

Devonport-Takapuna Local Board minutes – 17 October 2017

Resolution number DT/2017/228

MOVED by Chairperson G Gillon, seconded by Member J O'Connor:

That the Devonport-Takapuna Local Board:

- a) **strongly supports the community's views where:**
 - i. **57 percent of all submitters do not support the change of use of 40 Anzac Street from a single-level asphalt car park to an area of mixed development; and**
 - ii. **30 percent of all submitters either support retaining the carpark, or want more carparking on 40 Anzac Street.**
- b) **recommends that there be no change of use to 40 Anzac Street and the site continue to be used as a carpark.**
- c) **notes that the Hearings Panel has endorsed the change of use of 40 Anzac Street, and subsequently recommends that if the Planning Committee recommends a change in use, that the sale and purchase agreement include the following provisions:**
 - i. **the mixed development be constructed on the perimeter of the existing site; as this will enable the development of quality open space and / or a civic plaza that also links Potter's Park to Hurstmere Green;**
 - ii. **that the quality public open space and / or civic plaza is large enough to retain the Takapuna Sunday markets (as noted by 44 percent of all submitters), and meets the plaza provisions as outlined council's Open Space Provision Policy;**
 - iii. **the mixed development does not have any detrimental impacts to Potter's Park (i.e. shadowing); and no reduction in the overall size of the park.**
 - iv. **that there be no overall reduction in quality open space at 40 Anzac Street; and**
 - v. **an underground public carpark be constructed, with a minimum of 400 carparks on the current site, and preferably is managed by Auckland Transport.**
- d) **recommends that if there is a change of use to 40 Anzac Street, that under no circumstances will there be a reduction in the overall size of Potter's Park.**
- e) **notes that Panuku advises that any change at Anzac Street should not take place for two years.**
- f) **recommends that, following the Planning Committee's decision on this issue, that if there is a decision for change of use, that further public consultation be undertaken to ensure the local views and preferences are reflected before any change of use to 40 Anzac Street, and before the site is sold within that two year period.**
- g) **recommends that no changes in use at 40 Anzac Street be undertaken until the development of the Gasometre carpark is completed.**
- h) **recommends the Finance and Performance Committee endorse the proposal to reinvest proceeds of any property sales back to the same Unlock location, with the purpose to fund capital projects and initiatives articulated in not only the council-approved High Level Project Plans, but also the relevant local board plan, or other key planning documents (e.g. a local board centre plan).**
- i) **requests from Auckland Transport the report which outlines the updated**

carparking projections and statistics, as outlined at the 16 October Hearings Panel deliberations.

- j) requests from staff the Hearings Panel full recommendations.
- k) delegates authority to Chair Gillon and Deputy Chair Wood to finalise the local board's feedback, following the release of the Hearings Panel report on the proposed change of use at 40 Anzac Street.

UNANIMOUSLY CARRIED

Devonport-Takapuna Local Board minutes – 20 February 2018

Resolution number DT/2018/14

MOVED by Chairperson G Gillon, seconded by Member M Sheehy:

That the Devonport-Takapuna Local Board:

- a) restates resolution number DT/2017/228 passed at its 17th October 2017 business meeting in relation to the proposed change of use of 40 Anzac Street, Takapuna.
- b) notes that, as a result of further consultation with the community post the local board's 17 October 2017 business meeting, and after receipt of further information received from Panuku that the construction of an underground carpark at 40 Anzac Street, Takapuna is cost prohibitive, the local board would subsequently support the construction of an unobtrusive multi-storey above ground parking structure on 40 Anzac Street that caters for a minimum of 400 carparks.
- c) notes and endorses the following feedback received from the community as part of consultation undertaken post the local board's 17 October 2017 business meeting:
 - i) that the proposed carpark at the Gasometer site does not replace the quantum of parking currently provided at the 40 Anzac Street site, and that the Gasometer site should instead provide additional car parking for the Takapuna town centre;
 - ii) that the views and preferences of the Devonport-Takapuna Local Board be sought at business meetings prior to the Panuku Board making any decisions relating to either the Gasometer or 40 Anzac Street sites;
 - iii) that the Devonport-Takapuna Local Board, Panuku and a group of members from the community work together to co-design any concept plans and detailed design for the 40 Anzac Street site in the event change of use is supported by the governing body; and
 - iv) that, in the event the governing body supports the change of use of 40 Anzac Street, the Devonport-Takapuna Local Board and Panuku work together to develop and undertake community consultation on concept plans and detailed design for the site.

