

I hereby give notice that an ordinary meeting of the Waitākere Ranges Local Board will be held on:

Date: Thursday, 28 April 2022
Time: 4.00pm
Meeting Room: This meeting will proceed via Microsoft Teams.
Either a recording or written summary will be
uploaded on the Auckland Council website

Waitākere Ranges Local Board OPEN ADDENDUM AGENDA

MEMBERSHIP

Chairperson	Saffron Toms
Deputy Chairperson	Greg Presland
Members	Mark Allen Michelle Clayton Sandra Coney, QSO Ken Turner

(Quorum 3 members)

Jenny Bramley
Democracy Advisor

26 April 2022

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Endorsement of the transfer of assets, new agreement to lease and new community lease to The Going West Trust, 35 Arapito Road, Titirangi

File No.: CP2022/03278

Te take mō te pūrongo

Purpose of the report

1. To seek a decision and direction from the Waitakere Ranges Local Board on future arrangements for Shadbolt House, 35 Arapito Road, Titirangi, including:
 - the transfer of Shadbolt House and Writing Studio (buildings only) to the Going West Trust.
 - approval of an 'Agreement to Lease'.
 - approval of a ground lease.

Whakarāpopototanga matua

Executive summary

2. The property at 35 Arapito Road, Titirangi was acquired by the former Waitākere City Council in 2006, with the intention of establishing a writer's residency in the former home of writer Maurice Shadbolt. The house and writing studio are scheduled in the Unitary Plan as an historic heritage place because of its social and historical importance.
3. Eke Panuku Development Auckland managed the property as a residential tenancy from 2010 until it was transferred in 2018 to Auckland Council's Community Facilities Department.
4. Through resolutions passed in 2016 and 2019, the Waitākere Ranges Local Board has supported the establishment of a writer's residency programme at the property and a lease or similar arrangement with The Going West Trust.
5. In the 2019/2020 Waitākere Ranges Local Board Community Facilities Renewals Work Programme, minor repairs in line with Health Homes Standard were undertaken. Significant repairs are still required to the property and council estimates the repair costs to be approximately \$400,000. This cost does not include making it fit for purpose for a writer's residency.
6. The Going West Trust runs the annual Going West Books and Writers Festival, a west Auckland literary event which has been going for some 25 years, (www.goingwestfest.co.nz). The Trust is funded approximately \$10,000 per year by the Local Board to establish a writers residency, but the Board may need to review this once the residency is running as equivalent residencies in the local board area receive \$22,000 per year.
7. To realise a writers residency, staff recommend:
 - that the Shadbolt House and Writing Studio (buildings only) be transferred to The Going West Trust, subject to Governing Body approval.
 - the grant of an agreement to lease to The Going West Trust for a term of four years.
 - the grant of new community ground lease to the trust for a term of 10 years with two 10-year rights of renewal (provided the terms of the agreement to lease have been satisfied the house and studio ownership will be transferred to the trust). This extended tenure is to reflect the substantial financial cost to the trust for repairs to the house and studio.

Ngā tūtohunga Recommendation/s

That the Waitākere Ranges Local Board:

- a) recommend to the Governing Body that Shadbolt House and Writing Studio (buildings only, excluding land), 35 Arapito Road, Titirangi be transferred to the ownership of The Going West Trust for \$1.00 plus GST if requested subject to the trust satisfying the Agreement to Lease conditions, and on the further condition that, the trust is granted a lease following satisfaction of the Agreement to Lease conditions.
- b) subject to the transfer in Recommendation a) being approved by the Governing Body, grant an 'Agreement to Lease' to The Going West Trust for 35 Arapito Road, Titirangi being 1,518m² (more or less) of Lot 4 Deposited Plan 15824 that is held in fee simple by Auckland Council under the Local Government Act 2002 (Attachment A to the agenda report) and subject to the following terms and conditions:
 - i) The trust to obtain all approvals which are required to enable the trust to undertake and complete the initial works to the house prior to the date which is two years from the date that the Governing Body approves the transfer of the Maurice Shadbolt House and Studio located at 35 Arapito Road, Titirangi to The Going West Trust.
 - ii) The trust to provide sufficient evidence to the Council that the trust has sufficient funding to undertake and complete the initial works and for the on-going operation and maintenance of the house and property prior to the date which is two years from the date that the Governing Body approves the transfer of the Maurice Shadbolt House and Studio located at 35 Arapito Road, Titirangi to The Going West Trust.
 - iii) The trust to complete the initial health and safety and structural works to ensure the Maurice Shadbolt House and Studio are suitable for occupation by the date which is two (2) years from the date of satisfaction of the last of conditions i) and ii) above to be satisfied.
- c) grant a new community ground lease to The Going West Trust for 35 Arapito Road, Titirangi being 1,518m² (more or less) of Lot 4 Deposited Plan 15824 that is held in fee simple by Auckland Council under the Local Government Act 2002 (Attachment A to the agenda report) and subject to the following terms and conditions:
 - i) the trust obtaining approvals and funding and achieving completion of the initial works
 - ii) term: 10 years commencing from the date of the trust achieving completion of the initial works with two rights of renewal of 10 years each
 - iii) rent: \$1.00 plus GST per annum if requested
 - iv) a Community Outcomes plan to be negotiated with The Going West Trust and attached as a schedule to the lease documentation following approval from either the Chair or Deputy Chair of the Waitākere Ranges Local Board
 - v) all other terms and conditions in accordance with the Local Government Act 2002 and the Auckland Council Community Occupancy Guidelines July 2012.

Horopaki Context

8. This report considers the transfer of the assets, a new agreement to lease and new community lease at 35 Arapito Road, Titirangi to The Going West Trust.
9. The Waitākere Ranges Local Board is the allocated authority relating to local, sport and community facilities, including community leasing matters.

Tātaritanga me ngā tohutohu

Analysis and advice

35 Arapito Road, Titirangi

10. The land is legally described as Lot 4 Deposited Plan 15824 comprising 1,518m² and contained in NA649/9. Lot 4 is held in fee simple by Auckland Council and subject to the Local Government Act 2002.
11. The land, together with the house and studio was the former home of New Zealand author Maurice Shadbolt. Shadbolt lived in the house for 42 years. During that time, he won many literary awards, produced 11 novels, four collections of short stories, a volume of journalism, plays, a war history and two autobiographical works.
12. The property was acquired by the former Waitākere City Council on 1 December 2006 for the purposes of establishing a writer’s residency programme.
13. The writer’s residency programme was not established prior to amalgamation. The property was leased as a residential tenancy by the former Waitākere City Council and Panuku until it was transferred in 2018 to Auckland Council’s Community Facilities Department.
14. The Auckland Unitary Plan supports the continuation of the existing built form on site.

Options for the site

15. Council staff sought guidance from the local board at workshops in February and August 2020. The desired outcome supported in principle by the local board is for the site to be leased to The Going West Trust (the trust) for the purposes of a writer’s clinic.
16. Connected Communities is a key stakeholder in the project and to date it has found no evidence to demonstrate that council need to provide a writers clinic.
17. If a writer’s residency is a key initiative for the local board, there is a question as to whether a new facility is needed to deliver this. A writer’s programme delivered in an existing facility would recognise the Shadbolt legacy and provide a more accessible, cost-effective, and flexible response to meet sector and community needs. This could be delivered in partnership with the trust.
18. Following workshops the following three options were identified:

Option 1	Option 2	Option 3
Local board enters into an agreement to lease with The Going West Trust. Once the agreement to lease conditions have been satisfied ownership of the house and studio will transfer to the trust followed by a ground lease.	Local Board approves the investment of an additional \$300,000 - \$400,000 (approximate) of locally driven initiative capital expenditure (LDI CAPEX) for the house project to make the property habitable for a community lease for a writer’s residency.	Local board stops further restoration work and requests a workshop on alternative options for the land and buildings.

