentation of the draft Plan's objectives, outcomes and guiding principles. An initial consultation and presentation has been made to Transport Assets, Parks Planning, Leisure and Safe Waitakere. Early consultation with the Team Leader - Urban Planning and Design and the Principal Advisor-Strategic Framework, was key to the development of the draft Plan's contents, objectives, outcomes and guiding principles.
20. Walk Auckland, Living Streets Aotearoa and the Waitakere Walking Group have been advised that a draft Plan is being developed, but have not been provided with the contents of the draft Plan to-date.

RESOURCES

21. Staff time is required for further development of the draft Plan. A draft Plan will be completed and printed in-house.

IMPLEMENTATION ISSUES

22. There are no issues identified with the implementation of the preferred option. Implementation of the draft Plan will become the responsibility of Auckland Transport.

AUCKLAND COUNCIL TRANSITION ISSUES

23. The decision making proposed in this report is not constrained by section 31 of the Local Government (Tamaki Makaurau Reorganisation) Act 2009, as it does not directly or because of its consequences: significantly prejudice the reorganisation, significantly constrain the powers or capacity of the Auckland Council or any subsidiary of the Auckland Council following the reorganisation, or have a significant negative impact on the assets or liabilities that are transferred to the Auckland Council as a result of the reorganisation.

Report prepared by: Sandy Mills, Strategic Advisor-Transport.



6 ECOMATTERS ENVIRONMENT TRUST - COUNCIL ANNUAL REPORT AND PARTNERING UPDATE

GLOSSARY

EcoMatters Environment Trust	(EcoMatters)
EcoMatters Environment Trust - Council Shared Work Programme	(Shared Work Programme)
EcoMatters Environment Trust - Council Partnering Statement	(Partnering Statement)
Long Term Council Community Plan 2009-2019	(LTCCP)

EXECUTIVE SUMMARY

The purpose of this report is to provide to the Policy and Strategy Committee an update on the partnering arrangements between Council and EcoMatters Environment Trust (EcoMatters). This report includes an annual report on the EcoMatters - Council Shared Work Programme 2009/2010 (Shared Work Programme), a proposed Shared Work Programme for 2010/2011, and a proposed review of the EcoMatters - Council Partnering Statement (Partnering Statement).

RECOMMENDATIONS

It is recommended that the Policy and Strategy Committee resolve to:

1. **Receive** the EcoMatters Environment Trust - Council Annual Report and Partnering Update report.
2. **Approve** the EcoMatters Environment Trust - Council Shared Work Programme for 2010/2011.
3. **Approve** the EcoMatters Environment Trust - Council Partnering Statement review.

BACKGROUND

1. A Partnering Statement was signed between the Council and EcoMatters on 5 October 2007. The Partnering Statement was negotiated for a term of three years and clarifies the respective roles of each organisation in areas where there are mutual interests. The purpose of the Partnering Statement was to formalise the Council's relationships with EcoMatters, to allow better long term planning, to build the strategic capacity within EcoMatters and provide a valuable partner that is able to liaise with community groups.
2. The Council funds EcoMatters through two different mechanisms:
 - (a) Base funding is provided through the Long Term Council Community Plan 2009-2019 (LTCCP). This funding is specifically intended for EcoMatters, acknowledging the work that EcoMatters does towards delivering the Council's strategic objectives. This funding is a grant and is not contestable. This funding is managed through the annual Shared Work Programme.
 - (b) Project funding exists in various Council areas for projects that are currently delivered by EcoMatters. Such projects are covered by contracts or purchase orders and are subject to the Council's procurement policies. This means the funding is contestable. This includes contracts for water demand management projects, the Bags Not campaign and Project Twin Streams.
3. The LTCCP non-contestable base funding for 2010/2011 is shown below and is the same as provided in 2009/2010:

	2010/2011
Sustainable Living Centre	\$ 80,000
EcoDay	\$ 25,000
Enviroschools	\$ 61,000
Community Gardening Broker	\$ 40,000
Networking and capacity-building	\$ 30,000
TOTAL	\$236,000

4. At the Thursday, 8 September 2009 Policy and Strategy Committee meeting, it was resolved as follows:

“The Policy and Strategy Committee resolved to:

1. **Receive** the EcoMatters Environment Trust - Council Shared Work Programme 2009/2010 report.
2. **Approve** the EcoMatters Environment Trust - Council Shared Work Programme for 2009/2010.
3. **Agree** that a six month progress report on the EcoMatters Environment Trust - Council Shared Work Programme 2009/2010 be reported back to the February 2010 meeting of the Policy and Strategy Committee.
4. **Agree** that a final report on the EcoMatters Environment Trust - Council Shared Work Programme 2009/2010 and the Shared Work Programme for 2010/2011 be reported to the September 2010 meeting of the Policy and Strategy Committee.”

