
Devonport-Takapuna Local Board

OPEN MINUTES

Minutes of a meeting of the Devonport-Takapuna Local Board held in the Devonport-Takapuna Local Board Chamber, Takapuna Service Centre, Level 3, 1 The Strand, Takapuna on Tuesday, 16 April 2019 at 4.00pm.

PRESENT

Chairperson	George Wood, CNZM
Deputy Chairperson	Dr Grant Gillon
Members	Mike Cohen, QSM, JP Jennifer McKenzie Jan O'Connor, QSM Mike Sheehy

ABSENT

ALSO PRESENT

IN ATTENDANCE

1 **Welcome**

2 **Apologies**

There were no apologies.

3 **Declaration of Interest**

There were no declarations of interest.

4 **Confirmation of Minutes**

Resolution number DT/2019/46

MOVED by Chairperson G Wood, seconded by Deputy Chairperson G Gillon:

That the Devonport-Takapuna Local Board:

- a) **confirm the ordinary minutes of its meeting, held on Tuesday, 19 March 2019, as true and correct.**

CARRIED

5 **Leave of Absence**

There were no leaves of absence.

6 **Acknowledgements**

There were no acknowledgements.

7 **Petitions**

7.1 Katherine Mason – 2019 ANZAC Services in Devonport

Katherine Mason was in attendance to address the board regarding 2019 ANZAC services in Devonport.

Petition Prayer:

“That the Devonport Civic ANZAC Service parade continue as normal in honor of the hundreds of residents who have sacrificed their lives to serve our country. Respecting their families and the community who wish to commemorate them and acknowledging Devonport’s role in NZ Military history”

A copy of the petition was provided. A copy has been placed on the official minutes.

Resolution number DT/2019/47

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

That the Devonport-Takapuna Local Board:

- a) **thinks Katherine Mason for her presentation regarding the 2019 ANZAC services in Devonport and receive the petition.**

CARRIED

Attachments

A 16 April 2019 - Item 7.1 Katherine Mason - 2019 ANZAC Services in Devonport Petition

8 Deputations

There were no deputations.

9 Public Forum

9.1 Peter McNee and John Godfre, Sunnynook Community Association

Peter McNee and John Godfrey were in attendance to address the board in relation to item 13 of the agenda report.

Resolution number DT/2019/48

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

That the Devonport-Takapuna Local Board:

- a) **receives the presentation from Peter McNee and John Godfrey and thank them for their 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 <Member Names> for consideration under items 12 and 13 respectively.

12 Notice of Motion - NZ Super Fund

Resolution number DT/2019/49

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

That the Devonport-Takapuna Local Board:

- a) **supports the decision of the Guardians of the NZ Super Fund to divest its investments in gun manufacturing and gun retailing business.**
- b) **confirms its support to the Waitemata Harbour crossing tunnel project; and**
- c) **writes to the Guardians of the NZ Super Fund to request that they explore investing in the crossing project and in doing so assist in securing the timelines and viability of the crossing and even to bring in forward.**

CARRIED

13 Notice of Motion - Disposal recommendation report for 2 Forrest Hill Road

Resolution number DT/2019/50

MOVED by Deputy Chairperson G Gillon, seconded by Chairperson G Wood:

That the Devonport-Takapuna Local Board:

- a) rescinds clause b) of resolution number DT/2016/122 passed at the 19 July 2016 meeting of the board, which reads as follows:

Disposal recommendation report – 2 Forrest Hill Road

Moved by Chairperson J Bergin, seconded by Member DP Hale:

That the Devonport-Takapuna Local Board:

(b) endorse Panuku Development Auckland's recommendation to the Finance and Performance Committee to dispose of 2 Forrest Hill Road, Forrest Hill, being an estate in fee simple comprising approximately 650m2 more or less being Section 1 SO Plan 484419 contained in computer freehold register 701352, subject to alternative open space acquisitions in this area being identified, noting that the area is not within an acceptable range for walking distance provision target for neighbourhood parks

And replace with:

- b) confirms its support to retain the land at 2 Forrest Hill Road so it can be developed as a neighbourhood park in the Forrest Hill area.
- c) requests that the land at 2 Forrest Hill Road be transferred to the service portfolio so that it can be included in the scope of the board's Open Space Management Plan, which will be undertaken in the 2019/2020 financial year.
- d) notes that the local board has provisionally allocated \$60,000 from its locally driven initiatives operational budget towards the Open Space Management Plan, which will enable the land at 2 Forrest Hill Road to be reclassified as a reserve.
- e) notes that no alteration or revocation has been suggested to clause a) of resolution number DT/2016/122

CARRIED

14 Department of Conservation proposal to revoke Reserves Act 1977 delegations

A copy of the Auckland Council Submission to the Department of Conservation in the matter of the certain delegations to territorial authorities under the Reserves Act 1977 was tabled. A copy has been placed on the official minutes and is available on the Auckland Council website as a minutes attachment.

