

Kaipātiki Local Board

OPEN MINUTES

Minutes of a meeting of the Kaipātiki Local Board held in the Kaipātiki Local Board Office, 90 Bentley Avenue, Glenfield on Wednesday, 17 October 2018 at 04.02pm.

PRESENT

Chairperson	John Gillon	
Deputy Chairperson	Danielle Grant	
Members	Paula Gillon	
	Ann Hartley, JP	
	Kay McIntyre, QSM	From 4.04pm, Item 9
	Anne-Elise Smithson	
	Adrian Tyler	
	Lindsay Waugh	

ALSO PRESENT

Councillor	Richard Hills	From 5.50pm, Item 13 to 7.24pm, Item C2
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1 **Welcome**

2 **Apologies**

Resolution number KT/2018/182

MOVED by Chairperson J Gillon, seconded by Member A Hartley:

That the Kaipātiki Local Board:

- a) **accept the apologies from Member K McIntyre for lateness.**

CARRIED

3 **Declaration of Interest**

There were no declarations of interest.

4 **Confirmation of Minutes**

Resolution number KT/2018/183

MOVED by Chairperson J Gillon, seconded by Deputy Chairperson D Grant:

That the Kaipātiki Local Board:

- a) **confirm the ordinary minutes of its meeting, held on Wednesday, 19 September 2018, as a true and correct record.**

CARRIED

5 **Leave of Absence**

There were no leaves of absence.

6 **Acknowledgements**

6.1 **Mayoral Conservation Awards**

Resolution number KT/2018/184

MOVED by Member A Smithson, seconded by Deputy Chairperson D Grant:

That the Kaipātiki Local Board:

- a) **acknowledge and congratulate Kaipātiki Project for winning the Collaboration award at the recent Mayoral Conservation Awards 2018.**
- b) **acknowledge and congratulate Ecotrack for winning the Innovation award at the recent Mayoral Conservation Awards 2018.**
- c) **acknowledge and congratulate Pest Free Kaipātiki for being finalists in the eradication category for both Dirty Duo Campaign and Kaipātiki Chew Card Campaign at the recent Mayoral Conservation Awards 2018.**

CARRIED

7 **Petitions**

There were no petitions.

8 Deputations

There were no deputations.

9 Public Forum

9.1 Kauri Dieback

Pam Templeton from Chelsea Regional Park Association (CHERPA), was in attendance to address the board in support of this item.

Resolution number KT/2018/185

MOVED by Chairperson J Gillon, seconded by Member P Gillon:

That the Kaipātiki Local Board:

- a) receive the public forum item
- b) thank Pam Templeton for her attendance and presentation on behalf of CHERPA.

CARRIED

10 Extraordinary Business

There was no extraordinary business.

11 Kauri Dieback Response Kaipātiki Local Board

Richard Balm, Biosecurity Team Manager – Kauri Dieback and John Dragicevich, Manager Strategic Projects, were in attendance to address the board in support of this item.

Resolution number KT/2018/186

MOVED by Chairperson J Gillon, seconded by Member A Tyler:

That the Kaipātiki Local Board:

- a) endorse the process to protect Kaipātiki bush parks and reserves from kauri dieback disease, including:
 - i) the continuation of current closures and kauri dieback disease measures
 - ii) the development of recommendations for the long-term management of tracks in the Kaipātiki area, including recommendations for tracks to be upgraded prior to reopening and tracks that should be closed permanently to protect kauri
 - iii) the presentation of recommendations to a business meeting of the Kaipātiki Local Board in November or December 2018 for consideration
 - iv) commencement by November 2018 of work to investigate, design and deliver track upgrades and new hygiene stations, according to their prioritisation for recreational use and biodiversity value
 - v) ensuring that open tracks are maintained to a high standard to reduce their risk of being a vector for kauri dieback.
- b) endorse global land owner approval (LOA) with delegation to staff for the individual site location and installation of hygiene stations within parks and reserves in Kaipātiki Local Board area, taking into account park users, amenity, signage, public safety, local board awareness and all other relevant considerations.
- c) request that the Chair and Deputy Chair are informed in advance of track

- closures and hygiene station installations, as provided for in clauses a) and b), in order to better respond to public enquiries.
- d) request enhancement of online maps of track closures, such as a public GeoMaps layer or Google Maps layer, in response to community requests for more detailed, timely and mobile information.
 - e) note that Kaipātiki Community Facilities Trust is working on an interim version of the Kaipātiki Explorer booklet, highlighting track closures and kauri dieback prevention techniques.
 - f) delegate decision-making on matters in relation to Kaipātiki kauri dieback matters to the Chairperson that are required outside of the business meeting cycle, nothing that:
 - i) this delegation must be exercised in consultation with the Deputy Chairperson;
 - ii) any decision made by the Chairperson under this delegation will be reported via a Chairperson's Report to the next available local board business meeting; and
 - iii) such delegation does not include the authority to make any financial decision that will have an impact on the local board's locally driven initiatives operational and capital budgets.