1514/2009

5. On Thursday, 4 March 2010 the Policy and Strategy Committee received the Shared Work Programme Six Monthly report for the period 1 July 2009 to 31 December 2009 (resolution no. 239/2010.)

6. The meeting of the Long Term Council Community Plan and Annual Plan Committee on 20 April 2010 resolved to provide an additional \$200,000 funding to EcoMatters taking the total for the 2010/2011 year to \$466,000. The Long Term Council Community Plan and Annual Plan Committee resolved as follows:

“The Long Term Council Community Plan and Annual Plan Committee resolved to:

1. **Agree** that additional funding of \$200,000 for operational costs be granted to EcoMatters Environment Trust and be included in the draft Annual Plan 2010/2011 to be applied as detailed on pages attached at A1 to A2 to be funded partially from Council’s operating surplus.”

494/2010

7. The LTCCP base funding for EnviroSchools was initially set at \$30,000 per annum. However, on 16 June 2009, the Long Term Council Community Plan and Annual Plan Committee resolved to increase this by \$30,000 in 2009/2010 and by \$60,000 in 2010/2011 (resolution no. 1078/2009). However, subsequently in the Annual Plan 2010/2011 process, the funding for EnviroSchools (provided through Public Affairs) was set at only \$61,000 for 2010/2011.

DECISION MAKING

- A18-A47 8. The Annual Report, attached at pages A18 to A47, shows that the Shared Work Programme 2009/2010 was delivered successfully by EcoMatters for the period July 2009 – June 2010.
- A48-A53 9. All non-contestable funding received by EcoMatters, approved in the LTCCP and through the Annual Plan 2010/2011 process, has been combined into a proposed Shared Work Programme 2010/2011 with agreed priorities which both organisations will focus their combined resources on. This proposed Shared Work Programme 2010/2011 is attached at pages A48 to A53.

10. The priorities for the proposed Shared Work Programme 2010/2011 include the management of the Sustainable Living Centre that provides information and advice to the community on sustainable living, EcoDay, the EnviroSchools programme, the Community Gardening Broker role that provides support for community food gardens, and the development of a community capacity building and networking function for environmental groups across Waitakere. These are all activities continuing from the Shared Work Programme. The additional \$200,000 of funding is being allocated to base and infrastructure funding projects including special projects, risk management, customer relationship database, website upgrades, software and hardware upgrades, fleet branding, human resources and the promotion of new regionally-focussed activities.
- A54-A66 11. The Partnering Statement review, attached at pages A54 to A66, shows minimal changes to the existing Partnering Statement. The changes are designed to make the partnering Partnering Statement more generic and remove the reference to specific years so that the statement does not become outdated, thus reducing the need for more regular reviews.

STRATEGIC CONTEXT

12. The activities undertaken by EcoMatters contribute to the achievement of the key goals identified in the Environment Strategy. In particular:
- Green Network;
 - Low carbon City;
 - Integrated water management; and
 - Waste to resources.
13. EcoMatters activities contribute to the vision of the Social Strategy. In particular:
- Everyone feels valued and connected to their communities, neighbourhoods and the natural environment;
 - Everyone has the information, skills and knowledge to participate fully in society; and
 - Everyone has affordable, sustainable and healthy housing choices.
14. EcoMatters activities contribute to the vision and outcomes identified in the Cultural Wellbeing Strategy:
- We all feel we belong, treasuring our diversity, creativity, culture and heritage; and
 - Vibrant celebrating community: local events provision and support.
15. EcoMatters is a unique organisation within Waitakere and the wider Auckland area. In the last six years it has played a key role in working towards environmental outcomes with the Council and other community partners. Organisations such as EcoMatters are critical to the achievement of Waitakere's Community Outcomes as they can reach elements of the community that are difficult for the Council to reach. EcoMatters will play a vital role in continuing environmental projects and programmes with the community during the coming year.
16. The Shared Work Programme 2010/2011 contributes to the community outcomes of Strong Communities – *He iwi kaha* and Working Together – *Te mahi tahi*.

