



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, 20 May 2014 at 6.00pm.

PRESENT

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

ALSO PRESENT

Councillors	Chris Darby	[until 6:45pm, item 12; from 9.14pm, item C1; until 10.36pm, item C3]
	George Wood	[until 8.02pm, item 23]
Youth Representative	Ian Lim	

1 Welcome

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

2 Apologies

There were no apologies.

3 Declaration of Interest

There were no declarations of interest.

Secretarial Note: The Deputy Chairperson was granted leave to address members of the Board.

4 Confirmation of Minutes

Resolution number DT/2014/90

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

That the Devonport-Takapuna Local Board:

- a) **confirms the ordinary minutes of its meeting, held on Tuesday, 15 April 2014, including the confidential section, as a true and correct record.**

CARRIED

5 Leave of Absence

There were no requests for leave of absence.

6 Acknowledgements

6.1 Acknowledgements - Liam Anderson and Lucia Kwok of Bayswater Primary School

The Chairperson of the Board acknowledged Liam Anderson and Lucia Kwok of Bayswater Primary School. The children won the nationwide 'Lest we forget' poetry competition. Three children were chosen in each age group to read their Anzac Day poem at the Anzac Day commemorations at the Auckland War Memorial Museum.

Resolution number DT/2014/91

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

That the Devonport-Takapuna Local Board:

- a) **acknowledges and congratulates acknowledged Liam Anderson and Lucia Kwok of Bayswater Primary School for their success in the nationwide 'Lest we forget' poetry competition.**

CARRIED

6.2 Acknowledgements - Sills van Bohemen

The Chairperson of the Board acknowledged Sills van Bohemen. Sills van Bohemen, the architects of Hurstmere Green, won one of only three Planning and Urban Design Awards at the recent New Zealand Institute of Architects Awards.

Resolution number DT/2014/92

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

That the Devonport-Takapuna Local Board:

- a) **acknowledges and congratulates Sills van Bohemen on their receipt of the Urban Design Award by the New Zealand Institute of Architects for the Hurstmere Green redevelopment.**

CARRIED

6.3 Acknowledgements - North Shore Times

Cr Chris Darby acknowledged North Shore Times on their receipt of the 2014 Canon Media Award for Community Newspaper of the Year.

Resolution number DT/2014/93

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

That the Devonport-Takapuna Local Board:

- a) **acknowledges and congratulates North Shore Times on their receipt of the 2014 Canon Media Award for Community Newspaper of the Year.**

CARRIED

7 Petitions

There were no petitions.

8 Deputations

There were no deputations.

9 Public Forum

Secretarial Note: Items 9.1 and 9.2 were taken concurrently with Item 12

9.1 Simon Waymouth, Friends of Takapuna Beach Reserve

Simon Waymouth, Friends of Takapuna Beach Reserve was in attendance to address the board regarding item 12 of the agenda, 'Takapuna Beach Reserve: update on issues and progress of previous resolutions'.

He acknowledged and thanked Nicki Malone, Principal Policy Analyst, Community Policy & Planning for conducting the stakeholder workshops and consultation for the Concept Plan of the Southern Part of the Takapuna Beach Reserve and requested that the same format of stakeholder workshops and consultation continue for the Concept Plan of the Northern Part of the Takapuna Beach Reserve.

Resolution number DT/2014/94

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

That the Devonport-Takapuna Local Board:

- a) receives the public forum presentation from Simon Waymouth, Friends of Takapuna Beach Reserve.

CARRIED

9.2 Bill Raynor

Bill Raynor was in attendance to address the board regarding item 12 of the agenda, 'Takapuna Beach Reserve: update on issues and progress of previous resolutions'.

Resolution number DT/2014/95

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

That the Devonport-Takapuna Local Board:

- a) receives the public forum presentation from Bill Raynor.

CARRIED

10 Extraordinary Business

There was no extraordinary business.

11 Notices of Motion

There were no notices of motion.

23 Board Members' reports

Resolution number DT/2014/96

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

That the Devonport-Takapuna Local Board:

- a) receives the Chair's report and recommendations:
 - i) Release into the open minutes b) c) and d) of the Special Housing Areas: Tranche 3 report from the 18 March 2014 Devonport-Takapuna Local Board meeting.

CARRIED

Resolution number DT/2014/97

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

That the Devonport-Takapuna Local Board:

- b) receives the Board Members' report and recommendations from Member Gillon and Member O'Connor:
 - i) That the Devonport-Takapuna Local Board accepts and endorses the letters from CEO Stephen Town of 24th April 2014 addressed to Board Members Jan O'Connor and Grant Gillon.
 - ii) That the Devonport-Takapuna Local Board particularly notes the determination that no breach of the Code of Conduct has occurred.

