



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, 21 July 2015 at 6.00pm.

PRESENT

Chairperson
Deputy Chairperson
Members

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

[from 6.08pm, item 11.1]

ALSO PRESENT

Councillor

Chris Darby
George Wood

[from 6.12pm, item 11.1]

1 **Welcome**

2 **Apologies**

Resolution number DT/2015/119

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

That the Devonport-Takapuna Local Board:

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

CARRIED

3 **Declaration of Interest**

Grant Gillon declared an interest in item 17 – Review of Alcohol Bans 2015.

4 **Confirmation of Minutes**

Resolution number DT/2015/120

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

That the Devonport-Takapuna Local Board:

- a) **confirm the ordinary minutes of its meeting, held on Tuesday, 16 June 2015, as a true and correct record.**

CARRIED

5 **Leave of Absence**

There were no leaves of absence.

6 **Acknowledgements**

6.1 **Acknowledgement**

The board acknowledged the passing of Member Jan O'Connor's partner, Michael Murphy. Michael was a respected sailor, thespian, partner and friend, and was also the last Takapuna RSA president before its closure.

The Chairperson invited those present to pay their respects with a moment's silence.

Resolution number DT/2015/121

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

That the Devonport-Takapuna Local Board:

- a) **acknowledge the passing of Michael Murphy, a sailor, thespian, partner and friend.**

CARRIED

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

11.1 Notice of Motion - Port Future Study Stakeholder Reference Group

Two documents entitled 'Response from acting Chief Executive' and 'Port Future Study email' were tabled.

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

Resolution number DT/2015/122

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

That the Devonport-Takapuna Local Board:

- a) **thank the Auckland Development Committee for including the Bayswater Community Committee for inclusion on the Stakeholder Reference Group.**
- b) **request the Auckland Development Committee reconsider inclusion of the board on the Stakeholder Reference Group, given that the board has been elected to represent the community at large.**
- c) **request a deputation to the next Auckland Development Committee to speak regarding its membership on the Stakeholder Reference Group and other matters relating to the Ports Future Study.**

CARRIED

Attachments

- A Response from acting Chief Executive
- B Port Future Study email

12 Devonport-Takapuna Parks Works Programme 2015/2016

Paul Duffy, Parks Advisor, was in attendance to speak to the report.

Resolution number DT/2015/123

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

That the Devonport-Takapuna Local Board:

- a) **approve the 2015-2016 parks capital works programme as outlined in Attachment A of this report.**
- b) **request continued flexibility within the 2015-2016 parks capital works programme to address with the approval of the board, unforeseen and urgent renewals, in particular where they pose a health and safety risk.**

CARRIED

13 2014-2015 Small local improvement projects (SLIPs) update

Paul Duffy, Parks Advisor, was in attendance to speak to the report.

Resolution number DT/2015/124

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

That the Devonport-Takapuna Local Board:

- a) receive the report.
- b) note that they will be updated in August on the status of the remaining projects for which the board committed discretionary operating and capital expenditure during the 2014-2015 year.

CARRIED

14 Allocation of discretionary capital budget to local boards

Pramod Nair, Lead Financial Advisor, was in attendance to speak to the report.

Resolution number DT/2015/125

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

That the Devonport-Takapuna Local Board:

- a) note that \$10 million is a small allocation of council's total annual budget of approximately \$3.2 billion.
- b) note that allocating the capital expenditure on the basis of population only is the most appropriate model of the three proposed because:
 - i. population strongly relates to the demand for services;
 - ii. there is little objective evidence that deprivation has any relationship with the demand for services; and
 - iii. geography highly distorts the allocation of funding and does not relate to the need for services.
- c) ask that the allocation of capital expenditure is based on option A (100% population) after subtracting a one per cent allocation for Great Barrier Island, and a two per cent allocation for Waiheke Island.
- d) ask that local boards retain the ability to use Locally Driven Initiative funds for capital projects, noting that local boards would have to meet the interest, depreciation and consequential operating expenditure costs of those projects from Locally Driven Initiative funding.
- e) ask that local boards have the ability to bring forward regionally funded projects using the capital expenditure funding on the understanding that the capital is refunded to local boards in the year in which it is budgeted to occur.
- f) ask that local boards have the ability to bring forward regional funded projects using Locally Driven Initiative funding to cover the cost of bringing the projects forward, on the understanding that local boards will only be responsible for the consequential operating expenditure to the year in which the project was originally planned.