CARRIED

Devonport-Takapuna Local Board minutes – 20 February 2018 – Notice of Motion

12 Notice of Motion - Mike Cohen - 40 Anzac Street, Takapuna

In accordance with Standing Order 2.5.6 Member Cohen sought the consent of the meeting to enable alteration of the notice of motion. The Chairperson put this to an informal vote and a majority of members provided consent to alter the original motions.

A copy of the ammended notice of motion has been attached to the official minutes and can be viewed on the Auckland Council website.

Motion

Resolution number DT/2018/10

MOVED by Member M Cohen, seconded by Chairperson G Gillon:

That the Devonport-Takapuna Local Board:

- a) recognises Takapuna's unique location and the opportunities for a vibrant people orientated town centre, requires short-stay car parking directly adjacent to the shopping precinct, to ensure customers commitment to the community by provision of convenient connectivity.

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

<u>For</u>	<u>Against</u>	<u>Abstained</u>
Chairperson G Gillon		
Deputy Chairperson GW Wood		
Member M Cohen		
Member J McKenzie		
Member J O'Connor		
Member M Sheehy		

The motion was declared CARRIED by 6 votes to 0.

CARRIED

- b) regards the land 'ownership and use' at 40 Anzac Street, Takapuna, as a local "Strategic Asset" in democratic representation of the Devonport-Takapuna Local Board communities; as is the statutory obligation of the local board under Section 10 of the Local Government Act 2002.

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

<u>For</u>	<u>Against</u>	<u>Abstained</u>
Member M Cohen	Member J McKenzie	
Chairperson G Gillon	Member M Sheehy	
Member J O'Connor	Deputy Chairperson GW Wood	

The motion was declared EQUAL by 3 votes to 3.

The Chairperson exercised his casting vote for so the motion was Carried.

The motion was declared CARRIED

CARRIED

- c) reinforces local board resolution number DT/2017/228 noting that the central Anzac Street carpark is integral to the Takapuna retail and hospitality business district, and that the current 270 carparks at the Anzac Street site should be protected.

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

<u>For</u>	<u>Against</u>	<u>Abstained</u>
Chairperson G Gillon		
Deputy Chairperson GW Wood		
Member M Cohen		
Member J McKenzie		
Member J O'Connor		
Member M Sheehy		

The motion was declared CARRIED by 6 votes to 0.

CARRIED

- d) regards the purpose to reclassify 40 Anzac Street, Takapuna as "strategic" under Section 5 of the Local Government Act 2002 reinforces its "significance" to the community, to ensure that the local authority understand that it is not "superfluous to use" and is not "an excellent example of land suitable for immediate disposal" as detailed in Panuku's Statement of Intent, nor meeting its best potential by the transition into "urban housing", as its current use and future "urban renewal" potential as both parking and open space are integral to the success and identity of the community.

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

<u>For</u>	<u>Against</u>	<u>Abstained</u>
Member M Cohen	Chairperson G Gillon	
Member J O'Connor	Deputy Chairperson GW Wood	
	Member J McKenzie	
	Member M Sheehy	

The motion was declared LOST by 2 votes to 4.

LOST

- e) regards that the classification of 40 Anzac Street, Takapuna as a "strategic asset" will ensure the provision of "service and infrastructure" and that it "meets the current needs of the community" as is the statutory obligation of the local authority under Section 10 of the Local Government Act 2002, which allows the local board's decision to better "enable the purpose of local government to be given effect to within the local board area" in accordance with Section 10(b) of the Local Government Act 2002.

