

Upper Harbour Local Board

MINUTES

Minutes of a meeting of the Upper Harbour Local Board held in the Orewa Service Centre, Council Chamber, 50 Centreway Road, Orewa, on Thursday, 14 December 2017 at 9.31am

PRESENT

Chairperson	Lisa Whyte
Deputy Chairperson	Margaret Miles, JP
Members	Uzra Casuri Balouch, JP
	Nicholas Mayne
	John McLean
	Brian Neeson, JP

Until 2.30pm [Item 25]

1 Welcome

2 Apologies

There were no apologies.

3 Declaration of Interest

There were no declarations of interest.

4 Confirmation of Minutes

Resolution number UH/2017/190

MOVED by Chairperson L Whyte, seconded by Member B Neeson:

That the Upper Harbour Local Board:

- a) **confirm the ordinary minutes of its meeting, held on Thursday, 16 November 2017, 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 Greenhithe Residents and Ratepayers Association - to address Item 15, Auckland Transport monthly update

A document was provided at the meeting. A copy has been placed on the official minutes and is available on the Auckland Council website as a minutes attachment.

Resolution number UH/2017/191

MOVED by Chairperson L Whyte, seconded by Deputy Chairperson M Miles:

That the Upper Harbour Local Board:

- a) **receive the deputation from Brian Carran, Chair of the Greenhithe Residents and Ratepayers Association, and thank him for his attendance and presentation.**

CARRIED

Attachments

- A Submission from Greenhithe Residents and Ratepayers Association

8.2 Nga Maunga Whakahii o Kaipara Development Trust - to address Item 16, Approval for five new road names

A document was provided at the meeting. A copy has been placed on the official minutes and is available on the Auckland Council website as a minutes attachment.

Resolution number UH/2017/192

MOVED by Member N Mayne, seconded by Member J McLean:

That the Upper Harbour Local Board:

- a) receive the deputation from Daniel Clay, Tumuaki (Chief Executive Officer) of Nga Maunga Whakahii o Kaipara Whenua Hoko Holdings Limited, and Pani Gleeson, Kaiarahi Taiao (Resource Consents Co-ordinator) of Nga Maunga Whakahii o Kaipara Development Trust, and thank them for their attendance and presentation.

CARRIED

Attachments

- A Te Uru road naming rationale

9 Public Forum

9.1 June Kearney - Notice of Motion, Hobsonville Marina

Resolution number UH/2017/193

MOVED by Deputy Chairperson M Miles, seconded by Member N Mayne:

That the Upper Harbour Local Board:

- a) thank June Kearney for her attendance.

CARRIED

10 Extraordinary Business

There was no extraordinary business.

11 Notices of Motion

Under Standing Order 2.5.1 (LBS 3.11.1) or Standing Order 1.9.1 (LBS 3.10.17) (revoke or alter a previous resolution) Notices of Motion have been received from Members N Mayne and B Neeson for consideration under items 13 and 14 respectively.

12 Minutes of the Upper Harbour Local Board meeting held, Thursday 16 November 2017

That the Upper Harbour Local Board note that the open unconfirmed minutes and minute attachments of the Upper Harbour Local Board meeting held on Thursday, 16 November 2017, 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 Notice of Motion - Te Wharau Creek

Resolution number UH/2017/194

MOVED by Member N Mayne, seconded by Chairperson L Whyte:

Motion

That the Upper Harbour Local Board:

- a) request advice from the relevant council staff regarding the most appropriate and effective tools and methods to protect the freshwater ecology of Te Wharau Creek, including:
- i. the present understanding of the local and regional biodiversity significance of Te Wharau Creek
 - ii. the extent of land owner control Auckland Council has over the tributaries of Te Wharau Creek
 - iii. the legal status of land controlled by Auckland Council within the tributaries of Te Wharau Creek, including whether the land is owned as fee simple land held according to the Local Government Act, or as a reserve held according to the Reserves Act 1977
 - iv. what policy or plans apply to the protection of the freshwater ecology of Te Wharau Creek, including any Reserve Management Plan associated with the catchment
 - v. the possibility of a bylaw, or amendment to current bylaws, to establish a strict no-take rule with regard to native plants and animals within any of the freshwater tributaries of Te Wharau Creek (both those on public and private land), with exceptions agreed by mana whenua, or approved by the local board for research or ecological stewardship purposes
 - vi. the possibility of enhancing planning provisions, such as the Unitary Plan and/or TP90, so as to minimise disturbance and pollution within the catchment of Te Wharau Creek from development
 - vii. any other mechanisms that may be effective in protecting the freshwater ecology of Te Wharau Creek.
- b) that any proposed solutions for the protection of the freshwater ecology of Te Wharau Creek, provides a process for additional freshwater ecosystems of significance to achieve the same protection, by way of a resolution of the relevant local board.

CARRIED

14 Notice of Motion - Hobsonville Marina (West Park)

A document was tabled by Member N Mayne at the meeting. A copy has been placed on the official minutes and is available on the Auckland Council website as a minutes attachment.

June Kearney was given leave to address the board for three minutes on this topic. A division was called for, voting on which was as follows:

Resolution number UH/2017/195

MOVED by Member B Neeson, seconded by Member U Balouch:

Motion

That the Upper Harbour Local Board:

- a) **oppose the sale of any and all parts of Hobsonville Marina (West Park) and that the said area remain in Auckland Council ownership.**

<u>For</u>	<u>Against</u>	<u>Abstained</u>
Member U Balouch	Member N Mayne	
Member J McLean		
Deputy Chairperson M Miles		
Member B Neeson		
Chairperson L Whyte		

The motion was declared CARRIED by 5 votes to 1.

