

## **Upper Harbour Local Board OPEN MINUTES**

---

Minutes of a meeting of the Upper Harbour Local Board held in the Upper Harbour Local Board Office, 30 Kell Drive, Albany on Tuesday, 12 May 2015 at 9.30am.

---

### **PRESENT**

<b>Chairperson</b>	Lisa Whyte	
<b>Deputy Chairperson</b>	Brian Neeson, JP	
<b>Members</b>	Callum Blair	
	John McLean	
	Margaret Miles, JP	From 9.31am, item 9
	Christine Rankin-MacIntyre	

### **IN ATTENDANCE**

Warren Flaunty    Henderson-Massey/Rodney Local Board member

---



**1 Welcome**

Chairperson welcomed all those present.

**2 Apologies**

Resolution number UH/2015/51

MOVED by Chairperson LM Whyte, seconded by Member C Blair:

**That the Upper Harbour Local Board:**

- a) **accept the apology from member Margaret Miles for lateness.**

**CARRIED**

**3 Declaration of Interest**

There were no declarations of interest.

**4 Confirmation of Minutes**

Resolution number UH/2015/52

MOVED by Member C Blair, seconded by Chairperson LM Whyte:

**That the Upper Harbour Local Board:**

- a) **confirm the ordinary minutes of its meeting, held on Tuesday, 28 April 2015, including the confidential section, 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.

*Member MA Miles entered the meeting at 9.31am.*

**10 Extraordinary Business**

There was no extraordinary business.

**11 Notices of Motion**

There were no notices of motion.

**12 Meeting Minutes Upper Harbour Local Board, Tuesday 28 April 2015**

That the Upper Harbour Local Board note the open unconfirmed minutes of the Upper Harbour Local Board meeting held on Tuesday, 28 April 2015 are attached at Item 12 of the agenda for the information of the board only, and will be confirmed under item 4 of the agenda.

**13 Auckland Transport - May 2015 report**

Resolution number UH/2015/53

MOVED by Chairperson LM Whyte, seconded by Member MA Miles:

**That the Upper Harbour Local Board:**

- a) receive the Auckland Transport – May 2015 report.

**CARRIED**

**14 Auckland Transport Quarterly Update to Local Boards**

Resolution number UH/2015/54

MOVED by Member C Blair, seconded by Member CK Rankin-MacIntyre:

**That the Upper Harbour Local Board:**

- a) receive the Auckland Transport Quarterly Report.

**CARRIED**

15 Local Dog Access Review Statement of Proposal

Resolution number UH/2015/55

MOVED by Chairperson LM Whyte, seconded by Member MA Miles:

**That the Upper Harbour Local Board:**

a) adopt the following options in relation to the dog access rules reviewed:

Topic	Option
Dog access on current time and season beaches	Option 1: Retain on-leash access on Christmas Beach, allow under control off-leash access on all other foreshore areas except as identified under 'wildlife protection'.
Wildlife and habitat protection	Option 1: Prohibit dogs on the shell banks adjacent to Bomb Bay, Limeburner's Bay and Orukuwai Point, and allow dogs on-leash in Brigham Creek, Paremoremo Creek, Lucas Creek, and Hellyers Creek (staff recommended option).
High use parks	Option 2: Allow dogs on-leash on parts of Kell Park, Collins Park and Rosedale Park, allow dogs on-leash on all of Albany Lakes and Christmas Beach Park, retain the off-leash rule on Hobsonville Coastal Walkway, Luckens Landing, Wainoni Park, Hooton Reserve, and implement the Sanders Reserve management plan.
Kauri dieback on Gills Road Reserve and Paremoremo Scenic Reserve	Option 2: Apply on-leash rule.
Bushwalks	Option 1: Allow dogs under control on-leash.
Picnic areas, fitness apparatus areas and 20 metres of beaches	Option 2: Replace current general rule with a specific rule for high use area of parks.

b) confirm its intention to amend the Auckland Council Policy on Dogs 2012 pursuant to section 10(8) of the Dog Control Act 1996.

c) subject to any amendments to reflect the local board decision in (a):

- i) adopt the Statement of Proposal titled 'Statement of Proposal Amendments to Auckland Council Policy on Dogs 2012 – Upper Harbour Local Board Area May 2015' in Attachment A for public consultation using the special consultative procedure.
  - confirm that the proposed amendments contained in the Statement of Proposal:
  - are consistent with the policy, principles and criteria for making dog access rules contained in the Auckland Council Policy on Dogs 2012.

