

**Rodney Local Board Parks, Culture and
Community Development Committee**

OPEN MINUTES

Minutes of a meeting of the Rodney Local Board Parks, Culture and Community Development Committee held in the Council Chamber, Orewa Service Centre, 50 Centreway Road, Orewa on Monday, 15 February 2016 at 2.00pm.

PRESENT

Chairperson	Beth Houlbrooke
Deputy Chairperson	Greg Sayers
Members	James Colville
	Steven Garner
	Thomas Grace
	John McLean
	Phelan Pirrie
	Brenda Steele

ABSENT

Member	Warren Flaunty
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1 Welcome

The Chairperson opened the meeting and welcome those in attendance.

2 Apologies

Resolution number RODPC/2016/1

MOVED by Member SR Garner, seconded by Member BM Steele:

That the Rodney Local Board Parks, Culture and Community Development Committee:

- a) **accept the apology from Member WW Flaunty for absence.**

CARRIED

3 Declaration of Interest

There were no declarations of interest.

4 Confirmation of Minutes

Resolution number RODPC/2016/2

MOVED by Member JG McLean, seconded by Member TP Grace:

That the Rodney Local Board Parks, Culture and Community Development Committee:

- a) **confirm the ordinary minutes of its meeting, held on Monday, 2 November 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

8.1 Harbour Sport

Kevin O'Leary (Community Sport Manager, Harbour Sport) and Toni-Maree Carnie (Chief Executive, Harbour Sport) in attendance for this item. Mr O'Leary gave a PowerPoint presentation, a copy of which has placed on the file copy of the minutes and can be viewed on the Auckland Council website. Mr O'Leary provided an update on Harbour Sport activities in the Rodney Local Board area over the last six months.

Resolution number RODPC/2016/3

MOVED by Member SR Garner, seconded by Member BM Steele:

That the Rodney Local Board Parks, Culture and Community Development Committee:

- a) **thank the representatives from Harbour Sport on their update on activities they have been involved in within the Rodney Local Board area during the last six months.**

CARRIED

Attachments

- A Harbour Sport presentation

9 Public Forum

There was no public forum.

10 Extraordinary Business

There was no extraordinary business.

11 Notices of Motion

There were no notices of motion.

12 Warkworth Showgrounds Development- Stage Six Civil Works Project

Jeff Lyford (Parks Advisor) in attendance for this item.

Resolution number RODPC/2016/4

MOVED by Member JG McLean, seconded by Member TP Grace:

That the Rodney Local Board Parks, Culture and Community Development Committee:

- a) **approve the allocation of \$509,000 from the Warkworth Showgrounds Programme indicative 2016/2017 budget, previously allocated to the multisport building construction, to enable the stage six civil works project to progress immediately.**
- b) **recommend to the Rodney Local Board that it consider allocating through a future Annual Plan process \$560,000 from its Locally Driven Initiative Fund towards the Warkworth Showgrounds multisport building in a future year when that project has progressed to a stage when it is required.**

CARRIED

13 Renewal of lease to Warkworth Bridge Club Incorporated and Mahurangi (Warkworth) Senior Citizens Association Incorporated for the Old Warkworth Town Library

Karen Walby (Community Lease Advisor) and Jeff Lyford (Parks Advisor) were in attendance for this item.

Resolution number RODPC/2016/5

MOVED by Member BM Steele, seconded by Member PM Pirrie:

That the Rodney Local Board Parks, Culture and Community Development Committee:

- a) **approves the renewal of lease to the Warkworth Bridge Club Incorporated and Mahurangi (Warkworth) Senior Citizens Association (Incorporated) for the council owned premises known as the “Old Warkworth Town Library” at 2 Alnwick Street, Warkworth (Attachment A to the agenda report), subject to the following conditions:**
 - i) **Term - 5 years commencing 15 July 2013 effecting final expiry 14 July 2018**
 - ii) **Rent - \$1.00 plus GST per annum if demanded**
- b) **approves all other terms and conditions in accordance with the terms of the original lease agreement between council and Warkworth Bridge Club Incorporated and Mahurangi (Warkworth) Senior Citizens Association (Incorporated) dated 15 April 2003 and the subsequent deed of variation of lease recording renewal dated 8 June 2010.**

CARRIED

14 Variation of lease to Mahurangi Rugby Football Club Incorporated at Warkworth Showgrounds Reserve

Karen Walby (Community Lease Advisor) and Jeff Lyford (Parks Advisor) were in attendance for this item.