CARRIED

Resolution number UH/2017/196

MOVED by Member B Neeson, seconded by Member U Balouch:

That the Upper Harbour Local Board:

- b) **does not support the development plan proposed by Panuku Development and does not consider the proposed plan to be in the public interest or in the interest of the West Harbour community.**

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

<u>For</u>	<u>Against</u>	<u>Abstained</u>
Member U Balouch	Member N Mayne	Deputy Chairperson M Miles
Member J McLean		Chairperson L Whyte
Member B Neeson		

The motion was declared CARRIED by 3 votes to 1.

CARRIED

Attachments

- A Memo from Panuku Development Auckland regarding West Park Marina

Procedural Motion

Resolution number UH/2017/197

MOVED by Deputy Chairperson M Miles, seconded by Member N Mayne:

That the Upper Harbour Local Board:

- a) **move back into public forum to provide June Kearney with the opportunity to address the meeting in relation to item 14.**

CARRIED

Adjournment of Meeting

Resolution number UH/2017/198

MOVED by Deputy Chairperson M Miles, seconded by Chairperson L Whyte:

That the Upper Harbour Local Board:

- b) **agree to adjourn the meeting until 10:30am.**

CARRIED

The meeting adjourned at 10:27am and reconvened at 10:30am, all members were present.

15 Auckland Transport monthly report - December 2017

Resolution number UH/2017/199

MOVED by Chairperson L Whyte, seconded by Member J McLean:

That the Upper Harbour Local Board:

- a) **receive the Auckland Transport update for December 2017.**
- b) **approve a budget allocation based on a Rough Order of Costs of \$740,000 from the Upper Harbour Local Board Transport Capital Fund, to implement the upgrade of an S-bend on Greenhithe Road to 15 Rame Road, and an S-bend on Windfall Grove to 81 Rame Road.**
- c) **request Auckland Transport investigate the Rough Order of Costs to extend the project from 81 Rame Road to 99 Rame Road, for the local board's consideration.**
- d) **delegate permission to the Chair and Deputy Chair to approve the financial expenditure relating to part c) above, once majority support has been sought from the entire local board.**
- e) **approve the sum of \$45,000 to consult with schools and implement the installation of 'School's Stay-put' signs, in seven schools in the Upper Harbour Local Board Area.**
- f) **approve the Rough Order of Costs of \$56,000 to implement a new shared path at 8 Chester Avenue to 170 Albany Highway.**

CARRIED

16 Approval for five new road names within the subdivisions at 2-68 Hobsonville Point Road, Hobsonville Point

Two documents were tabled by Member N Mayne at the meeting. Copies have been placed on the official minutes and are available on the Auckland Council website as minutes attachments.

Resolution number UH/2017/200

MOVED by Member B Neeson, seconded by Member J McLean:

That the Upper Harbour Local Board:

- a) **approve the road name 'Te Aho Mātua Road' for the new public road 'Road 1' within the subdivision development at 2-68 Hobsonville Point Road, Hobsonville Point.**
- b) **approve the road name 'Piko Lane' for the new private accessway 'Accessway 1' within the subdivision development at 2-68 Hobsonville Point Road,**

Hobsonville Point.

- c) approve the road name 'Whatu Lane' for the new private accessway 'Accessway 2' within the subdivision development at 2-68 Hobsonville Point Road, Hobsonville Point.
- d) approve the road name 'Raranga Lane' for the new private accessway 'Accessway 4' within the subdivision development at 2-68 Hobsonville Point Road, Hobsonville Point.
- e) approve the road name 'Whiri Lane' for the new private accessway 'Accessway 5' within the subdivision development at 2-68 Hobsonville Point Road, Hobsonville Point.

CARRIED

Attachments

- A Copies of e-mail correspondence tabled by Member Mayne

17 Approval for four new road names within the subdivisions at 102-130 Clark Road and 194-220 Buckley Avenue, Hobsonville Point

Resolution number UH/2017/201

MOVED by Chairperson L Whyte, seconded by Member U Balouch:

That the Upper Harbour Local Board:

- a) approve the road name 'Contact Lane' for the new private road 'Lot 100' within the subdivision development at 102-130 Clark Road, Hobsonville Point.
- b) approve the road name 'Chichester Cottage Lane' for the new public road 'SB4' within the subdivision development at 194-220 Buckley Avenue, Hobsonville Point.
- c) approve the road name 'Cutty Sark Road' for the new public road 'SB7-10' within the subdivision development at 194-220 Buckley Avenue, Hobsonville Point.
- d) approve the road name 'Cinema Road' for the new public road 'SB5' within the subdivision development at 194-220 Buckley Avenue, Hobsonville Point.

CARRIED

18 Approval for one new road name within the subdivision at 102-130 Clark Road, Hobsonville Point

Resolution number UH/2017/202

MOVED by Member J McLean, seconded by Member B Neeson:

That the Upper Harbour Local Board:

- a) approve the name 'Danga Lane' for the new private road 'New Road' within the subdivision development at 102-130 Clark Road, Hobsonville Point.

CARRIED

Adjournment of Meeting

Resolution number UH/2017/203

MOVED by Chairperson L Whyte, seconded by Deputy Chairperson M Miles:

That the Upper Harbour Local Board:

- c) **agree to adjourn the meeting until 11:00am.**

CARRIED

The meeting adjourned at 10:51am and reconvened at 11:01am, Member McLean was not present.

