



Devonport-Takapuna Local Board

OPEN MINUTES

Minutes of a meeting of the Devonport-Takapuna Local Board held in the Devonport-Takapuna Local Board Chamber, Takapuna Service Centre, Level 3, 1 The Strand, Takapuna on Tuesday, 17 December 2013 at 6.00pm.

PRESENT

Chairperson	Mike Cohen, QSM, JP
Deputy Chairperson	Joseph Bergin
Members	Dr Grant Gillon Dianne Hale, QSO, JP Jan O'Connor

APOLOGIES

Member	Allison Roe, MBE
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ALSO PRESENT

Councillors	Chris Darby George Wood	[from 6:18pm, item 9.1; until 8:46, item 24]
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1 Welcome

The Chairperson opened the meeting and welcomed the Board Members and the members of the public.

2 Apologies

Resolution number DT/2013/364

MOVED by Chairperson MA Cohen, seconded by Member DP Hale:

That the Devonport-Takapuna Local Board:

- a) **accept the apology from Member Allison Roe for absence.**

CARRIED

3 Declaration of Interest

There were no declarations of interest.

4 Confirmation of Minutes

Resolution number DT/2013/365

MOVED by Member G Gillon, seconded by Member DP Hale:

That the Devonport-Takapuna Local Board:

- a) **confirm the extraordinary minutes of its meeting, held on Tuesday, 10 December 2013, as a true and correct record.**

CARRIED

5 Leave of Absence

There were no leaves of absence.

6 Acknowledgements

6.1 2013 Massey University Harbour Sport Excellence Awards

Resolution number DT/2013/366

MOVED by Chairperson MA Cohen, seconded by Member DP Hale:

That the Devonport-Takapuna Local Board:

- a) **acknowledges and congratulates Lisa Carrington, Jacko Gill and Nathan Handley, on their receipt of the 2013 Massey University Harbour Sport Excellence Awards.**

CARRIED

7 Petitions

There were no petitions.

8 Deputations

There were no deputations.

9 Public Forum

9.1 James Young

James Young was in attendance to address the Devonport-Takapuna Local Board regarding Item 12 on the agenda, Takapuna Beach Reserve - Approval of process and timeframes for the development of a concept plan.

Resolution number DT/2013/367

MOVED by Chairperson MA Cohen, seconded by Member JRK O'Connor:

That the Devonport-Takapuna Local Board:

- a) receive the public forum presentation from James Young regarding Item 12, Takapuna Beach Reserve - Approval of process and timeframes for the development of a concept plan.**

CARRIED

9.2 Ron Batty - Friends of Takapuna Beach Reserve

Ron Batty, Friends of Takapuna Beach Reserve was in attendance to address the Devonport-Takapuna Local Board regarding Item 12 on the agenda, Takapuna Beach Reserve - Approval of process and timeframes for the development of a concept plan. A letter to the Devonport-Takapuna Local Board dated 17 December 2013 was tabled at the meeting.

A copy of the tabled document has been placed on the official minutes and can be viewed at the Auckland Council website.

Resolution number DT/2013/368

MOVED by Member G Gillon, seconded by Deputy Chairperson JM Bergin:

That the Devonport-Takapuna Local Board:

- a) receive the public forum presentation and the tabled document from Ron Batty, Friends of Takapuna Beach Reserve regarding Item 12, Takapuna Beach Reserve - Approval of process and timeframes for the development of a concept plan.**

CARRIED

Attachments

- A Letter - Ron Batty, Friends of Takapuna Beach Reserve

10 Extraordinary Business

There was no extraordinary business.

11 Notices of Motion

There were no notices of motion.

