



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 March 2015 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

Allison Roe, MBE

ALSO PRESENT

Councillor	Chris Darby
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1 **Welcome**

2 **Apologies**

Resolution number DT/2015/24

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

That the Devonport-Takapuna Local Board:

- a) **accept the apology from Member Roe for non-attendance.**

CARRIED

3 **Declaration of Interest**

There were no declarations of interest.

4 **Confirmation of Minutes**

Resolution number DT/2015/25

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

That the Devonport-Takapuna Local Board:

- a) **confirm the ordinary minutes of its meeting, held on Tuesday, 17 February 2015, as a true and correct record.**

CARRIED

Secretarial Note: Member Cohen acknowledged what was said by Sharon Byron-McKay in regards to the statement made on page 12 of the 17 February business meeting minutes attachments, but disagreed that it was factually correct.

5 **Leave of Absence**

There were no leaves of absence.

6 **Acknowledgements**

6.1 **John Anthony QSM**

Member O'Connor acknowledged the recent passing of John Anthony QSM and his contributions made to the arts and culture community in the local board area. He is survived by his wife Angela.

Resolution number DT/2015/26

MOVED by Member JRK O'Connor, seconded by Member DP Hale:

That the Devonport-Takapuna Local Board:

- a) **acknowledge the recent passing of John Anthony QSM and his contributions made to the arts and culture community in the local board area.**

CARRIED

6.2 Alan and Anne Bruce

Member Gillon acknowledged the recent passing of Alan and Anne Bruce who tragically died in a car accident in Queensland. Alan was the Regional Commander for the Fire Service of the North Shore, and made a significant contribution to the New Zealand Fire Service.

Resolution number DT/2015/27

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

That the Devonport-Takapuna Local Board:

- a) **acknowledge the recent passing of Alan and Anne Bruce.**

CARRIED

6.3 New Zealand Breakers – NBL Champions

Member Bergin acknowledged the New Zealand Breakers on their fourth NBL Championship win in five years.

Resolution number DT/2015/28

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

That the Devonport-Takapuna Local Board:

- a) **congratulate the New Zealand Breakers on their recent NBL Championship, which is the fourth in five years.**

CARRIED

7 Petitions

There were no petitions.

8 Deputations

There were no deputations.

9 Public Forum

Secretarial Note: Item 9.1 was taken after item 12.

10 Extraordinary Business

10.1 Treaty Settlement Matters

A late report entitled 'Treaty Settlement Matters' was presented for consideration by the board as an extraordinary item.

In accordance with Standing Order 3.7.5, an item that is not on the agenda for a meeting may be dealt with at the meeting if:

- a) the local board or committee by resolution so decides; and
- b) the presiding member explains at the meeting at a time when it is open to the public:
 - i) the reason why the item is not on the agenda; and
 - ii) the reason why the discussion of the item cannot be delayed until a subsequent

meeting.

Resolution number DT/2015/29

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

That the Devonport-Takapuna Local Board:

- a) **accept the report entitled 'Treaty Settlement Matters' as an extraordinary confidential item on the following grounds:**
 - i) **engagement between Auckland Council and the Office of Treaty Settlements since the close of the agenda for the business meeting may provide the board with a limited opportunity to input into Crown processes associated with the deeds of settlement with Ngai Tai ki Tamaki and Marutūāhu iwi; and**
 - ii) **any delay in consideration of this matter by the board is likely to prevent it from providing input and comment as part of the processes indicated above, given that the Crown has indicated it wishes to finalise a deed of settlement with Ngai Tai ki Tamaki in April 2015.**
- b) **note that the report will be discussed under item C1 on this agenda.**

CARRIED

11 Notices of Motion

There were no notices of motion.

12 Proposed charges for filming in public areas

A document entitled 'Feedback on the Draft Auckland Film Protocol 2012, 19 December 2012' is included in the minutes attachments.

