

Franklin Local Board

OPEN MINUTES

Minutes of a meeting of the Franklin Local Board held in the Local Board Chambers, Pukekohe Service Centre, 82 Manukau Road, Pukekohe on Tuesday, 23 October 2018 at 9.30am.

PRESENT

Chairperson	Angela Fulljames
Deputy Chairperson	Andrew Baker
Members	Malcolm Bell
	Alan Cole
	Sharlene Druyven
	Amanda Hopkins
	Murray Kay
	Niko Kloeten

ABSENT

Elected Member	Brendon Crompton
----------------	------------------

1 Welcome

The Chair opened the meeting and welcomed everyone present.

2 Apologies

Resolution number FR/2018/144

MOVED by Chairperson A Fulljames, seconded by Member M Bell:

That the Franklin Local Board:

- a) **accept the apology from Brendon Crompton for absence.**

CARRIED

3 Declaration of Interest

There were no declarations of interest.

4 Confirmation of Minutes

Resolution number FR/2018/145

MOVED by Deputy Chairperson A Baker, seconded by Member M Bell:

That the Franklin Local Board:

- a) **confirm the ordinary minutes of its meeting, held on Tuesday, 25 September 2018, as true and correct.**

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 Deputation - Colin Harrington, Awhitu trails

A powerpoint presentation was provided, as well as some local information documents. A copy has been placed on the official minutes and is available on the Auckland Council website as a minutes attachment.

Resolution number FR/2018/146

MOVED by Member S Druyven, seconded by Member A Hopkins:

That the Franklin Local Board:

- a) **receive the presentation on a proposed Awhitu trail and thank Colin Harrington for his attendance.**

CARRIED

Attachments

- A 23 October 2018 Item 8.1 Deputation: Awhitu Trails
- B 23 October 2018 Item 8.1 Deputation: Franklin Eco Adventures

9 Public Forum

There was no public forum.

10 Extraordinary Business

There was no extraordinary business.

11 Auckland Transport Monthly Update to the Franklin Local Board - October 2018

Jenni Wild, Relationship Manager Elected Members South, Auckland Transport, was in attendance for this item and spoke to the report.

Resolution number FR/2018/147

MOVED by Member A Cole, seconded by Deputy Chairperson A Baker:

That the Franklin Local Board:

- a) **receives the report entitled 'Auckland Transport update to the Franklin Local Board – October 2018'.**
- b) **request Auckland Transport to provide rough orders of costs for the potential new Local Board Transport Capital Fund projects listed below:**
 - i) **Ronald Avenue roading improvements, Glenbrook Beach – new kerb and channel, new footpath and formalised parking (angle if possible) on the flat section of Ronald Avenue and Fleet Street;**
 - ii) **172-174 Princes Street West, Pukekohe – new kerb and channel on the south side fronting the Princes Street Reserve between property numbers 166 and 176 (approx. 35m long);**
 - iii) **Awhitu Road, Awhitu Peninsula – completion of flag lighting at every intersection along Awhitu Road when not already present and using solar lighting where a power connection is not economically available;**
 - iv) **Tourist Road and Monument Road intersection, Clevedon – installation of**

- motion-activated electronic warning signage on Tourist Road approaches to the intersection;
- v) Shelly Bay Road, Beachlands – new kerb and channel on both sides of Shelly Bay Road between Beachlands and Karaka Roads intersections;
 - vi) Karaka Road, Beachlands – new kerb and channel on north side of Karaka Road fronting Beachlands Domain;
 - vii) First View Avenue, Beachlands – new kerb and channel on both sides of First View Avenue between Bell Road and Pohutukawa Road intersections;
 - viii) Second View Avenue, Beachlands – new kerb and channel on south side between Cherrie Road and Sunkist Bay Road intersection.
- c) request that Auckland Transport provide a list of any bus stops in the Franklin Local Board area for which new bus shelter requests have been received, and boarding information for those stops concerned.
- d) request that Auckland Transport include the intersection of Ararimu Road and Dunn Road in the ‘traverse bar markings September to June work programme’ to improve safety at this location.

