



Maungakiekie-Tāmaki Local Board

OPEN MINUTES

Minutes of a meeting of the Maungakiekie-Tāmaki Local Board held in the Local Board Office,
7-13 Pilkington Road, Panmure on Tuesday, 15 July 2014 at 6.00pm.

PRESENT

Chairperson	Simon Randall
Deputy Chairperson	Chris Makoare
Members	Josephine Bartley
	Bridget Graham, QSM
	Obed Unasa
	Alan Verrall

APOLOGIES

Member	Brett Clark
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ALSO PRESENT

IN ATTENDANCE

1 Welcome

2 Apologies

Resolution number MT/2014/112

MOVED by Chairperson SD Randall, seconded by Deputy Chairperson CL Makoare:

That the Maungakiekie-Tāmaki Local Board:

- a) **accept the apology received from JB Clark for illness.**

CARRIED

Secretarial note: apologies for absence received from Councillor Denise Krum.

3 Declaration of Interest

Member AB Verrall declared a conflict of interest as a member of the Mt Wellington Licensing Trust, with item 13 Local Alcohol Policy and item 20 Role of Local Boards in Liquor License Applications and took no part in the discussion or voting on these two items.

4 Confirmation of Minutes

Resolution number MT/2014/113

MOVED by Chairperson SD Randall, seconded by Member OO Unasa:

That the Maungakiekie-Tāmaki Local Board:

- a) **confirm the ordinary minutes of its meeting, held on Tuesday, 17 June 2014, as a true and correct record.**

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.

10 Extraordinary Business

There was no extraordinary business.

11 Notices of Motion

There were no notices of motion.

12 Naming of a public road at Stonefields - Stage 7, Mount Wellington

Secretarial note: Item 12 of the report was withdrawn from consideration at the meeting as the road naming is within the Orakei Local Board area. The report has been forwarded to the Orakei Local Board for its consideration.

Secretarial note: Member AB Verrall took no part in the discussion or voting on item 13.

13 Local Alcohol Policy Project - Draft Policy for Local Board Feedback

That the Maungakiekie-Tāmaki Local Board:

- a) thanks Belinda Hansen, Principal Policy Analyst, for her attendance to speak to this report.
- b) provides the following feedback on the Draft Auckland Council Local Alcohol Policy:
 - i) Proposed broad areas
 1. The board agrees with the approach of having two general broad areas within the proposed policy. This will be much more straightforward and easier for the community to understand and for the District Licensing Committee to administer. However, note our following comments in the importance of the priority overlays.
 - ii) Priority overlays
 1. It is essential that the priority overlays are retained in the final policy as these areas need specific interventions. There is distressingly ample evidence that there is demonstrable alcohol-related harm occurring in these areas (as shown by police intelligence information) arising in large part from the density and hours of operation of licensed premises.
 2. It vital to improving the well-being of our communities that these areas have different rules from the remainder of the broad area.
 - iii) Temporary freeze in the priority overlay areas.
 1. The board strongly support the proposal for a freeze in the priority overlay areas. As discussed in Section 3.3 and sections 5.1.1 and 5.1.2 of the Proposal, the freeze is designed “to limit the further the [sic] proliferation of licences and to minimise alcohol-related harm.”
 2. Rather than beginning with a two-year freeze that automatically expires, the board recommends that the freeze should last as long as it takes to see a significant reduction in alcohol-related harm in these areas.
 3. Before the temporary freeze is lifted, there should be a review that includes all available evidence, input from the local board and a specific decision by the governing body.
 - iv) Rebuttable presumption
 1. The rebuttable presumption is an excellent tool and needs to be retained in the final policy. It is an excellent safeguard for neighbourhood centres which are prone to the proliferation of liquor outlets often because of deteriorating economic conditions.
 2. With an increase in liquor outlets comes price competition and the increased availability of low-priced alcohol.
 3. We note that there needs to be a high thresh-hold for decisions to grant a licence where the rebuttable presumption applies.