CARRIED

12 Kaipātiki Community Facilities Trust Bi-Monthly Report

Jill Nerheny from Kaipātiki Community Facilities Trust, was in attendance to address the board in support of this item.

Resolution number KT/2018/187

MOVED by Chairperson J Gillon, seconded by Member K McIntyre:

That the Kaipātiki Local Board:

- a) receive the Kaipātiki Community Facilities Trust Bi-monthly Report.
- b) note that funding for a 2018/19 revision of the Kaipātiki Explorer booklet will be used to produce an interim revision highlighting track closures and kauri dieback prevention techniques.

CARRIED

Precedence of Business

Resolution number KT/2018/188

MOVED by Chairperson J Gillon, seconded by Deputy Chairperson D Grant:

That the Kaipātiki Local Board:

- a) agree that **Item 18: Draft Facility Partnership Policy** be accorded precedence at this time.

CARRIED

18 Draft Facility Partnership Policy

Eric Perry, Relationship Manager was in attendance to address the board in support of this item.

Resolution number KT/2018/189

MOVED by Chairperson J Gillon, seconded by Deputy Chairperson D Grant:

That the Kaipātiki Local Board:

- a) **support the overarching intent, purpose and objectives of the Draft Facility Partnership Policy.**
- b) **provide the following feedback on the Draft Facility Partnership Policy:**
 - i) **the Kaipātiki Local Board support the proposed tracks, types and scales model as is it will support local boards and staff with a mechanism to determine the right outcome for facility partnerships**
 - ii) **the Kaipātiki Local Board supports the investment principles and priorities, as they provide clear direction on the desired outcomes**
 - iii) **the Kaipātiki Local Board supports the proposal to allow partnerships to generate revenue through appropriate commercial activities to offset the operating costs of the facility, under the condition that the activity is allowed for under any applicable Reserve Management Plan and Unitary Plan zoning, and that any surplus generated by commercial activities is reinvested into the facility, or for a community purpose approved by Auckland Council.**
- c) **note that local boards provide both financial and non-financial facility partnerships on a local and sub-regional basis to community groups and organisations who provide a range of community, arts and cultural and sport and recreation activities.**
- d) **note that facility partnerships undertaken by local boards:**
 - i) **are identified through a need raised by the community, and / or strategic documents such as local board plans**
 - ii) **address local and sub-regional gaps in service / network provision**
 - iii) **address local and sub-regional gaps in service / network provision through non-council owned asset solutions**
 - iv) **provide community access to assets not owned by council**
 - v) **build and foster effective working relationships with their communities.**
- e) **note that the current Locally Driven Initiatives (LDI) capital budget allocation significantly limits local boards' ability to provide more facility partnerships in their area.**
- f) **express concern that no budget has been identified to support the Draft Facility Partnership Policy, as will raise expectations from community groups and organisations, which will subsequently put further strain on committed local board capital budgets.**
- g) **request the Environment and Community Committee to direct staff to identify a suitable budget to implement the Draft Facility Partnership Policy as part of the 2019/2020 Annual Budget process.**
- h) **request clarification on the governance role of local boards in relation to the statement that the new approach introduces a more transparent and contestable selection process, as detailed in paragraph 21 of the report.**

CARRIED

13 Auckland Transport Monthly Update

Marilyn Nicholls, Elected Member Relationship Manager for Auckland Transport, was in attendance to address the board in support of this item.