CARRIED

15 New community lease to Milford Tennis Club Incorporated, Kitchener Park, Milford

Maureen Buchanan, Community Lease Advisor, was in attendance to speak to the report.

Resolution number DT/2015/126

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

That the Devonport-Takapuna Local Board:

- a) **approve a new community lease to The Milford Tennis Club Incorporated for Pt Lot 16 DP 7533, Lot 17 DP7533, Pt Lot 6 Allotment 86 Parish of Takapuna and Pt Allotment 317 Parish of Takapuna that are held in fee simple by Auckland Council, as classified recreation reserve and subject to the Reserves Act 1977, together with Lot 18 DP 7583, Pt Lot 19 DP 9490 and Pt Lot DP 657 that are held in fee simple by Auckland Council under the Local Government Act 2002, subject to the following:**
 - i. **Term – 10 years commencing 1 September 2015 with two 10-year rights of renewal;**
 - ii. **Rent - \$1.00 plus GST per annum if requested; and**
 - iii. **The Milford Tennis Club Incorporated Community Outcomes Plan as approved be attached to the lease document.**
- b) **approve all other terms and conditions in accordance with the Auckland Council Community Occupancy Guidelines July 2012.**
- c) **grant landowner consent to the Milford Tennis Club Incorporated to demolish the existing clubrooms and erect new clubrooms on the site, subject to the following:**
 - i. **the club securing all funding required to demolish the existing clubrooms and reinstating the site to the satisfaction of the Manager Parks Sport and Recreation;**
 - ii. **the club securing all necessary funding to erect the new clubrooms as shown on plans prepared by Ashton Mitchell numbered A101, 111,124,125 and 151 dated January 2015, and that no work will begin on site until all funding required to complete the building envelope has been raised;**
 - iii. **the club securing and adhering to all necessary resource and building consents required to facilitate the development of the clubrooms and associated improvements;**
 - iv. **the club shall engage an Auckland Council Parks Department approved arboricultural contractor to undertake a review of the proposal and provide a report detailing a methodology and providing a professional opinion confirming that the proposal is able to be carried out without causing an adverse effect to the health and stability of any tree on site, noting that:**
 - **the report shall also detail tree protection methodology on the site to be agreed with by the Parks Department, and**
 - **the club shall engage an Auckland Council Parks Department approved works arborist to monitor the work on site during the construction period at the cost of the Milford Tennis Club Incorporated.**
 - v. **The club shall agree that any ongoing maintenance required to the new building as a result of any tree on the site shall be carried out by the club at the clubs cost; and**

- vi. **Auckland Council Parks Department must be approached for its approval for any tree removals and/or works within the drip line of any tree before any work is carried out on site, and that:**
 - mitigation planting shall be carried out by the club and must be approved by Auckland Council Parks Department; and
 - mitigation planning must follow the provisions of 'Planting and Lawn Works Specification – Version 7'.

CARRIED

16 New community leases at the Mary Thomas Centre and Takapuna Community Services Building, Takapuna

Maureen Buchanan, Community Lease Advisor, was in attendance to speak to the report.