- v) Environmental and Cumulative Impact Assessments
 1. The board strongly supports the introduction of Environmental and cumulative impact assessments, and particular support the sensitive site assessments. The proposed list of sites to be considered sensitive is adequate.
 2. The introduction of this tool needs to be supported with good advice on its use. It is important that it does not deteriorate into a tool for drafting mitigating conditions and that it is used to actually support a yes/no decision on a licence application.
 3. Training for members of the District Licensing Committee should be developed and put in place to ensure the proper use and understanding of this tool.
 4. There also needs to be a programme of review and a timetable for the assessment of this tool as it is the most experimental element of the proposed policy.
- vi) Maximum hours of operation for off-licences
 1. The board staunchly supports the proposed opening hours with a commencement of no earlier than 9.00am and a closing time of 10.00pm for all off-licenses.
 2. Purchasing alcohol before 9.00am has the effect of normalising the purchase of alcohol for young children.
 3. Note there is an existing, successful, MOU between the NZ Police and the liquor store owners in Glen Innes have the stores closing at 10.00pm.
- vii) On-licences, club and special licences
 1. The board are in agreement with the provisions for on-licences, and support shorter opening hours in Area B than in Area A.
 2. The board supports the proposed provisions regarding club and special licences. The duty of care and the need for host responsibility makes them preferable places for socialising with alcohol.
- viii) Applications for extensions
 1. Whilst the Board support the provisions regarding applications for extended opening hours, any extensions should undergo a very good review process to ensure that the operator continues their previous good practice and that the extension of hours continues to be justified.
 2. Any extensions need to be supported by the non-regulatory arm of Auckland Council, through the application of the Alcohol Harm Reduction Strategy.
- ix) Discretionary conditions
 1. The board supports the proposed discretionary conditions.
- x) Other matters:
 1. Gathering and dissemination of statistics, the board suggests that it would be useful for the council to collect and report on numbers of applications, the proportions that are approved and disallowed, the location of applications, etc.
 2. Additional tools to manage alcohol harm, additional tools are needed alongside this policy, e.g., for dealing with specific issues such as the alcohol-fuelled parties that spill out into public areas with associated noise, anti-social behaviour and damage.
 3. Liquor bans, the board would like to see a cohesive, Auckland-wide approach to applying, reviewing and monitoring the success of liquor bans in reducing alcohol-related harm in the community.

Amendment

Resolution number MT/2014/114

MOVED by Member JR Bartley, seconded by Deputy Chairperson CL Makoare:

Member JR Bartley moved an amendment by way of an addition to the original recommendation as follows:

- b) provides the following feedback on the Draft Auckland Council Local Alcohol Policy:**
- ii) Priority overlays**
- 3. The board supports the inclusion of Pt England as a priority overlay area given its alignment to the some of the factors considered when setting the priority areas and the likely displacement effect it is likely to experience given its proximity to several recommended priority overlays (i.e. more off-license businesses will seek to establish in this area as they will be unable to gain a license from priority overlay areas during the two year temporary freeze).**

The amendment was put and declared.

Resolution number MT/2014/115

MOVED by Chairperson SD Randall, seconded by Member BM Graham:

That the Maungakiekie-Tāmaki Local Board:

- a) thanks Belinda Hansen, Principal Policy Analyst, for her attendance to speak to this report.**

CARRIED

Resolution number MT/2014/116

MOVED by Chairperson SD Randall, seconded by Member BM Graham:

That the Maungakiekie-Tāmaki Local Board:

- b) provides the following feedback on the Draft Auckland Council Local Alcohol Policy:**
- i) Proposed broad areas**
- 1. The board agrees with the approach of having two general broad areas within the proposed policy. This will be much more straightforward and easier for the community to understand and for the District Licensing Committee to administer. However, note our following comments in the importance of the priority overlays.**

CARRIED

Resolution number MT/2014/117

MOVED by Chairperson SD Randall, seconded by Member BM Graham:

That the Maungakiekie-Tāmaki Local Board:

- b) provides the following feedback on the Draft Auckland Council Local Alcohol Policy:**
- ii) Priority overlays**
- 1. It is essential that the priority overlays are retained in the final policy as these areas need specific interventions. There is distressingly ample evidence that there is demonstrable alcohol-related harm occurring in these areas (as shown by police intelligence information) arising in large part from the density and hours of operation of licensed premises.**

2. **It vital to improving the well-being of our communities that these areas have different rules from the remainder of the broad area.**

CARRIED

Resolution number MT/2014/118

MOVED by Member JR Bartley, seconded by Deputy Chairperson CL Makoare:

That the Maungakiekie-Tāmaki Local Board:

- b) **provides the following feedback on the Draft Auckland Council Local Alcohol Policy:**
 - ii) **Priority overlays**
 3. **The board supports the inclusion of Pt England as a priority overlay area given its alignment to the some of the factors considered when setting the priority areas and the likely displacement effect it is likely to experience given its proximity to several recommended priority overlays (i.e. more off-license businesses will seek to establish in this area as they will be unable to gain a license from priority overlay areas during the two year temporary freeze).**

Secretarial note: Member Graham requested her vote against the above amendment be recorded.