CARRIED

12 Renewal of lease and deed of lease for additional premises to Franklin Historical Society Incorporated, 22 Edinburgh Street and Roulston Park, 9 Stadium Drive, Pukekohe

Resolution number FR/2018/148

MOVED by Deputy Chairperson A Baker, seconded by Member A Cole:

That the Franklin Local Board:

- a) **grants a renewal of community lease to Franklin Historical Society Incorporated for its rooms at 22 Edinburgh Street, Pukekohe subject to the following terms and conditions:**
 - i. **term – 10 years commencing 1 March 2017 to 28 February 2027 with one further term of renewal of 10 years.**
 - ii. **rent - \$200 plus GST per annum (which contributes to the subsidised maintenance of a council owned building).**
 - iii. **request the addition of a clause to the renewed lease agreement that allows either party to give 12 months’ notice if the building is required for an alternative use.**
 - iv. **all other terms and conditions in accordance with the lease to Franklin Historical Society Incorporated dated 13 May 2008 and the Local Government Act 2002.**
- b) **grants a lease for additional premises, subject to public notification and iwi consultation, to Franklin Historical Society Incorporated for the gallery room at 22 Edinburgh Street, Pukekohe (Attachment A) with the following terms and conditions:**
 - i. **term – 10 years commencing 1 March 2017 to 28 February 2027 with one further renewal term of 10 years.**
 - ii. **all other terms and conditions in accordance with the lease to Franklin Historical Society Incorporated dated 13 May 2008 and the Local**

Government Act 2002.

- c) **grant a lease for additional premises, subject to public notification and iwi consultation, to Franklin Historical Society Incorporated for the Pioneer Cottage at Roulston Park, 9 Stadium Drive, Pukekohe (Attachment B) with the following terms and conditions:**
 - i. **term – 10 years commencing 1 March 2017 to 28 February 2027 with one further renewal term of 10 years**
 - ii. **all other terms and conditions in accordance with the lease to Franklin Historical Society Incorporated dated 13 May 2008 and the Reserves Act 1977.**
- d) **the local board to appoint a hearings panel of its members to determine any submissions received as a result of public notification.**

CARRIED

13 Renewal and variation of community lease to Te Akonga Early Learning Centre at 71 Franklin Road, Pukekohe

Resolution number FR/2018/149

MOVED by Deputy Chairperson A Baker, seconded by Chairperson A Fulljames:

That the Franklin Local Board:

- a) **approves a renewal and variation of the community lease to Te Akonga Early Learning Centre for the land at 71 Franklin Road, Pukekohe subject to the following terms and conditions:**
 - i) **term – 10 years commencing 1 October 2016 to 30 September 2026**
 - ii) **Retain the rent from 1 October 2018, at \$150.00 plus GST per annum.**
 - iii) **all other terms and conditions in accordance with the lease to Te Akonga Early Learning Centre dated 13 March 2007 and the Local Government Act 2002.**

CARRIED

14 New community lease to Royal New Zealand Plunket Trust, Whitford War Memorial Domain, 53R Whitford-Maraetai Road, Whitford

Resolution number FR/2018/150

MOVED by Chairperson A Fulljames, seconded by Member M Bell:

That the Franklin Local Board:

- a) **grant a new community lease, subject to public notification and iwi consultation, to the Royal New Zealand Plunket Trust, located on part of Whitford War Memorial Domain, 53R Whitford-Maraetai Road, Whitford (Attachment A), on the following terms and conditions:**
 - i) **term – five years commencing 1 December 2018 with one five year right of renewal**
 - ii) **rent - \$1.00 plus GST per annum if requested**
 - iii) **maintenance fee - \$250.00 plus GST per annum**

- iv) the approved Royal New Zealand Plunket Trust, Whitford Community Outcomes Plan (Attachment B) be attached as a schedule to the lease document
 - v) all other terms and conditions in accordance with the Local Government Act 2002 and the Auckland Council Community Occupancy Guidelines 2012.
- b) appoint a hearings panel of its members to consider and determine any submissions received as a result of public notification if required.