Option One – Agreement to lease, transfer of asset ownership and new community lease

- 19. Local board grants an agreement to lease to the trust conditional on securing funding and completing the repair work followed by a ground lease. The studio is in a fair condition and will not be used for residential (sleeping) purposes.
- 20. Once the conditions of the agreement to lease have been satisfied, ownership of the house and studio can be transferred to the trust

Advantages	Disadvantages
<p>A lessee who is willing to undertake the repairs to make the house habitable standard</p> <p>Local board does not spend approximately \$400,000 on an activity that has no identified need and can be used for other local board initiatives</p> <p>A permanent writer’s residency would contribute to the Waitākere Ranges Local Board plan outcome six: People have a range of opportunities to experience arts, culture, and heritage. Protecting and celebrating heritage is also a way to identify what is unique about our area, and to inform what happens to it in the future</p> <p>Historic significance of Shadbolt House and the Writer’s Studio are preserved for public access</p>	<p>May not be able to secure funding to make the house habitable</p> <p>During the recommended two-year fund-raising period, the house will continue to deteriorate</p> <p>Only benefits a small number of able-bodied people who undertake the residence</p> <p>Limited to writers that can relocate for a residency</p> <p>Lack of parking, public transport links and no capacity to hold public programmes on-site</p> <p>Ongoing operational costs may need reviewing. Currently the trust receives approximately \$10,000 of ABS OPEX to fund establishment and set-up costs of a writers’ centre at Shadbolt House</p>

Option Two – Council approves repair costs to building and make the property habitable for community lease for a writer’s residency

- 21. Whilst repairs will extend the life of the building it will still not be fit for purpose.
- 22. Ongoing operating funding for a writers residency is through existing ABS OPEX budget. The current operational grant allocated to the trust is approximately \$10,000 per year. This project does not secure any additional operational budget and it is uncertain as to whether the current amount is sufficient to run this residency. Equivalent residencies in the local board area receive \$22,000 per year ABS OPEX, indicating a potential shortfall in current funding.
- 23. The property is unsuitable for wheelchair users. Parking and public transport is also very limited, and there is no capacity to hold public programmes on site or for wider community use of the asset. Access to the property would therefore be restricted to a small number of able-bodied writers awarded a residency each year.

Advantages	Disadvantages
<p>A permanent writer's residency would contribute to the Waitākere Ranges Local Board plan outcome six: People have a range of opportunities to experience arts, culture, and heritage. Protecting and celebrating heritage is also a way to identify what is unique about our area, and to inform what happens to it in the future</p> <p>A potentially nationally recognised writer's residency programme could be developed with strong links to the Michael King Writers Centre and tertiary institutions</p> <p>The benefits of a residency, the provision of a physical space to write, are provided</p> <p>Historic significance of Shadbolt House and Writer's Studio are preserved for public access</p>	<p>Further work may be uncovered during the project requiring more budget prior to making the property safe</p> <p>Local Board needs to approve the investment of an additional \$300,000 - \$400,000 (approximate) of locally driven initiative capital expenditure (LDI CAPEX)</p> <p>Project does not address an identified service need in the area</p> <p>Only benefits a small number of able-bodied people who undertake the residency</p> <p>Limited to writers that can relocate for a residency</p> <p>Opportunities for the public to learn about the history of the property and Shadbolt's contribution to New Zealand's literary landscape could not be easily experienced on-site</p> <p>Lack of parking, public transport links and no capacity to hold public programmes on-site</p> <p>Ongoing operational costs may need reviewing. Currently The Going West Trust receives approximately \$10,000 of ABS OPEX to fund establishment and set-up costs of a writers' centre at the house</p>

Option Three – Alternative options for land and building and programmes offered

- 33. Local board stops further restoration work and requests a workshop on alternative options for a writer's programme and appropriate acknowledgement of Maurice Shadbolt's legacy and options for the existing site.
- 24. Other options exist to recognise the Shadbolt legacy, such as a writer's programme delivered in an existing facility within the local board area or a writer's programme in Shadbolt's name. These options could provide a more accessible, cost-effective, and flexible response to meet sector and community needs. They could be delivered in partnership with the trust.
- 25. Options could include use of the optimisation approach (CP2015/03484). This approach allows for sales proceeds of the land to be reinvested into eligible local projects.