CARRIED

Resolution number MT/2014/119

MOVED by Chairperson SD Randall, seconded by Member BM Graham:

That the Maungakiekie-Tāmaki Local Board:

- b) **provides the following feedback on the Draft Auckland Council Local Alcohol Policy:**
 - iii) **Temporary freeze in the priority overlay areas.**
 1. **The board strongly support the proposal for a freeze in the priority overlay areas. As discussed in Section 3.3 and sections 5.1.1 and 5.1.2 of the Proposal, the freeze is designed “to limit the further the [sic] proliferation of licences and to minimise alcohol-related harm.”**
 2. **Rather than beginning with a two-year freeze that automatically expires, the board recommends that the freeze should last as long as it takes to see a significant reduction in alcohol-related harm in these areas.**
 3. **Before the temporary freeze is lifted, there should be a review that includes all available evidence, input from the local board and a specific decision by the governing body.**

CARRIED

Resolution number MT/2014/120

MOVED by Chairperson SD Randall, seconded by Member BM Graham:

That the Maungakiekie-Tāmaki Local Board:

- b) **provides the following feedback on the Draft Auckland Council Local Alcohol Policy:**
 - iv) **Rebuttable presumption**
 1. **The rebuttable presumption is an excellent tool and needs to be retained in the final policy. It is an excellent safeguard for neighbourhood centres which are prone to the proliferation of liquor outlets often because of deteriorating economic conditions.**
 2. **With an increase in liquor outlets comes price competition and the increased availability of low-priced alcohol.**

3. We note that there needs to be a high thresh-hold for decisions to grant a licence where the rebuttable presumption applies.

CARRIED

Resolution number MT/2014/121

MOVED by Chairperson SD Randall, seconded by Member BM Graham:

That the Maungakiekie-Tāmaki Local Board:

- b) provides the following feedback on the Draft Auckland Council Local Alcohol Policy:
 - v) Environmental and Cumulative Impact Assessments
 1. The board strongly supports the introduction of Environmental and commulative impact assessments, and particular support the sensitive site assessments. The proposed list of sites to be considered sensitive is adequate.
 2. The introduction of this tool needs to be supported with good advice on its use. It is important that it does not deteriorate into a tool for drafting mitigating conditions and that it is used to actually support a yes/no decision on a licence application.
 3. Training for members of the District Licensing Committee should be developed and put in place to ensure the proper use and understanding of this tool.
 4. There also needs to be a programme of review and a timetable for the assessment of this tool as it is the most experimental element of the proposed policy.

CARRIED

Resolution number MT/2014/122

MOVED by Chairperson SD Randall, seconded by Member BM Graham:

That the Maungakiekie-Tāmaki Local Board:

- b) provides the following feedback on the Draft Auckland Council Local Alcohol Policy:
 - vi) Maximum hours of operation for off-licences
 1. The board staunchly supports the proposed opening hours with a commencement of no earlier than 9.00am and a closing time of 10.00pm for all off-licenses.
 2. Purchasing alcohol before 9.00am has the effect of normalising the purchase of alcohol for young children.
 3. Note there is an existing, successful, MOU between the NZ Police and the liquor store owners in Glen Innes have the stores closing at 10.00pm.

CARRIED

Resolution number MT/2014/123

MOVED by Chairperson SD Randall, seconded by Member BM Graham:

That the Maungakiekie-Tāmaki Local Board:

- b) provides the following feedback on the Draft Auckland Council Local Alcohol Policy:
 - vii) On-licences, club and special licences
 1. The board are in agreement with the provisions for on-licences, and support shorter opening hours in Area B than in Area A.

2. The board supports the proposed provisions regarding club and special licences. The duty of care and the need for host responsibility makes them preferable places for socialising with alcohol.

CARRIED

Resolution number MT/2014/124

MOVED by Chairperson SD Randall, seconded by Member BM Graham:

That the Maungakiekie-Tāmaki Local Board:

- b) provides the following feedback on the Draft Auckland Council Local Alcohol Policy:
 - viii) Applications for extensions
 1. Whilst the board support the provisions regarding applications for extended opening hours, any extensions should undergo a very good review process to ensure that the operator continues their previous good practice and that the extension of hours continues to be justified.
 2. Any extensions need to be supported by the non-regulatory arm of Auckland Council, through the application of the Alcohol Harm Reduction Strategy.

CARRIED

Resolution number MT/2014/125

MOVED by Chairperson SD Randall, seconded by Member BM Graham:

That the Maungakiekie-Tāmaki Local Board:

- b) provides the following feedback on the Draft Auckland Council Local Alcohol Policy:
 - ix) Discretionary conditions
 1. The board supports the proposed discretionary conditions.