CARRIED

12 Takapuna Beach Reserve: update on issues and progress of previous resolutions

James Liddell - Senior Local Board Advisor and Roger Sweeney, ACPL were in attendance for this item.

A letter dated 29 April 2014 from Stephen Town, CEO, Auckland Council was tabled at the meeting. A copy of the tabled document has been placed on file copy and can be viewed on the Auckland Council website.

Secretarial Note: Items 9.1 and 9.2 were taken at this time.

Resolution number DT/2014/98

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

That the Devonport-Takapuna Local Board:

- a) requests that the Governing Body form a joint working party with the Devonport-Takapuna Local Board to oversee Council's relationship with the Harbour Access Trust and the delivery of the National Ocean Water Sports Centre (NOWSC), and proposes that this working party comprise three councilors representing the Governing Body and three members of the Devonport-Takapuna Local Board.
- b) in the event that the Governing Body agrees to the establishment of the working party as per (a), appoints Chairman Cohen and members Gillon and Hale of the Devonport-Takapuna Local Board to that working party.
- c) directs the chairperson of the Devonport-Takapuna Local Board to speak to a meeting of a Governing Body committee specifically regarding its request to form a joint working party, as per resolutions (a) and (b) above.
- d) defers any decision on expenditure on a cost / benefit analysis of locations for the NOWSC within close proximity to Takapuna Beach Reserve, pending the outcome of discussions with the Governing Body and promoters of the NOWSC regarding what information is or will be available regarding this analysis, and reserves the right to revisit this issue at a later date.
- e) requests that Auckland Transport improves parking enforcement, and investigates and provides advice on specific actions that may improve pedestrian safety and alleviate congestion, in the areas identified in the Flow Transportation Specialists report that are legal roads.
- f) requests Parks officers investigate and provide advice on specific actions that may improve pedestrian safety and alleviate congestion in the areas identified in the Flow Transportation Specialists report that are not legal roads.

CARRIED

Resolution number DT/2014/99

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

- g) asks relevant officers to publicly advertise a call for proposals to lease part of the Northern Activity Zone for self-contained motorhome accommodation, in conformity with and as contemplated by the Takapuna Beach Reserve Management Plan, and which maximise usable public open space on the reserve.
- h) directs officers to report proposals received under g) to the Devonport-Takapuna Local Board for decision-making.

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

<u>For</u>	<u>Against</u>	<u>Abstained</u>
Chairperson MA Cohen Member G Gillon Member JRK O'Connor	Deputy Chairperson JM Bergin Member DP Hale Member AP Roe	

The division was declared EQUAL.

The Chairperson exercised his casting vote for so the motion was Carried.

CARRIED

Resolution number DT/2014/100

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

- i) **directs officers from Local Board Services to discuss with the promoters of the NOWSC, on behalf of the Board, the organisation's current plans and requirements for the proposed facility and that these be reported to the Board as soon as possible.**
- j) **invites the promoters of the NOWSC to engage in ongoing communication with the Devonport-Takapuna Local Board regarding their project.**
- k) **receives the tabled letter dated 29 April 2014 from Stephen Town, CEO, Auckland Council.**

CARRIED

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

Attachments

A Letter from Stephen Town, CEO, Auckland Council

13 Confirmation of Business Meeting Date in August 2014

Resolution number DT/2014/101

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

That the Devonport-Takapuna Local Board:

- a) **holds business meetings during the month of August 2014 as follows:**
 - i. **an ordinary business meeting of the Board on Tuesday, 19 August 2014 at 6.00pm in the Council Chamber, Level 3, 1 The Strand, Takapuna.**
 - ii. **an additional business meeting of the Board on Tuesday, 12 August 2014 at 6.00pm, in the Council Chamber, Level 3, 1 The Strand, Takapuna with the sole purpose of providing feedback on the Long Term Plan strategic options by 14 August 2014.**

CARRIED

Secretarial Note: Item 14 was considered prior to item 17.

15 Update on Remediation for Lansdowne and Beresford Streets foreshore

Paul Klinac - Coastal Management Services Team Manager, Carl Hewison - Senior Stormwater Specialist and Adrian Percival - Senior Stormwater Specialist were in attendance for this item.

Resolution number DT/2014/102

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

That the Devonport-Takapuna Local Board:

- a) receives the report.
- b) agrees that the foreshore has been remediated via natural processes to an acceptable standard and that no further work is required.
- c) agrees that the disturbed foreshore no longer poses a risk to safety and that the safety fence be removed.
- d) commends Auckland Council staff for the constructive approach they have taken in resolving the issue.

