

I hereby give notice that an extraordinary meeting of the Kaipātiki Local Board will be held on:

**Date:** Wednesday, 24 August 2016  
**Time:** 9.00am  
**Meeting Room:** Kaipātiki Local Board Office  
**Venue:** 90 Bentley Avenue  
Glenfield

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## **Kaipātiki Local Board OPEN AGENDA**

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### **MEMBERSHIP**

<b>Chairperson</b>	Kay McIntyre, QSM
<b>Deputy Chairperson</b>	Ann Hartley, JP
<b>Members</b>	Dr Grant Gillon John Gillon Danielle Grant Richard Hills Lorene Pigg Lindsay Waugh

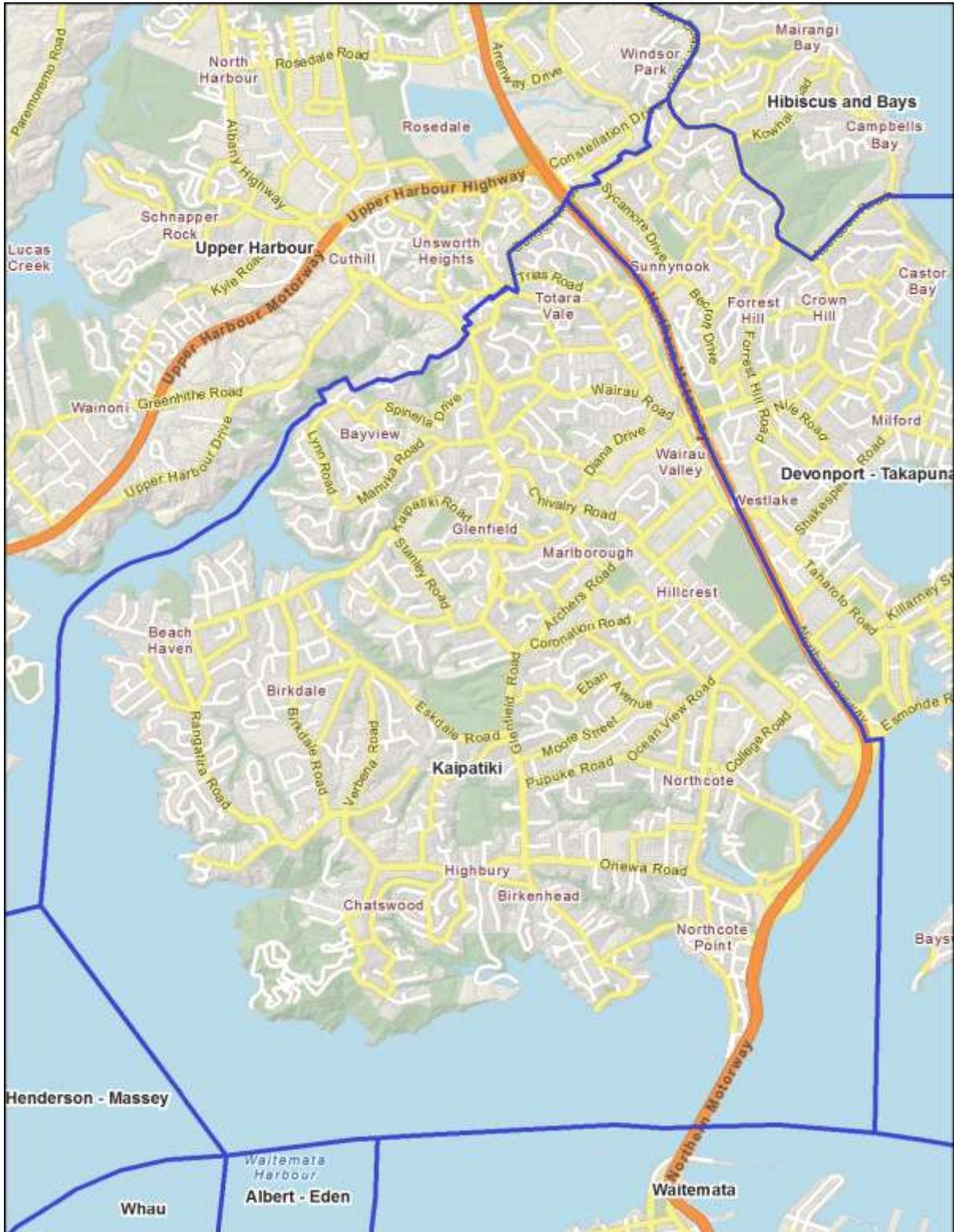
(Quorum 4 members)