CONSULTATION

17. Preparation of this report has been undertaken in consultation with the General Manager, EcoMatters.

RESOURCES

18. Resources to undertake the Shared Work Programme 2010/2011 have been allocated in the LTCCP and through the Annual Plan process.

IMPLEMENTATION ISSUES

19. The relationship managers from both Council and EcoMatters are jointly responsible for overseeing the Shared Work Programme 2010/2011. They meet on a monthly basis to review progress and address any issues arising. Council's relationship manager takes responsibility to communicate progress and any relevant issues arising to the relevant sections of Council responsible for contributing funding to the Shared Work Programme 2010/2011.
20. EcoMatters will provide a six monthly and an annual report to officers in the Auckland Council, reporting progress towards the actions and identified milestones contained in the Shared Work Programme 2010/2011 and outcomes achieved.

AUCKLAND COUNCIL TRANSITION ISSUES

21. The decision making proposed in this report is not constrained by section 31 of the Local Government (Tamaki Makaurau Reorganisation) Act 2009, as it does not directly or because of its consequences: significantly prejudice the reorganisation, significantly constrain the powers or capacity of the Auckland Council or any subsidiary of the Auckland Council following the reorganisation, or have a significant negative impact on the assets or liabilities that are transferred to the Auckland Council as a result of the reorganisation.

Report prepared by: Kelly Taylor, Strategic Partnerships Advisor: Environmental.



7 PROJECT TWIN STREAMS COMMUNITY GOVERNANCE: FUTURE GOVERNANCE UPDATE

GLOSSARY

Project Twin Streams	(PTS)
Auckland Regional Holdings	(ARH)
PTS Sustainable Catchment Steering Group	(PTS Steering Group)
Community Contract Organisations Managers' Group	(Managers' Group)
Memorandum of Understanding	(MOU)
Auckland Regional Council	(ARC)

EXECUTIVE SUMMARY

The purpose of this report is to provide to the Policy and Strategy Committee an update on the Project Twin Streams Community Governance project.

This report outlines progress in designing the shared Council-Community governance structure for Project Twin Streams (PTS) stream restoration beyond 2012. The detailed design work undertaken is based on the agreed governance model requiring the creation of a community-driven legal entity to govern and manage the stream restoration aspects of PTS. It also relies on the progressive realignment of the current PTS Sustainable Catchment Steering Group (PTS Steering Group) as a partnership entity for PTS.

The report also includes a timeline for establishing community governance and management of the PTS riparian restoration programme in alignment with other PTS programmes once the Auckland Regional Holdings (ARH) funding for PTS expires in 2012.

RECOMMENDATION

It is recommended that the Policy and Strategy Committee resolve to:

Receive the Project Twin Streams Community Governance: Future Governance Update report.

BACKGROUND

1. At the Thursday, 4 February 2010 Policy and Strategy Committee meeting, it was resolved as follows:

“The Policy and Strategy Committee resolved to:

1. **Receive** the Project Twin Streams Community Governance: Preferred Governance Options report.
2. **Agree** to endorse further work to develop a single option from the two preferred governance options outlined in the Project Twin Streams Community Governance: Preferred Governance Options report.
3. **Agree** to endorse the proposed work programme for progressing Project Twin Streams Community Governance options, including the funding plan as attached to these minutes as pages A1 to A3.”

61/2010

2. The PTS stream restoration programme is currently governed and managed by the Council and delivered through community contracts with local community organisations to engage volunteer groups and individuals in stream restoration activities. Council also contracts commercial environmental service providers to perform specialist or more difficult stream restoration tasks such as weed-spraying and planting on steep banks or in areas with limited access.
3. Effective shared Council-Community governance of further stream restoration work in the PTS catchment will rely on the support of the new Auckland Council, and on informed decisions by the local communities currently engaged in PTS stream restoration. To this end, orientation and capacity building workshops are planned for the next few months to highlight the range of PTS activities currently undertaken by the Council, including contract management, monitoring and evaluation aspects of the environmental work programme within PTS.
4. Establishing a future direction for the PTS stream restoration programme will also rely on implementation of a sustainable funding plan through the shared governance structure. Work on identifying alternative sources of funding is already underway within the PTS Community Governance contract. In addition, the Integrated Catchment Management Plan working group within the Council is developing a funding model to take the PTS programme of work beyond 2012.

