

**Date:** Thursday 27 August 2015  
**Time:** 5.15pm  
**Meeting Room:** Waiheke Local Board Office  
**Venue:** Oneroa Bowling Club  
100 Oceanview Road  
Alison Park  
Waiheke Island

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## **Waiheke Local Board**

# **OPEN MINUTE ITEM ATTACHMENTS**

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<b>11.1</b>	<b>Notice of Motion - Revocation of Resolutions</b>	
	A. Resolution from Deputy Chair Treadwell	3



Resolution Being Revoked	Resolution Date	Resolution	Moved	Seconded	Motion Moved in Substitution.	Sig 1	Sig 2
WHK/2013/51 Part b.	21 February 2013	<p>Report on the Code of Conduct Independent Review Panel Resolution number WHK/2013/51 MOVED by Member 7 Sevier, seconded Member 1 Henrick, then the Waiheke Local Board.</p> <p>Resolves the report of the findings of the Code of Conduct Independent Review Panel, dated 6 December 2012, in the matter of a complaint by the Waiheke Golf Club against Board Member Paul Widdow, which was heard by the Panel on 21 November 2012.</p> <p>Accepts the recommendations of the Code of Conduct Independent Review Panel, in the event that Board Member Paul Widdow voluntarily withdraws from the position of the hearing and attendance of the granting of leave and a license to play for the Waiheke Golf Club and other secondary groups, that the Panel's report should remain confidential.</p> <p>Notes that Board Member Paul Widdow and John Collins, Hon. Solicitor of the Waiheke Golf Club have already received a copy of the Panel's report.</p> <p>Requests that the Waiheke Local Board Relationship Manager inform Board Member Paul Widdow and John Collins, Hon. Solicitor of the Waiheke Golf Club of the Board's decision regarding the confidentiality of the Panel's report.</p> <p>That the above resolutions a) to e) be released into the Open section of the website.</p>	Storer	HANNAN			

Moved Member Treardwell  
Seconded Member Ballard

Treardwell  
Ballard

22/3/15  
22/3/15

Resolution Being Revoked	Resolution Date	Resolution	Moved	Seconded	Motion Moved in Substitution.	Sig1	Sig2
WHK/2013/362 Part a	December 5, 2013.	That the Waiheke Local Board: a. Receives the report.	Mesurwen	Ballard	<p>1. The report, Waiheke Golf Club Lease Boundaries, presented as Agenda Item 23 of the December 5, 2013 Waiheke Local Board Meeting is not received.</p> <p>2. The Waiheke Local Board seeks:</p> <ul style="list-style-type: none"> <li>a) copies of all officer advice given to the lease hearings panel to enable them to come to an informed decision as to appropriate boundaries for the Golf Club leased area.</li> <li>b) ecological assessments and a summary of advice from officers to inform this decision making with respect to biodiversity and public access matters.</li> <li>c) Copies of all minutes and agendas of the Lease Hearing Panel that gave effect to their direction in resolution WHK/2014/32/C/MV.</li> </ul> <p>3. the Auckland Council chief executive will provide evidence by way of minuted decisions, resolutions or signed report that each change to the lease was requested and accepted by the body responsible, being one of either the Waiheke Local Board or the Lease Hearing Panel.</p>		

Moved Member Mesurwen  
~~Mesurwen~~  
 Seconded  
 Ballard  
 RB  
 B Mesurwen 22/3/15  
 P Ballard 22/3/15

Resolution Being Revoked	Resolution Date	Resolution	Moved	Seconded	Motion Moved in Substitution.	Sig 1	Sig 2
Resolution number WHK2012/21	September 30, 2012	e) That, if as a result of the hearings, a decision/decisions are made to support/approve each lease then the Council/Waiheke Local Board applies to the Department of Conservation for consent to the granting of the leases, as required under the Act.	Storer	Hartman	<p>e) That if as a result of the hearings, a decision/decisions are made to support/approve each lease then the Waiheke Local Board will make a decision to apply to the Department of Conservation or the Ministers Delegate for prior consent to the granting of the leases, as required under the Act.</p> <p>h) The Waiheke Local Board notes that Auckland Council officers acted during the inter regnum period to seek the approval of the Minister of Conservation.</p> <p>Further, that the Minister declined the request to make a decision and directed that the decisions should be made locally by elected representatives.</p> <p>i) Requires that the person or body providing the Ministers Consent must be the Minister or a body or person with a decision making allocation consistent with The Local Government Auckland Council Act S17.</p> <p>j) That any document or resolution by an officer, the Lease Hearing Panel or the working party purporting to be an application to the Minister for prior consent has been generated without the support of the Waiheke Local Board.</p> <p>k) That any document or decision by an officer purporting to be an application to the Minister for consent for leases in Rangihoua Park is withdrawn.</p>		

Moved Member *B. Treaswell* 22/3/15  
~~Moved~~ Member *Ballard*  
 Seconded *Pear Ballard* 22/3/15

