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## Hibiscus and Bays Local Board OPEN MINUTES

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Minutes of a meeting of the Hibiscus and Bays Local Board held in the Local Board Office, 2 Glen Road, Browns Bay on Wednesday, 2 May 2012 at 4.30pm and in the Council Chamber, Orewa Service Centre, 50 Centreway Road, Orewa on Wednesday, 16 May 2012 at 10.30am.

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### PRESENT

<b>Chairperson</b>	Julia Parfitt, JP	
<b>Deputy Chairperson</b>	Gary Holmes	
<b>Members</b>	David Cooper	
	Gaye Harding (from 6.45pm)	Item 17
	John Kirikiri, JP	
	Greg Sayers	
	John Watson (from 5.50pm)	Item 26
	Lisa Whyte (from 6.05pm)	Item 22

### APOLOGIES

<b>Members</b>	Gaye Harding for lateness
	John Watson for lateness
	Lisa Whyte for lateness

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**1 Welcome**

The Chairperson welcomed those in attendance.

**2 Apologies**

Resolution number HB/2012/60

MOVED by Member Parfitt, seconded Member Holmes:

**That the apologies from Members Harding, Watson and Whyte for lateness be accepted.**

**CARRIED**

**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.

**4 Confirmation of Minutes**

Resolution number HB/2012/61

MOVED by Member Parfitt, seconded Member Holmes:

**That the minutes of the Hibiscus and Bays Local Board held on Wednesday, 4 April 2012 and the minutes of the Extraordinary Meeting of the Hibiscus and Bays Local Board held on Thursday, 5 April 2012, be confirmed as a true and correct record of the meeting.**

**CARRIED**

**5 Leave of Absence**

There were no leaves of absence.

**6 Acknowledgements**

There were no acknowledgements.

**7 Petitions**

There were no petitions.

**8 Deputations**

There were no deputations.

**9 Public Forum**

There was no public forum

*Secretarial Note: Items were taken in the following order*

**10 Extraordinary business**

### 10.1 Private Plan Change 159 – Peninsula Golf Club

The Relationship Manager advised that members had met with David Wren, Planning Consultant regarding the preparation of the Local Board's submission to Private Plan Change 159. In view of the fact that submissions close on 18 May 2012, the draft submission will be presented to the Local Board at its workshop on 16 May 2012 and a delegation is required at this meeting so that the submission can be confirmed and submitted by the due dates.

Resolution number HB/2012/62

MOVED by Member Parfitt, seconded Member Holmes:

**That the item Private Plan Change 159 – Peninsula Golf Club be considered as a matter of extraordinary business and be dealt with under Item 35, as the delegation is required for the approval of the submission by the due date.**

**CARRIED**

### 11 Notices of Motion

There were no notices of motion.

### 14 Transfer of LTP Project Budgets from Hibiscus and Bays Local Board to Regional

David Thatcher, Deputy Harbourmaster, was in attendance for this item.

Resolution number HB/2012/63

MOVED by Member Holmes, seconded Member Parfitt:

- a) **That the Transfer of LTP Project Budgets from the Hibiscus and Bays Local Board to Regional report be received.**
- b) **That the Hibiscus and Bays Local Board approve the transfer of Long Term Plan budgets specifically:**
  - i) **the operational expenditure budget be transferred from Hibiscus and Bays Local Board to regional Harbourmaster.**

**CARRIED**

**24 Membership of the Devonport-Takapuna, Kaipatiki, Upper Harbour and East Coast Bays subdivision local board funding sub-committee**

Resolution number HB/2012/64

MOVED by Member Parfitt, seconded Member Kirikiri:

- a) **That the report be received.**
  
- b) **That the Hibiscus and Bays Local Board notes that the Devonport-Takapuna, Kaipatiki, Upper Harbour and East Coast Bays subdivision local board funding subcommittee's responsibility for disbursing community funding is an interim arrangement for this financial year only, and the subcommittee will therefore have no role in disbursing community funding as of 1 July 2012.**
  
- c) **That the Hibiscus and Bays Local Board notes that the current membership of the Devonport-Takapuna, Kaipatiki, Upper Harbour and East Coast Bays subdivision local board funding subcommittee is as follows:**
  - **two members from the Devonport-Takapuna Local Board;**
  - **two members from the Kaipatiki Local Board;**
  - **two members from the Upper Harbour Local Board;**
  - **one member from the East Coast Bays subdivision of the Hibiscus and Bays Local Board.**
  
- d) **That the Hibiscus and Bays Local Board notes that the Devonport-Takapuna, Kaipatiki, Upper Harbour and East Coast Bays subdivision local board funding subcommittee has recommended that its membership be increased to include two members from the East Coast Bays subdivision, in time for decision-making on the Community Facility Development Fund in June 2012.**
  