5. The PTS Community Contract Organisations' Managers' Group (the Managers' Group) is working jointly with the Council and the Auckland Regional Council (ARC) to describe the roles and functions required for the community-driven legal entity to effectively govern and manage PTS stream restoration beyond 2012.
6. The Memorandum of Understanding (MOU) between the ARC and the Council sets out the purpose of the PTS Sustainable Catchment Steering Group (the PTS Steering Group), which is "to develop a shared understanding of what a sustainable catchment is and identify opportunities to enable this to be pursued. In this context a sustainable catchment means consideration of the social, cultural, economic and environmental wellbeings." Through the MOU, the PTS Steering Group has responsibility for the PTS strategic and business plans, and for developing the future governance structure for the project with the PTS community organisations.

DECISION MAKING

Issues

Future Governance Arrangements

7. Recently the PTS Steering Group has been expanded to include two representatives from the Managers' Group. This is seen as an interim step towards a long term partnership-based governance structure that could include all major stakeholders e.g. the Council, iwi and community, with the potential for central government, business, and scientific organisations to join as partnerships develop. It is planned that the Steering Group's oversight of all PTS programmes will continue through into the new Auckland Council.
8. The role of the PTS community legal entity will be developed and refined through negotiation between the Council and the community. The purpose and role of the PTS Steering Group will therefore need to be reviewed once the nature of the relationship between the community legal entity, the new Auckland Council and Local Boards has been determined.

Timeline

9. The timeline for establishing the future governance structure for PTS stream restoration is as follows:
 - By June 2011 the community-driven legal entity to be established;
 - By late 2011 the roles and relationships between the PTS Steering Group and the community-driven legal entity to be clearly defined; and
 - Decisions on future Council funding for PTS beyond June 2012 are expected to be made in the first quarter of 2012, during the Auckland Council's Long Term Plan process.

STRATEGIC CONTEXT

10. PTS has been identified as one of the Council's flagship projects. PTS contributes to the implementation of the eco city vision through all the Council's six strategies and its contribution to Community Outcomes – Green Network, Strong Communities, Sustainable Environment, Strong Economies, Waiora (Environmental Protection) and Whaiora (Participation in society).
11. PTS also demonstrates the integration of the Council's Quadruple Bottom Line approach in programme development and implementation as required by the Local Government Act 2002.

CONSULTATION

12. Consultation for this report has been undertaken with the Managers' Group, the PTS Steering Group, Cultural and Social Strategy Group and City Services Directorate.

RESOURCES

13. There are no resources required other than staff time.

IMPLEMENTATION ISSUES

14. The Council has committed funding for joint planning for community governance of PTS stream restoration through a two-year contract (with optional third year in 2011/2012), held by Community Waitakere on behalf of the Managers' Group. However, the current funding allocation for the PTS stream restoration programme ceases in June 2012, with the end of the ARH grant period.

AUCKLAND COUNCIL TRANSITION ISSUES

15. The decision making proposed in this report is not constrained by section 31 of the Local Government (Tamaki Makaurau Reorganisation) Act 2009, as it does not directly or because of its consequences: significantly prejudice the reorganisation, significantly constrain the powers or capacity of the Auckland Council or any subsidiary of the Auckland Council following the reorganisation, or have a significant negative impact on the assets or liabilities that are transferred to the Auckland Council as a result of the reorganisation.

Report prepared by: Dot Dalziell, Project Manager PTS Community Governance and Sue Bidrose, Director: Community Wellbeing.



8 PROPOSED LAND EXCHANGE – TOTARA AVENUE AND PART OF TODD TRIANGLE RESERVE

GLOSSARY

New Lynn Transit Oriented Development	(TOD)
Parks and Open Space Strategic Plan	(Strategic Plan)
Public Works Act 1981	(PWA)
Reserves Act 1977	(RA)
Resource Management Act 1991	(RMA)
The Department of Conservation	(DoC)
Todd Triangle Reserve Concept Plan	(Concept Plan)

EXECUTIVE SUMMARY

The purpose of the report is to seek approval from the Policy and Strategy Committee to exchange approximately 498 square metres of Todd Triangle Reserve with approximately 529 square metres of road reserve forming part of Totara Avenue, New Lynn.