Resolution number DT/2015/127

MOVED by Member DP Hale, seconded by Member AP Roe:

That the Devonport-Takapuna Local Board:

- a) **approve a new community lease to Auckland North Community and Development Incorporated for the ground floor premises in the Mary Thomas Centre, Takapuna comprising the former St Anne's Rooms extending to 187m² together with the Wynn Williams Lounge extending to 58m² on the following terms and conditions:**
 - i. **Term – one year commencing 1 August 2015 with one right of renewal for one year;**
 - ii. **Rent - \$1.00 per annum;**
 - iii. **Operation charge of \$6,125.00 per annum plus GST;**
 - iv. **Car parks numbered 20 and 21 located in the car park underneath the Takapuna Community Services Building will be allocated to this tenancy for use by the lessee whilst this agreement is in place; and**
 - v. **All other terms and conditions in accordance with the Auckland Council Community Occupancy Guidelines 2012.**
- b) **approve a new community lease to Citizens Advice Bureau North Shore Incorporated for office 6 on the first floor of the Mary Thomas Centre, Takapuna extending to approximately 12m² on the following terms and conditions:**
 - i. **Term – one year commencing 1 August 2015 with one right of renewal for one year;**
 - ii. **Rent - \$1.00 per annum;**
 - iii. **Operation charge - \$300.00 per annum plus GST;**
 - iv. **Car park numbered 28 located in the car park underneath the Takapuna Community Services Building will be allocated to this tenancy for use by the lessee whilst this agreement is in place; and**
 - v. **All other terms and conditions in accordance with the Auckland Council Community Occupancy Guidelines 2012.**
- c) **approve a new community lease to The Multiple Sclerosis Society of Auckland and The North Shore Incorporated for Training Room 1 together with small adjacent room extending in total to 73m² on the first floor of the Takapuna Community Services Building, Takapuna on the following terms and conditions:**

- i. Term – one year commencing 1 August 2015 with one right of renewal for a further one year;
 - ii. Rent - \$1.00 per annum;
 - iii. Operation charge of - \$1,825.00 per annum plus GST;
 - iv. Car parks numbered 18 and 19 located in the car park underneath the Takapuna Community Services Building will be allocated to this tenancy for use by the lessee whilst this agreement is in place;
 - v. The Multiple Sclerosis Society of Auckland and North Shore's Community Outcomes Plan as approved be attached to the lease document; and
 - vi. All other terms and conditions in accordance with the Auckland Council Community Occupancy Guidelines 2012.
- d) council staff will continue to work with Allied Francais d'Auckland and NS Genealogists to identify more suitable accommodation that better meets the applicants' needs.

CARRIED

17 Review of Alcohol Bans 2015

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

Deputy Chairperson G Gillon left the meeting at 7.09 pm.

Deputy Chairperson G Gillon returned to the meeting at 7.13 pm.

Resolution number DT/2015/128

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

That the Devonport-Takapuna Local Board:

- a) receive this report.
- b) note that the board has agreed at the 19 May business meeting:
 - i. to undertake full public consultation, to obtain a greater understanding of the impact of alcohol-related crime or disorder in the current alcohol ban areas; and
 - ii. that a hearings panel will hear from members of the public on this issue.
- c) confirm that hearings on this issue will occur on 1 September, Council Chambers, Level 3, 1 The Strand, Takapuna, at 9am.
- d) confirm that deliberations on this issue will occur after the hearing of the last submitter within the hearing meetings scheduled in c), or otherwise on 11 September, Council Chambers, Level 3, 1 The Strand, at 9am.
- e) note that the above dates will also be advertised in the North Shore Times.
- f) note the report received in May, which set out the proposal to review alcohol bans in the local board area and outlined the process for the review of alcohol bans.

CARRIED

18 Auckland Transport update on issues raised in June 2015 for the Devonport-Takapuna Local Board

Resolution number DT/2015/129

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

That the Devonport-Takapuna Local Board:

- a) receive the Auckland Transport issues update report for June 2015.

CARRIED

19 Monthly Local Board Services report - June 2015

Chris Dee, Senior Local Board Advisor, was in attendance to speak to the report.

Resolution number DT/2015/130

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

That the Devonport-Takapuna Local Board:

- a) receive the report.
- b) ratify the board's submission to the Auckland Transport New Network public transport review for the North Shore.
- c) allocate \$4,150 from the Civic Events budget towards activities at the Devonport Wharf opening ceremony.