- e) **That the Hibiscus and Bays Local Board agrees to increase the membership of the Devonport-Takapuna, Kaipatiki, Upper Harbour and East Coast Bays subdivision local board funding subcommittee by adding one additional representative from the East Coast Bays subdivision of the Hibiscus and Bays Local Board, resulting in the following membership of the subcommittee:**
  - **two members from the Devonport-Takapuna Local Board;**
  - **two members from the Kaipatiki Local Board;**
  - **two members from the Upper Harbour Local Board;**
  - **two members from the East Coast Bays subdivision of the Hibiscus and Bays Local Board.**
  
- f) **That the Hibiscus and Bays Local Board notes that Member Parfitt is the current East Coast Bays subdivision representative on the Devonport-Takapuna, Kaipatiki, Upper Harbour and East Coast Bays subdivision local board funding subcommittee, with Member Whyte as alternative.**

- g) That the Hibiscus and Bays Local Board appoints David Cooper as the second East Coast Bays subdivision representative on the Devonport-Takapuna, Kaipatiki, Upper Harbour and East Coast Bays subdivision local board funding subcommittee.
- h) That the Hibiscus and Bays Local Board delegates, to its member appointed under (g), the authority to make funding decisions on the Local Board's behalf on the disbursement of legacy North Shore City Council community funds by this subcommittee.

**CARRIED**

**25 Swimming Pool Fencing Exemption - Special Exemption (Section 6) Fencing of Swimming Pools Act 1987**

Members expressed concern at the transfer of risk to elected members from officers.

It was agreed that this delegation would be questioned with the Governing Body as members felt they were exposing themselves to risk.

Members Julia Parfitt, John Kirikiri and Gaye Harding are to attend the four site visits.

The matter was deferred to the Local Board's workshop on 16 May 2012.

Member Watson present at 5.50pm

**26 Draft Community Funding Policy - Recommendations from Regional Development and Operations Committee**

The Relationship Manager spoke to this item and suggested two members complete a submission.

Resolution number HB/2012/65

MOVED by Member Parfitt, seconded Member Holmes:

- a) **That the report be received.**

**CARRIED**

Resolution number HB/2012/66

MOVED by Member Parfitt, seconded Member Sayers:

- b) **That Hibiscus and Bays Local Board consider the "Draft community funding policy" and prepares a submission to the Regional Development and Operations Committee.**
- c) **That the Chairperson and Deputy Chairperson be delegated the power to sign off on the local board submission after it has been circulated to all members.**

**CARRIED**

**27 Development of the Energy and Climate Change Mitigation Strategy: Scope and Approach - Report from Environment and Sustainability Forum**

Resolution number HB/2012/67

MOVED by Member Parfitt, seconded Member Holmes:

- a) **That the Development of the Energy and Climate Change Mitigation Strategy: Scope and Approach – Report from Environment and Sustainability Forum report be received.**

**CARRIED**

**28 New Road Name, Hibiscus Coast Highway and East Coast Road**

Resolution number HB/2012/68

MOVED by Member Kirikiri, seconded Member Holmes:

- a) **That the New Road Name, Hibiscus Coast Highway and East Coast Road report be received.**
- b) **That the Hibiscus and Bays Local Board support the proposed new name, Brian Smith Drive.**

**CARRIED**

**30 Stage One of the Community Development Strategy - Scope and Development Process**

This item was withdrawn

**33 LGNZ Conference and AGM**

Resolution number HB/2012/69

MOVED by Member Cooper, seconded Member Kirikiri:

- a) **That the LGNZ Conference and AGM report be received.**
- b) **That the Hibiscus and Bays Local Board nominates Gary Holmes to attend the Local Government New Zealand 2012 annual conference on the basis that the conference programme is relevant to the Local Board's work programme.**

**CARRIED**

**22 Approval of Concept Plans for Reserves 1 and 2 - Long Bay Development**

Resolution number HB/2012/70

MOVED by Member Parfitt, seconded Member Whyte:

- a) That the Approval of Concept Plans for Reserves 1 and 2 – Long Bay Development report be received.
- b) That the Hibiscus and Bays Local Board approves the attached concept designs for reserves 1 and 2 within the development being carried out by Todd Property Group Limited at Long Bay.
- c) That the Hibiscus and Bays Local Board approves of Todd Property Group Limited developing reserves 1 and 2 at the time of the construction of the subdivision in accordance the attached concept designs and Council's procurement policies and to a maximum value of \$663,940.
- d) That the Hibiscus and Bays Local Board delegates to the Local and Sports Parks Manager North the authority to approve the final details for the development of reserves 1 and 2 so long as these terms are in accordance with Recommendation C.
- e) That the Hibiscus and Bays Local Board expresses concern that there was no officer present to speak to the item and asks that this concern be passed on to the officer's manager.

