Minutes of a meeting of the Hibiscus and Bays Local Board held in the Local Board Office, 2 Glen Road, Browns Bay on Wednesday, 20 March 2019 at 4.30pm.

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1 Welcome

The Chairperson opened the meeting and welcomed those in attendance. The Chairperson then asked for a minutes silence in reflection and respect for the tragic events that occurred in the city of Christchurch on Friday, 15 March 2019.

2 Apologies

Resolution number HB/2019/16
MOVED by Chairperson J Parfitt, seconded by Deputy Chairperson J Fitzgerald:
That the Hibiscus and Bays Local Board:
a) accept the apology from member Mike Williamson for absence.

CARRIED

3 Declaration of Interest

There were no declarations of interest.

4 Confirmation of Minutes

Resolution number HB/2019/17
MOVED by Chairperson J Parfitt, seconded by Deputy Chairperson J Fitzgerald:
That the Hibiscus and Bays Local Board:
a) confirm the ordinary minutes of its meeting, held on Wednesday, 20 February 2019, 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.
Note: From this point forward, agenda items were taken in the following order:

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10.1 Extraordinary Business - Freedom Camping Bylaw Development

Resolution number HB/2019/18

MOVED by Chairperson J Parfitt, seconded by Member G Holmes:

That the Hibiscus and Bays Local Board:

a) consider an extraordinary item “proposed Freedom Camping in Vehicles Bylaw Development” at Item 26 – Consideration of Extraordinary Items of this agenda noting:

i) the reason the matter was not on the agenda is because a report on feedback received from the local community on the proposed Freedom Camping in Vehicles Bylaw was not provided to the Hibiscus and Bays Local Board prior to the local board speaking to the Hearings Panel

ii) as a result of the local community open day on the proposed Freedom Camping in Vehicles Bylaw and feedback received from local residents, the Hibiscus and Bays Local Board seeks to amend its feedback on the proposed Freedom Camping in Vehicles Bylaw

iii) the reason why this matter cannot be delayed until a subsequent meeting is that the Governing Body will make decisions concerning the proposed Freedom Camping in Vehicles Bylaw at its May 2019 meeting following recommendations from the Hearing Panel.

CARRIED
11 Proposed kauri dieback mitigation in local parks in the Hibiscus and Bays Local Board area

Lisa Tolich – Biosecurity Team Manager – Kauri Dieback and Grant Jennings – Programme Principal Kauri die-back programme were in attendance for this item.

Note: Staff would be looking at reserves abutting Dacre Cottage at Okura Bush (adjacent to the Department of Conservation area).

Resolution number HB/2019/19

MOVED by Chairperson J Parfitt, seconded by Deputy Chairperson J Fitzgerald:

That the Hibiscus and Bays Local Board:

a) endorse the following high-level kauri protection measures for local parks and reserves:

i) undertake detailed investigations to determine appropriate mitigation measures (such as track upgrades, track re-alignment, track re-routing, or other physical works), and consider temporary closure until mitigation works are completed to protect symptom free high value kauri ecosystems in the following Category A parks:

A) Awaruku Reserve, Torbay
B) Emlyn Place, Long Bay

ii) undertake detailed investigations to determine appropriate mitigation measures (such as track upgrades, track re-alignment, track re-routing, or other physical works), and consider temporary closure until mitigation works are completed to prevent potentially infected kauri ecosystems in a Category A park Alice Eaves Scenic Reserve from becoming a source of infection.

iii) note that the remaining Category C and Category D parks are considered to be low value kauri ecosystems with low value recreational use, thus making them a lower priority for mitigation investment at this stage. These parks are:

A) Karaka Cove, Whangaparāoa
B) Forest Glen Esplanade, Orewa
C) Roberta Crescent, Orewa
D) 36 Hibiscus Coast Highway, Silverdale
E) Esplanade Reserve of Industrial Place, Silverdale
F) Silverdale War Memorial Park
G) Clifftop Walkway - Murrays Bay to Churchill Reserve
H) Portal Place, Murrays Bay

b) note that a detailed kauri dieback mitigation programme with costs and timelines will be developed and submitted to a local board business meeting in mid-2019 for approval.