Resolution number KT/2018/190

MOVED by Chairperson J Gillon, seconded by Member P Gillon:

That the Kaipātiki Local Board:

- a) **note the Auckland Transport Monthly Update Kaipātiki Local Board October 2018.**
- b) **note that the Auckland Transport board is due to make a decision on the future of the Northcote Ferry Wharf on 13 November.**
- c) **note that if the Kaipātiki Local Board's in-principle allocation of \$2 million is not required for the Northcote Ferry Wharf, then the local board will make a decision on progressing Local Board Transport Capital Fund projects at a future business meeting.**

CARRIED

14 Renewal of the community lease to Birkenhead United Association Football and Sports Club Incorporated at Shepherds Park, Melba Street, Beach Haven

Phillipa Carroll, Community Lease Advisor, was in in attendance to address the board in support of this item.

A document titled "Attachment A: Aerial photograph of Lease area for Birkenhead United Association Football and Sports Club Incorporated at Shepherds Park, Melba Street, Beach Haven" was tabled to replace the incorrect map in the report. A copy of the tabled document has been placed on the official minutes and is available on the Auckland Council website as a minutes attachment.

Resolution number KT/2018/191

MOVED by Chairperson J Gillon, seconded by Member A Smithson:

That the Kaipātiki Local Board:

- a) **receive the tabled map showing the proposed lease area for the Birkenhead United Association Football and Sports Club Incorporated at Shepherds Park.**
- b) **defer the renewal of the community lease to Birkenhead United Association Football and Sports Club Incorporated at Shepherds Park and request advice on updating the 33-year old lease to reflect current arrangements.**

CARRIED

Secretarial note: under standing order 1.9.7, Member L Waugh requested her abstension be recorded.

Attachments

- A 17 October 2018 - Kaipātiki Local Board Business Meeting - Attachment A: Aerial photograph of Lease area for Birkenhead United Association Football and Sports Club Incorporated at Shepherds Park, Melba Street, Beach Haven

15 Renewal of the community lease to the Order of St John Auckland Regional Trust Board at Fairway Lodge 17a Silverfield, Wairau Valley.

Phillipa Carroll, Community Lease Advisor, was in attendance to address the board in support of this item.

Resolution number KT/2018/192

MOVED by Member A Hartley, seconded by Chairperson J Gillon:

That the Kaipātiki Local Board:

- a) **grant the final renewal of the community lease to the Order of St John Northern Region Trust at Fairway Lodge 17a Silverfield, Wairau Valley, (refer Attachment A) on the following terms and conditions:**
 - i) **term - eleven (11) years commencing 1 December 2017 with no further right of renewal with final expiry on 30 November 2028**
 - ii) **rent - \$10.00 plus GST per annum, if demanded**
 - iii) **description of the property - as per attachment A, namely limited to the boundary of the building on Lot 5 DP 150598 and Lot 2 DP 150598.**
- b) **note all other terms and conditions be in accordance with the original lease agreement dated 30 November 1995.**

CARRIED

16 Renewal of community lease to North Harbour Table Tennis Charitable Trust at 5A Akoranga Drive, Northcote

Phillipa Carroll, Community Lease Advisor, was in attendance to address the board in support of this item.

Resolution number KT/2018/193

MOVED by Chairperson J Gillon, seconded by Deputy Chairperson D Grant:

That the Kaipātiki Local Board:

- a) **grant the second and final renewal of community lease to the North Harbour Table Tennis Charitable Trust at 5a Akoranga Drive, Northcote to the footprint of the building on the following terms and conditions:**
 - i) **term – eleven (11) years commencing 12 January 2017 with no further right of renewal with final expiry on 11 January 2028**
 - ii) **rent -\$1.00 plus GST per annum, if demanded;**
 - iii) **description of the property – as per attachment A, namely limited to the boundary of the building on Lot 3 DP 167941.**
 - iv) **all other items and conditions will be in accordance with the deed of lease dated 12 January 1995.**
- b) **grant the second and final renewal of community air space licence to the North Harbour Table Tennis Charitable Trust at 5a Akoranga Drive, Northcote to the footprint of the building on the following terms and conditions:**
 - i) **term – eleven (11) years commencing 12 January 2017 with no further right of renewal with final expiry on 11 January 2028**
 - ii) **rent -\$1.00 plus GST per annum, if demanded;**
 - iii) **description of the property – as per attachment A, namely limited to the boundary of the building on Lot 2 DP 167941.**

- iv) all other terms and conditions will be in accordance with the deed of licence dated 6 October 2003

CARRIED

17 Kaipātiki Open Space Network Plan - Key Moves

Resolution number KT/2018/194

MOVED by Chairperson J Gillon, seconded by Member A Tyler:

That the Kaipātiki Local Board:

- a) approve four key moves to guide the development of the Kaipātiki Open Space Network Plan as follows:
- i) growth and changing demographics (including the focus areas of “upgrade the quality of sunshade, playgrounds, and sports fields facilities” and “ascertain additional coastal walkway opportunities”)
 - ii) improving and developing network connections (including the focus areas of “increase and enhance connections between open spaces” and “promote the cultural heritage of parks”)
 - iii) managing ecological quality and biodiversity (including the focus areas of “closing the gaps in the open space network” and “improve the ecological quality of parks”)
 - iv) accessible and social open spaces (including the focus areas of “improve the quality and accessibility of parks around social experience” and “increase socialisation and active recreation opportunities through novel types of parks or open space”).
- b) note that the Kaipātiki Local Park Management Plan, currently under development, will draw upon Kaipātiki Open Space Network Plan research, findings, and take note of the key moves approved by the local board.

CARRIED

Secretarial note: Item 18 was considered after Item 12.

19 Review of the Code of Conduct

Warwick McNaughton, Principal Advisor was in attendance to address the board in support of this item.

Resolution number KT/2018/195

MOVED by Chairperson J Gillon, seconded by Deputy Chairperson D Grant:

That the Kaipātiki Local Board:

- a) recommend the following criteria be applied when appointing an investigator:
- i) the investigator be independent of Auckland Council
 - ii) be a barrister and solicitor of the High Court of New Zealand with a minimum of ten years of experience in the practice of law since admission to the High Court
 - iii) possess the necessary skills, knowledge and attributes to conduct the enquiry.
- b) recommend that a Terms of Reference document be signed off prior to a preliminary assessment being undertaken by the investigator which includes the following:
- i) scope of the enquiry

- ii) list of interviewees
- iii) method these interviews will be recorded.
- c) recommend that should the complaint require a full investigation, the Terms of Reference document in clause b) above be updated.
- d) recommend that the Terms of Reference document in clause b) above be signed off by the Conduct Commissioner.
- e) recommended that the list of persons who may be called to fulfil the role of the Conduct Commissioner be approved by the Governing Body and Local Board Chairs, most likely through the Chairs Forum or another mechanism involving joint decision making by local boards and the Governing Body.
- f) request that clear definitions of the terms included in section 3 of the draft Code of Conduct (Material Breaches) be provided to ensure such terms are understood to ensure any investigation is applied consistently across complaints, with specific consideration given to clearly defining (and / or providing examples of) the following terms / phrases, recognizing the political environment elected members work in:
 - i) Bullying or aggressive behavior
 - ii) Undermining other elected member(s)
 - iii) Misrepresentation of the statements or actions of others.
- g) support the new “Elected member access to information” protocol applying to the whole of Auckland Council, including Council Controlled Organisations, and for it to be reviewed after 18 months.

CARRIED

Secretarial note: under standing order 1.9.7 Member L Waugh, Member A Hartley and Member K McIntyre requested their votes be recorded against resolution 19 f)

20 Panuku Development Auckland Local Board six-monthly update 1 March - 31 August 2018

Carlos Rahman, Senior Engagement Advisor and Steve Milner, Development Manager, Panuku Development Auckland was in attendance to address the board in support of this item.

Resolution number KT/2018/196

MOVED by Chairperson J Gillon, seconded by Member A Smithson:

That the Kaipātiki Local Board:

- a) note the Panuku Development Auckland Local Board update for 1 March to 31 August 2018.

CARRIED

21 Auckland Tourism Events and Economic Development Local Board update (1 January - 30 June 2018)

Resolution number KT/2018/197

MOVED by Chairperson J Gillon, seconded by Member A Tyler:

That the Kaipātiki Local Board:

- a) receive Auckland Tourism Events and Economic Development Limited’s six-

monthly report to Kaipātiki Local Board for 1 January to 30 June 2018, as shown in Attachment A of the agenda report.

CARRIED

22 Kaipātiki Local Board Chairperson's Report

There was no update provided by the Kaipātiki Local Board Chairperson.

23 Members' Reports

23.1 Member Report - Deputy Chairperson Danielle Grant

Member Danielle Grant provided a verbal update acknowledging Birkenhead Town Centre and the recent heritage festival.