**Blair Doherty**  
**Kaipātiki Local Board Democracy Advisor**

**16 August 2016**

Contact Telephone: (09) 484 8856  
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# Kaipātiki Local Board area



## Kaipātiki Local Board Members

	<p><b>Kay McIntyre</b> QSM            Chairperson            Ph 09 484 8383            DDI 09 484 8987            Mobile 021 287 8844  <a href="mailto:kay.mcintyre@aucklandcouncil.govt.nz">kay.mcintyre@aucklandcouncil.govt.nz</a></p> <p><b>Portfolios:</b></p> <ul style="list-style-type: none"> <li>• Finance – lead</li> <li>• Planning, policy and governance – lead</li> <li>• Built environment, streetscapes and urban design – associate</li> </ul>		<p><b>Ann Hartley</b> JP            Deputy Chairperson            Mob 027 490 6909            Office 09 484 8383            Home 09 483 7572  <a href="mailto:ann.hartley@aucklandcouncil.govt.nz">ann.hartley@aucklandcouncil.govt.nz</a></p> <p><b>Portfolios:</b></p> <ul style="list-style-type: none"> <li>• Community Development and Facilities – lead</li> <li>• Sport, recreation services and parks (active) – lead</li> <li>• Regulatory, bylaws and compliance – lead</li> <li>• Parks and playgrounds (passive) – associate</li> <li>• Planning, policy and governance – associate</li> </ul>
	<p><b>Danielle Grant</b>            Local Board Member            Mob 021 835 724            Office 09 484 8383            Home 09 442 1271  <a href="mailto:danielle.grant@aucklandcouncil.govt.nz">danielle.grant@aucklandcouncil.govt.nz</a></p> <p><b>Portfolios:</b></p> <ul style="list-style-type: none"> <li>• Arts, culture and events – lead</li> <li>• Economic development – lead</li> <li>• Natural environment – associate</li> </ul>		<p><b>Grant Gillon</b> MPP, PhD            Local Board Member            Mob 027 476 4679            Office 09 484 8383  <a href="mailto:grant.gillon@aucklandcouncil.govt.nz">grant.gillon@aucklandcouncil.govt.nz</a></p> <p><b>Portfolios:</b></p> <ul style="list-style-type: none"> <li>• Natural environment – lead</li> <li>• Libraries – associate</li> </ul>
	<p><b>John Gillon</b>            Local Board Member            Mob 021 286 2288            Office 09 484 8383            Home 09 443 1683  <a href="mailto:john.gillon@aucklandcouncil.govt.nz">john.gillon@aucklandcouncil.govt.nz</a></p> <p><b>Portfolios:</b></p> <ul style="list-style-type: none"> <li>• Libraries – lead</li> <li>• Parks and playgrounds (passive) – lead</li> <li>• Civil defence and emergency management – associate</li> </ul>		<p><b>Lindsay Waugh</b>            Local Board Member            Mob 021 287 1155            Office 09 484 8383            Home 09 418 1620  <a href="mailto:lindsay.waugh@aucklandcouncil.govt.nz">lindsay.waugh@aucklandcouncil.govt.nz</a></p> <p><b>Portfolios:</b></p> <ul style="list-style-type: none"> <li>• Built environment, streetscapes and urban design – lead</li> <li>• Arts, culture and events – associate</li> <li>• Transport and infrastructure – associate</li> </ul>
	<p><b>Lorene Pigg</b>            Local Board Member            Mob 021 839 375            Office 09 484 8383  <a href="mailto:lorene.pigg@aucklandcouncil.govt.nz">lorene.pigg@aucklandcouncil.govt.nz</a></p> <p><b>Portfolios:</b></p> <ul style="list-style-type: none"> <li>• Civil defence and emergency management – lead</li> <li>• Finance – associate</li> <li>• Regulatory, bylaws and compliance – associate</li> <li>• Sport, recreation services and parks (active) – associate</li> </ul>		<p><b>Richard Hills</b>            Local Board Member            Mob 021 286 4411            Office 09 484 8383  <a href="mailto:richard.hills@aucklandcouncil.govt.nz">richard.hills@aucklandcouncil.govt.nz</a></p> <p><b>Portfolios:</b></p> <ul style="list-style-type: none"> <li>• Transport and infrastructure – lead</li> <li>• Community Development and Facilities – associate</li> <li>• Economic development – associate</li> </ul>