Resolution number RODPC/2016/6

MOVED by Member TP Grace, seconded by Chairperson BP Houlbrooke:

That the Rodney Local Board Parks, Culture and Community Development Committee:

- a) **approve a variation of the lease dated 2012 to Mahurangi Rugby Football Club Incorporated at Warkworth Showgrounds Reserve to effect the following:**
 - i) **The addition of a treaty clause pursuant to the Treaty of Waitangi Act 1975 to record Crown ownership of the reserve should it be subject to a future treaty claim.**
 - ii) **The amendment to the legal description of the reserve as stated in the “Premises” section within the reference schedule to reflect the correct description of the land occupied under the terms of the lease, being Part Allotment 96D Parish of Mahurangi.**
 - iii) **The addition of a clause to link the lease to the Facility Partnership Funding Agreement between council and the Mahurangi Rugby Football Club Incorporated as executed by council on 22 December 2015.**
 - iv) **The addition of a clause to acknowledge the Memorandum of Understanding between the Mahurangi Rugby Club Incorporated and the Mahurangi Community Sport and Recreation Collective Incorporated with**

- regard to the Sports Partnership for the Warkworth Showgrounds Development Project.
- v) The amendment of clause 5 (Outgoings) to reflect the Additional Terms (3.) and (4.) as stated in the Facility Partnership Funding Agreement between Auckland Council and the Mahurangi Rugby Football Club Incorporated, effecting council's responsibility for the wastewater operational charges for the term of the lease and further, the responsibility for electricity, water and wastewater operational charges will be reviewed annually for the first two years and three yearly thereafter.
 - vi) The amendment of; "Required Use" as stated within the reference schedule and clauses 6 (Required Use) and 11 (Public Access) to reflect the Additional Term (1.) as stated in the Facility Partnership Funding Agreement between Auckland Council and the Mahurangi Rugby Football Club Incorporated, ensuring that the facility is made available to users of the Warkworth Showgrounds Reserve commencing on the date of completion of "The Facility Upgrade Project" and effective for the term of the lease, including the renewal term.
 - vii) The amendment of clause 11 (Public Access) to reflect the Additional Term "Toilets" (1.) as stated in the Facility Partnership Funding Agreement between Auckland Council and the Mahurangi Rugby Football Club Incorporated, effecting council's responsibility to open and close the doors to the publicly accessible ground floor toilets as outlined and cross hatched in red shown as Attachment A to this agenda report.
 - viii) The amendment of clause 16 (Maintenance of Buildings/Improvements) to reflect the additional term "Toilets" (2.) as stated in the Facility Partnership Funding Agreement between Auckland Council and the Mahurangi Rugby Football Club Incorporated, effecting council's responsibility for cleaning, minor maintenance and repairs of the publicly accessible ground floor toilets as outlined in red shown as Attachment A to this agenda report.
 - ix) The addition of an "Access" clause for access to the facility by council staff and council contractors for water and wastewater maintenance requirements and upgrades.
 - x) The existing community outcomes plan is deemed obsolete and superceded by the "Community Access Report Form" being (Schedule 3: Reporting Annual report (iv)) of the Facility Partnership Funding Agreement between Auckland Council and the Mahurangi Rugby Football Club Incorporated shown as Attachment B to this agenda report. The initial report period will commence on the date of the completion of the "Facility Upgrade Project" and continue to 15 October 2016. Thereafter the report period will commence 16 October 2016 and continue on an annual cyclic basis for the term of the lease including the renewal term or until otherwise subsequently varied. The Mahurangi Rugby Football Club Incorporated will submit its Community Access reports to council's Community Leasing Team.
- b) notes that all other reporting requirements for the Facility Partnership Funding Agreement between Auckland Council and the Mahurangi Rugby Football Club Incorporated pertain specifically to the "Facility Upgrade Project". The Mahurangi Rugby Football Club Incorporated will prepare and submit its reports to council's Sports Partnerships Project Manager, accordingly.

CARRIED

Motion – Invitation for a member of the public to speak to Item 15, New community lease and licence to occupy to Waimauku Pony Club Incorporated at Glasgow Park, Waimauku

Resolution number RODPC/2016/7

MOVED by Member JG Colville, seconded by Member BM Steele:

- a) **that Denise Sills of the Glasgow Park Advisory Committee be granted to permission to speak regarding Item 15, New community lease and licence to occupy to Waimauku Pony Club Incorporated at Glasgow Park, Waimauku.**

CARRIED

15 New community lease and licence to occupy to Waimauku Pony Club Incorporated at Glasgow Park, Waimauku

Karen Walby (Community Lease Advisor) and Jeff Lyford (Parks Advisor) were in attendance for this item.