Member J McLean left the meeting at 10:51 am.

19 Disposals recommendation report

The Senior Advisor Portfolio Review was in attendance to support the item.

A map was tabled at the meeting. A copy has been placed on the official minutes and is available on the Auckland Council website as a minutes attachment.

Resolution number UH/2017/204

MOVED by Chairperson L Whyte, seconded by Deputy Chairperson M Miles:

That the Upper Harbour Local Board:

- a) **do not endorse Panuku Development Auckland's recommendation to the Finance and Performance Committee to dispose of Proposed Lot 14, 61-117 Clark Road, Hobsonville, for urban renewal purposes, due to the extensive development of the area and the necessity for the retention of open space.**
- b) **endorse the Chair and Deputy Chair to speak at the Finance and Performance Committee meeting when the matter comes onto the agenda for discussion.**

CARRIED

Attachments

- A Scott Point consultation map

20 Application for a licence for dining and cafe at Hobsonville Landing

This report was withdrawn at the request of the author and will be resubmitted for consideration by the local board in early 2018.

Member J McLean returned to the meeting at 11:13am.

21 10-year Budget 2018-2028 consultation

The Advisor and the Senior Advisor were in attendance to support the item.

A document was tabled at the meeting. A copy has been placed on the official minutes and is available to view on the Auckland Council website as a minutes attachment.

Resolution number UH/2017/205

MOVED by Chairperson L Whyte, seconded by Member N Mayne:

That the Upper Harbour Local Board:

- a) **agree, subject to approval by the Governing Body, to hold the following spoken interaction events during the consultation period:**
 - i. **existing event – Saturday 3 March 2018 at 7pm, Movies in Parks at Rosedale Park**
 - ii. **drop-in session – Thursday 8 March 2018 at 6.30pm, Community Forum at Upper Harbour Local Board office**
 - iii. **drop-in session – Thursday 22 March 2018, after workshop/business**

meeting at the Upper Harbour Local Board office

- b) **delegate to the following elected members and staff the power and responsibility to hear from the public through ‘spoken/NZ sign language interaction’ in relation to the local board agreement at the council’s public engagement events during the consultation period for the 10-year Budget 2018-2028:**
 - i. **Local Board Members and Chairperson**
 - ii. **General Manager Local Board Services, Local Board Relationship Manager, Local Board Senior Advisor, Local Board Advisor**
 - iii. **any additional staff approved by the General Manager Local Board Services or the Chief Financial Officer.**
- c) **adopt Attachment A to this agenda report, local content for consultation and Attachment B to this agenda report, local supporting information for consultation, including the key advocacy project.**
- d) **delegate authority to the Chairperson to approve any final minor changes required following review by council’s legal team and/or Audit New Zealand, of the local consultation content for the 10-year Budget 2018-2028 prior to publication, including online consultation content, and should any changes be made they are to be reported to the next business meeting.**

CARRIED

Attachments

- A Upper Harbour Local Board draft consultation document
- B Upper Harbour Local Board supporting information

22 Auckland Council’s Quarterly Performance Report: Upper Harbour Local Board for quarter one, 1 July - 30 September 2017

The Senior Advisor was in attendance to support the item.

Resolution number UH/2017/206

MOVED by Chairperson L Whyte, seconded by Member J McLean:

That the Upper Harbour Local Board:

- a) **receive the performance report for the financial quarter ending 30 September 2017.**

CARRIED

Member B Neeson left the meeting at 11:55am.

Member B Neeson returned to the meeting at 11:56am.

23 Report from Hearings Panel - Recommendations regarding proposal to issue new leases on Rosedale Park, Wainoni Park, Hooton Reserve and Oteha Valley Road

The General Manager Parks, Sports and Recreation, the Programme Interface Manager, the Hearings Panel Chairperson, two Senior Solicitors from Legal Services, the Leasing Advisor, and the Land Use Advisor were in attendance to support the item.

Resolution number UH/2017/207

MOVED by Chairperson L Whyte, seconded by Member J McLean:

That the Upper Harbour Local Board:

- a) **receive the report from the Hearings Panel containing recommendations on a**

notified application under the Reserves Act 1977 and the Local Government Act 2002, in respect of the proposal to issue leases to:

- i. Harbour Hockey Charitable Trust for Pt Allot 133 Parish of Paremoremo, Pt Allot 653 Parish of Paremoremo and Pt Sect 4 SO 444 7999, Rosedale Park, Albany.

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

<u>For</u>	<u>Against</u>	<u>Abstained</u>
Member J McLean	Member U Balouch	
Deputy Chairperson M Miles	Member N Mayne	
Member B Neeson		
Chairperson L Whyte		

The motion was declared CARRIED by 4 votes to 2.

CARRIED

Resolution number UH/2017/208

MOVED by Chairperson L Whyte, seconded by Member J McLean:

That the Upper Harbour Local Board:

- b) receive the report from the Hearings Panel containing recommendations on a notified application under the Reserves Act 1977 and the Local Government Act 2002, in respect of the proposal to issue leases to:
 - i. North Harbour BMX Association Incorporated for Pt Lot 2 DP 24754 and Pt Lot 1 DP 198079, Hooton Reserve, Oteha Valley Road, Albany.