12 Takapuna Beach Reserve - Approval of process and timeframes for the development of a concept plan

Resolution number DT/2013/369

MOVED by Chairperson MA Cohen, seconded by Member G Gillon:

That the Devonport-Takapuna Local Board:

- a) acknowledges that, despite its confirmation of the Takapuna Beach Reserve Management Plan in May 2013, there is still a high level of controversy relating to the northern section of the Reserve as to:**
- i. what is not contemplated**
 - ii. what could be permanently built and its future use**
 - iii. satisfying the demand for creating more public open space.**

CARRIED

Secretarial Note: Pursuant to Standing Order 3.15.5, Member Bergin and Member Hale requested that their dissenting votes be recorded.

Resolution number DT/2013/370

MOVED by Chairperson MA Cohen, seconded by Member G Gillon:

- b) requires the emphasis of the northern sector of the Takapuna Beach reserve to be for public open space which will ensure free public access and unfettered public use and enjoyment of the Reserve by the community and general public.**

CARRIED

Secretarial Note: Resolution b) was carried unanimously.

Resolution number DT/2013/371

MOVED by Chairperson MA Cohen, seconded by Member G Gillon:

- c) recognises the need to protect all new northern sector public open space as in resolution b).**

CARRIED

Secretarial Note: Pursuant to Standing Order 3.15.5, Member Bergin and Member Hale requested that their dissenting votes be recorded.

Resolution number DT/2013/372

MOVED by Chairperson MA Cohen, seconded by Member G Gillon:

- d) notes that, following the expiry of the resource consent granted for the current camping ground that will bring about the removal, at the end of January, of the chalets and managers house, the existing ablutions block and office will remain until such a time that the land on which these buildings stand is required for some other purpose.**

CARRIED

Secretarial Note: Resolution d) was carried unanimously.

Resolution number DT/2013/373

MOVED by Chairperson MA Cohen, seconded by Member G Gillon:

- e) recommends to the Governing Body that officers conduct a review of the controlling relationship agreement between the former North Shore City Council and the Harbour Access Trust (HAT) including any other relevant documents and arrangements.**

CARRIED

Secretarial Note: Pursuant to Standing Order 3.15.5, Member Bergin and Member Hale requested that their dissenting votes be recorded.

Resolution number DT/2013/374

MOVED by Chairperson MA Cohen, seconded by Member G Gillon:

- f) following the review and if deemed necessary, will recommend to the Governing Body that the development of a new agreement is progressed.**
- g) requests that, if a new agreement is necessary as outlined in resolution e), the agreement must:**
 - i. ensure a reasonable degree of community access to and public use of any marine activity centre if the facility is located on public land**
 - ii. enable representation from identified key stakeholder groups on any decision-making or other entity formed to build and govern marine activity centre operations if located on public land.**

CARRIED

Secretarial Note: Pursuant to Standing Order 3.15.5, Member Bergin requested that his dissenting vote be recorded.

Secretarial Note: Member Hale abstained from voting on the above resolutions.

Resolution number DT/2013/375

MOVED by Chairperson MA Cohen, seconded by Member G Gillon:

- h) asks officers to provide:**
 - i. advice as to the costs and time required to complete a high level cost / benefit analysis of alternative locations for the National Ocean Water Sports Centre (NOWSC), noting that analysis be limited to locations off Takapuna Beach Reserve but within close proximity to Takapuna Beach.**
 - ii. an analysis of the current use, including any congestion or safety issues around the lower part of The Promenade, The Promenade carpark and boat ramps especially over summer and the potential for congestion and safety issues in the event of any development of a marine activity hub at the northern end of the reserve.**
 - iii. a report as a matter of urgency on the advantages, disadvantages and implications of gazetting Lot 1 DP 18501 as reserve land under the Reserves Act 1977, including estimated costs and completion time of reclassification as a reserve.**
 - iv. a report to identify the process for granting a lease for the provision of an area in the northern zone of the Reserve as a beach holiday park facility that caters for motor-homes (including caravans) in keeping with the provisions of the Takapuna Beach Reserve Management Plan.**

CARRIED

Secretarial Note: Pursuant to Standing Order 3.15.5, Member Bergin and Member Hale requested that their dissenting votes be recorded.