**CARRIED**

Member Whyte present at 6.00pm

**23 Variation to Development Agreement No 11 with WFH Properties Ltd: Wastewater Infrastructure and Stoney Homestead Rehabilitation**

Rachel Hume, Project Leader, City Transformation was in attendance for this item.

Resolution number HB/2012/71

MOVED by Member Parfitt, seconded Member Kirikiri:

- a) That the Variation to Development Agreement No 11 with WFH Properties Ltd: Wastewater Infrastructure and Stoney Homestead Rehabilitation report be received.
- b) That the Hibiscus and Bays Local Board approves in principle the following terms of a variation to Development Agreement 11 (DA11) with WFH Properties Limited (WFH):
  - i) Confirmation that the additional wastewater storage capacity is not required
  - ii) That the Council take over the Stoney Homestead restoration project and WFH pay the Council \$225,000 in lieu of undertaking the structural works
  - iii) WFH to pay the Council the value (cost to be assessed) to build the driveway and car park area to Stoney Homestead
  - iv) WFH to transfer the Historic Places Trust (HPT) authority to the Council and pay \$10,000 to the Council for archaeological investigations relating



to the restoration works required by the HPT authority

- v) WFH to undertake contamination remediation works as required by the building consent
- c) That the Local Board recommends to the Regional Development and Operations Committee that the Stoney Homestead site be transferred to the Council in fee simple, with appropriate protection measures, instead of being vested as reserve.
- d) That officers continue negotiations with WFH to finalise the terms of the variation to DA11 and that the Local Board delegates the Chairperson and Deputy Chairperson to approve the final variation document for execution.

**CARRIED**

Resolution number HB/2012/72

MOVED by Member Parfitt, seconded Member Watson:

- e) That the Development Contribution assessment of the application be reported to the Hibiscus and Bays Local Board.

**CARRIED**

Dinner adjournment 6.10pm – 6.40pm

**15 Landowner Consent to install a Memorial seat in Mairangi Bay Beach Reserve**

Danielle Hancock, Parks Office, in attendance for this item.

Resolution number HB/2012/73

MOVED by Member Cooper, seconded Member Whyte:

- a) That the Landowner Consent to install a Memorial seat in Mairangi Bay Beach Reserve report be received.
- b) That the Hibiscus and Bays Local Board grants landowner consent for a memorial seat to be installed in Mairangi Bay Beach Reserve, subject to the following condition
  - i) That all costs associated with the installation of the memorial seat are covered by the applicant
  - ii) That the final location of the memorial seat is confirmed in conjunction with the Parks Officer.

**CARRIED**

**16 Landowner consent to Install a Memorial seat at Manly Beach Esplanade Reserve**

Danielle Hancock, Parks Officer was in attendance for this item.

The Parks Officer said that the Parks Department believes that there are sufficient seats at Manly Beach.

Resolution number HB/2012/74

MOVED by Member Sayers, seconded Member Holmes:

- a) **That the Landowner consent to Install a Memorial seat at Manly Beach Esplanade Reserve report be received.**
- b) **That the Hibiscus and Bays Local Board grants landowner consent for a memorial seat to be installed in Manly Beach Esplanade Reserve, subject to the following conditions:**
  - i) **That all costs associated with the installation of the memorial seat are covered by the applicant.**
  - ii) **That the final location of the memorial seat is confirmed in conjunction with the Parks Officer.**

**CARRIED**

Member Harding present at 6.45pm

**17 Parks, Sports and Recreation Quarterly Update to the Hibiscus and Bays Local Board for the January to March 2012 period**

Danielle Hancock, Parks Officer was in attendance for this item.

The Parks Officer advised:

The Hatfields Beach Reserve car park construction work has commenced.

The Okura Playground has been completed.

The public toilet by the Scout Den at Stanmore Bay Beach is on the list for an upgrade next financial year.

Verification is to be obtained that the funding for the project of the rebuild of the toilet in Mairangi Bay and for the proposed skate ramp in Greenhithe came from the sale of the old North Shore City Maintenance Depot .

The Parks Officer was also asked to remove completed items from the quarterly updates.

Resolution number HB/2012/75

MOVED by Member Parfitt, seconded Member Cooper:

- a) **That the Parks, Sports and Recreation Quarterly Update to the Hibiscus and Bays Local Board for January to March 2012 period report be received.**

**CARRIED**

**18 Auckland Libraries and Information Quarterly Report January - March 2012**

Ann Hill, the East Coast Bays Community Library Manager was in attendance for this item.

Resolution number HB/2012/76

MOVED by Member Parfitt, seconded Member Cooper:

- a) That the Auckland Libraries and Information Quarterly Report, January – March 2012, report be received.
- b) That the Hibiscus and Bays Local Board give a vote of appreciation to the library staff for the service they offer the residents.

**CARRIED**

**19 Fairhaven Walk/Riverhaven Drive**

John McLaren, Team Leader Special Projects and Kevin Ramsay, Manager Finance were in attendance for this item.