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

<u>For</u>	<u>Against</u>	<u>Abstained</u>
Member J McLean	Member U Balouch	
Deputy Chairperson M Miles	Member N Mayne	
Member B Neeson		
Chairperson L Whyte		

The motion was declared CARRIED by 4 votes to 2.

CARRIED

Resolution number UH/2017/209

MOVED by Chairperson L Whyte, seconded by Member J McLean:

That the Upper Harbour Local Board:

- c) receive the report from the Hearings Panel containing recommendations on a notified application under the Reserves Act 1977 and the Local Government Act 2002, in respect of the proposal to issue leases to:
 - i. the Tennis Charitable Trust for Pt Lot 2 DP 24754, Oteha Valley Road, Albany.

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

<u>For</u>	<u>Against</u>	<u>Abstained</u>
Member J McLean	Member U Balouch	
Deputy Chairperson M Miles	Member N Mayne	
Member B Neeson		
Chairperson L Whyte		

The motion was declared CARRIED by 4 votes to 2.

CARRIED

Resolution number UH/2017/210

MOVED by Chairperson L Whyte, seconded by Member J McLean:

That the Upper Harbour Local Board:

- d) receive the report from the Hearings Panel containing recommendations on a notified application under the Reserves Act 1977 and the Local Government Act 2002, in respect of the proposal to issue leases to:
- i. a new legal entity or entities to be formed to occupy Pt Allot 18 Parish of Paremoremo, Pt Lot 3 Deeds 34, Pt Lot DP 53735, Pt Lots 4, 5, and 6 DP 10508, Wainoni Park, Greenhithe, for the purposes of equestrian activities.

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

<u>For</u>	<u>Against</u>	<u>Abstained</u>
Member J McLean	Member U Balouch	
Deputy Chairperson M Miles	Member N Mayne	
Member B Neeson		
Chairperson L Whyte		

The motion was declared CARRIED by 4 votes to 2.

CARRIED

Resolution number UH/2017/211

MOVED by Chairperson L Whyte, seconded by Member J McLean:

That the Upper Harbour Local Board:

- e) note the finding of the Hearings Panel that, as the decision-making body in respect of the intention to grant the proposed leases on Rosedale Park, Wainoni Park, Hooton Reserve and Oteha Valley Road, Auckland Council has complied with the procedures and requirements of the Reserves Act 1977 and the Local Government Act 2002, applicable to the granting of each of the four leases, and that the correct procedures in respect of the statutory requirements outlined in these Acts have been followed.

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

<u>For</u>	<u>Against</u>	<u>Abstained</u>
Member J McLean	Member N Mayne	Member U Balouch
Deputy Chairperson M Miles		
Member B Neeson		
Chairperson L Whyte		

The motion was declared CARRIED by 4 votes to 1.

CARRIED

Resolution number UH/2017/212

MOVED by Chairperson L Whyte, seconded by Member J McLean:

That the Upper Harbour Local Board:

- f) note that, in terms of the issues raised and the findings contained within the Hearings Panel's report, the four leases in the proposal meet the statutory tests and criteria of the relevant legislation and may be granted for a period of 10 years, with two rights of renewal each for a period of 10 years, as proposed during the public notification process.

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

<u>For</u>	<u>Against</u>	<u>Abstained</u>
Member J McLean	Member U Balouch	Deputy Chairperson M Miles
Member B Neeson	Member N Mayne	
Chairperson L Whyte		

The motion was declared CARRIED by 3 votes to 2.

CARRIED

Resolution number UH/2017/213

MOVED by Chairperson L Whyte, seconded by Member J McLean:

That the Upper Harbour Local Board:

- g) **agree with the independent hearings panel's recommendation to consider the benefits to the council, its lessees, and the community, of reviewing the management plans for Rosedale Park and Wainoni Park in 2018, as resource allows.**

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

<u>For</u>	<u>Against</u>	<u>Abstained</u>
Member N Mayne Member J McLean Deputy Chairperson M Miles Member B Neeson Chairperson L Whyte	Member U Balouch	

The motion was declared CARRIED by 5 votes to 1.

CARRIED

Resolution number UH/2017/214

MOVED by Chairperson L Whyte, seconded by Member J McLean:

That the Upper Harbour Local Board:

- h) **note and support the independent hearings panel's advocacy for council freehold land on Oteha Valley Road, intended to be included in the BMX lease, to be declared a reserve.**

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

<u>For</u>	<u>Against</u>	<u>Abstained</u>
Member N Mayne Member J McLean Deputy Chairperson M Miles Member B Neeson Chairperson L Whyte		Member U Balouch

The motion was declared CARRIED by 5 votes to 0.

CARRIED

Resolution number UH/2017/215

MOVED by Chairperson L Whyte, seconded by Member J McLean:

That the Upper Harbour Local Board:

- i) **support the independent hearings panel's advocacy and requests council to actively pursue the addition of the Pond 2 site to its public open space network, with its significant potential for active and passive recreation.**

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

<u>For</u>	<u>Against</u>	<u>Abstained</u>
Member N Mayne Member J McLean Deputy Chairperson M Miles Member B Neeson Chairperson L Whyte		Member U Balouch

The motion was declared CARRIED by 5 votes to 0.

CARRIED

24 **The Northern Corridor Improvements project - Granting of community leases and landowner approvals**

The General Manager Parks, Sports and Recreation, the Programme Interface Manager, the Hearings Panel Chairperson, two Senior Solicitors from Legal Services, the Leasing

Advisor, and the Land Use Advisor were in attendance to support the item.