CARRIED

16 Quarterly Performance Report March 2014

Pramod Nair – Lead Financial Advisor, was in attendance for this item.

Resolution number DT/2014/103

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

That the Devonport-Takapuna Local Board:

- a) receives the Quarterly Performance Report for the Devonport-Takapuna Local Board for the period ended March 2014.

CARRIED

22 Ward Councillors Update

Resolution number DT/2014/104

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

That the Devonport-Takapuna Local Board:

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

CARRIED

14 Proposed Parking Restrictions at Killarney Park

Matthew Woodside – Parks Advisor Devonport and Takapuna, was in attendance for this item.

Resolution number DT/2014/105

MOVED by Member G Gillon, seconded by Member JRK O'Connor:

That the Devonport-Takapuna Local Board:

- a) grants delegated authority to the Manager, Parks Sport and Recreation to inform Auckland Transport of the recommended parking restrictions at Killarney Park car park.
- b) approves the preparation of a parking resolution report and installation of signs to meet Traffic Control Devices standards for Killarney Park car park by Auckland Transport, noting that:
 - i. the parking resolution is to include provision for Bridge Club members, displaying appropriate identification, and that they be given a grace period of up to sixty minutes over and above the standard parking time limit on Bridge Club days.
 - ii. due to the circumstances, up to 6 permits for staff parking be granted to both the Pumphouse Complex and the Aquatic
- c) approves funding of up to \$7,000 of discretionary operating expenditure, to be paid to Auckland Transport to facilitate this process.
- d) notes that since this report was submitted, other nearby sites have come forward reporting the same issues. These are the Takapuna Pool and Leisure Centre car park and the Pumphouse Theatre car park. The Local Board further requests that:
 - i. Parks and Auckland Transport liaise with these groups to agree a suitable rationale for car park enforcement on these sites
 - ii. delegates authority to the Manager, Parks Sport and Recreation to inform Auckland Transport of the recommended parking restrictions on these sites
 - iii. approves the preparation of a parking resolution report and installation of signs to meet 'Traffic Control Devices' standards for these sites
 - iv. approves additional funding, the amount to be delegated to the Chairperson and the Parks Portfolio holder, in line with the Killarney Park charges noted above, to be paid to Auckland Transport to facilitate this process and reported back to the Board.
- e) instructs the Chairperson to write a letter to the Chief Executive, Auckland Transport voicing concern regarding cost associated with preparation of a parking resolution report and the installation of signage to meet 'Traffic Control Devices' standards for these sites.

CARRIED

17 Applications for Devonport-Takapuna Local Board Discretionary Capex and Opex - Round Five

Chris Dee – Senior Local Board Advisor and Matthew Woodside – Parks Advisor Devonport and Takapuna were in attendance for this item.

Document entitled 'Esmonde Road Median Planting – Species Description' was tabled at the meeting. A copy of the tabled document has been placed on file copy and can be viewed on the Auckland Council website.

Resolution number DT/2014/106

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

That the Devonport-Takapuna Local Board:

- a) **approves the expenditure of \$40,000 of discretionary operating expenditure to re-plant the Esmonde Road median planter beds, noting that Auckland Transport is contributing \$20,000 to the cost of improvements.**
- b) **delegates to Members Hale and O'Connor and the Chairperson to discuss future arrangements for ongoing maintenance and planting of Esmonde Road median planter beds.**
- c) **approves the expenditure of \$6,271 to print 5000 copies of each of three different heritage trail brochures, subject to owners approval for featured properties and acknowledgement of the Devonport-Takapuna Local Board on the brochures.**
- d) **approves the expenditure of \$1,950 towards the screening of two general release movies at the Victoria Theatre in Devonport.**
- e) **Delegates to a working party of the board, consisting of the Chairperson, Deputy Chairperson and Member Gillon, responsibility to consider feasibility and potential funding for the following projects, noting that the decision will be reported back to the June business meeting:**
 - **installation of Gobi Blocks in the grass area of the Bridge Club at Killarney Park.**
 - **Suffrage Sculpture proposal and Devonport Art Mural on the Library wall**
 - **Milford Planting project.**

CARRIED

Attachments

A Esmonde Road Median Planting – Species Description

26 Procedural motion to exclude the public

Resolution number DT/2014/107

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

That the Devonport-Takapuna Local Board:

- a) **excludes the public from the following part(s) of the proceedings of this meeting.**
- b) **agrees that Ian Lim, Youth Representative, be permitted to remain for Confidential Item 19 - Applications for Special Exemptions (section 6) under the Fencing of Swimming Pools Act 1987 - Attachment A - 1 Turnbull Road; C1 - Te Tiriti / Treaty settlement update; C2 - Takapuna Beachfront Precinct and C3 - Legal advice:**

comments on process after the public has been excluded.