Advantages	Disadvantages
<p>Local board do not spend approximately \$400,000 on an activity that has no identified need and can be used for other local board initiatives</p>	<p>Further delays to refurbishing the property</p> <p>Property remains unoccupied and in deterioration</p>

<p>Only ABS OPEX budget is required to fund the activity</p> <p>Alternative options could provide greater community participation and be flexible and responsive to sector needs</p>	<p>Previous commitments made by legacy council's relating to the future use of the property are not upheld</p> <p>Writers do not have the opportunity to work in an environment with direct links to Shadbolt's lived experience</p>
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Conclusions

26. Option two would result in an opportunity cost of capital works budget being utilised on Maurice Shadbolt House instead of other community facilities assets that have a service need.
27. A renewals project would only bring the building up to a code of compliance standard, not necessarily fit for purpose. The renewal option would also incur ongoing maintenance and additional renewal costs.
28. Under option three the building will continue to deteriorate. To date, the Local Board has not formally supported investigating optimisation.
29. Resolutions WTK/2016/113 dated 8 September 2016 and WTK/2019/119 dated 26 September 2019 provided support in principle for a new lease to be granted to the trust for the purposes of managing the property as a writer's residency. The local board gave further support in principle for the transfer of the assets which will enable the trust to apply for funding to undertake the works to make the house fit for purpose. The council will retain ownership of the land.
30. Prior to the granting of a lease under the Local Government Act 2002 that exceeds six months, Auckland Council is required to engage with local iwi and publicly notify its intention to grant a lease. There is no cost to the local board for these two processes.
31. Public notification of the intention to lease was undertaken with a letterbox drop to the residents of Arapito Road Titirangi, published on the Auckland Council website and in the Western Leader newspaper on 18 November 2021. The submission period closed on 20 December 2021. No submissions or objections were received.
32. Iwi engagement is outlined in paragraphs 53-56.

The Going West Trust

33. The trust was registered as a charitable trust on 21 June 2006. Some of the aims and objects of the trust are to:
 - a) be the guardians of the Going West Books and Writers Festival
 - b) ensure the future survival of the festival as part of an established tradition of literary and artistic endeavour in the Waitākere region
 - c) share enthusiasm about New Zealand writing and celebrate New Zealand writers both past and present
 - d) support the literary arts on a local level as well as regionally and nationally through the festival's programming
 - e) encourage Māori, Pacifica, and migrant writing.
34. The trust has been in constant communications with council's leasing team. The trust has read and accepted the proposed term and conditions of the agreement to lease and subsequent lease.
35. The trust has already engaged architects and a consultant to start the planning stages of the repair works.

36. Following the letterbox drop to the residents of Arapito Road, a week later the trust undertook its own letterbox drop informing the residents of its intentions. It informed the residents that:
- a) A writers residency offers writers a place and a stretch of time, often with payment, to focus on their writing. We have yet to design a residency programme, but similar residencies around the country can run anywhere from two weeks up to several months. We may be able to offer several residencies a year.
 - b) As Maurice Shadbolt House is a family home, there will never be more people in residence than is normal in a domestic situation. Parking at the House will be off-road, and all public events associated with the residencies will be held at Lopdell House in Titirangi.
 - c) We have a programme in place to upgrade, refurbish and maintain the House, and to manage the grounds in collaboration with the local community pest control group. We hope to offer the first residencies in 2023.
 - d) Most of our established writers have had their careers boosted at some stage by a residency, and we think it a fitting legacy that the home where Maurice Shadbolt lived, worked and produced such a large body of writing, will continue to nurture our writers into the future.
37. A community outcomes plan will be negotiated with the trust when the agreement to lease conditions have been satisfied. Approval of the plan will be sought from either the Waitākere Ranges Local Board Chair or Deputy Chair and attached to the lease documentation.