**Recommendation/s**

- a) That the Fairhaven Walk/Riverhaven Drive report be received.
- b) That the Hibiscus and Bays Local Board recognise that this is a funding/rating issue over which the governing body has the decision making authority. The Local Board supports any decision of the governing body giving significant relief to the ratepayers in Riverhaven Drive who pay the special targeted roading rate.

A division was called for, voting on which was as follows:

**For:**

**Members:** David Cooper  
Gaye Harding  
Gary Holmes  
John Kirikiri  
Julia Parfitt  
Greg Sayers  
John Watson  
Lisa Whyte

**Against:**

The division was declared **CARRIED** unanimously

- c) That the Hibiscus and Bays Local Board requests that the Governing Body investigate acquiring a riverside portion of each property to add to the existing esplanade reserve to partly offset the outstanding amount owed to the Council for the Fairhaven Walk/Riverhaven Drive special targeted roading rate, noting the potential high recreational values this land possesses which should be favourably considered in the determination of agreed land values.

A division was called for, voting on which was as follows:

**For:**  
**Members:** David Cooper  
Gaye Harding  
Gary Holmes  
Julia Parfitt  
Greg Sayers  
John Watson  
Lisa Whyte

**Against:**  
John Kirikiri

The division was declared **CARRIED** by 7 votes to 1

**21 ATEED Six Monthly Report to Local Boards**

Ngaio Merrick, Business Development Manager Northern Office, ATEED was in attendance for this item.

Resolution number HB/2012/77

MOVED by Member Parfitt, seconded Member Sayers:

- a) **That the ATEED Six Monthly Report to Local Boards be received.**

**CARRIED**

**20 The Auckland Plan 2012**

Michael Tucker, Team Leader Spatial Strategy, was in attendance for this item.

Resolution number HB/2012/78

MOVED by Member Parfitt, seconded Member Cooper:

- a) **That the Auckland Plan 2012 report be received.**

**CARRIED**

**29 Bylaws Quarterly Update to Local Boards (May 2012)**

Andrew Pickering, Manager Planning, Policies and Bylaws was in attendance for this item.

Resolution number HB/2012/79

MOVED by Member Parfitt, seconded Member Harding:

- a) **That the Bylaws Quarterly Update to Local Board (May 2012) report be received.**

**CARRIED**

**12 Draft Long-term Plan submission and analysis and responses to information requests**

Resolution number HB/2012/80

MOVED by Member Parfitt, seconded Member Whyte:

- a) **That the Draft Long Term Plan submission analysis and responses to information requests report be received.**
- b) **That the Hibiscus and Bays Local Board consider any amendments to its draft Local Board Agreement 2012/13 arising from the special consultative procedure for the draft Long-term Plan 2012-22, including but not exclusively the following matters that were raised by submitters:**
  - 1) **Changes to environmental health and licensing fees, in particular the formula of charges based on premises size is not supported by the Local Board.**
  - 2) **Changes to fees and charges and the impacts that this has in our community.**
  - 3) **Management Plan is required for Orewa Beach to develop a long term integrated beach management plan to develop an entire beach solution.**
  - 4) **Review of total parking policy to provide better utilisation of parking.**
  - 5) **Purchase of beach front land in Orewa to provide connectivity to the beach from the township.**
  - 6) **Weed and Pest Management review and all policies to be developed Auckland wide approach.**
  - 7) **Ensure that local recreation sector is working within the regional context for the development of recreational and sport strategy. Would like to see a partnership policy and more resources allocated to this.**
  - 8) **Future management of the Okura Estuary or establishment of a community forum.**
  - 9) **Investigate the initiatives and programmes for the protection and enhancement of the Weiti River.**
  - 10) **Support the Surf 10/20 Project due to the public service this activity provides for our community.**
  - 11) **Seek the future undergrounding of power lines in our local board area.**
  - 12) **The Local Board would like to secure funding to investigate future economic development opportunities in our local board area.**

**CARRIED**

**13 Final Decision-making for Local Board Budgets 2012-2022**

Resolution number HB/2012/81

MOVED by Member Parfitt, seconded Member Holmes:

- a) That the Final Decision-making for Local Board Budgets 2012-2022 report be received.
- b) That the Hibiscus and Bays Local Board:
  - i) Approves balanced 10-year budgets for 2012-22 for the Council's Long-term Plan 2012-22 that reflect the proposed allocation of decision-making
  - ii) Advises the Governing Body that:
    - a) Not all Local Board decision-making has corresponding budgets for the local activities and this matter needs to be addressed with some urgency in order to adequately address the funding allocations at the local board level.
    - b) Hibiscus and Bays Local Board have achieved a balanced budget, and in doing so moved out projects by two or more years and some budgets were removed. These projects were identified by the community and recognised as a priority by Hibiscus and Bays Local Board.
    - c) There was little flexibility for the Local Board to make potential cuts/savings as many budget lines were unable to be altered as many budget lines were for renewals or contractually committed and the Local Board was not involved in the decision making around contracts or ongoing commitments.
    - d) Budgets that sit regionally and include programmes that are delivered locally have not been visible to the Local Board, which made it impossible to determine future budgeting options accurately.
    - e) The Local Board has significant concerns where officers have made budgeting decisions without authority and without proper approval from the Local Board i.e. budgets being brought forward from future years into the current financial year.
    - f) The budget envelope failed to address the funding gaps carried forward from the former Hibiscus subdivision of Rodney District Council in the areas of arts, events, economic and community development.
    - g) That the budget envelope does not enable Hibiscus and Bays or the Governing Body to deliver on the Auckland Plan imperatives. An example of this is Silverdale as a Key Transformation project and the associated growth opportunities that will result from the approved Auckland Plan that will be required in the Hibiscus and Bays area in response to growth and where infrastructure will be required to meet the demands of the increased population for the Local Board area.
    - h) The Hibiscus and Bays Local Board requests that the scholarship fund for high schools within the Local Board area be reinstated into the Local Board budget.
    - i) The Hibiscus and Bays Local Board requests that the Governing Body advise why camping grounds within local parks and reserves (e.g. the holiday park in Orewa) are no longer shown as a local activity nor are the budget shown at the Local Board level.

- j) That the Local Board expresses its concerns that proposed changes to the non-regulatory decision-making removes delegations that should be reasonably allocated at the Local Board Level.
    - i) The Local Board has undertaken an assessment of the changes proposed and requests a clear explanation and analysis of the detail of those changes and the intentions of the amendments to the November 2010 Allocation of Non-Regulatory Decision-Making.
  - k) The Local Board is concerned that Development Contributions have not been accurately recorded against all capital projects in the Local Board area and requests that officers clearly explain, in plain English how the proposed draft policy compares to the legacy policies and explain the impact of the new policy.
- iii) Confirms the list of advocacy areas for the Governing Body and council-controlled organisations as per Attachment 3 and the following additional advocacy areas:
- Advocacy to Governing Body:**
- a) Waiving of Consent Fees Policy for not-for-profit community groups and organisations.
  - b) Traffic Management Plans and in particular the costs associated with traffic management for local events.
  - c) Changes to the proposed environmental health and licensing fees and charges and the effect the increase of costs associated with this will have on café/food operators in our Local Board area. A practical approach needs to be considered to ensure that we work towards a “Liveable City”.
- iv) Documents any feedback on:
- a) The Hibiscus and Bays Local Board provide the following comments to the Governing Body on the decisions made by the Strategy and Finance Committee to ‘clarify local board budget parameters’ at its meeting on 3 April 2012:
    - i) That the \$87.5m additional capital expenditure budget agreed for “sportsfields improvements” noted in resolution b) iii) b) should be allocated using agreed criteria across the whole of Auckland including the Hibiscus and Bays Local Board area.
    - ii) That the Hibiscus and Bays Local Board consider that the definition of a ‘major’ upgrade noted in resolution b) iii) c) being \$1million, is too low particularly given that it is not possible to complete a single facility to an adequate standard with this amount of money so no local “major upgrades” will be able to meet the test.
    - iii) That the Hibiscus and Bays Local Board consider that the definition of a ‘major’ upgrade noted in resolution b) iii) c) is unclear in terms of how the “facility’s replacement value” will be calculated.
    - iv) That the transfer of budget to Local Boards based on Governing Body reprioritisation decisions in resolution b) iv) is noted and accepted and that the Hibiscus and Bays Local