CARRIED
12 **Classification of Hibiscus and Bays Local Parks**

Resolution number HB/2019/20

MOVED by Chairperson J Parfitt, seconded by Deputy Chairperson J Fitzgerald:

*That the Hibiscus and Bays Local Board:*

a) approve the declaration and classification of the parcels of land, pursuant to section 14(1) of the Reserves Act 1977, as described in Attachment A of the agenda report (dated 20 March 2019).

b) approve the classification of the parcels of reserve land, pursuant to section 16(1) of the Reserves Act 1977, as described in Attachment B of the agenda report (dated 20 March 2019).

c) approve the reclassification of the parcels of reserve land, pursuant to section 24(1) of the Reserves Act 1977, as described in Attachment C of the agenda report (dated 20 March 2019).

d) approve the classification of 4871 square metres of Manly Park, being Section 1 SO Plan 530988, as recreation reserve pursuant to Section 16(2A) of the Reserves Act 1977.

CARRIED

13 **Auckland Transport Update to Hibiscus and Bays Local Board March 2019**

Ellen Barrett – Elected Member Relationship Manager was in attendance for this item.

Note: the local board would like to take up the offer to receive an analysis of submissions to the speed bylaw review at a workshop.

Resolution number HB/2019/21

MOVED by Chairperson J Parfitt, seconded by Member G Holmes:

*That the Hibiscus and Bays Local Board:*

a) receive the Auckland Transport Update March 2019 report

b) delegate to members Fitzgerald, C Watson and as a substitute member J Parfitt to develop local board feedback on the speed limit bylaw currently out for consultation.

CARRIED

15 **Allocation of funding to Citizens Advice Bureaux**

Resolution number HB/2019/22

MOVED by Chairperson J Parfitt, seconded by Member C Bettany:

*That the Hibiscus and Bays Local Board:*

a) provide the following feedback on the new model for allocating funding to Citizens Advice Bureaux (based on 90 per cent population and 10 per cent deprivation) and on increasing the baseline grant to Auckland Citizens Advice Bureaux Incorporated by $200,000 in the 2019-2021 financial years (refer to Attachment A to the agenda report):

i) support the new model from the joint working group as a basis of allocation, being 90% population (using annual population estimates from Statistics New Zealand) and 10% deprivation (using Dep 13 Deprivation index Dep. 8-10, targets 30% highest level deprivation)
ii) support increasing the baseline grant to Auckland Citizens Advice Bureaux Incorporated by $200,000 in the 2019/2020 and 2020/2021 financial years so that no Citizens Advice Bureau will receive less funding than in 2018/2019

iii) acknowledge that the Hibiscus and Bays Local Board area is split between the Citizens Advice Bureaux North Shore Cluster (for Browns Bay) and the Hibiscus Coast cluster

iv) acknowledge that both the Hibiscus Coast Citizens Advice Bureau and the Browns Bay Citizens Advice Bureau work with many clients from outside the local board area.

CARRIED

16 New Community Lease and Licence to the Hibiscus Coast Dog Training Club situated at Western Reserve, Orewa

Resolution number HB/2019/23

MOVED by Chairperson J Parfitt, seconded by Deputy Chairperson J Fitzgerald:

That the Hibiscus and Bays Local Board:

a) grant a new community lease to the Hibiscus Coast Dog Training Club Incorporated for the footprint of the club-owned building comprising 60m² (more or less) situated at Western Reserve, Orewa, delineated in blue and marked A on Attachment A on the land described as Lot 3 DP 204342 subject to the following terms:

i) term – 10 years commencing on 1 April 2019 with one right of renewal for a further term of 10 years

ii) rent - $1.00 plus GST per annum if demanded

iii) all other terms and conditions to be in line with the Reserves Act 1977 and Auckland Council’s Community Occupancy Guidelines 2012