CARRIED

15 Names for roads being extended in the subdivision at 96 Karaka Road, Beachlands by Pine Harbour Holdings Limited

Resolution number FR/2018/151

MOVED by Member M Bell, seconded by Member A Hopkins:

That the Franklin Local Board:

- a) approves the names 'Jack Lachlan Drive' and 'Gateway Avenue' for the extension of the roads with the same names in the subdivision at 96 Karaka Road, Beachlands, in accordance with section 319(1)(j) of the Local Government Act 1974.

CARRIED

16 Local Board endorsement of change in project status level for Pukekohe.

Resolution number FR/2018/152

MOVED by Chairperson A Fulljames, seconded by Deputy Chairperson A Baker:

That the Franklin Local Board:

- a) endorse Panuku to seek a change in Pukekohe project status from 'Support' to 'Unlock' at the governing body meeting in November 2018.
- b) reinforce its expectation of involvement through a partnership approach from commencement and throughout the development and delivery of the Pukekohe 'Unlock' project.

CARRIED

17 Draft Facility Partnership Policy

Resolution number FR/2018/153

MOVED by Chairperson A Fulljames, seconded by Member N Kloeten:

That the Franklin Local Board:

- a) supports the adoption of the Draft Facility Partnerships Policy, and provide any additional feedback on the proposed approach for the Environment and Community Committee's consideration.
- b) supports the adoption of the draft Facility Partnership Policy and provides the following feedback on the proposed approach for the Environment and

Community Committee's consideration:

- i. strongly supports the policy's approach to enable communities and council to work together to deliver shared outcomes;**
- ii. supports the approach enabling requirements for partnerships to be tailored to the scale, complexity and risk of each proposal;**
- iii. strongly supports the proposed investment in existing spaces in preference to building new facilities;**
- iv. recommends that council facilitate proactive partnerships with 'grass roots' community groups by ensuring that the tendering process is not overly restrictive or weighted against community involvement;**
- v. supports the approach to valuing 'in kind' investment, particularly the recognition of volunteer effort and the empowerment of communities to contribute towards projects;**
- vi. requests that the Environment and Community Committee adequately resource the work of community partnerships, by ensuring that adequate funding is allocated to cover the depreciation and consequential operational expenses needed to maintain and renew these facilities;**
- vii. requests that staff provide an update as soon as practicable on the appointment of the proposed lead relationship brokers and how the effectiveness of this approach for partners will be monitored.**

CARRIED

18 Review of the Code of Conduct

Resolution number FR/2018/154

MOVED by Deputy Chairperson A Baker, seconded by Member S Druyven:

That the Franklin Local Board:

- a) provides its feedback on the draft Code of Conduct attached to this report.**
 - i. notes the documents entitled 'Draft Auckland Council Code of Conduct' and 'Draft Auckland Council Code of Conduct – Attachments', in attachments A and B of this agenda report.**
 - ii. supports the overall approach towards a more concise, positive and principle-based code of conduct.**
 - iii. supports the two core principles of Trust and Respect.**
 - iv. seeks the bullet point under the Respect principle to be amended to required elected members to maintain confidentiality of confidential information rather than the confidentiality of all information.**
 - v. recommends the inclusion of a requirement for members to sign the code at the first business meeting, provided there has been a prior opportunity to discuss the implications at an induction workshop.**
 - vi. recommends the inclusion of the code and supporting policies and protocols as part of the information pack sent out to prospective election**

candidates

Complaints Process

- vii. recommends that the complaints process includes the chief executive undertaking an initial assessment to determine whether the complainant has attempted to resolve the complaint and the complaint fits the criteria of a breach before referring to an investigator.

Conflict of Interest

- viii. does not agree that a lack of action by the elected member on internal audits advice should be automatically or usually deemed to be a material breach, as the advice may later be determined by the Code of Conduct commissioner to be wrong.
- ix. recommends that section 4.11 should be reworded to read "...referred to the Conduct Commissioner for investigation as a potential material breach".