Tauākī whakaaweawe āhuarangi

Climate impact statement

38. Te Tāruke-ā-Tāwhiri: Auckland's Climate Action Plan sets out two core goals:
- to reduce greenhouse gas emissions to reach net zero emissions by 2050, and
 - to prepare the region for the adverse impacts of climate change.
39. This is an administrative report and the decision from the local board does not have any direct impact on greenhouse gas emissions. The proposal continues a previous activity and does not introduce new sources of emissions.
40. Climate change is unlikely to impact the property at 35 Arapito Road, Titirangi as it does not sit within a flood plain or coastal inundation area.

Ngā whakaaweawe me ngā tirohanga a te rōpū Kaunihera

Council group impacts and views

41. Staff from Area Operations Community Facilities and Connected Communities have been consulted and support the proposed new community lease.
42. The proposed lease has no identified impacts on other parts of the council group. The views of other council-controlled organisations were not required for the preparation of this report's advice.

Ngā whakaaweawe ā-rohe me ngā tirohanga a te poari ā-rohe

Local impacts and local board views

43. Council staff sought the views of the local board at two workshops in 2019 and four in 2020 along with a visit to view the property.
44. The local board has indicated support in principle as follows:
- a) for a lease to the trust through resolutions WTK/2016/113 dated 8 September 2016 and WTK/2019/119 dated 26 September 2019
 - b) for an agreement to lease, new lease, and transfer of the assets when the conditions of the agreement to lease have been satisfied.

45. The activities of the trust align with the Waitakere Local Board Plan 2020 outcomes of:
 - Our communities experience wellbeing, belonging and participation
 - People have a range of opportunities to experience arts, culture, and heritage.
46. A community outcomes plan aligned to the Waitākere Ranges Local Board Plan in place in 2026 will be negotiated with the trust, approval sought from either the Chair or Deputy Chair of the local board and included as a schedule to the community lease documentation.
47. The proposed new lease is listed on the Community Facilities: Community Leases Work Programme 2021/2022 and approved by the Waitākere Ranges Local Board on 24 June 2021 under resolution WTK/2021/80.

Tauākī whakaaweawe Māori

Māori impact statement

48. Auckland Council is committed to meeting its responsibilities under Te Tiriti o Waitangi and its broader legal obligations to Māori.
49. These commitments are articulated in the council's key strategic planning documents, the Auckland Plan, the Long-term Plan 2021-2031, the Unitary Plan, Whiria Te Muka Tangata Māori Outcomes Performance Measurement Framework, and the Waitākere Ranges Local Board Plan 2020.
50. Delivering on Auckland Council's commitment to Māori at a local level is a priority for local boards. The Waitākere Ranges Local Board is focused on building strong and meaningful relationships with local Māori to ensure that Māori needs, and aspirations are understood.
51. Community leases support a wide range of activities and groups. Leases are awarded based on an understanding of local needs, interests, and priorities. The activities and services provided by leaseholders create benefits for many local communities, including Māori.
52. This proposed transfer of the house and studio, agreement to lease and new lease was presented at the quarterly hui with Te Kawerau Iwi Tribal Authority on 2 September 2020.
53. Presentation at the North/West Mana Whenua Engagement Forum scheduled for 2 September 2020 was cancelled along with the proposed rescheduled date of 6 May 2021.
54. On 29 April 2021 notification of the cancellation of the May 2021 forum was received. The presentation material was circulated that afternoon to Hapū and Iwi who have an interest in the Titirangi area by email. The email contained detailed information on the land and the trust's activities and invited iwi representatives to attend a hui and/or a kaitiaki site visit to comment on any spiritual, cultural, or environmental impacts with respect to the land.
55. No submissions or objections were received by 4 June 2021 regarding the proposal for a new agreement to lease, new community lease and transfer of the assets to the trust.