b) grant a new community licence to the Hibiscus Coast Dog Training Club Incorporated for the training area surrounding the club-owned building consisting of 5820m² (more or less) situated at Western Reserve, Orewa, delineated in red and marked B on Attachment A on the land described as Lot 3 DP 204342 subject to the following terms:

i) term – 10 years commencing on 1 April 2019 with one right of renewal for a further 10 years

ii) rent - $1.00 per annum if demanded

iii) all other terms and conditions to be in line with the Reserves Act 1977 and Auckland Council’s Community Occupancy Guidelines 2012

c) approve the contemporaneous surrender of the current operative lease and licence to the Hibiscus Coast Dog Training Club Incorporated, effective from 31 March 2019

d) record that the maintenance obligations for the licence area will be borne by Auckland Council which includes drainage and general park maintenance.

CARRIED
17 Landowner approval and new community licence to occupy applications for Metro Park East by the Metropark Community Sports Charitable Trust

Resolution number HB/2019/24

MOVED by Chairperson J Parfitt, seconded by Member C Watson:

That the Hibiscus and Bays Local Board:

a) grant landowner approval, in accordance with Auckland Council’s standards terms and conditions, for Metropark Community Sports Charitable Trust to place three containers, as indicated in Attachment A, on Metro Park East, 218 Millwater Parkway, Silverdale described as Part Lot 5 DP 168591

b) grant a community licence to occupy to Metropark Community Sports Charitable Trust for the footprint of the three containers as indicated in Attachment B, consisting of approximately 100m², situated at Metro Park East, 218 Millwater Parkway, Silverdale and described as Part Lot 5 DP 168591, subject to the following terms:

   i) term – 5 years commencing on 20 March 2019 with one right of renewal for a further 5 years
   ii) rent - $1.00 per annum if demanded
   iv) all other terms and conditions to be in line with Auckland Council’s Community Occupancy Guidelines 2012

c) approve the following conditions to be included in the land owner approval:

   i) the applicant must cover the exterior of the containers in a suitable skin (wrap) that will improve the visual impact of the containers
   ii) no equipment to be left out of the containers on the reserve after sport has concluded for the day
   iii) the applicant must keep the licensed area clean, tidy and free of rubbish at all times
   v) the applicant is responsible for all graffiti removal
   vi) reinstatement of the licensed area will be the responsibility of Metropark Community Sports Charitable Trust on dissolution, by whatever means, of the agreement to occupy

CARRIED

18 New community lease to Mairangi Arts Centre Trust Board at Mairangi Bay Park, Mairangi Bay

Resolution number HB/2019/25

MOVED by Chairperson J Parfitt, seconded by Member D Cooper:

That the Hibiscus and Bays Local Board:

a) grant a new community lease to the Mairangi Arts Centre Trust Board for part of the land, and council-owned buildings comprising approximately 690m², on three portions of Part Lot 94 DP 18893 (Attachment A), subject to the following terms and conditions:

   i) term - 10 years commencing 1 April 2018 with one 10 year right of renewal with a final expiry date of 31 March 2038
ii) rent - $1.00 plus GST per annum if requested

iii) maintenance fee - $1,000.00 plus GST per annum

iv) all other terms and conditions in accordance with the Reserves Act 1977 and the Auckland Council Community Occupancy Guidelines 2012.

CARRIED

19 City Fringe Identity

John Norman - Strategic Planning Manager, Local Economic Development, was in attendance via Skype for this item.

Note: the item should be called the Hibiscus and Bays Visitor Strategy Familiarisation Tour

Resolution number HB/2019/26

MOVED by Member G Holmes, seconded by Member C Bettany:

That the Hibiscus and Bays Local Board:

a) approve the scope of the Hibiscus and Bays Visitor Strategy Group familiarisation tour as set out in this report and in Attachment A to the City Fringe Identity report

b) allocate $3,500 Locally Driven Initiatives operational funding from the Eco Tourism budget line, SharePoint ID 382 under the Local Economic Development Work Programme towards the delivery of the Hibiscus and Bays Visitor Strategy Group familiarisation tour.