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

Resolution number DT/2015/30

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

That the Devonport-Takapuna Local Board:

- a) **understand the difficulty Auckland Tourism, Events and Economic Development (ATEED) has balancing the benefits of encouraging businesses to film in Auckland, with the local inconvenience created by the same activity.**
- b) **advise ATEED that it is much easier for the board to locally support and promote the benefits of filming if the wider community, through the board, receives some recompense for the inconvenience created by the activity.**
- c) **express concern that so little notice appears to have been taken of the Devonport-Takapuna Local Board feedback to the draft Auckland Film Protocol 2012.**
- d) **refer officers to the Devonport-Takapuna Local Board feedback to the Auckland Film Protocol (AFP) sent to ATEED on 19 December 2012; in particular the board's position at paragraph 7 of the attached document.**
- e) **note that local boards will receive no revenue from filming activity in local board areas due to inadequate cost recovery by Screen Auckland.**
- f) **ask ATEED to reconsider their decision not to recompense local communities through the local boards for the inconvenience caused by filming activity.**

- g) ask ATEED and Screen Auckland to:
- i) reconsider their film fees, given that the Devonport-Takapuna Local Board expects to receive a percentage of the film fees charged for the inconvenience and wear and tear on parks, reserves and beaches; and
 - ii) reconsider shifting the percentage of cost recovery of its proposed film fees upwards from 54% to ensure Auckland rate payers are not significantly subsidising film activities.
- h) has the following specific comments to make regarding the Auckland Film Protocol:
- i) The document appears to be confused about ‘consultation’ and ‘notification’. The board notes that in a number of instances it refers to consultation when the timeframes would never permit more than notification. The board requests that it is properly consulted prior to the start of filming in the board area, and request substantially more than 48 hours advance notice;
 - ii) On page 13 paragraph 1.2: the board believes that the statement that *“Auckland Council will say yes to the screen production industry unless there are compelling and demonstrable reasons not to”* is too permissive and asks that the statement takes account of local communities and the need to consult, other than when landowner consent is required;
 - iii) On page 21 paragraph 3.1.1: the board notes that *“for retail areas outside the city centre filming outside business hours OR at traditionally quiet times [be] agreed with the local business association”*. The board ask officers to review that statement, and take consideration other potential users of retail areas where there is more than business activity occurring, a case in point being Devonport where a public park is impacted by activity in the retail centre. The board asks that in such instances other stakeholders such as the local Community Coordinator should be consulted, as well as the events portfolio holder of the local board;
 - iv) On page 22 first paragraph, the board notes that the document propose *“commencing [activity] no later than 10pm on a week day...”* the board assumes the word “commencing” is a typo and that it should be “finishing”;
 - v) On page 22 paragraph 3.1.2 minimise on-street parking: the board asks that the second sentence reads *“Screen Auckland, in consultation with the local board and business association will approve...”*;
 - vi) On page 24 paragraph 3.1.8: the board asks that residents be given the opportunity to provide feedback prior to the commencement of any filming activity as provided for businesses for high to major impact shoots;
 - vii) On page 26 paragraph 3.10: the board asks officers to realise that while filming could be regarded as “entertainment” for some if a major celebrity is present, that for the most part filming activity is unlikely to be a reasonable substitution for restricted access to parks and other public places in the minds of most in the community;
 - viii) On page 31 paragraph 4.3: the board asks officers to be mindful that for any local public space approval must be given by the local board, and that such public space also includes the use of beaches; and
 - ix) On page 36 paragraph 4.6.3: the board asks Screen Auckland to be

mindful that noise nuisance can be subjective, and asks that filming activity is particularly mindful of the potential for noise nuisance outside normal working hours and during weekends due to its impact on residential communities.

- i) ask ATEED officers to meet with the Chairperson, Deputy Chairperson and Events portfolio holders urgently on behalf of the board to find solutions to the problems the board finds itself confronted with in the report and its attachments.
- j) delegate the Chairperson and relevant portfolio holder power to speak on the board's behalf at the hearing panel when it is convened.

CARRIED

Attachments

A Feedback on the Draft Auckland Film Protocol 2012, 19 December 2012

Secretarial Note: item 13 was taken after item 19.

9.1 Sharon Byron-McKay – Non-chemical spraying

Sharon Byron-McKay, Sarah Bloomfield, Hana Blackmore and Dennis Tindall from the Devonport Toxins Action Group, were in attendance to express their concerns on chemical spraying.