- Board are concerned that there is currently no opportunity for Local Boards to input into the timing of these projects and budgets.
- v) That resolution b) viii) regarding the requirement to “prepare budgets for the Long Term Plan that balance every year” is noted and that the Hibiscus and Bays Local Board consider it unnecessary to ensure total balances in the later years given the opportunity to re-visit these budgets within three years.
  - vi) That in balancing their budgets in accordance with resolution b) viii) the Hibiscus and Bays Local Board note that the allocation of discretionary to non-discretionary items gave little flexibility to cut budgets and there was no visibility of what was being delivered regionally, resulting in no true ability to increase levels of service, instead the Local Board was forced to focus on retaining current levels of service.
  - vii) That the Hibiscus and Bays Local Board consider resolution b) x) regarding any changes to the allocation of decision-making resulting in the “re-mapping” of associated budgets to be contrary to the intent of the legislation which formed the Auckland Council and intended local matters to be addressed by local boards and that elected members work together under a ‘co-governance’ model.
- c) **Region-wide priorities**
- i) The regional priorities do not benefit the entire region and the ‘flow on’ benefits are unlikely to be realised for the whole or Auckland.
  - ii) The Southern Initiative (\$1.4 million) needs to leverage other funding i.e. from Central Government so that Council funding enables comprehensive projects.
  - iii) COMET (\$1.4 million) this needs to be reconstituted across all Auckland with the clear ability to leverage funding from Central Government.
  - iv) Silverdale is a transformational project but where are the growth projects and funding for the North.
  - v) Penlink and other related projects (e.g. Curley Ave) are supported but too late in the Long Term Plan timetable. Penlink will support the future growth needs of the area, provide jobs during construction and address congestion.
  - vi) Waterfront Theatre (\$10 million) is dependant on Auckland Theatre raising additional funding and should not be confirmed unless this funding is guaranteed.
  - vii) Many of the projects involve Auckland Council contributing millions of dollars for the benefit of private enterprise. Our Local Board questions whether this is a role of Auckland Council that will directly benefit specific industries or companies. There is a lot of high spending for little return for the whole of Auckland.
  - viii) Confirm that alternative funding mechanisms, such as Public Private Partnerships (PPPs) and Build Own Operate Transfers (BOOTs) will be investigated for projects like the cruise ship terminal, super yacht facility and marine developments.
- d) **Region-wide policies**
- i) Revenue and financing policy: Depreciation should be funded to maintain Council assets.
  - ii) Development Contributions policy: The Hibiscus and Bays Local Board will advocate that this policy provide for future growth. The Hibiscus and Bays Local Board disagrees with any proposed reserve



- contribution lower than the allowable 7.5% under legislation and believes that all contributions taken from a Local Board area should be used within that local board area (not regional catchments).
- ii) Public private partnership policy (PPP): The Hibiscus and Bays Local Board supports the use of PPP's where appropriate.
  - iv) UAGC (rates): This rate needs to be set at the highest dollar value.
  - vii) Dog Registration: Fees need to identify responsible dog owners allowed for under legislation and responsible dog owners should be advantaged not disadvantaged.
  - vi) Rationalise dog control service contracts across Auckland to achieve potential savings.
  - vii) Swimming Pool (free entry to swimming pools): A 5th option where users due charged the same across all swimming pools is supported.
  - viii) Rates remission for community owned halls and facilities needs to be continued.
  - ix) The proposed rates: A transition policy that will address the significant increases in capital values is supported so that limits the increase to individual properties will be phased in over three years.
  - x) Surf Life Saving: Surf Life 10/20 funding (budgets and associated grand funding is supported).
- e) That the Hibiscus and Bays Local Board notes:
- i) The financial guidance required to finalise budgets is attached to this report, including key decisions made by the Strategy & Finance Committee on 3 April
  - ii) Local board budgets for 2012-22 must balance in every year
  - iii) If budgets do not balance in every year, the Strategy & Finance Committee has advised that it will respond to any advice provided by the local board about how to balance its budget if required. If this has not occurred, it will balance the budgets by proportionately reducing the budgets for the local boards discretionary projects to address the overspend.
  - iv) A list of additional projects that would be funded if additional funds were available can be prepared if required and discussed with the governing body during meetings on 14-18 May
  - v) The financial statements attached to this report have been updated since the draft Long-term Plan to reflect budget refresh adjustments, the allocation of previously unallocated capital expenditure and the allocation of centralised costs, including staff

**CARRIED**

31 **Hibiscus and Bays Local Board Review of Chairperson and Deputy Chairperson Positions**

Resolution number HB/2012/82

MOVED by Member Parfitt, seconded Member Whyte:

- a) **That the Hibiscus and Bays Local Board Review of Chairperson and Deputy Chairperson positions for the remainder of the 2010-2013 term report be received.**
- b) **That the Hibiscus and Bays Local Board receive the letter of resignation from the Deputy Chairperson, Gary Holmes.**
- c) **That the Hibiscus and Bays Local Board thanks Gary Holmes for the work he has undertaken for the last 18 months**

**CARRIED**

Resolution number HB/2012/83

MOVED by Member Holmes, seconded Member Cooper:

- d) **That voting system A as described by Standing Order 2.6.1 be used and if there is a tie between the two remaining candidates the result will be determined by the toss of a coin.**

**CARRIED**

Review of Position of Chairperson of the Hibiscus and Bays Local Board.

The Chairperson vacated the Chair for this part of the item and the Chief Executive's representative assumed the Chair.

Resolution number HB/2012/84

MOVED by Member Whyte, seconded Member Holmes:

- e) **That Julia Parfitt be reconfirmed in the role of the Chairperson of the Hibiscus and Bays Local Board for the remainder of the 2010-2013 term.**

**CARRIED**

The Chief Executive's representative vacated the Chair and the Chairperson resumed the Chair.

The Chairperson called for nominations for the office of Deputy Chairperson of the Hibiscus and Bays Local Board .