Resolution Being Revoked	Resolution Date	Resolution	Moved	Seconded	Motion Moved In Substitution.	Sig 1	Sig 2
Decisions relating to leases in Rangihoua Park made by officers between October 12, 2013 and October 21, 2013.	Between October 12, 2013 and October 21, 2013.	<p>all decisions relating to leases in Rangihoua Park made by officers and elected representatives as follows. The decisions include but are not limited to:</p> <ol style="list-style-type: none"> <li>1. Acceptance of redrawn lease boundaries and incorporation of those boundaries into a lease.</li> <li>2. Incorporation and of changes requested by the golf Club after the election.</li> <li>3. Incorporation and or acceptance of the following changes to the notified lease:                     <ol style="list-style-type: none"> <li>a. Removal of clause 14.7 from the 2012 version of the lease.</li> <li>b. Insertion of clauses 20.1-20.3 into the October 21, 2013 proposed lease.</li> <li>c. Insertion of clauses 31 into the October 21, 2013 proposed lease.</li> <li>d. Changes to clause 17.x in the October 21, 2013 proposed lease.</li> </ol> </li> <li>4. Transition of the lease from draft to final form.</li> <li>5. That approval of the final form of the lease by the working party was not necessary.</li> <li>6. That approval of the final form of the lease by the Lease Hearing Panel was not necessary.</li> <li>7. That approval of the final form of the lease by the Waiheke Local Board was not necessary.</li> <li>8. That the lease was to be signed.</li> <li>9. That the lease was to be signed with urgency.</li> <li>10. The lease would be signed prior to the local board receiving a report on the revised boundaries required by resolution WHK/2013/32.</li> <li>11. The lease would be signed prior to the board resolving to seek the prior consent of the Minister of Conservation required by resolution WHK/2012/21 of the Waiheke Local Board.</li> <li>12. That the lease could be signed before receiving the prior consent of the Minister Of Conservation required by the Reserves Act 1977 S54(1).</li> </ol>			<ol style="list-style-type: none"> <li>1. requests a comprehensive and thorough list of all decisions made with respect to Rangihoua Park leases in the election period from September 19, 2013 through to October 23, 2013.</li> <li>2. requests reasons why the decisions were considered so urgent that they could not wait until the incoming Board was able to deal with them.</li> <li>3. requests an explanation as to how the decisions were considered business as usual decisions under existing delegations.</li> <li>4. requests a print out of the electronic file for the lease document. The printout is to show a complete edit history with all changes from the advertised lease. Changes will be tracked and traceable, dated, and attributed to the authors responsible. Where the file has been copied and edited on a different location those copies will be provided as well.</li> <li>5. the chief executive will provide evidence by way of minuted decisions, resolutions or signed report that each change to the lease was requested and accepted by either the the Waiheke Local Board or the Lease Hearing Panel.</li> <li>6. the chief executive will provide evidence by way of minuted decisions, resolutions or signed report that each action taken by the officers in the election period was requested and accepted by either the Waiheke Local Board, or the Lease Hearing Panel.</li> </ol>		

Moved Member Treaswell  
R. Treaswell - 22/3/15;

Resolution Being Revoked	Resolution Date	Resolution	Moved	Second	Motion Moved in Substitution.	Sig 1
Resolution C1, clause c referenced in WHK/2013/5	May 16, 2013	<p>C1 That the Waiheke Local Board:</p> <p>i) Notes that:</p> <p>ii) The 2008 Golf Course Development Plan is a document that describes in detail the proposed development of the 18 hole golf course, in that, it provides details on landscaping, signage, vegetation, course design, earth works and clear-cut.</p> <p>iii) The earthworks/landfill requirements in the 2008 Golf Course Development Plan have already been approved under the 2009 resource consents granted by the Golf Club and landowner consent (prior to March 2009).</p> <p>iv) Landowner approval for the golf course has been provided through the Hearings Panel's decision to grant the lease under the Reserve Act and the lease is therefore the key landowner consent document.</p> <p>v) Some details in the 2008 Golf Course Development Plan may need to be updated to reflect the new lease arrangements.</p> <p>vi) The other NW arrangements can be addressed either through the new lease arrangements or once the lease details have been finalised.</p> <p><b>CASPER</b></p> <p>Member Paul Walker requested that his vote against the motion be recorded."</p>	Storer	Holmes	<p>1. The Waiheke Local Board seeks a report from officers detailing the process followed by the Waiheke Local Board to consider the Golf Club Development Plan against requirements of the Reserve Act and Local Government Act.</p> <p>2. The Waiheke Local Board seeks advice from Council as to the process for reviewing and updating the Golf Club Development Plan after the lease hearings panel decision redefining lease boundaries and other matters are accepted by the Local Board.</p> <p>3. The Waiheke Local Board seeks clarification as to the "clean fill arrangements", ie the revenue generated from a landfill on Onehangi Reserve and what discussions, arrangements and agreements have been reached on this matter.</p>	

Moved Member Treadhell  
Second Member Ballard

Treadhell 22/3/15  
Paul Ballard 22/3/15