Access to information protocol

- x. welcomes the proposed new process for providing elected members with useful information more quickly, particularly where it can be provided to a member in a timely manner before a meeting where the information is relevant to a decision that is to be made there.
- xi. considers that it is not appropriate for the chief executive to be required to determine what is 'reasonably necessary', as this is too subjective and does not engender a collaborative approach.
- xii. considers that the principles of Trust and Respect equally apply to the chief executive's approach to information requests from elected members.
- xiii. recommends that the access to information protocol utilises the 'relevance test' only, as elected members have different levels of information requirements to support their decision making. Sections 3.2 to 3.6 should be amended to retain the 'good reason' principle and the 'relevant to' test but delete the 'reasonably necessary' test throughout.

Media protocols

- xiv. recommends that the media protocols are revised to allow the deputy chair to speak on behalf of the chair when they are not available.
- xv. requests that the protocols are revised to reflect local board member roles as agreed by the board as a whole, to enable them to be the local board spokesperson in their areas of responsibility, expertise or subdivision.

CARRIED

19 Community Response Fund allocation to Panuku Development Auckland on behalf of Pukekohe Performing Arts

Resolution number FR/2018/155

MOVED by Member A Cole, seconded by Member N Kloeten:

That the Franklin Local Board:

- a) approves allocating \$7,000 from the Community Response Fund to Panuku Development Auckland for the 2018/2019 rent for Pukekohe Performing Arts at 17 Massey Road, Pukekohe, subject to:

- i confirmation from Panuku that the condition of the building is sufficient to enable occupation, and
- ii on the understanding that Pukekohe Performing Arts will seek any future support through the contestable Community Grant programme.

CARRIED

20 Franklin Local Board workshop records

Resolution number FR/2018/156

MOVED by Deputy Chairperson A Baker, seconded by Member M Bell:

That the Franklin Local Board:

- a) receives the workshop records for 18 and 25 September and 2 and 9 October 2018.

CARRIED

21 Franklin Local Board Governance Forward Work Calendar

Resolution number FR/2018/157

MOVED by Chairperson A Fulljames, seconded by Member M Kay:

That the Franklin Local Board:

- a) notes the October 2018 update of the Franklin governance forward work calendar (Attachment A to the report entitled 'Franklin Local Board Governance Forward Work Calendar').

CARRIED

22 Consideration of Extraordinary Items

There was no consideration of extraordinary items.

23 Procedural motion to exclude the public

Resolution number FR/2018/158

MOVED by Chairperson A Fulljames, seconded by Member S Druyven:

That the Franklin Local Board:

- a) exclude 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 Sites and Places of Significance to Mana Whenua – Tranche 1; Plan Changes to the Auckland Unitary Plan (Operative in Part) and Auckland Council District Plan - Hauraki Gulf Islands Section 2018

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)(ba) - The item relates to an application for a resource consent or water conservation order or a requirement for a designation or heritage order under the Resource Management Act 1991 and the withholding of the information is necessary to avoid serious offence to tikanga Maori or to avoid the disclosure of the location of waahi tapu. In particular, the report contains information on nominated sites and places of significance to mana whenua that has been provided to Council on a confidential basis until the plan change has been approved for public notification.	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.

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

10.22 am The public was excluded.

Resolutions in relation to the confidential items are recorded in the confidential section of these minutes and are not publicly available.

10.24 am The public was re-admitted.

RESTATEMENTS

It was resolved while the public was excluded:

C1 Sites and Places of Significance to Mana Whenua – Tranche 1: Plan Changes to the Auckland Unitary Plan (Operative in Part) and Auckland Council District Plan - Hauraki Gulf Islands Section 2018

Resolution number FR/2018/159

MOVED by Chairperson A Fulljames, seconded by Member A Hopkins:

That the Franklin Local Board:

- c) **note that the report, resolutions and the feedback remain confidential until the plan change is publicly notified.**

CARRIED

10.24 am 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 FRANKLIN LOCAL BOARD
HELD ON

DATE:.....

CHAIRPERSON:.....