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 Applications for Special Exemptions (section 6) under the Fencing of Swimming Pools Act 1987 - Attachment A - 1 Turnbull Road

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 report contains the applicants details.	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.

C1 Te Tiriti / Treaty settlement update

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)(c)(i) - The withholding of the information is necessary to protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information would be likely to prejudice the supply of similar information or information from the same source and it is in the public interest that such information should continue to be supplied. In particular, the report contains information provided by the Crown to council in confidence on the understanding the information is negotiation sensitive between Hapū / Iwi and the Crown. If confidential information is made available, it will prejudice both those negotiations and the provision of similar information to council in the future.	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.

C2 Takapuna Beachfront Precinct

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)(i) - The withholding of the information is necessary to enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations). In particular, the report contains financial information regarding property acquisition..	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.

C3 Legal advice: comments on process

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)(g) - The withholding of the information is necessary to maintain legal professional privilege. In particular, the report contains legal advice. .	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

8.50pm The public was excluded.

Resolutions in relation to the confidential items are recorded in the confidential section of these minutes and are not publicly available.

10.50pm The public was re-admitted.

RESTATEMENTS

It was resolved while the public was excluded:

C1 Te Tiriti / Treaty settlement update

Siani Walker - Policy Analyst, Community Policy and Planning, Mark Sly - Legal Counsel, Public Law and Mace Ward - Manager Regional & Specialist Parks were in attendance for this item.

Resolution number DT/2014/108

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

- d) agrees that these decisions and report not be restated in the open section of the minutes until advised by the Crown that the obligation of confidentiality is removed.**

CARRIED

C2 Takapuna Beachfront Precinct

Catherine Edmeades, Project Leader, City Transformation Projects was in attendance for this item.

Resolution number DT/2014/112

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

- g) confirms that there be no restatement of the confidential report Takapuna Beachfront Precinct, or the resolutions of the Devonport-Takapuna Local Board.**

CARRIED

C3 Legal advice: comments on process

Nicolette Butler - Senior Solicitor – Governance and Local Boards and James Liddell – Senior Local Board Advisor were in attendance for this item.

Resolution number DT/2014/114

MOVED by Member G Gillon, seconded by Member JRK O'Connor:

- a) notes the legal advice on the vesting process and public access**
b) asks staff to arrange a site visit.
c) confirms that resolutions a), b) and c) of the substantive motion be restated in the open section of the minutes of this meeting, but that the report shall remain confidential as it is subject to legal privilege.

CARRIED

Extension of Meeting Time

Resolution number DT/2014/116

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

That the Devonport-Takapuna Local Board:

- a) agrees pursuant to standing order 3.3.7, that an extension of time until 11.00pm be granted.**

CARRIED

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

Resolution number DT/2014/117

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

That the Devonport-Takapuna Local Board:

- a) agrees to note the confidential status of attachment A to Item 19.
- b) grants the application for special exemption from Christine & Jeff Latch, 1 Turnbull Road, Narrow Neck, subject to ongoing compliance with NZS8500-2006 Section 3.10 at all times:
- c) determines that the above decision be restated in the open minutes.

CARRIED

18 Bylaw review programme update - April 2014

Resolution number DT/2014/118

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

That the Devonport-Takapuna Local Board:

- a) note the progress of bylaw review and implementation and the forward programme that will complete the review of the legacy bylaws by 2015.
- b) request that issues cover special licensing for sports clubs and other community facilities and opening hours be in the June report

CARRIED

20 Record of Briefing/Community Forum - 22 April and 6 May 2014

Resolution number DT/2014/119

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

That the Devonport-Takapuna Local Board:

- a) receives the Records of the Briefing and Community Forum held on 22 April and 6 May 2014.

CARRIED

21 Granted Resource Consent Applications by Local Board Area

Resolution number DT/2014/120

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

That the Devonport-Takapuna Local Board:

- a) receives the Granted Resource Consent Applications by Local Board Area report.

CARRIED

Secretarial Note: Item 22 was considered prior to item 14.
Secretarial Note: Item 23 was considered prior to item 12.

24 Summary of Actions and Reports Requested/Pending - April 2014

Resolution number DT/2014/121

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

That the Devonport-Takapuna Local Board:

- a) receives the Summary of Actions and Reports Requested/Pending – April 2014 report.

CARRIED

25 Consideration of Extraordinary Items

There was no consideration of extraordinary items.

10.55 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:.....