

Waiheke Local Board OPEN MINUTES

Minutes of a meeting of the Waiheke Local Board held in the Waiheke Local Board Office, 10 Belgium Street, Ostend, Waiheke Island on Thursday, 24 September 2015 at 5.17pm.

PRESENT

Chairperson	Paul Walden
Deputy Chairperson	Beatle Treadwell
Members	Becs Ballard
	Shirin Brown
	John Meeuwsen

APOLOGIES

Councillor	Mike Lee	For absence
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1 **Welcome**

2 **Apologies**

Resolution number WHK/2015/134

MOVED by Chairperson PA Walden, seconded by Member JP Meeuwsen:

That the Waiheke Local Board:

- a) **accepts the apology from Councillor Lee for absence.**

CARRIED

3 **Declaration of Interest**

There were no declarations of interest.

4 **Confirmation of Minutes**

Resolution number WHK/2015/135

MOVED by Chairperson PA Walden, seconded by Deputy Chairperson BM Treadwell:

That the Waiheke Local Board:

- a) **confirms the ordinary minutes of its meeting, held on Thursday, 10 September 2015, 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**

9.2 Dawn Jeffery, Waiheke Resources Trust - Love Our Wetlands Project

Resolution number WHK/2015/136

MOVED by Chairperson PA Walden, seconded by Deputy Chairperson BM Treadwell:

That the Waiheke Local Board:

- a) **thanks Dawn Jeffery for her presentation and attendance.**

CARRIED

9.1 Bernard Rhodes - Causeway Inlet Moorings

Resolution number WHK/2015/137

MOVED by Chairperson PA Walden, seconded by Member RE Ballard:

That the Waiheke Local Board:

- a) **thanks Bernard Rhodes for his presentation and attendance and notes Bernard's long-running commitment and work for the local community.**
- b) **invites Bernard Rhodes to meet with the Local Board to discuss the issues raised in his Public Forum presentation.**

CARRIED

9.3 Flynn Washington and Carol Winstanley – Affordable Housing

A document was tabled in support of this item.

A copy of the tabled document will be kept on file and made available on the Auckland Council website.

Resolution number WHK/2015/138

MOVED by Chairperson PA Walden, seconded by Member SD Brown:

That the Waiheke Local Board:

- a) **thanks Flynn Washington and Carol Winstanley for their presentation and attendance.**

CARRIED

Attachments

A Affordable Housing on Waiheke

9.4 Sam Wainwright and Jaz Caitcheon – Youth Football

Resolution number WHK/2015/139

MOVED by Chairperson PA Walden, seconded by Member JP Meeuwssen:

That the Waiheke Local Board:

- a) **thanks Sam Wainwright and Jaz Caitcheon for their presentation and attendance.**

CARRIED

10 Extraordinary Business

There was no extraordinary business.

11 Notices of Motion

11.1 Notice of Motion - Trans-Pacific Partnership Agreement

Resolution number WHK/2015/140

MOVED by Member SD Brown, seconded by Chairperson PA Walden:

a) That the Waiheke Local Board notes that:

- i. while the proposed Trans Pacific Partnership Agreement (TPPA) will hopefully generate economic benefits to New Zealand through increased trading opportunities for exporters, there are also significant potential risks to our sovereignty, environment and way of life;
- ii. the TPPA negotiations have been conducted over the last eight years without any public disclosure of the contents let alone consultation or adequate debate about its principles or provisions;
- iii. the only publicly available information about the detail of the proposed treaty has come about through partial leaks and overseas sources;
- iv. much of this agreement goes well beyond its ostensible purpose of free-trade and consists of provisions to protect the interests of multi-national corporations, including investor-state rules that would allow multi-national companies to sue our government for damages in secret tribunals if laws or regulations or policies of either local or central government affected their ability to trade or make a profit within New Zealand;
- v. resolution RDO/2012/266 was passed by Auckland Council on 20th December 2012, particularly clause (xii) which calls for TPPA negotiations to be conducted with *“real public consultation including regular public releases of the text of the agreement and ratification being conditional on a full social, environmental and economic assessment including public submissions”*;
- vi. the Government has apparently ignored the Council resolution, and similar resolutions from other Councils and numerous other public interest organisations and refuses to release any meaningful information about the contents of the treaty;
- vii. that there is increasing concern from elected members across the political spectrum and in all countries where the TPPA is being negotiated that if ratified it will interfere with their decision-making authority.

b) That the Waiheke Local Board requests Auckland Council to:

- i. seek clarification from the Minister of Trade on how their recommendations are being addressed in current negotiations; and
- ii. make available to Local Boards and Auckland Citizens the government’s response as well as an analysis of the adequacy of undertakings to address Council’s concerns.

c) requests that the local board’s resolutions and background information be circulated to the Mayor and Governing Body, and all other Local Boards.