Ngā ritenga ā-pūtea

Financial implications

56. Although the building has now been established to have an approximate book value of \$200,000 when considering the substantial funds council would be required to spend to bring it up to code, the building is more likely to be viewed as a liability to council.
57. The trust has indicated that it will be able to secure funding to cover the cost of repairs once it has secured the agreement to lease.
58. Once the repair works have been completed it is proposed to transfer ownership of the house and studio to the trust. The proposed rent is \$1.00 plus GST per annum which is the recommended amount in the Auckland Council Community Occupancy Guidelines 2012. This rent amount reflects that the trust will be responsible for all maintenance of the property over the term of the proposed community ground lease of 10 years with two 10-year rights of renewal.

Ngā raru tūpono me ngā whakamaurutanga

Risks and mitigations

59. Should the Waitākere Ranges Local Board resolve not to grant an agreement to lease and endorse the asset transfer and ground lease to the trust this decision will materially affect the trust's ability to secure funding which could have a negative impact on it undertaking its core activities and achievement of the local board's vision and plan outcomes.
60. Buildings that are left vacant are more susceptible to being vandalised and the cost of repair would be borne by the council.

Ngā koringa ā-muri

Next steps

61. If the local board resolves to:
 - a) endorses the transfer of assets, staff will present a report to the Governing Body seeking approval
 - b) lease staff will work with the trust to finalise the lease agreements.

Ngā tāpirihanga

Attachments

No.	Title	Page
A 	28 April 2022 The Going West Trust, 35 Arapito Road, Titirangi site plan	15
B 	28 April 2022 The Going West Trust, 35 Arapito Road, Titirangi resolutions	17

Ngā kaihaina

Signatories

Author	Phillipa Carroll - Community Lease Advisor
Authoriser	Adam Milina - Local Area Manager

Attachment A: Site plan for The Going West Trust, 35 Arapito Road, Titirangi

Land and lease area outlined in blue and marked A being 1518m² (more or less) being land held by Auckland Council in fee simple under the Local Government Act 2002



Resolution passed at business meeting of Waitākere Ranges Local Board on 8th September 2016

11 Notices of Motion

11.1 Notice of Motion: Support for a writers residency at Shadbolt House

Resolution number WTK/2016/113

MOVED by Deputy Chairperson DA Yates, seconded by Chairperson S Coney: _

That the Waitākere Ranges Local Board:

- a) **support the establishment of a writers' residency programme at Shadbolt House, 35 Arapito Road, South Titirangi.**
- b) **request officers report back within three months on timeframes, costs and options for establishing a writers residence in Shadbolt House, under a lease or similar arrangement with the Going West Trust.**

CARRIED

Resolution passed at business meeting of Waitākere Ranges Local Board on 26th September 2019

Note: The chairperson accorded precedence to Item 32: Notice of Motion – Sandra Coney – Shadbolt House lease.

32 Notice of Motion - Sandra Coney - Shadbolt House lease

Glenn Boyd was in attendance to speak to this item.

Resolution number WTK/2019/119

MOVED by Member S Coney, seconded by Deputy Chairperson S Toms:

That the Waitākere Ranges Local Board:

- a) **request that staff proceed with preparing and entering into an Agreement to Lease with the Going West Trust to enable the planning and establishment of a Writers in Residence at Shadbolt House, 35 Arapito Road, Titirangi provided the baseline works are able to be completed within the current Community Facilities 2019/2020 work programme Project 2776 budget of \$100,000.**

CARRIED