- are not inconsistent with any decision in relation to region-wide dog access rules contained in the Auckland Council Policy on Dogs 2012.
  - are in accordance with relevant legislative requirements in particular the Local Government Act 2002 and Dog Control Act 1996.
- ii) authorise the Manager Social Policy and Bylaws to make any minor edits or amendments to the Statement of Proposal to correct any identified errors or typographical edits.
- iii) authorise the Manager Social Policy and Bylaws, in consultation with the Chairperson, to make any amendments to the Statement of Proposal to reflect decisions made by the local board.
- d) appoint and delegate a panel of the whole of the board to receive, hear, deliberate and resolve on submissions and other relevant information.

**CARRIED**

**Attachments**

- A Upper Harbour Local Board, 20150512, Local Dog Access Review Statement of Proposal, Collins Park

**16 Alcohol ban review 2015**

Secretarial note: *Member MA Miles left the meeting at 10.07 am*

Member MA Miles declared an interest in this item and took no part in the discussion or voting on this matter.

Deputy Chair BK Neeson declared an interest in this item and took no part voting on this matter.

Resolution number UH/2015/56

MOVED by Chairperson LM Whyte, seconded by Member CK Rankin-MacIntyre:

**That the Upper Harbour Local Board:**

- a) make the alcohol bans contained in Attachment A pursuant to the Auckland Council Alcohol Control Bylaw 2014, with a commencement date of 31 October 2015.
- b) allow the alcohol ban contained in Attachment B to lapse on 31 October 2015.
- c) confirm that the decisions in resolutions (a) and (b) are in accordance with relevant requirements of the Local Government Act 2002 and Auckland Council Alcohol Control Bylaw 2014.
- d) authorise the Manager Social Policy and Bylaws to make any minor edits or amendments to Attachment A to correct any identified errors or typographical edits.

**CARRIED**

**17 Road name approval for subdivision at 70 Spencer Road and Rathmullen Place, Pinehill, Albany**

Resolution number UH/2015/57

MOVED by Chairperson LM Whyte, seconded by Member C Blair:

**That the Upper Harbour Local Board:**

- a) **approve the road names Colliston Rise, Caldwell Place and Rathmullen Place and the private roads Carberry Lane, Coxton Land and Carnell Lane for the private roads constructed within the subdivision being undertaken by CDL Land NZ Ltd. at 70 Spencer Road and Rathmullen Place, Pinehill, Albany.**

**CARRIED**

**18 Road name approval for subdivision at 31 Meridian Court and including Medallion Drive and Masons Road, Albany**

Resolution number UH/2015/58

MOVED by Member C Blair, seconded by Deputy Chairperson BK Neeson:

**That the Upper Harbour Local Board:**

- a) **approve the road name Lagonda Rise for the public road and Allegro Way and Lancia Way for the private roads constructed within the subdivision undertaken by Kerekin Investments Ltd. at 31 Meridian Court and including Medallion Drive and Masons Road, Albany.**

**CARRIED**

**19 Libraries Proposed Property Renewals Programme for 2015/2016**

*Member MA Miles returned to the meeting at 10.20 am.*

Resolution number UH/2015/59

MOVED by Chairperson LM Whyte, seconded by Member JG McLean:

**That the Upper Harbour Local Board:**

- a) **receive the libraries proposed property renewals report for 2015/2016;**
- b) **approve the property renewals programme 2015/2016 as listed in Attachment A;**
- c) **delegate responsibility to the Service Delivery and Logistics Support Manager to approve any moderate changes to the budget in the event that there is a variation to identified costs for its property renewals programme; and**
- d) **allow for any project surplus to be held as contingency for other renewals projects included within this report for this local board.**

**CARRIED**

**20 Quarterly Performance Report for the period ending 31 March 2015**

Resolution number UH/2015/60

MOVED by Chairperson LM Whyte, seconded by Member MA Miles:

**That the Upper Harbour Local Board:**

- a) **note the Performance Report for the period ended 31 March 2015.**

**CARRIED**

**21 Developing the Empowered Communities Approach - Next Steps**

Secretarial note: The meeting adjourned at 10.35 am and reconvened at 10.46 am.