CARRIED

12 Auckland Transport Report - September 2015

Ivan Trethowen, Auckland Transport Elected Member Relationship Manager, was in attendance to speak to this report.

Resolution number WHK/2015/141

MOVED by Chairperson PA Walden, seconded by Member JP Meeuwssen:

That the Waiheke Local Board:

a) receives the Auckland Transport – September 2015 Report.

BERM PLANTING POLICY

- b) strongly supports an encouraging and enabling approach to community use of berms as far as practicable.
- c) expresses concern that the draft Auckland Transport guidelines are not being approached from a placemaking perspective and are based on a restrictive and prohibitive approach rather than an enabling approach, and are at odds with established practice on Waiheke. If there is to be a licencing approach then this should apply to a small minority cases, based on exceptional circumstances, rather than creating a presumption against planting.
- d) notes that people wish to undertake berm planting, including tree planting, to enhance the amenity and biodiversity of their neighbourhood, connect with neighbours, and grow and share food and that berm planting can contribute to traffic calming, but these benefits have not been considered or provided for in the guidelines.
- e) notes that the adopted Waiheke Local Board Plan (p.29) includes planting of fruit trees in open spaces and road reserves as a key initiative which the Local Board is actively supporting, and that the draft guidelines would inhibit rather than enable the achievement of this outcome.
- f) supports the development of berm-planting guidelines, which would include:
 - i. safe depths to dig to where underground utilities are located
 - ii. ideal plants in a number of categories – natives, food, trees
 - iii. maintenance expectations, including in regard to safety, public health, rubbish and sight lines
 - iv. working with adjoining owners, neighbours and community groups.
- g) supports the role of Local Boards as the key conduit for community relationships to support and manage berm planting, for example in conjunction with community groups who plant and maintain a specific section of berm in that board's area.
- h) requests Auckland Transport to work with other utility operators to create maps (available online) which clearly identify which berms have services running underneath them at a shallow depth and those that do not.
- i) notes that the main body of the guidelines only applies to "private" plantings by people who wish to plant a berm that is adjacent to their existing property, and does not include reference to community groups or gardening collectives who may wish to plant on berms. The local board would wish to see the activities of the latter groups included and enabled through the guidelines, including planting on 'standard' berms.
- j) requests a report from Auckland Transport indicating how it intends to address

the matters raised in resolutions b) to i) above.

- k) requests that Auckland Transport undertakes further consultation with the Local Board and Waiheke community before any guidelines are adopted.
- l) delegates authority to the Chair and Transport Portfolio Holder to finalise the Local Board's feedback to Auckland Transport on the Guidelines for Private Planting in the Road Corridor.
- m) delegates authority to the Chair and Transport portfolio holder to write to relevant government ministers on concerns about the legislative framework for management and place making activities in the road corridor.

TAWA STREET

- n) supports the introduction of the proposed No Stopping At All Times (NSAAT) restriction at Tawa Street.

KENNEDY POINT

- o) requests that Auckland Transport acts in accordance with the previous formal response by the local board in support of the proposed parking restrictions at Kennedy Point in the absence of any clear information to the contrary.

CARRIED

13 Waiheke Local Board Quick Response Grants: Round One 2015-2016

Kim Hammond, Community Grants Advisor, was in attendance to speak to this report.

Resolution number WHK/2015/142

MOVED by Chairperson PA Walden, seconded by Member RE Ballard:

That the Waiheke Local Board:

- a) considers the applications listed in Table One and agree to fund, part-fund or decline each application in this round.