CARRIED

20 Auckland Tourism, Events and Economic Development six-monthly report to the Hibiscus and Bays Local Board

Resolution number HB/2019/27

MOVED by Chairperson J Parfitt, seconded by Member C Bettany:

That the Hibiscus and Bays Local Board:

a) receive the Auckland Tourism, Events and Economic Development’s six-monthly report.

CARRIED

14 Whangaparāoa Library Courtyard Update

Claire Walker Landscape Architect, was in attendance for this item.

Resolution number HB/2019/28

MOVED by Member D Cooper, seconded by Member V Watson:

That the Hibiscus and Bays Local Board:

a) approve the upgrade of the Whangaparāoa Library courtyard, as shown in Attachment A of the agenda report: ‘Detailed Design Whangaparāoa Library Plaza courtyard Upgrade dated 7 December 2018

b) approve an additional $112,500 of Locally Driven Initiatives Capex budget in 2019/2020 financial year to complete the project.

CARRIED
21 2019 Local Government New Zealand Conference and Annual General Meeting
Resolution number HB/2019/29
MOVED by Member G Holmes, seconded by Chairperson J Parfitt:
That the Hibiscus and Bays Local Board:

a) nominate local board member Janet Fitzgerald to attend the Local Government New Zealand 2019 Conference and Annual General Meeting in Te Whanganui-a-Tara Wellington, from Sunday 7 July to Tuesday 9 July 2019

b) support the attendance of member C Bettany and C Watson subject to approval and availability of individual local board member development funding

c) confirm that conference attendance, including travel and accommodation, will be paid for in accordance with the current Auckland Council Elected Member Expense Policy

d) note that any members who wish to attend the Local Government New Zealand Annual General Meeting must provide their names to the Kura Kāwana programme team by Friday 12th April 2019 to ensure that they are registered with Local Government New Zealand.

CARRIED

22 Addition to the 2019 Hibiscus and Bays Local Board Business Meeting Schedule
Resolution number HB/2019/30
MOVED by Member G Holmes, seconded by Chairperson J Parfitt:
That the Hibiscus and Bays Local Board:

a) approve the meeting date of Thursday, 6 June 2019 at 4.30pm in the Council Chamber, Orewa Service Centre, 50 Centreway Road, Orewa, be added to the 2019 Hibiscus and Bays Local Board meeting schedule to adopt the local board agreement 2019/2020 and the fees and charges schedule.

CARRIED

23 Ward Councillors Update
There were no ward councillors in attendance.

24 Governance Forward Work Calendar
Resolution number HB/2019/31
MOVED by Chairperson J Parfitt, seconded by Deputy Chairperson J Fitzgerald:
That the Hibiscus and Bays Local Board:

a) receive the Governance Forward Work Calendar.

CARRIED

Note: Pursuant to Standing Order 1.9.7, the following members requested their dissenting votes be recorded:

David Cooper
Caitlin Watson
25 | Record of Workshop Meetings
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Resolution number HB/2019/32

MOVED by Chairperson J Parfitt, seconded by Member C Bettany:

That the Hibiscus and Bays Local Board:

a) endorse the record of the workshop meeting held on 14 February 2019.

CARRIED

26 | Consideration of Extraordinary Items
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26.1 | Freedom Camping Bylaw Development

Resolution number HB/2019/33

MOVED by Member G Holmes, seconded by Deputy Chairperson J Fitzgerald:

That the Hibiscus and Bays Local Board:

a) confirm the feedback provided on 20 June 2018 under resolution HB/2018/101 with an amendment to clause b) by deleting “Hatfields Beach Recreation Reserve and on the seaward side of Stanmore Bay Park”.

b) provide additional feedback on the proposed draft Freedom Camping in Vehicles Bylaw:

i) following feedback from residents in the local board area, through gaining a better understanding of the Freedom Camping Act 2011, and the proposed bylaw, the Hibiscus and Bays Local Board has reviewed its position on freedom camping on reserves and does not support freedom camping in any of its parks and reserves in the Hibiscus and Bays Local Board area.

ii) although the local board has been unable to read all the submissions to the proposed bylaw submitted by our constituents, the following feedback is derived from our assessment of the bylaw and from the comments we have received.