Resolution number RODPC/2016/8

MOVED by Member SR Garner, seconded by Member BM Steele:

That the Rodney Local Board Parks, Culture and Community Development Committee:

- a) **approve a community lease and community licence to occupy to the Waimauku Pony Club Incorporated for part of Glasgow Park described as Section 8 SO 315586 (Attachment B) subject to the following terms and conditions:**
- i) **Term – 5 years commencing 1 March 2016;**
 - ii) **Rent - \$1.00 plus GST per annum if requested;**
 - iii) **The approved Waimauku Pony Club Incorporated Community Outcomes Plan be attached to the lease document;**
- b) **approve the Waimauku Pony Club Incorporated Community Outcomes Plan as attached to the agenda report as Attachment D.**
- c) **approve a clause to be included in the new lease and licence to occupy to document that as the part of Glasgow Park described as Section 8 SO 315586 is owned by the Crown through DOC, only vested in trust in the council and as such, may be identified in future years for treaty settlement.**
- d) **notes that all other terms and conditions in accordance with the Reserves Act 1977, Auckland Council Community Occupancy Guidelines 2012 and the Glasgow Park Reserve Management Plan 1999.**
- e) **request that officers clearly communicate to the community of Waimauku the difference between the definition of a licence to occupy and a community lease on Glasgow Park.**

CARRIED

Attachments

- A Map narrative - Waimauku
- B Glasgow Park and adjoining park, Waimauku

16 Renewal of lease and deed of lease for additional premises to Sandspit Yacht Club Incorporated at Algies Bay Recreation Reserve

Karen Walby (Community Lease Advisor) and Jeff Lyford (Parks Advisor) were in attendance for this item.

Resolution number RODPC/2016/9

MOVED by Member SR Garner, seconded by Member TP Grace:

That the Rodney Local Board Parks, Culture and Community Development Committee:

- a) **approves the renewal of lease to the Sandspit Yacht Club Incorporated at Algies Bay Recreation Reserve being a portion of Lot 41 DP 50684 (Attachment A of the agenda report), subject to the following conditions:**
 - i) **Term - 10 years commencing 1 October 2015**
 - ii) **Rent - \$1.00 plus GST per annum if demanded**
 - iii) **All other terms and conditions in accordance with the terms of the original lease agreement dated 24 May 2007 and the Algies Bay Recreation and Alexander Road Recreation Reserve Management Plan as adopted 6 September 2001**
- b) **approves a deed of lease for additional premises to the Sandspit Yacht Club Incorporated at Algies Bay Recreation Reserve being portions of Lot 41 DP 50684 and Lot 24 DP 50684 (Attachment A of the agenda report), subject to the following conditions:**
 - i) **Term - 9 years, 7 months commencing 1 March 2016 expiring 30 September 2025**
 - ii) **Rent - \$1.00 plus GST per annum if demanded**
 - iii) **All other terms and conditions in accordance with the terms of the original lease agreement dated 24 May 2007**

CARRIED

17 Special Exemption (Section 6) Fencing of Swimming Pools Act 1987

Philip Curtis (Senior Swimming Pool Specialist) was in attendance for this item.

Resolution number RODPC/2016/10

MOVED by Member SR Garner, seconded by Member JG McLean:

That the Rodney Local Board Parks, Culture and Community Development Committee:

- a) **grant the application for special exemption under section 6 of the Fencing of Swimming Pools Act 1987 for an above ground spa pool as sought by Alan and Jilliane Scott, 102 Kaipara Portage Road, Riverhead subject to the spa remaining in the current location, replacement of the broken lock, and the removable steps being moved 1.2m from the spa when not in use. This exemption is subject to NZS 8500:2006 Safety Barriers and Fences Around Swimming Pools, Spas and Hot Tubs 3.10 'Above-ground spas and hot tubs' 3.10 a) to k) inclusive:**
 - a) ***The top of the spa pool or hot tub shall be positioned with the entire top surface not less than 760mm above the surrounding ground or deck;***