CARRIED

Resolution number MT/2014/126

MOVED by Chairperson SD Randall, seconded by Member BM Graham:

That the Maungakiekie-Tāmaki Local Board:

- b) provides the following feedback on the Draft Auckland Council Local Alcohol Policy:
 - x) Other matters:
 1. Gathering and dissemination of statistics, the board suggests that it would be useful for the council to collect and report on numbers of applications, the proportions that are approved and disallowed, the location of applications, etc.
 2. Additional tools to manage alcohol harm, additional tools are needed alongside this policy, e.g., for dealing with specific issues such as the alcohol-fuelled parties that spill out into public areas with associated noise, anti-social behaviour and damage.
 3. Liquor bans, the board would like to see a cohesive, Auckland-wide approach to applying, reviewing and monitoring the success of liquor bans in reducing alcohol-related harm in the community.

CARRIED

14 Maungakiekie-Tāmaki Youth Connections Resource

Resolution number MT/2014/127

MOVED by Chairperson SD Randall, seconded by Deputy Chairperson CL Makoare:

That the Maungakiekie-Tāmaki Local Board:

- a) **thanks Monique Zwaan, Community Development Programme Manager (Central), for her attendance to speak to this report.**
- b) **approves the resource allocation for the 2014-2015 financial year for the Youth Connections programme.**

CARRIED

15 Glen Innes Music and Arts Centre: Programming & Operations Model

Resolution number MT/2014/128

MOVED by Chairperson SD Randall, seconded by Deputy Chairperson CL Makoare:

That the Maungakiekie-Tāmaki Local Board:

- a) **thanks Hanna Scott, Manager Arts and Culture Programming and Stephen Johnson, Manager Arts and Culture Facilities and Assets, for their attendance to speak to this report.**
- b) **approves Glen Innes Music and Arts Centre for Youth being operated and programmed fully by council for the following reasons:**
 - i) **This model will allow the community and local board committee to have the most say over the programme run in the centre.**
 - ii) **This allows the programme to be most closely aligned with the Glen Innes Music and Arts Centre charter as consulted on with the community; and**
 - iii) **Allows the greatest degree of overview to ensure the centre performs to expectations.**
- c) **notes that staff will work to identify potential delivery partners and will work with the chair, deputy chair and the arts portfolio holder in the evaluation of these potential partners.**
- d) **notes that staff will work with the local board financial adviser to adjust the centre's revenue targets in alignment with fees and charges for similar facilities in the board area, to achieve an operating model for the centre that is within its current allocated budget.**

CARRIED

16 Maungakiekie-Tāmaki Community Facilities renewals 2014-2015

Resolution number MT/2014/129

MOVED by Chairperson SD Randall, seconded by Member BM Graham:

That the Maungakiekie-Tāmaki Local Board:

- a) **thanks Peter Loud, Team Leader Community Facilities, for his attendance to speak to this report.**
- b) **adopts the Community Facilities Renewal Programme 2014-2015.**

CARRIED

17 Onehunga Foreshore Project Progress Update June 2014

Resolution number MT/2014/130

MOVED by Chairperson SD Randall, seconded by Member BM Graham:

That the Maungakiekie-Tāmaki Local Board:

- a) thanks Neill Forgie, Project Manager and Julie Pickering, Manager Asset Development and Business Support (Central), for their attendance to speak to this report.
- b) receives the report for information.
- c) requests a copy of the report to go to the Puketapapa Local Board for their information.

CARRIED

18 Auckland Transport Monthly Update Report July 2014

Resolution number MT/2014/131

MOVED by Chairperson SD Randall, seconded by Member AB Verrall:

That the Maungakiekie-Tāmaki Local Board:

- a) receives the report.
- c) approves the allocation of an additional \$28,000 from the Transport Capital Works fund for the Paynes Lane and Glen Innes Underpass projects.
- d) notes with gratitude the contribution to the Glen Innes Underpass project from Orakei Local Board, and requests the chair write to the board to thank them for this.

CARRIED

19 Draft Allocation of Decision Making Review

Resolution number MT/2014/132

MOVED by Chairperson SD Randall, seconded by Member OO Unasa:

That the Maungakiekie-Tāmaki Local Board:

- a) thanks Victoria Villaraza, Relationship Manager, for her attendance to speak to this report.
- b) provides the following feedback on the allocation of decision making review issues paper:
 - i) There needs to be greater clarity in the role of the governing body and the local boards in the development of regional policy. Which has operational or strategic effects on the role of local boards so that both parts of Auckland Council governance can work together more constructively in their respective roles.
 - ii) The board support all of the current allocations to local boards in the allocation of decision making and strongly urge their retention.