Resolution number HB/2012/85

MOVED by Member Whyte, seconded Member Watson:

**That Board Member David Cooper be nominated for the office of Deputy Chairperson of the Hibiscus and Bays Local Board**

MOVED by Member Holmes, seconded Member Parfitt

**That Board Member John Kirikiri be nominated for the office of Deputy Chairperson of the Hibiscus and Bays Local Board**

**A division was called for, voting on which was as follows:**

<b>For Member David Cooper</b>	<b>For Member John Kirikiri</b>
<b>David Cooper</b>	<b>Gaye Harding</b>
<b>Greg Sayers</b>	<b>Gary Holmes</b>
<b>John Watson</b>	<b>John Kirikiri</b>
<b>Lisa Whyte</b>	<b>Julia Parfitt</b>

The division was declared equal and therefore the result was determined by the toss of a coin.

Member David Cooper won the toss and was declared the Deputy Chairperson of the Hibiscus and Bays Local Board .

### 32 Update of Portfolio Roles

This item is deferred until the next Hibiscus and Bays Local Board Business Meeting on 6 June 2012

### 34 Minutes of the Local Board Meeting of 4 April 2012, Extraordinary Meeting of 5 April 2012 and Long Term Plan Hearings of 11 April 2012

The minutes of the Hibiscus and Bays Local Board Meeting of 4 April 2012, Extraordinary Meeting of 5 April 2012 and Long Term Plan Hearings of 11 April 2012 were adopted under Item 4.

### 35 Consideration of Extraordinary Items

#### 35.1 Private Plan Change

Resolution number HB/2012/86

MOVED by Member Parfitt, seconded Member Holmes:

**That the Hibiscus and Bays Local Board's submission to the Private Plan Change be considered at the workshop on 16 May 2012 and the Chairperson and Deputy Chairperson be delegated authority to sign off the submission on the Local Board's behalf.**

**CARRIED**

The meeting adjourned at 10.10pm to be reconvened on 16 May 2012 .

The meeting reconvened on Wednesday, 16 May 2012 at 10.30am

## PRESENT

**Chairperson** Julia Parfitt, JP  
**Deputy Chairperson** Gary Holmes  
**Members** David Cooper  
Gaye Harding  
John Kirikiri, JP  
Lisa Whyte

## APOLOGIES

**Members** Greg Sayers  
John Watson

### 25 **Swimming Pool Fencing Exemption - Special Exemption (Section 6) Fencing of Swimming Pools Act 1987**

Members expressed concern that there were no expert technical recommendations provided to give guidance to the decision making of the elected members.

Resolution number HB/2012/87

MOVED by Member Parfitt, seconded Member Holmes:

1. **That the Swimming Pool Fencing Exemption – Special Exemption (Section 6) Fencing of Swimming Pools Act 1986 report be received.**
2. **That the Hibiscus and Bays Local Board grant the application by Hayden and Susan Mander, (address supplied) for special exemption under section 6 of the Fencing of Swimming Pools Act 1987 and that this exemption is personal to the owners of the property (Hayden and Susan Mander) subject to conditions in the NZS 8500:2006 Safety Barriers and Fences Around Swimming Pools, Spas and Hot Tubs, section 3.10 ‘Above ground spas and hot tubs’ 3.10 a) to k) inclusive:**
  - a) **The top of the spa pool or hot tub shall be positioned with the entire top surface not less than 760mm above the surrounding ground or deck;**
  - b) **The cover shall be lockable and shall be kept locked when the spa pool or hot tub is not being used or supervised. A locking device shall contain a mechanical locking mechanism or a self-locking mechanism in addition to latching shut;**
  - c) **The locks shall not be able to be readily opened or released by a child of up to the age of six years;**
  - d) **When locked the cover shall be fitted so that if lifted it does not release the locking device or provide a clearance greater than 100mm;**
  - e) **The cover shall be made of a material that if walked on cannot collapse and can withstand the weight of at least 20kg to ensure that it will more than take the weight of a child up to six years old;**
  - f) **The cover shall be constructed of material that meets ASTM F1346-91 to allow easy movement on and off the spa pool or hot tub;**

- g) The cover shall be constructed with a taper from the centre hinge to the outside edge of the cover so that water will not pond on top of it;
- h) The cover shall have an evenly spaced mechanical locking device as required in b) which shall be positioned to ensure the cover cannot be lifted more than 100mm by a child up to six years of age, and ensures that the cover is fixed securely to the spa pool or hot tub;
- i) The cover and locks shall be maintained at all times in a good state of repair;
- j) Warning stickers/sign shall be placed on the cover to advise that it shall be locked in place when the spa pool or hot tub is not being used or supervised;
- k) Removable steps, movable furniture, or other objects that can assist a young child to climb onto the cover, shall be stowed/stored away at least 1200mm from the side of the spa pool or hot tub.