Two letters were tabled at the meeting. Copies of these have been placed on the official minutes and are available to view at the Auckland Council website as minutes attachments.

Member M Miles moved a motion by way of an addition:

MOVED by Deputy Chairperson M Miles, seconded by Member N Mayne:

That the Upper Harbour Local Board:

- a) request that council staff pursue the following, subject to Auckland Council becoming the owner of the land at Brigham Creek Road:
 - i. the necessary process to enable a long-term lease to be considered for Rosedale Pony Club or any new entity formed by the amalgamation of the current pony club groups and Riding for the Disabled, which are proposed to be located at Wainoni Park at the Brigham Creek Road site, and which became available to council as noted on 18 May 2017
 - ii. that the area be equivalent to the land lost at Rosedale West, plus any land lost due to the fencing off of any streams on the Wainoni Park or the Brigham Creek Road land
 - iii. that the term of the lease be 10 years, with the right of renewal of two periods of 10 years
 - iv. that the lease and proposed conditions be brought back to the Upper Harbour Local Board for consideration.

Chairperson L Whyte moved an amendment to the original recommendation by way of a replacement of a) i., as follows:

Resolution number UH/2017/216

MOVED by Chairperson L Whyte, seconded by Member J McLean:

That the Upper Harbour Local Board:

- a) **request that council staff pursue the following, subject to Auckland Council becoming the owner of the land at Brigham Creek Road:**
 - i. **the necessary process to enable a lease to be considered for Rosedale Pony Club or any new entity formed by the amalgamation of the current pony club groups and Riding for the Disabled, which are proposed to be located at Wainoni Park at the Brigham Creek Road site, and which became available to council as noted on 18 May 2017.**

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

<u>For</u>	<u>Against</u>	<u>Abstained</u>
Member J McLean Deputy Chairperson M Miles Member B Neeson Chairperson L Whyte	Member N Mayne	Member U Balouch

The motion was declared CARRIED by 4 votes to 1.

CARRIED

With leave of the seconder, Member M Miles amended clause a) iii. as part of the substantive motion.

Resolution number UH/2017/217

MOVED by Deputy Chairperson M Miles, seconded by Member N Mayne:

That the Upper Harbour Local Board:

- a) **request that council staff pursue the following, subject to Auckland Council**

becoming the owner of the land at Brigham Creek Road:

- i. the necessary process to enable a lease to be considered for Rosedale Pony Club or any new entity formed by the amalgamation of the current pony club groups and Riding for the Disabled, which are proposed to be located at Wainoni Park at the Brigham Creek Road site, and which became available to council as noted on 18 May 2017.

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

<u>For</u>	<u>Against</u>	<u>Abstained</u>
Member U Balouch		
Member N Mayne		
Member J McLean		
Deputy Chairperson M Miles		
Member B Neeson		
Chairperson L Whyte		

The motion was declared CARRIED by 6 votes to 0.

CARRIED

Resolution number UH/2017/218

MOVED by Deputy Chairperson M Miles, seconded by Member N Mayne:

That the Upper Harbour Local Board:

- a) request that council staff pursue the following, subject to Auckland Council becoming the owner of the land at Brigham Creek Road:
 - ii. that the area be equivalent to the land lost at Rosedale West, plus any land lost due to the fencing off of any streams on the Wainoni Park or the Brigham Creek Road land.

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

<u>For</u>	<u>Against</u>	<u>Abstained</u>
Member U Balouch		
Member N Mayne		
Member J McLean		
Deputy Chairperson M Miles		
Member B Neeson		
Chairperson L Whyte		

The motion was declared CARRIED by 6 votes to 0.

CARRIED

Resolution number UH/2017/219

MOVED by Deputy Chairperson M Miles, seconded by Member N Mayne:

That the Upper Harbour Local Board:

- a) request that council staff pursue the following, subject to Auckland Council becoming the owner of the land at Brigham Creek Road:
 - iii. that the term of the lease be five years, with the right of renewal of two periods of five years.

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

<u>For</u>	<u>Against</u>	<u>Abstained</u>
Member U Balouch	Member J McLean	
Member N Mayne	Chairperson L Whyte	
Deputy Chairperson M Miles		
Member B Neeson		

The motion was declared CARRIED by 4 votes to 2.

CARRIED

Resolution number UH/2017/220

MOVED by Deputy Chairperson M Miles, seconded by Member N Mayne:

That the Upper Harbour Local Board:

- a) **request that council staff pursue the following, subject to Auckland Council becoming the owner of the land at Brigham Creek Road:**
- iv. **that the lease and proposed conditions be brought back to the Upper Harbour Local Board for consideration.**

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

<u>For</u>	<u>Against</u>	<u>Abstained</u>
Member U Balouch		
Member N Mayne		
Member J McLean		
Deputy Chairperson M Miles		
Member B Neeson		
Chairperson L Whyte		

The motion was declared CARRIED by 6 votes to 0.