Resolution number DT/2013/376

MOVED by Chairperson MA Cohen, seconded by Member G Gillon:

- i) approves the development of a concept plan for the Takapuna Beach Reserve recognizing that as a result of the requirements of resolutions e) to h) above, the northern zone may be excluded from the concept plan at this time.**

CARRIED

Secretarial Note: Pursuant to Standing Order 3.15.5, Member Bergin and Member Hale requested that their dissenting votes be recorded.

Resolution number DT/2013/377

MOVED by Chairperson MA Cohen, seconded by Member G Gillon:

- j) establishes a working party consisting of the Chair, Deputy-Chair, Parks Portfolio Holder and all other board members as and if available with delegated authority to expedite where possible:**

CARRIED

Secretarial Note: Pursuant to Standing Order 3.15.5, Member Bergin requested that his dissenting vote be recorded.

Resolution number DT/2013/378

MOVED by Chairperson MA Cohen, seconded by Member G Gillon:

- i. the outcomes of the review of the controlling relationship agreement between the former North Shore City Council and the Harbour Access Trust (HAT), including the development of a new agreement if deemed necessary.**

CARRIED

Secretarial Note: Pursuant to Standing Order 3.15.5, Member Bergin and Member Hale requested that their dissenting votes be recorded.

Resolution number DT/2013/379

MOVED by Chairperson MA Cohen, seconded by Member G Gillon:

- ii. identification of alternative locations for the National Ocean and Water Sports Centre (NOWSC) that are off Takapuna Beach Reserve but within close proximity to Takapuna Beach.**

CARRIED

Secretarial Note: Pursuant to Standing Order 3.15.5, Member Bergin and Member Hale requested that their dissenting votes be recorded.

Resolution number DT/2013/380

MOVED by Chairperson MA Cohen, seconded by Member G Gillon:

- iii. the concept plan design brief**

CARRIED

Secretarial Note: Pursuant to Standing Order 3.15.5, Member Bergin requested that his dissenting vote be recorded.

Resolution number DT/2013/381

MOVED by Chairperson MA Cohen, seconded by Member G Gillon:

- iv. any changes to the concept plan which may result upon completion of any public consultation**

CARRIED

Secretarial Note: Pursuant to Standing Order 3.15.5, Member Bergin requested that his dissenting vote be recorded.

Resolution number DT/2013/382

MOVED by Chairperson MA Cohen, seconded by Member G Gillon:

- v. development of the final concept plan, which will be approved by the full board.**

CARRIED

Secretarial Note: Pursuant to Standing Order 3.15.5, Member Bergin requested that his dissenting vote be recorded.

Resolution number DT/2013/383

MOVED by Chairperson MA Cohen, seconded by Member G Gillon:

k) notes that the working party will report back to the board on a regular basis.

CARRIED

Secretarial Note: Resolution k) was carried unanimously.

13 Local Event Support Fund - Round 2 2013/2014

Resolution number DT/2013/384

MOVED by Member DP Hale, seconded by Member G Gillon:

That the Devonport-Takapuna Local Board:

a) agree to fund the Round two, 2013/2014 Local Event Support Fund applications, as follows:

Applicant	Event	Venue	Date	Amount Requested	Amount Recommended
Sanitarium Health and Wellbeing Co.	Sanitarium Weet-Bix Kids Tryathlon	Woodall Park & Narrowneck Beach	6 April 2014	\$10,000	\$8,000
NZ Filipino STO Nino Devotees Trust	Sinulog Festival	North Shore Events Centre	19 January 2014	\$20,000	\$5,000
Devonport Peninsula Trust	Winter Fun Preschool Play Series	Bayswater School Hall	29 July – 14 October 2014	\$3,830	\$3,830
Quantum Events Limited	State Beach Series	Takapuna Beach & Reserve	29 October 2013 18 March 2014	\$10,000	\$1,500
Quantum Events Limited	King of the Bays	Milford/Takapuna	12 April 2014	\$9,500	\$1,500
Bruce Mason Centre	School Holiday Programme 2014	Bruce Mason Centre	April, July, October & December 2014	\$30,000	\$3,500
Bruce Mason Centre	Morning Melodies 2014	Bruce Mason Centre	February – December 2014	\$22,000	\$15,000
Older Women's Network	Ideas of March Festival	Positive Aging Centre, Takapuna	15 March 2014	\$1,000	\$600
NZ Sculpture On Shore Limited	NZ Sculpture on Shore	Fort Takapuna	6 – 16 November 2014	\$15,000	\$15,000
Sunnynook Community Centre Inc	Sunnynook Family Fun Day	Sunnynook Park	7 March 2014	\$1,800	\$1,800
Milford Business Association	The Auckland Symphony Orchestra	Bruce Mason Centre	TBC	\$5,000	\$5,000
TOTAL				\$128,130	\$60,730

CARRIED

14 Devonport-Takapuna Area Plan Programme

Resolution number DT/2013/385

MOVED by Chairperson MA Cohen, seconded by Deputy Chairperson JM Bergin:

That the Devonport-Takapuna Local Board:

- a) **supports the process and approach proposed for developing the Devonport-Takapuna Area Plan as set out in the report.**

CARRIED

Resolution number DT/2013/386

MOVED by Chairperson MA Cohen, seconded by Deputy Chairperson JM Bergin:

- b) **endorses the nomination of the Chair, Deputy Chair and the two ward Councillors to the Area Plan Working Party to oversee the development of the Devonport-Takapuna Area Plan.**

CARRIED

Secretarial Note: Pursuant to Standing Order 3.15.5, Member Gillon and Member O'Connor requested that their dissenting votes be recorded.

Resolution number DT/2013/387

MOVED by Chairperson MA Cohen, seconded by Deputy Chairperson JM Bergin:

- c) **notes that the working party meetings will be open to all Devonport-Takapuna Local Board members, to attend when they are available.**

CARRIED

Resolution number DT/2013/388

MOVED by Chairperson MA Cohen, seconded by Deputy Chairperson JM Bergin:

- d) **notes that the Devonport-Takapuna Area Plan engagement will start in January 2014.**

CARRIED

15 Developing the 2014 Local Board Plan

Resolution number DT/2013/389

MOVED by Member DP Hale, seconded by Chairperson MA Cohen:

That the Devonport-Takapuna Local Board:

- a) **confirms the use of the vision and priorities set out in the 2011-2014 local board plan as the starting point for the development of the 2014-2017 local board plan.**
- b) **confirms that the approach set out in the agenda report for the first round of informal engagement is correct.**
- c) **delegates responsibility for signing off the first round engagement plan to the Chairperson and Deputy Chairperson, by 17 January 2014.**

CARRIED

16 **Appointments to Outside Organisations**

Resolution number DT/2013/390

MOVED by Chairperson MA Cohen, seconded by Member DP Hale:

That the Devonport-Takapuna Local Board:

- a) **allocates board members to outside organisations and community networks, as listed below:**

Organisation	Lead	Alternate
<i>Associations</i>		
Local Government New Zealand Zone One	Mike Cohen	Joseph Bergin
<i>Business Associations</i>		
Devonport Business Association	Mike Cohen	Joseph Bergin
Takapuna Beach Business Association	Dianne Hale	Joseph Bergin
<i>Trusts</i>		
Devonport Peninsula Trust	Mike Cohen	Allison Roe
Michael King Writers' Studio Trust	Jan O'Connor	Dianne Hale
Takapuna Community Trust	Allison Roe	Mike Cohen
North Shore Heritage Trust – joint appointment Devonport-Takapuna, Kaipātiki, Upper Harbour and Hibiscus and Bays)	Dianne Hale	Grant Gillon
Safer North Community Trust	Joseph Bergin	Allison Roe
Milford Business Association	Joseph Bergin	Mike Cohen

- b) **supports the nomination of Member Hale and Gillon as alternate for the North Shore Heritage Trust – joint appointment Devonport-Takapuna, Kaipātiki, Upper Harbour and Hibiscus and Bays and refers this resolution to Kaipātiki, Upper Harbour and Hibiscus and Bays Local Boards.**

CARRIED

Secretarial Note: Member Gillon requested that in instances where the lead and alternate members appointed to the above outside organisations and community networks are unavailable he is willing to represent the Board as a substitute member.