Table One: Waiheke Local Board Round One Quick Response Applications

Organisation Name	Project	Total Requested	Board Allocation	Decline reason
Waiheke Community Art Gallery	Towards the curatorial contractors fee, advertising in the local media, design and installation for the Reclaim to Frame exhibition between in October 2015	\$2,808.00	\$1,400.00	
Tu Kaha Brazilian Jiu Jitsu Club (Waiheke) Incorporated	Towards the hirage of the Waiheke Recreation Centre, venue maintenance and fees to attend a tutor workshop between October 2015 to September 2016	\$3,000.00		Further investigation required

Palm Beach Progressive Association Incorporated	Towards the rates for the Palm Beach Hall between October 2015 to October 2016	\$1,000.00		Operational costs are a lower priority under the Waiheke Local Grants Programme
Piritahi Marae Trust	Towards the purchase and transportation of 30 single mattresses between October 2015 to January 2016	\$1,800.00	\$1,400.00	
Waiheke Island Pony Club Incorporated	Towards the costs of a resource consent and the contract fee for a planner to undertake the resurfacing of the arena between October 2015 and November 2015	\$4,000.00		Application to be referred to the Parks advisor for discussion
Sculpt Oneroa	Towards the costs for brochure printing and advertising in the Gulf News for the Sculpt Oneroa Event between October 2015 to February 2016	\$1,000.00		Alternative funding options may be more appropriate
Kaitiaki of Newton Reserve	Towards the purchase of 535 locally eco-sourced plants between October 2015 to November 2016	\$3,079.16		Alternative funding options are accessible for this project
Waiheke Resources Trust	Towards the costs for waste station staff over 16 weeks, directional signage, management of the waste station staff costs including recruitment, training, staff induction, payroll management, a media campaign, set-up and pack-down of waste stations, the disposal of waste, monitoring, report writing and developing a presentation for the January waste audit between October 2015 to February 2015	\$1,482.00		Alternative funding options are accessible for this project

Waiheke Community Radio Trust	Towards the upgrade of two computers to help with the Waiheke Audio Archive between October 2015 to December 2015	\$2,212.66	\$1,200.00	
Friends of McKenzie Reserve	Towards the purchase and installation of 33 black 100mm square bollards, the design of three interpretative signs and the printing of three signs between October 2015 to August 2016	\$4,000.00		Alternative funding options are accessible for this project
Friends of the Street	Towards the purchase of new tyres, motor vehicle insurance costs for the two vans and liability insurance for Friends of the Street volunteers and staff training between October 2015 to July 2016	\$3,992.55	\$2,500.00	
Philip Cryer & Deborah Botica	Towards the purchase of materials and construction to hand dig holes and construct an eight wire farm fence between October 2015 to November 2015	\$4,000.00		Further investigation required
Waiheke Primary School	Towards the purchase and installation of an adventure playground at Waiheke Primary School between October 2015 to March 2016	\$4,000.00		Alternative funding options may be more appropriate
Matiatia Oneroa Ratepayers and Residents Association	Towards the insurance costs of the Matiatia Oneroa Community Hall between October 2015 to August 2016	\$4,000.00		Operational costs are a lower priority under the Waiheke Local Grants Programme
Waiheke Livingwaters Assembly Of God. Charitable Trust	Towards consents fees for the organisations' emergency accommodation between October 2015 to September 2016	\$4,000.00	\$2,000.00	

Documentary New Zealand Trust	Towards the venue hire of Q Theater for two screenings for the Documentary Edge Festival in June 2016	\$4,000.00		Not considered a priority under the Waiheke Local Grants Programme
Piritahi Marae	Towards the purchase of seeds and fertilizer, the rental costs of a tractor and rotary hoe for the community kumara garden project between November 2015 to April 2016	\$1,200.00		Alternative funding options may be more appropriate
Waiheke Croquet Club Incorporated	Towards the costs to reinstate the sprinkler system at the Oneroa Bowling Club between October 2015 to November 2015	\$4,000.00		Application to be referred to the Parks advisor for discussion
Waiheke Adult Literacy Incorporated	Towards the costs of attending a Automotive Association driving instructor course between October 2015 to February 2016	\$3,995.00	\$3,995.00	
Living Without Violence (Waiheke Network) Incorporated	Towards the contract costs of contracting a project coordinator for the '16 Days of Action' event between November 2015 to December 2015	\$3,800.00	\$2,000.00	
Waiheke Poetry Festival 'In the Air'	Towards the filming, koha for feature poet and advertising of the Waiheke Poetry Festival between in March 2016	\$999.00	\$500.00	
	Total Requested	\$62,368.37	\$14,995.00	

- b) requests officers to cancel Round 3 and 5 of the 2015-2016 Waiheke Local Board Quick Response Grants and to communicate this information to community groups.