CARRIED

Adjourn item of business

Resolution number UH/2017/221

MOVED by Chairperson L Whyte, seconded by Deputy Chairperson M Miles:

That the Upper Harbour Local Board:

- d) **agree that Item 24: The Northern Corridor Improvements project – Granting of community leases and landowner approvals, be adjourned from 1:43pm to 1:53pm to allow for the relocation of the meeting to an alternative meeting room. All members were present at the re-convening of the meeting.**

CARRIED

Resolution number UH/2017/222

MOVED by Chairperson L Whyte, seconded by Member J McLean:

That the Upper Harbour Local Board:

- b) **grant a community lease to:**
- i. **the Harbour Hockey Charitable Trust to occupy Pt Allot 133 Parish of Paremoremo, Part Allot 653 Parish of Paremoremo and Pt Section 4 SO 444 7999 on Rosedale Park, Bush Road, Albany:**
- a. **proposed term: 10 years commencing from the date of the final approval by the Minister of Conservation (or her delegate) with two rights of renewal for a further 10 years**
- b. **rent: \$1.00 plus GST per annum if requested**
- c. **provision in the head lease document to enter into a sub-lease with North Harbour Hockey Association Incorporated, that will continue to manage the facility.**

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

<u>For</u>	<u>Against</u>	<u>Abstained</u>
Member J McLean	Member U Balouch	

Member B Neeson
Chairperson L Whyte

Member N Mayne
Deputy Chairperson M Miles

The motion was declared EQUAL.

The chair exercised her casting vote FOR so the motion was CARRIED.

CARRIED

Resolution number UH/2017/223

MOVED by Chairperson L Whyte, seconded by Member J McLean:

That the Upper Harbour Local Board:

c) grant a community lease to:

- i. North Harbour BMX Association Incorporated to occupy Pt Lot 2 DP 24754 and Pt Lot 1 DP 198079, Hooton Reserve, Oteha Valley Road, Albany:**
 - a. proposed term: 10 years commencing from the date of the final approval by the Minister of Conservation (or her delegate) with two rights of renewal for a further 10 years**
 - b. rent: \$1.00 plus GST per annum if requested.**

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

<u>For</u>	<u>Against</u>	<u>Abstained</u>
Member J McLean	Member U Balouch	
Deputy Chairperson M Miles	Member N Mayne	
Member B Neeson		
Chairperson L Whyte		

The motion was declared CARRIED by 4 votes to 2.

CARRIED

Resolution number UH/2017/224

MOVED by Chairperson L Whyte, seconded by Member J McLean:

That the Upper Harbour Local Board:

d) grant a community lease to:

- i. the Tennis Charitable Trust to occupy Pt Lot 2 DP 24754, Oteha Valley Road, Albany:**
 - a. proposed term: 10 years commencing from the date of the final approval together with two further rights of renewal for a further 10 years**
 - b. rent: \$1.00 plus GST per annum if requested**
 - c. provision in the head lease document to enter into a sub-lease with Tennis Northern Region Incorporated, that will continue to manage the facility and further sub-letting or sub-licensing arrangements required to manage and document the activities at the site. All sub-lease/sub-license arrangements will require the approval of the Upper Harbour Local Board, and accord with the terms of the head lease**
 - d. note that the Tennis Charitable Trust will formally surrender that area of its lease required to accommodate the proposed BMX facility, together with the existing car park and the stormwater area to the rear of the site**
 - e. if a formal surrender cannot be signed in the required timeframe, the Upper Harbour Local Board approve giving notice to the Tennis Charitable Trust to take back the land required to be leased to North Harbour BMX Association, and terminate the Tennis Charitable Trust's lease in respect of this part only.**

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

<u>For</u>	<u>Against</u>	<u>Abstained</u>
Member J McLean	Member U Balouch	
Deputy Chairperson M Miles	Member N Mayne	
Member B Neeson		
Chairperson L Whyte		

The motion was declared CARRIED by 4 votes to 2.

CARRIED

Resolution number UH/2017/225

MOVED by Chairperson L Whyte, seconded by Member J McLean:

That the Upper Harbour Local Board:

e) grant a community lease to:

- i. the entity or entities to be formed that will occupy and use the equestrian facilities at Wainoni Park, described as Pt Allot 18 Parish of Paremoremo, Pt Lot 3 Deeds 34, Pt Lot 1 DP 53735, Pt Lots 4, 5 and 6 DP 10508 Wainoni Park, Greenhithe:**
 - a. proposed term: 10 years commencing from the date of the final approval by the Minister of Conservation (or her delegate) with two rights of renewal for a further 10 years**
 - b. rent: \$1.00 plus GST per annum if requested.**

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

<u>For</u>	<u>Against</u>	<u>Abstained</u>
Member J McLean	Member U Balouch	Deputy Chairperson M Miles
Member B Neeson	Member N Mayne	
Chairperson L Whyte		

The motion was declared CARRIED by 3 votes to 2.

CARRIED

Resolution number UH/2017/226

MOVED by Chairperson L Whyte, seconded by Member J McLean:

That the Upper Harbour Local Board:

- f) approve the landowner application from the Harbour Hockey Charitable Trust, for the construction of the North Harbour Hockey Stadium at Rosedale Park West, Rosedale.**

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

<u>For</u>	<u>Against</u>	<u>Abstained</u>
Member J McLean	Member U Balouch	
Member B Neeson	Member N Mayne	
Chairperson L Whyte	Deputy Chairperson M Miles	

The motion was declared EQUAL.

The chair exercised her casting vote FOR so the motion was CARRIED.

CARRIED

Resolution number UH/2017/227

MOVED by Chairperson L Whyte, seconded by Member J McLean:

That the Upper Harbour Local Board:

- g) approve the landowner application from the New Zealand Transport Agency, for the construction of the North Harbour BMX Association Incorporated facility at Hooton Reserve and 259 R Oteha Valley Road, Albany.**

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

<u>For</u>	<u>Against</u>	<u>Abstained</u>
Member J McLean	Member U Balouch	
Deputy Chairperson M Miles	Member N Mayne	
Member B Neeson		
Chairperson L Whyte		

The motion was declared CARRIED by 4 votes to 2.