Member Gillon also requested that any future appointments to outside organisations follow the same format of the lead and alternate portfolio holders being appointed.

17 Northern Joint Funding Committee

Resolution number DT/2013/391

MOVED by Member DP Hale, seconded by Member G Gillon:

That the Devonport-Takapuna Local Board:

- a) **agrees to re-instate the Northern Joint Funding Committee for 2013/2014 to administer the legacy funds as per the Terms of Reference**
- b) **endorses the draft Terms of Reference for the Northern Joint Funding Committee.**
- c) **appoints Members Cohen and Bergin as lead and Members Roe and O'Connor as alternates, to the Northern Joint Funding Committee for 2013/ 2014 and any subcommittees with appropriate delegated authority to bind the board on decisions relating to the legacy community funding schemes made by the Committee.**

CARRIED

18 Urgent Decision Process for the Devonport-Takapuna Local Board

Resolution number DT/2013/392

MOVED by Member DP Hale, seconded by Deputy Chairperson JM Bergin:

That the Devonport-Takapuna Local Board:

- a) **adopts the urgent decision process for matters that require a decision where it is not practical to call the full board together and meet the requirement of a quorum.**
- b) **delegates authority to the Chair and Deputy Chair, or any other Devonport-Takapuna Local Board member(s) in event that one or both the Chair and Deputy Chair are not available, to make an urgent decision on behalf of the local board.**
- c) **requests that all urgent decisions be reported to the next ordinary meeting of the local board.**

CARRIED

Secretarial Note: Items 21, 22, 23, 24, 25 and 26 was taken at this time and that order.

19 Applications for Special Exemptions (section 6) under the Fencing of Swimming Pools Act 1987

Resolution number DT/2013/393

MOVED by Member DP Hale, seconded by Member G Gillon:

That the Devonport-Takapuna Local Board:

- a) agree to note the confidential status of attachments A and B to Item 19.
- b) grant the special exemption application from Hayden & Gabrielle Jonas, 41 Eversleigh Rd, Belmont, under the condition that ongoing compliance with NZS8500-2006 is maintained at all times.
- c) grant the special exemption application from Paul Dennison, 1/2 Sinclair St, Devonport, subject to all the clips on the spa pool cover be replaced or repaired to be in good working order to the satisfaction of Team Leader Compliance and Enforcement, and that the further ongoing compliance with NZS8500-2006 is maintained at all times.

CARRIED

20 Applications for Special Exemptions (section 6) under the Fencing of Swimming Pools Act 1987

Resolution number DT/2013/394

MOVED by Member DP Hale, seconded by Member G Gillon:

That the Devonport-Takapuna Local Board:

- a) agree to note the confidential status of attachments A and B to Item 20.
- b) grant the special exemption application from Andrew Binnie, 1/328 East Coast Road, Sunnynook, under the condition that ongoing compliance with NZS8500-2006 is maintained at all times.
- c) grant the special exemption application from Yvonne Ten-Have & Ian Masson, 1/7 Morrison Avenue, Devonport, subject to the locks and latches on the spa pool cover be repaired to the satisfaction of Team Leader Compliance and Enforcement, and that the further ongoing compliance with NZS8500-2006 is maintained at all times.

CARRIED

21 Reports Received for Information - November/December 2013

Resolution number DT/2013/395

MOVED by Deputy Chairperson JM Bergin, seconded by Member DP Hale:

That the Devonport-Takapuna Local Board:

- a) receives the Reports Received for Information – November/December 2013 report.