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**1 Welcome**

**2 Apologies**

Member Lindsay Waugh has tendered her apology for absence.

**3 Declaration of Interest**

Members are reminded of the need to be vigilant to stand aside from decision making when a conflict arises between their role as a member and any private or other external interest they might have.

The Auckland Council Code of Conduct for Elected Members (the Code) requires elected members to fully acquaint themselves with, and strictly adhere to, the provisions of Auckland Council's Conflicts of Interest Policy. The policy covers two classes of conflict of interest:

- i) A financial conflict of interest, which is one where a decision or act of the local board could reasonably give rise to an expectation of financial gain or loss to an elected member; and
- ii) A non-financial conflict interest, which does not have a direct personal financial component. It may arise, for example, from a personal relationship, or involvement with a non-profit organisation, or from conduct that indicates prejudice or predetermination.

The Office of the Auditor General has produced guidelines to help elected members understand the requirements of the Local Authority (Member's Interest) Act 1968. The guidelines discuss both types of conflicts in more detail, and provide elected members with practical examples and advice around when they may (or may not) have a conflict of interest.

Copies of both the Auckland Council Code of Conduct for Elected Members and the Office of the Auditor General guidelines are available for inspection by members upon request.

Any questions relating to the Code or the guidelines may be directed to the Relationship Manager in the first instance.

**4 Leave of Absence**

At the close of the agenda no requests for leave of absence had been received.

**5 Acknowledgements**

At the close of the agenda no requests for acknowledgements had been received.

**6 Petitions**

At the close of the agenda no requests to present petitions had been received.

## **7 Deputations**

Standing Order 3.20 provides for deputations. Those applying for deputations are required to give seven working days notice of subject matter and applications are approved by the Chairperson of the Kaipātiki Local Board. This means that details relating to deputations can be included in the published agenda. Total speaking time per deputation is ten minutes or as resolved by the meeting.

At the close of the agenda no requests for deputations had been received.

## **8 Public Forum**

A period of time (approximately 30 minutes) is set aside for members of the public to address the meeting on matters within its delegated authority. A maximum of 3 minutes per item is allowed, following which there may be questions from members.

At the close of the agenda no requests for public forum had been received.

## **9 Extraordinary Business**

Section 46A(7) of the Local Government Official Information and Meetings Act 1987 (as amended) states:

“An item that is not on the agenda for a meeting may be dealt with at that meeting if-

- (a) The local authority by resolution so decides; and
- (b) The presiding member explains at the meeting, at a time when it is open to the public,-
  - (i) The reason why the item is not on the agenda; and
  - (ii) The reason why the discussion of the item cannot be delayed until a subsequent meeting.”