CARRIED

Resolution number UH/2017/228

MOVED by Chairperson L Whyte, seconded by Member J McLean:

That the Upper Harbour Local Board:

- h) approve the landowner application from the New Zealand Transport Agency, for the construction of the Equestrian Development at Wainoni Park, Greenhithe.**

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

<u>For</u>	<u>Against</u>	<u>Abstained</u>
Member J McLean	Member U Balouch	
Deputy Chairperson M Miles	Member N Mayne	
Member B Neeson		
Chairperson L Whyte		

The motion was declared CARRIED by 4 votes to 2.

CARRIED

Resolution number UH/2017/229

MOVED by Chairperson L Whyte, seconded by Member J McLean:

That the Upper Harbour Local Board:

- i) approve the early access application for the Harbour Hockey Charitable Trust site at Rosedale Park West, which allows early construction works prior to a formal lease agreement, subject to agreement from the current lessee.**

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

<u>For</u>	<u>Against</u>	<u>Abstained</u>
Member J McLean	Member U Balouch	
Deputy Chairperson M Miles	Member N Mayne	
Member B Neeson		
Chairperson L Whyte		

The motion was declared CARRIED by 4 votes to 2.

CARRIED

Resolution number UH/2017/230

MOVED by Chairperson L Whyte, seconded by Member J McLean:

That the Upper Harbour Local Board:

- j) approve the early access application for both Wainoni Park and the BMX site at Hooton Reserve and 259 R Oteha Valley Road, which allows early construction works prior to a formal lease agreement.**

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

<u>For</u>	<u>Against</u>	<u>Abstained</u>
Member J McLean	Member U Balouch	
Deputy Chairperson M Miles	Member N Mayne	
Member B Neeson		
Chairperson L Whyte		

The motion was declared CARRIED by 4 votes to 2.

CARRIED

Resolution number UH/2017/231

MOVED by Chairperson L Whyte, seconded by Member J McLean:

That the Upper Harbour Local Board:

- k) approve that the assets, as agreed, will be left on the current North Harbour Hockey Stadium site, at Rosedale Park South, until the future of the area is established.**

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

<u>For</u>	<u>Against</u>	<u>Abstained</u>
Member U Balouch		
Member N Mayne		
Member J McLean		
Deputy Chairperson M Miles		
Member B Neeson		
Chairperson L Whyte		

The motion was declared CARRIED by 6 votes to 0.

CARRIED

Resolution number UH/2017/232

MOVED by Chairperson L Whyte, seconded by Member J McLean:

That the Upper Harbour Local Board:

- l) approve the landowner application for the associated operational requirements set by council during the resource consent process.**

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

<u>For</u>	<u>Against</u>	<u>Abstained</u>
Member J McLean	Member U Balouch	
Member B Neeson	Member N Mayne	
Chairperson L Whyte	Deputy Chairperson M Miles	

The motion was declared EQUAL.

The chair exercised her casting vote FOR so the motion was CARRIED.

CARRIED

Secretarial note: The operational requirements for constructing a facility such as the Harbour Hockey Stadium, will not only be limited to the resource consent conditions, but need to consider the additional requirements of the management of the whole reserve, particularly the protection of the natural environment.

Resolution number UH/2017/233

MOVED by Chairperson L Whyte, seconded by Member J McLean:

That the Upper Harbour Local Board:

- m) approve the landowner application for any associated works required in the resource consent process for land that falls outside of the three proposed leased areas, such as mitigation planting and noise cancelling structures, on the condition that the mitigation planting plan comes back to the local board separately for approval.**

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

<u>For</u>	<u>Against</u>	<u>Abstained</u>
Member J McLean	Member U Balouch	
Deputy Chairperson M Miles	Member N Mayne	

Member B Neeson
Chairperson L Whyte

The motion was declared CARRIED by 4 votes to 2.

CARRIED

Attachments

- A Letter received from the four impacted pony clubs regarding Brigham Creek
- B Letter of support received from Ngaati Whanaunga

Secretarial note: The operational requirements for any associated works for land that falls outside of the three proposed leased areas, need to consider the additional requirements of the management of the whole reserve, in particular the protection of the natural environment, and should not only be limited to the resource consent conditions.

Member J McLean left the meeting at 2:30pm.

Member U Balouch left the meeting at 2:36pm.

25 Local board feedback on rates remission and postponement policy review

The Relationship Manager was in attendance to support the item.