CARRIED

Secretarial note: Member AB Verrall took no part in the discussion or voting on item 20.

20 Local board role in alcohol licence applications

Resolution number MT/2014/133

MOVED by Chairperson SD Randall, seconded by Member BM Graham:

That the Maungakiekie-Tāmaki Local Board:

- a) supports local boards having continued input into the development of the Local Alcohol Policy.
- c) requests that the chief executive be instructed to review the council's processes to make it easier for the community to access information and receive advice and support on alcohol licence applications.
- d) supports local board views on a particular licence application being attached to the inspector's report to the District Licencing Committee.
- e) requests that in recognition of specific community concern about alcohol-related harm, the governing body delegates or allocates to the local board the power to make objections on alcohol licence applications under the Sale and Supply of Alcohol Act 2012.
- f) requests that officers provide advice on ways in which the local board can support its community to be able to engage in the process of objecting to alcohol licence applications.

CARRIED

21 Maungakiekie-Tāmaki Local Board Action/Reports Pending Report

Resolution number MT/2014/134

MOVED by Chairperson SD Randall, seconded by Deputy Chairperson CL Makoare:

That the Maungakiekie-Tāmaki Local Board:

- a) receives the action/reports pending report for July 2014.

CARRIED

22 Record of Maungakiekie-Tāmaki Local Board Workshops June 2014

Resolution number MT/2014/135

MOVED by Chairperson SD Randall, seconded by Deputy Chairperson CL Makoare:

That the record of Maungakiekie-Tāmaki Local Board:

- a) receives the workshops report for June 2014.

CARRIED

23 Board Members' Reports

Resolution number MT/2014/136

MOVED by Chairperson SD Randall, seconded by Member AB Verrall:

That the Maungakiekie-Tāmaki Local Board:

- a) receives the report from Member BM Graham and verbal report by Member JR Bartley.

CARRIED

24 Chair's Report to the Maungakiekie-Tamaki Local Board

Resolution number MT/2014/137

MOVED by Chairperson SD Randall, seconded by Deputy Chairperson CL Makoare:

That the Maungakiekie-Tāmaki Local Board:

- a) receives the Chairperson's report.

CARRIED

25 Governing Body Member's Update

Secretarial note: apologies received for Councillor Denise Krum for absence.

26 Consideration of Extraordinary Items

There was no consideration of extraordinary items.

Adjournment of Meeting

Resolution number MT/2014/138

MOVED by Chairperson SD Randall, seconded by Deputy Chairperson CL Makoare:

That the Maungakiekie-Tāmaki Local Board:

- a) agree to adjourn the meeting at 7.54pm and to reconvene at 8pm.

CARRIED

27 Procedural motion to exclude the public

Resolution number MT/2014/139

MOVED by Chairperson SD Randall, seconded by Member AB Verrall:

That the Maungakiekie-Tāmaki Local Board:

- a) exclude the public from the following part(s) of the proceedings of this meeting.
- b) agree that Debra Lawson, Chief Executive Officer, Tamaki Redevelopment Company be permitted to remain for Confidential Item C1 Special Housing Areas: Tranche 4 (Application 1) after the public had been excluded, because of her knowledge of one of the applications, which will help the Maungakiekie-Tāmaki Local Board in its decision-making.

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:

C1 Confidential - Special Housing Areas: Tranche 4

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	s7(2)(c)(ii) - The withholding of the information is necessary to protect information which is	s48(1)(a) The public conduct of the part of the meeting would be likely to

<p>information for which good reason for withholding exists under section 7.</p>	<p>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 damage the public interest.</p> <p>In particular, the report contains information which, if released, would potentially prejudice or disadvantage commercial activities.</p>	<p>result in the disclosure of information for which good reason for withholding exists under section 7.</p>
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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

8pm 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.

9.36pm The public was re-admitted.

RESTATEMENTS

It was resolved while the public was excluded:

C1 Confidential - Special Housing Areas: Tranche 4

Resolution number MT/2014/140

MOVED by Chairperson SD Randall, seconded by Deputy Chairperson CL Makoare:

That the Maungakiekie-Tamaki Local Board:

- a) **requests the resolutions and the associated report remain confidential until the special housing areas negotiations are completed and made public.**

CARRIED

9.36 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 MAUNGAKIEKIE-TĀMAKI
LOCAL BOARD HELD ON

DATE:.....

CHAIRPERSON:.....