**CARRIED**

Member Cooper abstained from voting

Resolution number HB/2012/88

MOVED by Member Whyte, seconded Member Holmes:

3. That the Hibiscus and Bays Local Board grant the application by Paul and Mary Agent, 2/324 Beach Road, Mairangi Bay, for special exemption under section 6 of the Fencing of Swimming Pools Act 1987 and that this exemption is personal to the owners of the property (Paul and Mary Agent) subject to conditions in the NZS 8500:2006 Safety Barriers and Fences Around Swimming Pools, Spas and Hot Tubs, section 3.10 'Above ground spas and hot tubs' 3.10 b) to j) inclusive:
- b) The cover shall be lockable and shall be kept locked when the spa pool or hot tub is not being used or supervised. A locking device shall contain a mechanical locking mechanism or a self-locking mechanism in addition to latching shut;
  - c) The locks shall not be able to be readily opened or released by a child of up to the age of six years;
  - d) When locked the cover shall be fitted so that if lifted it does not release the locking device or provide a clearance greater than 100mm;
  - e) The cover shall be made of a material that if walked on cannot collapse and can withstand the weight of at least 20kg to ensure that it will more than take the weight of a child up to six years old;
  - f) The cover shall be constructed of material that meets ASTM F1346-91 to allow easy movement on and off the spa pool or hot tub;
  - g) The cover shall be constructed with a taper from the centre hinge to the outside edge of the cover so that water will not pond on top of it;
  - h) The cover shall have an evenly spaced mechanical locking device as required in b) which shall be positioned to ensure the cover cannot be

lifted more than 100mm by a child up to six years of age, and ensures that the cover is fixed securely to the spa pool or hot tub;

- i) The cover and locks shall be maintained at all times in a good state of repair;
- j) Warning stickers/sign shall be placed on the cover to advise that it shall be locked in place when the spa pool or hot tub is not being used or supervised;

**CARRIED**

Member Cooper abstained from voting

Resolution number HB/2012/89

MOVED by Member Holmes, seconded Member Parfitt:

4. That the Hibiscus and Bays Local Board grant the application by Karina Adams, 28 Beachwood Drive, Hatfields Beach, for special exemption under section 6 of the Fencing of Swimming Pools Act 1987 and that this exemption is personal to the owners of the property (Karina Adams) subject to conditions in the NZS 8500:2006 Safety Barriers and Fences Around Swimming Pools, Spas and Hot Tubs, section 3.10 'Above ground spas and hot tubs' 3.10 a) to k) inclusive:
- a) The top of the spa pool or hot tub shall be positioned with the entire top surface not less than 760mm above the surrounding ground or deck;
  - b) The cover shall be lockable and shall be kept locked when the spa pool or hot tub is not being used or supervised. A locking device shall contain a mechanical locking mechanism or a self-locking mechanism in addition to latching shut;
  - c) The locks shall not be able to be readily opened or released by a child of up to the age of six years;
  - d) When locked the cover shall be fitted so that if lifted it does not release the locking device or provide a clearance greater than 100mm;
  - e) The cover shall be made of a material that if walked on cannot collapse and can withstand the weight of at least 20kg to ensure that it will more than take the weight of a child up to six years old;
  - f) The cover shall be constructed of material that meets ASTM F1346-91 to allow easy movement on and off the spa pool or hot tub;
  - g) The cover shall be constructed with a taper from the centre hinge to the outside edge of the cover so that water will not pond on top of it;
  - h) The cover shall have an evenly spaced mechanical locking device as required in b) which shall be positioned to ensure the cover cannot be lifted more than 100mm by a child up to six years of age, and ensures that the cover is fixed securely to the spa pool or hot tub;
  - i) The cover and locks shall be maintained at all times in a good state of repair;
  - j) Warning stickers/sign shall be placed on the cover to advise that it shall be locked in place when the spa pool or hot tub is not being used

or supervised;

- k) Removable steps, movable furniture, or other objects that can assist a young child to climb onto the cover, shall be stowed/stored away at least 1200mm from the side of the spa pool or hot tub.

**CARRIED**

Member Cooper abstained from voting

Resolution number HB/2012/90

MOVED by Member Cooper, seconded Member Parfitt:

- 5. That the Hibiscus and Bays Local Board expresses concern that no expert technical recommendations are provided to give guidance to the decision making of the elected local board in relation to swimming pool exemptions.

**CARRIED**

Resolution number HB/2012/91

MOVED by Member Parfitt, seconded Member Whyte:

- 6. That the Hibiscus and Bays Local Board seeks legal advice as to their personal liability in making decisions under this delegation.

**CARRIED**

10.50pm

The Chairperson thanked Members for their attendance and attention to business and declared the meeting closed.

CONFIRMED AS A TRUE AND CORRECT RECORD  
AT A MEETING OF THE HIBISCUS AND BAYS  
LOCAL BOARD HELD ON

**DATE:**.....

**CHAIRPERSON:**.....