CARRIED

14 Hearing Panel Decision Report on review of alcohol bans in the Waiheke Local Board Area 2015

Resolution number WHK/2015/143

MOVED by Deputy Chairperson BM Treadwell, seconded by Member JP Meeuwsen:

That the Waiheke Local Board:

- a) makes the alcohol bans recommended to be retained (with any amendments) as contained in Attachment B, pursuant to the Auckland Council Alcohol Control Bylaw 2014, with a commencement date of 31 October 2015.
- b) allows the alcohol bans recommended to lapse, as contained in Attachment B, to lapse on 31 October 2015.
- c) confirms that the decisions in (a) and (b) are in accordance with relevant requirements of the Local Government Act 2002 and Auckland Council Alcohol Control Bylaw 2014.
- d) authorises the Manager Social Policy and Bylaws to make any minor edits or amendments to Attachments B and C to correct any identified errors or typographical edits.

CARRIED

15 Adoption of Local Fees and Charges 2015/2016

Resolution number WHK/2015/144

MOVED by Member JP Meeuwsen, seconded by Deputy Chairperson BM Treadwell:

That the Waiheke Local Board:

- a) adopts the Local Fees and Charges Schedules for 2015/2016 (Attachment One).

CARRIED

16 ACPL - Six monthly update

Resolution number WHK/2015/145

MOVED by Chairperson PA Walden, seconded by Member RE Ballard:

That the Waiheke Local Board:

- a) receives the Auckland Council Property Limited (ACPL) Local Board Six-Monthly update 1 January to 30 June 2015.
- b) requests advice from officers regarding an envisioned swimming pool, a community recycling and waste management facility and a community shed which could be accommodated at the Belgian Street and/or Waitai Road properties.

CARRIED

17 Rural Rates – Waiheke Local Board Submission on Governing Body Proposal to Change the Basis for Rural Rates

Resolution number WHK/2015/146

MOVED by Chairperson PA Walden, seconded by Member JP Meeuwsen:

That the Waiheke Local Board:

- a) **notes that it does not support the proposal to change how rates are charged to farm and lifestyle properties.**

CARRIED

18 List of resource consents

Resolution number WHK/2015/147

MOVED by Chairperson PA Walden, seconded by Member JP Meeuwsen:

That the Waiheke Local Board:

- a) **receives the list of resource consents lodged during 17 August 2015 to 27 August 2015 related to Waiheke Island.**

CARRIED

19 Reports requested/pending

Resolution number WHK/2015/148

MOVED by Chairperson PA Walden, seconded by Member RE Ballard:

That the Waiheke Local Board

- a) **receives the reports requested/pending report.**

CARRIED

20 Consideration of Extraordinary Items

There was no consideration of extraordinary items.

21 Procedural motion to exclude the public

MOVED by Chairperson PA Walden, seconded by Member RE Ballard:

That the Waiheke Local Board:

- a) **Excludes 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:

C1 Waiheke Local Board Urgent Decision - Judicial Review

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.	s7(2)(g) - The withholding of the information is necessary to maintain legal professional privilege. In particular, discussion on the item will include legally privileged advice..	s48(1)(a) 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.

MOVED by Chairperson PA Walden, seconded by Member RE Ballard
Chairperson PA Walden moved an amendment to the original recommendations as follows:

That the Waiheke Local Board:

- a) agrees to discuss the Waiheke Local Board Urgent Decision – Judicial Review report in open session.

CARRIED

The chairperson put the substantive motion as amended

Resolution number WHK/2015/149

MOVED by Chairperson PA Walden, seconded by Member RE Ballard:

That the Waiheke Local Board:

- a) **agrees to discuss the Waiheke Local Board Urgent Decision – Judicial Review report in open session.**

CARRIED

22 Waiheke Local Board Urgent Decision – Judicial Review

Resolution number WHK/2015/150

MOVED by Chairperson PA Walden, seconded by Member JP Meeuwssen:

That the Waiheke Local Board:

- a) **notes the urgent decision for the Rangihoua Legal Proceedings.**

CARRIED

7.16 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 WAIHEKE LOCAL BOARD
HELD ON

DATE:.....

CHAIRPERSON:.....