iii) does not support the Governing Body exercising the delegated authority from the Minister of Conservation, in order to apply the proposed bylaw to reserves held under the Reserves Act 1977, because:

A) the protection afforded by the Reserves Act 1977 must prevail as intended to manage reserves for community use. The principles of the Reserves Act 1977 must not be undermined for a few non-resident users at the expense of the general public, and

B) the delegation removes the ability for local boards to make decisions on local matters for their communities under the Local Government (Auckland Council) Act 2009 in respect to freedom camping. Regrettably, the Freedom Camping Act 2011 and the proposed bylaw do not recognise the shared-governance structure of Auckland Council.
iv) the approach taken by the Governing Body in respect to any proposed bylaw must take into account the statutory roles of local boards. If the Governing Body proceeds with the bylaw with regional regulation in mind, it must include the schedules of reserves and public places that each local board considers need protection from freedom camping. This would be a practical method of implementing the shared governance arrangement required by the Local Government (Auckland Council) Act 2009. The schedule must include each and every local reserve put forward by each local board.

v) a bylaw may also be needed for roads and road reserves. Potential displacement of freedom camping from reserves on to streets in residential areas will result in the negative effects that were experienced or anticipated on the adjoining reserves. We believe that freedom camping should not be allowed on residential streets. Auckland Transport should be encouraged to create a bylaw that aligns with Auckland Council’s bylaw. Lack of an Auckland Transport bylaw will negate what is needed under the proposed bylaw amendments in residential and possibly commercial areas.

vi) general rules are needed to regulate freedom camping in areas where it is allowed, e.g. to better manage areas identified for freedom camping it should define the types of vehicle allowed, i.e. self-contained campervans, and a time limit such as a maximum of two nights in any place.

vii) the Hibiscus and Bays Local Board and its local community believe that consultation on the proposed bylaw has not been robust or sufficient to address all the concerns and impacts of freedom camping.

viii) the Hibiscus and Bays Local Board believes that the Freedom Camping Act 2011 is a flawed piece of legislation, in that it is overly permissive for land set aside for public use and enjoyment. The Reserves Act 1977 and the Local Government Act 2002 are key statutes that regulate public enjoyment of public land and are primarily intended to protect that land for local communities.

ix) any new bylaw on freedom camping must reflect the shared governance arrangements in Auckland.

b) note that local board members have fielded many calls and complaints from concerned residents about carte blanche freedom camping, particularly in parks and streets in residential areas.

CARRIED

Note: Pursuant to Standing Order 1.9.7 Member Caitlin Watson requested her abstaining vote be recorded.
8 Deputations

8.1 Harbour Sport Progress Update
Mr O’Leary, Mr Bishop and Mr Parker from Harbour Sport were in attendance for this item.

A copy of the powerpoint presentation has been placed on the official minutes and is available on the Auckland Council website as a minutes attachment.

Resolution number HB/2019/34
MOVED by Chairperson J Parfitt, seconded by Deputy Chairperson J Fitzgerald:
That the Hibiscus and Bays Local Board:
   a) thank Harbour Sport for their presentation.
   
   CARRIED

Attachments
A 20 March 2019 - Hibiscus and Bays Local Board Item 8.1 - Harbour Sport Progress Update - presentation

Member V Watson left the meeting at 6.45pm.

8.2 Hibiscus and Bays Pest Free Group
Sally Cargill, East Coast Bays Community Coordinator, Richard Chambers, Pest Free Coordinator and Ben Paris, Senior Biodiversity Advisor were in attendance for this item.

A copy of the powerpoint presentation has been placed on the official minutes and is available on the Auckland Council website as a minutes attachment.

Resolution number HB/2019/35
MOVED by Chairperson J Parfitt, seconded by Member C Bettany:
That the Hibiscus and Bays Local Board:
   a) thank Ms Cargill for her update on the Hibiscus and Bays Pest Free Group.
   