CARRIED

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

Resolution number DT/2015/131

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

That the Devonport-Takapuna Local Board:

- a) receive the applications from:
- i. 44A Clifton Road, Hauraki Corner
 - ii. 6 Second Avenue, Stanley Point
 - iii. 2/21 Craig Road, Milford
 - iv. 1/30 Beach Road, Castor Bay
 - v. 56 Shakespeare Road, Milford
- b) grant the 44A Clifton Road, Hauraki Corner application with the condition that the combination keypad is kept in good working order; the spa is fitted with a lockable cover in good condition and is granted to the current owner.
- c) grant the 6 Second Avenue, Stanley Point application with the condition that clauses a-k of NZS 8500-2006 are met at all times, that the spa pool remain in the same location as on the day of inspection, and is granted to the current owner.
- d) grant the 2/21 Craig Road, Milford application with the condition that the gate, buzzer and combination keypad are kept in good working order at all times; and the exemption is granted to the current owner.
- e) grant the 1/30 Beach Road, Castor Bay application with the condition that;

clause (a –k) is met at all times; the spa remain in this location; and it is granted to the current owner.

- f) grant the 56 Shakespeare Road, Milford application, subject to the owner installing pool fencing to replace the existing mesh fencing.

CARRIED

21 Ward Councillors Update

Resolution number DT/2015/132

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

That the Devonport-Takapuna Local Board:

- a) thank Cr Chris Darby and Cr George Wood for their update to the Devonport-Takapuna Local Board on the activities of the governing body.

CARRIED

22 Board Members' reports

A document entitled 'Member's report – Mike Cohen' was tabled.

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

Resolution number DT/2015/133

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

That the Devonport-Takapuna Local Board:

- a) receive the written reports from Member Hale and Member Cohen.
b) receive the verbal report from Member Roe.

CARRIED

Secretarial Note: c) and d) of this item were taken in parts.

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

That the Devonport-Takapuna Local Board:

- c) hold its extraordinary board meeting on Tuesday 4 August at an appropriate location that can hold at least 200 people. A division was called for, voting on which was as follows:

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

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

The motion was declared **LOST**

The chair exercised his casting vote against so the motion was Lost.

Resolution number DT/2015/134

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

That the Devonport-Takapuna Local Board:

- d) **take a fair and reasonable approach in allowing people of the public to speak to the item, to be discussed at the 4 August extraordinary meeting of the board.**

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

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

The motion was declared CARRIED by 6 votes to 0.

CARRIED

The Chairperson moved the following substantive motion:

Resolution number DT/2015/135

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

That the Devonport-Takapuna Local Board:

- a) **receive the written reports from Member Hale and Member Cohen.**
- b) **receive the verbal report from Member Roe.**
- c) **take a fair and reasonable approach in allowing people of the public to speak to the item, to be discussed at the 4 August extraordinary meeting of the board.**

CARRIED

Secretarial note: Member Hale noted an error in her report regarding the comment relating to Member Gillon in relation to 37 Hastings Parade, in that it should be in relation to 22 Buchanan Street.

Attachments

A Member's report - Mike Cohen

23 Chairperson's reports

Resolution number DT/2015/136

MOVED by Chairperson JM Bergin, seconded by Member AP Roe:

That the Devonport-Takapuna Local Board:

- a) **receive the Chairperson's report.**
- b) **agree to form a working party of the Town Centre and Transport portfolio holders (noting that all board members will be invited), to work with the City Transformations team to progress the Hurstmere Road streetscape upgrade.**
- c) **request a report from Auckland Council's Property Department on the evaluation model for tender selection relating to maintenance of council assets, and in particular the non-price attributes used in tender selection.**

CARRIED

24 Record of Briefing/Community Forum - 2 June

Resolution number DT/2015/137

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

That the Devonport-Takapuna Local Board:

- a) receive the records of the briefing and community forum held on 2 June.

CARRIED

25 Summary of Actions and Reports Requested/Pending - July 2015

Resolution number DT/2015/138

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

That the Devonport-Takapuna Local Board:

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

CARRIED

26 Consideration of Extraordinary Items

There was no consideration of extraordinary items.

8.21 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:.....