Section 46A(7A) of the Local Government Official Information and Meetings Act 1987 (as amended) states:

“Where an item is not on the agenda for a meeting,-

- (a) That item may be discussed at that meeting if-
  - (i) That item is a minor matter relating to the general business of the local authority; and
  - (ii) the presiding member explains at the beginning of the meeting, at a time when it is open to the public, that the item will be discussed at the meeting; but
- (b) no resolution, decision or recommendation may be made in respect of that item except to refer that item to a subsequent meeting of the local authority for further discussion.”

## **10 Notices of Motion**

At the close of the agenda no requests for notices of motion had been received.

## Marlborough Park Youth Facility agreement to occupy and manage

File No.: CP2016/17722

### Purpose

1. To confirm Kaipātiki Youth Development Trust as the preferred facility operator for the refurbished Marlborough Hall.

### Executive summary

2. At the Kaipātiki Local Board meeting on 9 September 2015, the refurbishment and repurposing of the Marlborough Park Hall to a youth-focused community facility with some capacity for community use was approved.
3. A budget of \$40,000 is available in 2016/2017 and thereafter an on-going annual budget of \$120,000 to enable the activation and operation of Marlborough Park as a community managed youth-focused facility.
4. A community governed approach was approved at the Kaipātiki Local Board meeting on 9 December 2015:  

‘...confirms management and governance by a community trust or incorporated society through a funding agreement (option 2) as the preferred governance option for Marlborough Park Hall, with the initial license to occupy being for two years.’ (resolution number KT/201/198)
5. Two expressions of interest applications were received from groups seeking to provide youth services from this facility. These were evaluated in accordance with the three priority outcomes approved by the Kaipātiki Local Board. The Kaipātiki Youth Development Trust was identified as the preferred provider of services from the refurbished facility.
6. Staff recommend that the local board approve the Kaipātiki Youth Development Trust as the preferred operator of this facility under a licence to occupy and manage arrangement, and delegate to the Chairperson approval of the work plan.

### Recommendation/s

That the Kaipātiki Local Board:

- a) confirm the Kaipātiki Youth Development Trust as the preferred operator of the Marlborough Park Youth Facility.
- b) agree in principle to granting a licence to occupy and manage to Kaipātiki Youth Development Trust for Marlborough Park Hall, 13 Chartwell Avenue, Glenfield under Section 73(3) of the Reserves Act 1977, subject to the following terms:
  - i) term – 2 (two) years from the date of the final approval by the Minister of Conservation (or delegate);
  - ii) rent - \$1.00 plus Goods and Services Tax per annum if requested; and
  - iii) approve all other terms and conditions in accordance with the Reserves Act 1977 and the operative reserve management plan.
- c) delegate approval of the Marlborough Park Youth Facility work plan and funding agreement to the Chairperson.

## Comments

7. At its meeting on 17 February 2016, the Kaipātiki Local Board resolved as follows (resolution number KT/2016/21):  
'That the Kaipātiki Local Board:
  - a) approves the developed design completed by Strachan Group Architects for the refurbishment of Marlborough Park Hall.
  - b) delegates the approval of minor changes to the developed design arising from the detailed design process to the Chairperson.
  - c) approves the project proceeding to tender and construction subject to the project being able to be delivered within the available budget.'
8. It is expected that refurbishment of the hall will be completed in October 2016.
9. At the Kaipātiki Local Board meeting on 9 September 2015, the refurbishment and repurposing of the Marlborough Park Hall to a youth-focused community facility with some capacity for community use was approved. Three governance and management options were identified for consideration as follows:
  - council managed and governed;
  - community managed and governed by a trust or incorporated society by a funding agreement; or
  - community managed and governed by a trust or incorporated society by a contract for service.
10. Marlborough Park Hall is on Marlborough Park, which has its own reserve management plan. The reserve management plan allows for the board to repurpose the hall as a youth-focussed facility, provided that there is still some capacity for community hire or use of the facility for other community purposes. A community governed approach was approved at the board meeting on 9 December 2015 as follows:
  - a) confirms management and governance by a community trust or incorporated society through a funding agreement (option 2) as the preferred governance option for Marlborough Park Hall, with the initial license to occupy being for two years (resolution number KT/201/198).
11. A publicly notified expression of interest process was undertaken. This process involved:
  - public notification of the opportunity (15 March 2016);
  - opportunity to view premises (1 week);
  - submission of proposal (closed 8 April 2016); and
  - evaluation of proposals by a panel.
12. Expressions of interest were evaluated against the three board priority outcomes for the facility:
  - wellbeing (mental, physical and emotional);
  - employment readiness; and
  - community connectedness.
13. Two proposals were received from:
  - YMCA Auckland Inc; and
  - Kaipātiki Youth Development Trust.
14. This process identified the Kaipātiki Youth Development Trust (KYDT) as the preferred recipient for an agreement to occupy and manage Marlborough Park Hall as a youth-focused community facility.
15. The KYDT rated strongly based on its existing performance of the three priority outcomes through demonstrating strong partnerships with local community and existing youth services, a proven track record in delivering programmes that develop life-skills, and a business plan