   CARRIED

Attachments
A 20 March 2019 - Hibiscus and Bays Local Board Item 8.2 - Hibiscus and Bays Pest Free Group - presentation

8.3 East Coast Bays Community Project
Sally Cargill, East Coast Bays Community Coordinator and Brigid Curran, East Coast Bays Community Project Trust Chairperson were in attendance for this item.

Resolution number HB/2019/36
MOVED by Chairperson J Parfitt, seconded by Member C Bettany:
That the Hibiscus and Bays Local Board:
   a) thank the representatives of the East Coast Bays Community Project for their update.
   
   CARRIED
8.4 **Silverdale Area Business Association**

Gill Plume and representatives from the Silverdale Area Business Association were in attendance for this item.

Resolution number HB/2019/37

MOVED by Member C Bettany, seconded by Chairperson J Parfitt:

That the Hibiscus and Bays Local Board:

a) thank Ms Plume for her presentation on the progress and forward plans of the Silverdale Area Business Association.

CARRIED

8.5 **Torbay, Mairangi Bay and Browns Bay Business Improvement Districts Updates**

Joanne Martin, Torbay, Mairangi Bay and Browns Bay Business Improvement Districts Coordinator was in attendance for this item.

Resolution number HB/2019/38

MOVED by Member C Bettany, seconded by Member D Cooper:

That the Hibiscus and Bays Local Board:

a) Thank Ms Martin for her update on the Torbay, Mairangi Bay and Browns Bay Business Improvement Districts.

CARRIED

9 **Public Forum**

9.1 **Proposed Restoration Project**

Lezette Reid was in attendance for this item.

A PowerPoint presentation was given. A copy has been placed on the official minutes and is available on the Auckland Council website as a minutes attachment.

Resolution number HB/2019/39

MOVED by Member C Bettany, seconded by Chairperson J Parfitt:

That the Hibiscus and Bays Local Board:

a) thank Ms Reid for her presentation on the potential restoration project Friends of Okura Bush wish to undertake.

CARRIED

Attachments

A 20 March 2019 - Hibiscus and Bays Local Board Item 9.1 - Proposed Restoration Project - presentation
9.2 Oak Tree Avenue Reserve
Katrina Mora was in attendance for this item.
Copies of tabled maps have been placed on the official minutes and are available on the Auckland Council website as a minutes attachment.

Resolution number HB/2019/40
MOVED by Chairperson J Parfitt, seconded by Member G Holmes:
That the Hibiscus and Bays Local Board:
a) thank Ms Mora for her presentation

CARRIED

Attachments
A 20 March 2019 - Hibiscus and Bays Local Board Item 9.2 - Oak Tree Reserve - maps

9.3 Mairangi Bay Bowling Club - Trees on Reserve
No one was in attendance for this item.

Member G Holmes left the meeting at 7.47pm

9.4 Waiake Beach Parking Issues
Mr Brian Casey was in attendance to discuss Waiake Beach issues.
A copy of the presentation has been placed on the official minutes and is available on the Auckland Council website as a minutes attachment.

Resolution number HB/2019/41
MOVED by Chairperson J Parfitt, seconded by Member C Bettany:
That the Hibiscus and Bays Local Board:
a) thank Mr Casey for his presentation on parking issues at Waiake Beach.

CARRIED

Attachments
A 20 March 2019 - Hibiscus and Bays Local Board, Item 9.4 - Waiake Beach Parking Issues - presentation

9.5 Hibiscus Coast Zero Waste
Betsy Kettle and Judith Rosamund were in attendance to address the local board on expansion plans for the Whangaparāoa Recycling Centre, finding sites to create new recycling centres in the local board area/Upper Harbour Local Board area and to discuss the waste education programme in kindergartens and schools.

Resolution number HB/2019/42
MOVED by Chairperson J Parfitt, seconded by Member C Bettany:
That the Hibiscus and Bays Local Board:
a) thank Mrs Kettle and Ms Rosamund for their presentation

CARRIED
8.09 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 HIBISCUS AND BAYS LOCAL BOARD HELD ON

DATE:..............................................................................................................

CHAIRPERSON:............................................................................................