Resolution number UH/2015/61

MOVED by Chairperson LM Whyte, seconded by Member MA Miles:

**That the Upper Harbour Local Board:**

- a) **recognise that an empowered communities approach is already successfully in operation in the Upper Harbour Local Board area, and that any future model of service delivery must further enhance the way this model currently operates.**
- b) **understand that the Political Advisory Group has extended discussion on the Empowered Communities Approach, and therefore requests a new timeframe be provided to identify when further formal feedback by local boards will be sought on what emerges from these discussions and the Upper Harbour Local Board request the opportunity to be involved.**
- c) **recognise that local boards have a statutory role of community engagement, consultation and advocacy, which is also embedded in the *Allocation of decision making responsibility for non-regulatory activities*, as this provides for local board decision making in local community development activities.**
- d) **note that the cohesiveness and well-being of local communities is a fundamental concern of local boards.**
- e) **Support, in principle, the intent of the Long-term Plan 2015-2025 decision to develop a more empowered community approach, through a move away from direct service delivery and fund community groups to deliver more.**
- f) **feel that at this stage the impact of the Empowered Community Approach is not clear enough, and the level of uncertainty is too great for the Upper Harbour Local Board to have a position.**
- g) **request that staff provide information about funding of the proposed approach, which identifies the total budget for Community Development and Safety, regional and local operating costs, potential funding that can be reallocated to local delivery, and details on the functions and roles of those involved with implementing the approach.**
- h) **support a careful and measured introduction of the Empowered Communities Approach over time, noting that this may require the detailed design and implementation of the Empowered Communities Approach model to continue beyond the commencement of the 2015–2016 financial year.**
- i) **wish to emphasise that one size does not fit all and the approach must accommodate local requirements, not limit local options and provide for flexibility in resourcing and models adopted for local delivery. It needs to take into account the wide variety of communities and their capacity, be responsive and support Maori in achieving their outcomes and be culturally attuned.**



- j) note the need for a comprehensive change in the organisational culture of the Council, along with the review of many policies and practices across a range of functions, which limit or impede community-led initiatives. Whilst it is recognised that there is a need to start somewhere, such as Community Development and Safety, a programme is required which sets out how this will be extended to other departments. A strong mandate from the Chief Executive Officer to empower and equip departments to respond to community initiatives is imperative.
- k) propose that the Empowered Communities Approach be piloted in various local areas, using Local Board Plan outcomes as a guide for such work programmes, and the lessons learnt be used to refine and adapted the approach as required. This would inform the introduction of the approach.
- l) note the need to avoid duplication and over-bureaucratisation in the development of new structures to support the Empowered Communities Approach.

**CARRIED**

**22 Swimming Pool Fencing Exemption – Special Exemption (Section 6) Fencing of Swimming Pools Act 1987**

Resolution number UH/2015/62

MOVED by Deputy Chairperson BK Neeson, seconded by Member C Blair:

**That the Upper Harbour Local Board:**

- a) approve the following recommendations of the Upper Harbour Local Board Swimming Pool Fencing Exemption Working Party:
  - i) 54 Picasso Drive, West Harbour (in-ground swimming pool) - recommends granting the application to the current owners to use the immediate pool area as it was exempted by the Waitakere City Council in 2007.
  - ii) 35 Paremoremo Road, Lucas Heights - recommends granting the application for the spa pool cover to be used as a barrier under section 6 of Fencing of Swimming Pools Act 1987 on the condition that a fence is constructed on the retaining wall to prevent access to the spa cover; NZS8500-2006 clause a-k is adhered to at all times, that the spa strap is reattached and the lock repaired and the exemption is personal to the current owners.
  - iii) 7 Kyle Road, Greenhithe - recommends granting the application for the spa pool cover to be used as a barrier under section 6 Fencing of Swimming Pools Act 1987 on the condition NZS8500-2006 clause a-k is adhered to at all times, that the spa remains in its current location and the exemption is personal to the current owners.
  - iv) 12A Pounamu Avenue, Greenhithe - recommends granting the application for the spa pool cover to be used as a barrier under section 6 Fencing of Swimming Pools Act 1987 on the condition NZS8500-2006 clause a-k is adhered to at all times, that the spa remains in its current location and the exemption is personal to the current owners.
  - v) 18 Rahui Road, Greenhithe - recommends granting the application for the spa pool cover to be used as a barrier under section 6 Fencing of Swimming Pools Act 1987 on the condition NZS8500-2006 clause a-k is adhered to at all times, that the spa remains in its current location and the exemption is personal to the current owners.

- vi) 155 Ridge Road, RD3, Albany - recommends granting the application for the spa pool cover to be used as a barrier under section 6 Fencing of Swimming Pools Act 1987 on the condition NZS8500-2006 clause a-k is adhered to at all times, that the spa remains in its current location and the exemption is personal to the current owners.
- vii) 43 Hardens Road, Paremoremo - recommends granting the application for the spa pool cover to be used as a barrier under section 6 Fencing of Swimming Pools Act 1987 on the condition NZS8500-2006 clause a-k is adhered to at all times, that the spa remains in its current location and the exemption is personal to the current owners.
- viii) 44C Rame Road, Greenhithe - recommends granting the application for the spa pool cover to be used as a barrier under section 6 Fencing of Swimming Pools Act 1987 on the condition that NZS8500-2006 clause a-k is adhered to at all times, that the spa remains in its current location and the exemption is personal to the current owners.
- ix) 84 Paremoremo Road, Lucas Heights - recommends granting the application for the spa pool cover to be used as a barrier under section 6 Fencing of Swimming Pools Act 1987 on the condition that NZS8500-2006 clause a-k is adhered to at all times, that the spa remains in its current location and the exemption is personal to the current owners.
- x) 148 Kittiwake Drive, Schnapper Rock - recommends granting the application for the spa pool cover to be used as a barrier under section 6 Fencing of Swimming Pools Act 1987 on the condition that NZS8500-2006 clause a-k is adhered to at all times, that the spa remains in its current location and the exemption is personal to the current owners.
- xi) 23 Unsworth Drive, Unsworth Heights - recommends granting the application for the spa pool cover to be used as a barrier under section 6 Fencing of Swimming Pools Act 1987 on the condition that the spa is moved 1.2m away from the trellis or the trellis is made non-climbable; NZS8500-2006 clause a-k is adhered to at all times, that the spa remains in its current location and the exemption is personal to the current owners.
- xii) 5 Oakway Drive, Albany - recommends granting the application for the spa pool cover to be used as a barrier under section 6 Fencing of Swimming Pools Act 1987 on the condition that NZS8500-2006 clause a-k is adhered to at all times, that the spa remains in its current location and the exemption is personal to the current owners.
- xiii) 13 Waimarie Road, Whenuapai - recommends granting the application for the spa pool cover to be used as a barrier under section 6 Fencing of Swimming Pools Act 1987 on the condition that the spa is moved 1.2m away from the boundary fence and lower step on the deck; NZS8500-2006 clause a-k is adhered to at all times, that the spa remains in its current location and the exemption is personal to the current owners.

**CARRIED**

**23 Board Members' Reports**

*Member MA Miles left the meeting at 11.05 am.*

Resolution number UH/2015/63

MOVED by Chairperson LM Whyte, seconded by Member C Blair:

**That the Upper Harbour Local Board:**

- a) receive the verbal board members' reports.

**CARRIED**

*Member MA Miles returned to the meeting at 11.12 am.*

**24 Consideration of Extraordinary Items**

There was no consideration of extraordinary items.

11.12 am

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 UPPER HARBOUR LOCAL  
BOARD HELD ON

**DATE:**.....

**CHAIRPERSON:**.....