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

Resolution number DT/2015/31

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

That the Devonport-Takapuna Local Board:

- a) receive the public forum presentation from Sharon Byron-McKay, Sarah Bloomfield, Hana Blackmore and Dennis Tindall from the Devonport Toxins Action Group and thank them for their attendance.

CARRIED

Attachments

A Public Forum - Non-chemical spraying

18 Board Members' reports

Resolution number DT/2015/32

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

That the Devonport-Takapuna Local Board:

- a) receive the written report from Member Grant Gillon.
- b) make a strong submission to Auckland Council (if possible as part of the Long Term Plan) in support of the recent petition that was forwarded as part of the submission process, which requests the continuation of the long standing ban on the use of herbicides on its roadsides, parks, and with the inclusion of sports fields;
- c) acknowledge the former North Shore City Council weed-spray policy that was implemented in 2006, which stated "that the current system of hot water, and mechanical and targeted chemicals continue to be used for the North Shore City", and request that the intent of that policy be carried forward but that the

- new policy now read "that the current system of hot water and mechanical weed eradication is adhered to".
- d) aside from the above in resolution c), opposes any Auckland Council proposed changes to the Devonport-Takapuna Local Board historical non-chemical weed control policy; and that this similar prohibition be developed in relevant Auckland Council policies.
 - e) recognise that the local board does not have sole authority over Auckland council and CCOs activities, but request that those entities adhere to this board's policy (in this area) or failing that, to at least adopt a policy of "community dialogue" that ensures community liaison, notification and involvement where possible prior to spraying by pamphlet drop, with an explanation as to why it is necessary to spray with an agrichemical, whilst ensuring that the community has the time to feedback or object.
 - f) query the status of both the governance group and best practice reference group outlined under Action 4 in Auckland Council's Parks and Open Spaces Weed Management Policy 2013, and request a report back from relevant officers as to whether those bodies have indeed been established, and if so what impact and effect they are having with regard to weed management.

CARRIED

19 Chairperson's Reports

Two documents comprising the Chairperson's Report were tabled at the meeting.

A copy of the tabled documents have been placed on the official copy of the minutes and can be viewed on the Auckland Council website.

Resolution number DT/2015/33

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

That the Devonport-Takapuna Local Board:

That the Devonport-Takapuna Local Board:

- a) receive the Chairperson's Reports.
- b) pursuant to Standing Orders 3.10.17, alter resolution DT/2014/324 passed on 9 December 2014, as follows:
 - 3.30pm to 6.30pm – local board briefing
 - 6.30pm to 6.45pm – break
 - 6.45pm to 7.30pm – community forum
 - 7.30pm to 8.30pm – local board briefing, if required.
- c) note that the changes will take affect from Tuesday 28 April 2015 until the end of the term.
- d) provide a grant of \$2,500 to the Lake House Arts Centre from its discretionary operating budget to fund the cost of the poppy making kits.
- e) provide a grant of \$4,000 to the Sunnynook Community Association from its discretionary operating budget to fund the cost of a consultant and project manager to assist the Sunnynook Community Association to undertake a visioning project with the Sunnynook community.

CARRIED

Secretarial Note: The Deputy Chair raised concern that the Chairperson's report reflects opinion rather than fact, particularly in relation to whether advice received from the wider Auckland Council is from the perspective of the governing body or local boards.

Secretarial Note: Resolutions f) to k) below were voted on after item 21.

Resolutions f) and g) were voted on separately from resolutions h) to k).

Resolution number DT/2015/34

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

That the Devonport-Takapuna Local Board:

- f) **request the Mayor, the Chief Executive of Auckland Council and the Chief Executive of Auckland Council Investments Ltd to do everything within their powers to dissuade the Ports of Auckland from implementing consents to extend the Bledisloe Wharf into the Waitemata Harbour via the B2 and B3 extensions (currently proposed as 93m² and 98m² respectively).**
- g) **recommend to the Mayor and Chief Executive of Auckland Council that the Port Study Stage 2, addressing the port location, development and operations, be immediately commissioned.**

CARRIED

Resolution number DT/2015/35

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

That the Devonport-Takapuna Local Board:

- h) **request the governing body issue an immediate moratorium to Ports of Auckland on any consented wharf extensions on Bledisloe Wharf until full consideration by the governing body of Auckland Council's future report on the long term future of the port, which will be based on a proper analysis of economic, environmental and social factors.**
- i) **request that consideration be given to holding the Port land and wharves in public ownership.**
- j) **express concern over Auckland Council's position to shift reclamations from non-complying to a full discretionary activity.**
- k) **express concern to the directors of Ports of Auckland as to the way the process of the proposed wharf extension and reclamation has been managed to date.**

CARRIED

Attachments

- A Chairperson's report
- B Takapuna Beach Reserve Consultation and Ports of Auckland

13 Applications for Devonport-Takapuna Local Board Discretionary Capex and Opex - Round Two 2014-15

Paul Duffy, Parks Advisor, Pramod Nair, Lead Financial Advisor and Chris Dee, Senior Local Board Advisor were in attendance to speak to the report.

Resolution number DT/2015/36

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

That the Devonport-Takapuna Local Board:

- a) approve the following enhancements to Knightsbridge Reserve at a cost of \$60,000 from its discretionary capital budget:
 - i) improvements to the drainage under the playground safety surface,
 - ii) new bollards and signage.
- b) approve the design and renewal of the Milford Reserve car park at a cost of \$102,000 from its discretionary capital budget.
- c) approve the irrigation to the cricket wickets on Devonport Domain at a cost of \$15,000 from its discretionary capital budget.
- d) approve the Tonkin Road car park renewal at a cost of \$160,000 from its discretionary capital budget.

CARRIED

14 Auckland Transport quarterly update to local boards

Marilyn Nicholls, Elected Member Relationship Manager, Auckland Transport was in attendance to speak to the report.

Resolution number DT/2015/37

MOVED by Member JRK O'Connor, seconded by Member DP Hale:

That the Devonport-Takapuna Local Board:

- a) receive the Auckland Transport quarterly updated to local boards report.

CARRIED

15 Auckland Transport update on issues raised in February 2015 for the Devonport-Takapuna Local Board

Marilyn Nicholls, Elected Member Relationship Manager, Auckland Transport was in attendance to speak to the report.

Resolution number DT/2015/38

MOVED by Member JRK O'Connor, seconded by Member DP Hale:

That the Devonport-Takapuna Local Board:

- a) receive the Auckland Transport update on issues raised in February 2015.

CARRIED

16 Submission to the draft Regional Land Transport Plan 2015-2025

A document entitled 'Devonport-Takapuna Local Board submission to the Draft Regional Land Transport Plan' was tabled.

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

Resolution number DT/2015/39

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

That the Devonport-Takapuna Local Board:

- a) **adopt its submission to the draft Regional Land Transport Plan 2015-2025.**

CARRIED

Attachments

- A Devonport-Takapuna Local Board submissions to the Draft Regional Land Transport Plan

17 Ward Councillors Update

Resolution number DT/2015/40

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

That the Devonport-Takapuna Local Board:

- a) **thank Councillor Chris Darby for his update to the Devonport-Takapuna Local Board on the activities of the governing body.**

CARRIED

Secretarial Note: item 18 was taken after item 9.1.

Secretarial Note: item 19 was taken after item 18.

20 Record of Briefing/Community Forum - 3 February 2015 and 24 February 2015

Resolution number DT/2015/41

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

That the Devonport-Takapuna Local Board:

- a) **receive the records of the briefing and community forum held on 3 February 2015 and 24 February 2015.**

CARRIED

21 Summary of Actions and Reports Requested/Pending - March 2015

Resolution number DT/2015/42

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

That the Devonport-Takapuna Local Board:

- a) **receive the summary of actions and reports requested/pending – March 2015 report.**

CARRIED

22 Consideration of Extraordinary Items

Secretarial Note: Item C1 was taken after item 23.

23 Procedural motion to exclude the public

Resolution number DT/2015/43

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:

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.	<p>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.</p> <p>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.</p>	<p>s48(1)(a)</p> <p>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.</p>

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

9:15pm The public was excluded.

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

9:50pm The public was re-admitted.

9.50 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:.....