The Council has previously approved the redevelopment of Totara Avenue as part of the New Lynn Transit Oriented Development (TOD) project. Part of the TOD project involves stopping the western end of Totara Avenue and the development of a new road through part of Todd Triangle Reserve. While previous approvals provide for the altered road layout and reserve 'footprint' in planning terms, further actions are required in order to secure appropriate legal status for the land affected.

Essentially what is required is for Public Works Act 1981 (PWA) and Reserves Act 1977 (RA) processes to be followed in order to stop part of Totara Avenue, then exchange this land for part of the existing Todd Triangle Reserve that is required for roading purposes. It is intended that these processes be undertaken concurrently as part of one integrated process. However, Council delegation for decision making is shared between two committees of Council and thus approval to undertake the road stopping and declare part of Todd Triangle Reserve as road is required from the Infrastructure and Works Committee. This matter is being considered by the Infrastructure and Works Committee on 4 August 2010.

RECOMMENDATIONS

It is recommended that the Policy and Strategy Committee resolve to:

1. **Receive** the Proposed Land Exchange – Totara Avenue and Part of Todd Triangle Reserve report.
- A69 2. **Approve**, subject to resolution 4 below, the exchange of approximately 498 square metres of Todd Triangle Reserve (being more or less the area marked A on the plan attached at page A69) with approximately 529 square metres of road reserve forming part of Totara Avenue, New Lynn (being more or less the area marked B on the plan attached at pages A69) under section 15 of the Reserves Act 1977.
3. **Agree** that the Chief Executive Officer be authorised to carry out all necessary actions to give effect to resolution 2.
- A69 4. **Note** that resolution 2 above is subject to the Infrastructure and Works Committee resolving to stop that section of Totara Avenue marked as B on the plan attached at pages A69 under section 116 of the Public Works Act 1981.

BACKGROUND

1. Through the TOD project, the Council is seeking to support the revitalisation of New Lynn by providing a high quality urban environment that is pedestrian orientated and supportive of public transport.
- A67-A68 2. Part of the TOD project involves stopping the western end of Totara Avenue and the development of a new road through part of Todd Triangle Reserve as shown in the Todd Triangle Reserve Concept Plan (Concept Plan) attached at pages A67 to A68. The Concept Plan was approved by the Infrastructure and Works Committee on Wednesday, 2 June 2010 as a partial review of the New Lynn Reserves Management Plan) under the RA.

“The Infrastructure and Works Committee resolved to:

1. **Receive** the Todd Triangle Reserve - Concept Plan and Hearing of Submissions report.
- A70-A73 2. **Approve** the Todd Triangle Reserve Concept Plan as attached at pages A70 to A73.
3. **Agree** that amendments be made to the New Lynn Reserves Management Plan to incorporate the Todd Triangle Reserve Concept Plan.”

701/2010

3. The proposed reserve ‘footprint’ is also reflected in a designation under the Resource Management Act 1991 (RMA) for “Road – Clark Street extension low-level bridge” included in the Waitakere City Operative District Plan.

DECISION MAKING

Issues

4. While previous approvals provide for the altered roading layout and reserve 'footprint' in planning terms, further actions are required in order to secure appropriate legal status for the land affected.
5. Essentially what is required in relation to Todd Triangle Reserve is for:
 - A69 • The reserve classification to be uplifted from an area of approximately 498 square metres of Todd Triangle Reserve (being more or less the area marked as A on the plan attached at page A69); and
 - A69 • The portion of road of approximately 529 square metres forming part of Totara Avenue, New Lynn (marked as B on the plan attached at page A69) be stopped and exchanged for that portion of Todd Triangle Reserve required for roading purposes.
6. The legal frameworks for effecting these changes are set out in the RA (with respect to the land exchange) and PWA (with respect to declaring land to be road and road stopping).
7. A report seeking approval to undertake the road stopping and declare part of Todd Triangle Reserve to be road will be considered by the Infrastructure and Works Committee at its meeting on 4 August 2010.
8. Discussions with the Department of Conservation (DoC) have confirmed that subject to road stopping occurring, Council can, under delegated authority, apply the land exchange provisions under section 15 of the RA to alter the reserve 'footprint'. Delegation for decision making in relation to land exchanges affecting Todd Triangle Reserve sits with the Policy and Strategy Committee.
9. While councils are normally required by section 15 of the RA to publicly advertise their intentions to undertake land exchanges and invite public submissions, section 15(2) states that this is not necessary where a change has been made to an operative district plan which enables the exchange to be made. In this instance a designation under the RMA for "Road – Clark Street extension low-level bridge" is included in the Waitakere City Operative District Plan to provide for changes to the road layout and thus public advertising is not required. This being the case, Council can simply resolve to undertake the exchange, advise DoC of this decision and take the necessary steps to enable the exchange to occur.