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

<u>For</u>	<u>Against</u>	<u>Abstained</u>
Member M Cohen	Chairperson G Gillon	
Member J O'Connor	Deputy Chairperson GW Wood	
	Member J McKenzie	
	Member M Sheehy	

The motion was declared LOST by 2 votes to 4.

LOST

- f) regards the protection of the “5 hours or less” short-stay car-parking provision at the 40 Anzac Street, Takapuna location will both support and enable the legislative obligation of Auckland Council’s council-controlled organisations (CCOs) to provide “connectivity and accessibility” to increase public wellbeing under their Section 13.3 Accountability Policy.

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

<u>For</u>	<u>Against</u>	<u>Abstained</u>
Member M Cohen	Chairperson G Gillon	
Member J O’Connor	Deputy Chairperson GW Wood	
	Member J McKenzie	
	Member M Sheehy	

The motion was declared LOST by 2 votes to 4.

LOST

- g) regards that continued provision of the 40 Anzac Street, Takapuna location for parking ensures obligations under the Human Rights Act 1993 are met; whereby the local board does not go “beyond its power” to discriminate against community access for aged residents and parents or grandparents with young children, who require parking with immediate proximity to the shopping precinct, as detailed under Section 134.1.(b) and (c), whereby elimination of the Anzac Street carpark would both refuse their right and require that they cease to use parking facilities that currently provide them with close and continued access to their community, and that this parking location is necessary under Section 73 (b) of the Act to provide “measures to ensure equality”, whereby “those persons or groups need or may reasonably be supposed to need assistance or advancement in order to achieve an equal place with other members of the community”, whilst acknowledging that Takapuna has people with disabilities, which is further compounded by an aging population.

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

<u>For</u>	<u>Against</u>	<u>Abstained</u>
Member M Cohen	Chairperson G Gillon	
Member J O’Connor	Deputy Chairperson GW Wood	
	Member J McKenzie	
	Member M Sheehy	

The motion was declared LOST by 2 votes to 4.

LOST

- h) requests that in March 2018, the Auckland Council’s Planning Committee register 40 Anzac Street, Takapuna on the local Strategic Asset Policy classification list, for both Takapuna and the wider Devonport-Takapuna Local Board area in accordance with Section 76AA sub section (3) of the Local Government Act 2002, whereby under sub section (5) the local board proposes that it considers on reasonable grounds that it has sufficient information about community interests and preferences to enable the purpose of the policy to be achieved without any further consultation required.

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

<u>For</u>	<u>Against</u>	<u>Abstained</u>
Member M Cohen	Chairperson G Gillon	
Member J O'Connor	Deputy Chairperson GW Wood	
	Member J McKenzie	
	Member M Sheehy	

The motion was declared LOST by 2 votes to 4.

LOST

- i) regards it as crucial that the public land at 40 Anzac Street, Takapuna is retained in its current form to future proof for future generations to best respond to the needs of the Takapuna metro centre and its future growth and enable it progress to create a genuine people and pedestrian oriented place to live, work, play and study.

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

<u>For</u>	<u>Against</u>	<u>Abstained</u>
Chairperson G Gillon		
Deputy Chairperson GW Wood		
Member M Cohen		
Member J McKenzie		
Member J O'Connor		
Member M Sheehy		

The motion was declared CARRIED by 6 votes to 0.

CARRIED

- j) recommends to the working party established by the Governing Body on 28 September 2017 to consider ongoing joint governing body / local board governance issues (resolution number GB/2017/123), that the current *Allocation of Decision-Making Responsibility for Non-Regulatory Activities* document be reviewed to enable local boards to have more direct decision-making over local assets that the respective community and local board deem to be strategic in nature.

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

<u>For</u>	<u>Against</u>	<u>Abstained</u>
Chairperson G Gillon		
Deputy Chairperson GW Wood		
Member M Cohen		
Member J McKenzie		
Member J O'Connor		
Member M Sheehy		

The motion was declared CARRIED by 6 votes to 0.

CARRIED