- that supports the outcomes of the Kaipātiki Local Board Plan and local board priorities for this facility.
16. The YMCA Auckland Inc (YMCA) rated strongly in its international and national connections and programmes for youth, its well established governance structure and directors, and its focus on recreation. The YMCA delivers the youth programme 'Raise Up' on the North Shore.
  17. Under the terms of the Reserves Act 1977 and the Conservation Act 1987, public notification and iwi consultation is required for a new lease or licence. Twelve iwi with an interest in the Kaipātiki Local Board area have been consulted, and no objections were received.
  18. At the Finance and Performance Committee meeting on 9 August 2016, additional operational budget was approved, which, along with existing budgets, means that a budget of \$40,000 is available in 2016/2017 and thereafter an on-going annual budget of \$120,000 to enable the operation of Marlborough Park as a community managed youth-focused facility.
  19. Staff recommend that the local board approve the Kaipātiki Youth Development Trust as the preferred operator of the refurbished facility under a licence to occupy and manage arrangement, and delegate to the Chairperson approval of the work plan.
  20. Confirming the Kaipātiki Youth Development Trust as the preferred operator will enable KYDT to progress plans to make the facility operational and to have any input into the refurbishment if required. The Kaipātiki Youth Development Trust has indicated that all of their existing programmes and activities will be transferred to Marlborough Park Hall if they are confirmed, and they are confident that they will be able to deliver worthwhile programmes to the community.

## Consideration

### Local board views and implications

21. Kaipātiki Local Board identified three priority outcomes for this facility:
  - wellbeing (mental, physical and emotional);
  - employment readiness; and
  - community connectedness.
22. This report confirms previous commitments made for the refurbishment of Marlborough Park Hall to progress its use for youth programmes and services.

### Māori impact statement

23. In 2013, thirteen per cent of young people in Kaipātiki identified as Māori. The level of impact that the repurposing of the Marlborough Hall as a youth facility will have will largely depend on the nature and quality of the programming in the future facility. Due to the intention that the facility will focus on youth within its catchment area, there will be benefits to Māori youth in Kaipātiki.
24. Twelve iwi with an interest in the Kaipātiki Local Board area have been consulted in respect to the issuing of this licence to occupy and manage. There have been no objections received.

## Implementation

25. Approval from the Kaipātiki Local Board to grant the Kaipātiki Youth Development Trust with an agreement to occupy and manage this facility will enable KYDT to plan for occupancy from late 2016.
26. If the recommendations are approved, council staff will liaise with Kaipātiki Youth Development Trust to:

- ensure the facility design is fit for purpose, and enables KYDT to deliver its services;
- develop a work plan that provides programmes and initiatives to support the outcomes of the Kaipātiki Local Board; and
- provide information to support its strategic plan.

## Attachments

There are no attachments for this report.

## Signatories

Authors	Peter Loud - Team Leader Community Facilities
Authorisers	Graham Bodman - General Manager Arts, Community and Events Eric Perry - Relationship Manager