STRATEGIC CONTEXT

10. The proposed land exchange is necessary in order to implement the TOD project. The TOD project has been identified as one of the Council's top five projects and represents a substantial investment in the Long Term Council Community Plan 2009-2019.
11. The TOD project delivers on the following community outcomes:
 - Strong economy;
 - Sustainable and integrated transport; and
 - Urban and rural villages.

12. The TOD project is aligned with the following strategies:
- Economic Wellbeing - a catalytic environment for a flourishing and resilient community;
 - Transport - a sustainable multi-modal transport system that is integrated to land use and contributes to Waitakere as an eco city; and
 - Growth Management - a dynamic network of vibrant town centres and neighbourhoods with a social, physical and natural fabric providing housing choice and employment opportunities for all.
13. Under the Waitakere Parks and Open Space Strategic Plan 2009 provision is made for exchanges of land in circumstances where there is benefit to the public. As noted elsewhere in this report, the exchange will support the revitalisation of the New Lynn Town Centre.
- A67-A68 14. The exchange will also give effect to the Concept Plan (attached at pages A67 to A68) approved by the Infrastructure and Works Committee on 2 June 2010 as a partial review to the New Lynn Reserves Management Plan under the RA.

CONSULTATION

15. Public consultation for the partial review of the New Lynn Reserves Management Plan and the inclusion of the designation for "*Road – Clark Street extension low-level bridge*" purposes within the Waitakere City Operative District Plan was undertaken consistent with the consultation requirements of the RA and RMA.
16. While councils are normally required by the RA to publicly advertise their intentions to undertake land exchanges, section 15(2) of the RA states that this is not necessary where a change has been made to an operative district plan which enables the exchange to be made. This is the case in this instance and no further public consultation is required.
17. The Community Relations Officer: Statutory Land Management of DoC has been consulted regarding the proposed land exchange and has confirmed that DoC has delegated all powers under section 15 of the RA to Council and that Ministerial approval is not required on any aspect relating to the exchange.

RESOURCES

18. The areas to be exchanged are both administered by Council and thus no capital costs will be incurred.
19. Funding for external costs for implementing the land exchange are allocated within the TOD project.

IMPLEMENTATION ISSUES

20. If a decision is made to approve the proposed land exchange, Council will need to confirm the exchange by notice in the New Zealand Gazette and transfer the parcels of land to be exchanged. These actions will need to be implemented in conjunction with those required to give effect to the proposed road stopping and road declaration process required under the PWA.

AUCKLAND COUNCIL TRANSITION ISSUES

21. The Local Government (Tamaki Makaurau Reorganisation) Act 2009 section 31(4)(b) imposes restrictions on Waitakere City Council's decision making capabilities in respect of a decision to adopt or amend a long-term council community plan or to adopt an annual plan.
21. The Auckland Transition Agency notified Council on 29 June 2009 that it approved the Long Term Council Community Plan, but issued a notice under section 20 and 31(1)b of the Act, that any decision with regards to the wider New Lynn project required specific Auckland Transition Agency confirmation prior to implementation.
22. Subsequently the Auckland Transition Agency notified Council on 31 August 2009 of approved expenditure on the New Lynn project and thus the recommendations in this report can be made without referral to the Auckland Transition Agency.

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9 PROPOSED LOCAL AREA PLANS - UPDATES

Provision is made in the agenda for a 30-minute update from Council officers on the Proposed Local Area Plans - Updates.