Resolution number KT/2018/198

MOVED by Deputy Chairperson D Grant, seconded by Chairperson J Gillon:

That the Kaipātiki Local Board:

- a) **note the verbal update from Deputy Chair, Danielle Grant.**

CARRIED

23.2 Member Report - Anne-Elise Smithson

Member Anne-Elise Smithson provided a verbal update regarding the Northcote Town Centre.

Resolution number KT/2018/199

MOVED by Member A Smithson, seconded by Deputy Chairperson D Grant:

That the Kaipātiki Local Board:

- a) **note the verbal update from member Anne-Elise Smithson.**

CARRIED

23.3 Member Report - Adrian Tyler

Member Adrian Tyler provided a verbal update regarding Healthy Homes Standards.

Resolution number KT/2018/200

MOVED by Member A Tyler, seconded by Chairperson J Gillon:

That the Kaipātiki Local Board:

- a) **note the verbal update form member Adrian Tyler.**

CARRIED

23.4 Member Report - Ann Hartley

Member Ann Hartley provided a verbal update regarding the Healthy Homes Standards.

Resolution number KT/2018/201

MOVED by Chairperson J Gillon, seconded by Member A Tyler:

That the Kaipātiki Local Board:

- a) **note the verbal update form member Ann Hartley.**

CARRIED

24 Governing Body and Independent Maori Statutory Board Members' Update

Councillor Richard Hills was in attendance to address the board in support of this item.

A document titled "Kaipātiki Local Board update October 2018" was tabled. A copy of the tabled document has been placed on the official minutes and is available on the Auckland Council website as a minutes attachment.

Resolution number KT/2018/202

MOVED by Chairperson J Gillon, seconded by Member L Waugh:

That the Kaipātiki Local Board:

- a) **note the Councillors Richard Hills and Chris Darby's written update.**

CARRIED

Attachments

- A 17 October 2018 - Kaipātiki Local Board Business Meeting - Kaipātiki Local Board update Councillor Chris Darby and Councillor Richard Hills

25 Workshop Records - Kaipātiki Local Board - September 2018

Resolution number KT/2018/203

MOVED by Chairperson J Gillon, seconded by Member K McIntyre:

That the Kaipātiki Local Board:

- a) **note the records for the Kaipātiki Local Board workshops held on Wednesday 5 September, Wednesday 12 September and Wednesday 26 September 2018.**

CARRIED

26 Governance Forward Work Calendar

Resolution number KT/2018/204

MOVED by Chairperson J Gillon, seconded by Member K McIntyre:

That the Kaipātiki Local Board:

- a) **note the Kaipātiki Local Board November 2018 – February 2019 governance forward work calendar and October - November 2018 workshop forward work plan.**

CARRIED

27 Consideration of Extraordinary Items

There was no consideration of extraordinary items.

28 Procedural motion to exclude the public

Resolution number KT/2018/205

MOVED by Chairperson J Gillon, seconded by Member A Tyler:

That the Kaipātiki 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 Changes to the High Level Project Plan for Unlock Northcote

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.	<p>s7(2)(h) - The withholding of the information is necessary to enable the local authority to carry out, without prejudice or disadvantage, commercial activities.</p> <p>In particular, the report identifies acquisition and disposal of land for urban regeneration, renewal and housing in Northcote.</p> <p>s7(2)(i) - The withholding of the information is necessary to enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).</p> <p>In particular, the report identifies acquisition and disposal of land for urban regeneration, renewal and housing in Northcote.</p>	<p>s48(1)(a)</p> <p>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.</p>

C2 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.	<p>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.</p> <p>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.</p>	<p>s48(1)(a)</p> <p>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.</p>

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

7.20pm 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.

Re-admitting the public

Resolution number KT/2018/206

MOVED by Chairperson J Gillon, seconded by Member K McIntyre:

That the Kaipātiki Local Board:

a) reopen the meeting to public.

CARRIED

7.24pm The public was re-admitted.

RESTATEMENTS

It was resolved while the public was excluded:

C1 Changes to the High Level Project Plan for Unlock Northcote

Restatement

g) confirm that there be no restatement of this confidential report, attachments or resolutions for the acquisition and disposal of land for urban regeneration, renewal and housing in Northcote until settlement of the purchase, and only then is the resolution to be restated.

C2 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

Restatement

b) confirm that there be no restatement of this confidential report, attachments or resolutions until the plan change is publicly notified.

7.24 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 KAIPĀTIKI LOCAL BOARD
HELD ON

DATE:.....

CHAIRPERSON:.....