Resolution number UH/2017/234

MOVED by Chairperson L Whyte, seconded by Member B Neeson:

That the Upper Harbour Local Board:

- a) **does not support the recommended option one, to integrate with the contestable grants scheme due to the following concerns:**
 - i. **there is no assurance to local boards that the funding provided to local boards through the grant scheme will be increased in line with rates increases so that the proportion of rates relief available to eligible parties also increases and is commensurate.**
 - ii. **the current remission scheme is inequitable because not all former legacy council areas had such a scheme in place and integrating this with the contestable grants scheme does not address this inequity.**
- b) **considers that the recommended option one does not address outstanding equity issues because:**
 - i. **where community halls and other facilities are owned and maintained by local communities they provide a service to the community without cost to council**
 - ii. **the current remissions policy goes a small way to address the differential between community operated facilities and those facilities that are fully council funded in other areas, by providing rates relief to communities who would otherwise receive no funding; this is fair given the service the community operated facilities provide**
 - iii. **adjusting the remissions policy to require that groups apply for an annual grant is inequitable in light of the funding available in other areas, and worsens the situation instead of improving it by removing the certainty for communities and making their funding subject to annual decision making**
 - iv. **if the equity issues are to be properly addressed, all community halls and other facilities which rely on rates remissions should be fully funded on**

- the same basis as those halls and facilities in other legacy council areas.
- c) request an additional option be investigated for the development of a region-wide scheme, which may have some local decision-making, that supports community and sporting organisations and natural and historic heritage assets as all current options identified seek to deal with legacy schemes rather than setting a holistic policy to achieve agreed outcomes through this investment.
- d) support option two in the interim to retain the legacy remission and postponement schemes (status quo) until further investigation is undertaken on the option of a region-wide scheme, noting the following comments:
- i. section 98 of the Auckland Council Community Grants Policy states that rates rebates, rates remissions and rates postponements are out of scope for the Community Grants Policy.
 - ii. the grant system being suggested is only for a three year period which means that there is no certainty for those community groups owning and operating halls that the arrangement would continue beyond that three year period.
 - iii. the proposal states “this will be smoothed over time by the Local Board Funding Policy” but it is unclear how legacy areas where the rates remission type of arrangement was in place will be impacted or affected in the future and how this improves upon current inequities.
 - iv. the limitations with the Smarty Grants system already has many community groups expressing concerns on how onerous it can be to apply for a grant and the local board expresses its concern regarding the use of this process for rates remissions.
 - v. there are unresolved concerns that have been raised previously by the northern local boards regarding funding gaps identified for community houses, community centres and art facilities due to inequitable levels of funding and the use of local board’s operational Locally Driven Initiatives budget to fund these centres where-Asset Based Services funding is not adequately provided.
 - vi. it is unclear whether this Rates Remission and Postponement Policy Review is taking into account the Sports Facility Investment Plan, which is looking to take a systematic approach to regional investment in a network of sport facilities and moving away from an ad hoc and inconsistent investment across legacy councils and as the draft Sports Facility Investment Plan looks for increased revenue opportunities while moving away from removal of rates remissions and postponements.

CARRIED

Member U Balouch returned to the meeting at 2:44pm.

26 Decision making allocation

The Relationship Manager was in attendance to support the item.

Resolution number UH/2017/235

MOVED by Member B Neeson, seconded by Member U Balouch:

That the Upper Harbour Local Board:

- a) receive the proposed allocation of non-regulatory decision-making as attached to this report.

- b) request the catch-all phrase “all other non-regulatory activities of Auckland Council” defaulting to the Governing Body be referred to the Auckland Governance Political Working Party for review as it has not always been applied appropriately in the past.

CARRIED

27 Governance forward work calendar - January to December 2018

Resolution number UH/2017/236

MOVED by Member B Neeson, seconded by Deputy Chairperson M Miles:

That the Upper Harbour Local Board:

- a) receive the Upper Harbour Local Board governance forward work calendar for the period January to December 2018, as set out in Attachment A to this agenda report.

CARRIED

28 Record of the Upper Harbour Local Board workshops held on Thursday 9 November, 23 November, and 30 November 2017

Resolution number UH/2017/237

MOVED by Chairperson L Whyte, seconded by Member N Mayne:

That the Upper Harbour Local Board:

- a) receive the record of the Upper Harbour Local Board workshops held on Thursday 9 November, 23 November, and 30 November 2017 (refer to Attachments A, B, and C to this agenda report).

CARRIED

29 Board Members' reports - December 2017

Resolution number UH/2017/238

MOVED by Chairperson L Whyte, seconded by Member N Mayne:

That the Upper Harbour Local Board:

- a) request that Panuku Development Auckland investigate the impact of the Unitary Plan on the land leased to Hobsonville Marina Limited, and report its findings back to the board.
- b) receive the verbal board members' reports.

CARRIED

30 Consideration of Extraordinary Items

There was no consideration of extraordinary items.

Public Excluded

Resolution number UH/2017/239

MOVED by Deputy Chairperson M Miles, seconded by Chairperson L Whyte:

That the Upper Harbour Local Board:

- a) exclude the public from the following part 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:

25 Local board feedback on rates remission and postponed policy review – Attachment D – All community and sporting remissions by local board area

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
.In particular, the report contains information about arrears, remissions, or postponed rates that are not available for public inspection in accordance with the Local Government Rating Act 2002 Section 38(1)(e).	N/A	s48(1)(b) The public conduct of the part of the meeting would be likely to result in the disclosure of information which would be contrary to a specified enactment or constitute contempt of court or contempt of the House of Representatives.

The text of these resolutions is made available to the public who are present at the meeting and form part of the minutes of the meeting.

CARRIED

RESTATEMENTS

It was resolved while the public was excluded:

25 Local board feedback on rates remission and postponement policy review

The Relationship Manager was in attendance to support the item.

Resolution number UH/2017/240

MOVED by Deputy Chairperson M Miles, seconded by Member N Mayne:

That the Upper Harbour Local Board:

- a) **agree to note and retain the confidential status of attachment D to Item 25.**

CARRIED

3.01 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 UPPER HARBOUR LOCAL
BOARD HELD ON

DATE:.....

CHAIRPERSON:.....