- b) The cover shall be lockable and shall be kept locked when the spa pool or hot tub is not being used or supervised. A locking device shall contain a mechanical locking mechanism or a self-locking mechanism in addition to latching shut;*
 - c) The locks shall not be able to be readily opened or released by a child of up to the age of six years;*
 - d) When locked the cover shall be fitted so that if lifted it does not release the locking device or provide a clearance greater than 100mm;*
 - e) The cover shall be made of a material that if walked on cannot collapse and can withstand the weight of at least 20kg to ensure that it will more than take the weight of a child up to six years old;*
 - f) The cover shall be constructed of material that meets ASTM F1346-91 to allow easy movement on and off the spa pool or hot tub;*
 - g) The cover shall be constructed with a taper from the centre hinge to the outside edge of the cover so that water will not pond on top of it;*
 - h) The cover shall have an evenly spaced mechanical locking device as required in b) which shall be positioned to ensure the cover cannot be lifted more than 100mm by a child up to six years of age, and ensures that the cover is fixed securely to the spa pool or hot tub;*
 - i) The cover and locks shall be maintained at all times in a good state of repair;*
 - j) Warning stickers/sign shall be placed on the cover to advise that it shall be locked in place when the spa pool or hot tub is not being used or supervised;*
 - k) Removable steps, movable furniture, or other objects that can assist a young child to climb onto the cover, shall be stowed/stored away at least 1200mm from the side of the spa pool or hot tub.*
- b) grant the application for special exemption under section 6 of the Fencing of Swimming Pools Act 1987 for a swimming pool as sought by Neil cumming, 648 Kahikatea Flat Road, Waitoki subject to the self-closing and latching device on the French doors being maintained in good working order at all times.
- c) grant the application for special exemption under section 6 of the Fencing of Swimming Pools Act 1987 for an above ground spa pool as sought by Brodie Investment Trust, 18C Jones Road, Omaha Flats subject to the spa remaining in the current location. This exemption is subject to NZS 8500:2006 Safety Barriers and Fences Around Swimming Pools, Spas and Hot Tubs 3.10 'Above-ground spas and hot tubs' 3.10 a) to k) inclusive:
- a) The top of the spa pool or hot tub shall be positioned with the entire top surface not less than 760mm above the surrounding ground or deck;*
 - b) The cover shall be lockable and shall be kept locked when the spa pool or hot tub is not being used or supervised. A locking device shall contain a mechanical locking mechanism or a self-locking mechanism in addition to latching shut;*
 - c) The locks shall not be able to be readily opened or released by a child of up to the age of six years;*
 - d) When locked the cover shall be fitted so that if lifted it does not release the locking device or provide a clearance greater than 100mm;*
 - e) The cover shall be made of a material that if walked on cannot collapse*

and can withstand the weight of at least 20kg to ensure that it will more than take the weight of a child up to six years old;

- f) The cover shall be constructed of material that meets ASTM F1346-91 to allow easy movement on and off the spa pool or hot tub;*
- g) The cover shall be constructed with a taper from the centre hinge to the outside edge of the cover so that water will not pond on top of it;*
- h) The cover shall have an evenly spaced mechanical locking device as required in b) which shall be positioned to ensure the cover cannot be lifted more than 100mm by a child up to six years of age, and ensures that the cover is fixed securely to the spa pool or hot tub;*
- i) The cover and locks shall be maintained at all times in a good state of repair;*
- j) Warning stickers/sign shall be placed on the cover to advise that it shall be locked in place when the spa pool or hot tub is not being used or supervised;*
- k) Removable steps, movable furniture, or other objects that can assist a young child to climb onto the cover, shall be stowed/stored away at least 1200mm from the side of the spa pool or hot tub.*

CARRIED

Resolution number RODPC/2016/11

MOVED by Member JG McLean, seconded by Member TP Grace:

That the Rodney Local Board Parks, Culture and Community Development Committee:

- d) grant the application for special exemption under section 6 of the Fencing of Swimming Pools Act 1987 for a swimming pool as sought by Bruce and Alison Wech, 46 McKinney Road, Warkworth specifically for the fence, gate and the existing vegetable gardens associated with the pool area, subject to the application being personal to the owners of the property and the pool being inspected every three years.**
- e) agree that confidential attachments A to D (under separate cover) to the Swimming Pool Exemptions report remain confidential to protect the privacy of the applicants.**

CARRIED

18 Deputation/Public Forum Update

Resolution number RODPC/2016/12

MOVED by Member SR Garner, seconded by Member BM Steele:

That the Rodney Local Board Parks, Culture and Community Development Committee:

- a) receive the Deputation/Public Forum Update.**

CARRIED

19 Rodney Local Board Workshop Records

Resolution number RODPC/2016/13

MOVED by Member TP Grace, seconded by Deputy Chairperson AG Sayers:

That the Rodney Local Board Parks, Culture and Community Development Committee:

- a) **workshop record for Monday, 16 November 2015 be accepted.**

CARRIED

20 Consideration of Extraordinary Items

There was no consideration of extraordinary items.

3.25 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 RODNEY LOCAL BOARD
PARKS, CULTURE AND COMMUNITY
DEVELOPMENT COMMITTEE HELD ON

DATE:.....

CHAIRPERSON:.....