CARRIED

22 Record of Briefing/Community Forum - 26 November 2013 and 3 December 2013

Resolution number DT/2013/396

MOVED by Member DP Hale, seconded by Deputy Chairperson JM Bergin:

That the Devonport-Takapuna Local Board:

- a) receives the Record of the Briefing/Community Forum held on 26 November 2013 and 3 December 2013 report.

CARRIED

23 Ward Councillors Update

Resolution number DT/2013/397

MOVED by Deputy Chairperson JM Bergin, seconded by Member G Gillon:

That the Devonport-Takapuna Local Board:

- a) thank Cr Chris Darby for his update to the Devonport-Takapuna Local Board on the activities of the Governing Body.
- b) thank Cr George Wood for his update to the Devonport-Takapuna Local Board on the activities of the Governing Body.

CARRIED

24 Board Members' reports

Resolution number DT/2013/398

MOVED by Member G Gillon, seconded by Deputy Chairperson JM Bergin:

That the Devonport-Takapuna Local Board:

- a) receive the Chairperson's report.
- b) receive Member Allison Roe's report.
- c) receive the verbal reports of Members O'Connor and Gillon.

CARRIED

24.1 Member Bergin tabled his Member's report.

A copy of the tabled document has been placed on the official minutes and can be viewed at the Auckland Council website.

Resolution number DT/2013/399

MOVED by Member G Gillon, seconded by Deputy Chairperson JM Bergin:

That the Devonport-Takapuna Local Board:

- d) receive Member Bergin's tabled report.
- e) requests that as a matter of urgency a report on the responsibility for maintenance of the Council pensioner estates.
- f) requests that in the interim the appropriate department immediately restore levels of maintenance to those enjoyed prior to 2010.

CARRIED

Attachments

- A Board Members' report - Member Bergin

25 Summary of Actions and Reports Requested/Pending - November 2013

Resolution number DT/2013/400

MOVED by Deputy Chairperson JM Bergin, seconded by Member G Gillon:

That the Devonport-Takapuna Local Board:

- a) receive the Summary of Actions and Reports Requested/Pending – November 2013 report.

CARRIED

26 Consideration of Extraordinary Items

There was no consideration of extraordinary items.

Items 19 and 20 were taken at this time.

Public Excluded

Resolution number DT/2013/401

MOVED by Chairperson MA Cohen, seconded by Deputy Chairperson JM Bergin:

That the Devonport-Takapuna Local Board:

- a) exclude the public from the following part(s) of the proceedings of this meeting.

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution follows.

This resolution is made in reliance on section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by section 6 or section 7 of that Act which would be prejudiced by the holding of the whole or relevant part of the proceedings of the meeting in public, as follows:

- 19 **Swimming Pool Fencing Exemption – Special Exemption (Section 6) Fencing of Swimming Pools Act 1987 - Attachments A and B**
- 20 **Swimming Pool Fencing Exemption – Special Exemption (Section 6) Fencing of Swimming Pools Act 1987 - Attachments A and B**

Reason for passing this resolution in relation to each matter	Particular interest(s) protected (where applicable)	Ground(s) under section 48(1) for the passing of this resolution
The public conduct of the part of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under section 7.	s7(2)(a) - The withholding of the information is necessary to protect the privacy of natural persons, including that of a deceased person. In particular the attachments of the swimming pool exemption applications contain personal details of the applicants.	s48(1)(a) The public conduct of the part of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under section 7.

The text of these resolutions is made available to the public who are present at the meeting and form part of the minutes of the meeting.

CARRIED

9.00 pm The public was excluded.

Secretarial note: Devonport-Takapuna Local Board deliberated in the confidential section of the meeting. The board agreed that the decisions made while the public was excluded be restated in the open minutes. Please refer to items 19 and 20 above.

9.03 pm The public was re-admitted.

9.04 pm

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 DEVONPORT-TAKAPUNA
LOCAL BOARD HELD ON

DATE:.....

CHAIRPERSON:.....