Resolution number DT/2019/51

MOVED by Chairperson G Wood, seconded by Deputy Chairperson G Gillon:

That the Devonport-Takapuna Local Board:

- a) **recommends that no decision on the proposed changes to the Reserve Act 1977 Ministerial delegations be made until the appeal of the Opuia Coastal Preservation Inc v Far North District Council [2018] NZCA 262 decision to the Supreme Court has been completed;**
- b) **provides the following feedback on the Auckland Council *Proposal on the revocation of certain delegations to territorial authorities under the Reserves Act 1977* submission:**
 - i. **Supports the council's position to not support the proposal to revoke 44 of the 50 Ministerial powers within the Reserves Act 1977, delegated to local authorities if decision-making for local parks and reserves is allocated to local boards. This would include returning of delegated decision-making of films and events on local reserves and parks, including the receipt of fees associated with events and films; and approval for disposal of all land, including the divestment of surplus land.**
 - ii. **Supports the following submission points:**
 - **that substantive justification for the proposed revocation of delegations has not been proven, and a clear identification of the problems exercising dual delegations by councils under the Reserves Act 1977 is lacking;**
 - **that the proposed revocation of delegations will undermine local decision-making and community outcomes and would be a backwards step to undo decision-making at the local level for local communities;**
 - **that the proposed revocation of delegations will add significant delays to all Reserves Act 1977 processes, and council's ability to be responsive to communities will be severely impacted;**
 - **that the revocation of delegations will mean that the Minister of Conservation (or delegate) will largely focus on whether procedural steps were followed, and decision-making would be undertaken with little understanding of local issues,**
 - iii. **Notes that it is premature to justify changes to the Reserves Act 1977 Ministerial delegations, as they are based on comments made by the Court of Appeal in its decision of Opuia Coastal Preservation Inc v Far North District Council [2018] NZCA 262, and this case has also been appealed to the Supreme Court;**
 - iv. **Recommends a full review of the Reserves Act 1977, rather than an update of the *Reserves Act Guide 2004*, as noted in the council**

submission requesting that if the delegations are to remain with local authorities, then some form of appeal rights are allocated to the Department of Conservation under special or exceptional circumstances

- v. Supports other key points highlighted in the council submission, which include:
- council has significant experience exercising its responsibilities and delegations under the Reserves Act 1977;
 - council has invested in processes, systems and practices to allow robust dual decision-making, while managing any potential or actual conflicts of interest;
 - the Ministerial delegations are essential for council to manage the enormous scale and volume of decisions that are required for the effective and efficient administration of reserves, as required under the Reserves Act 1977.

CARRIED

Note: Member O'Connor abstained from voting on the above resolution

Note: Member Sheehy left the meeting at 4.50pm

Note: member Sheehy returned to the meeting at 4.51pm

15 Auckland Transport monthly update - April 2019

Resolution number DT/2019/52

MOVED by Member J McKenzie, seconded by Member M Sheehy:

That the Devonport-Takapuna Local Board:

- a) receives the Auckland Transport April 2019 monthly update report and thank Marilyn Nicholls for her presentation and attendance.

CARRIED

16 Local board decisions and input into the Annual Budget 2019/2020 and the proposed amendment to the 10-year Budget 2018-2028

Resolution number DT/2019/53

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

That the Devonport-Takapuna Local Board:

- a) receive consultation feedback on the Devonport-Takapuna Local Board priorities for 2019/2020.
- b) approves its advocacy initiatives for inclusion (as an appendix) to its 2019/2020 Local Board Agreement.
- i. That the local board advocates for funding from the natural environment targeted rate to support initiatives that will improve biodiversity outcomes for Lake Pupuke and the Wairau Estuary, including initiatives around the control of invasive pest species.
 - ii. That the local board advocates for funding from the water quality targeted rate to improve water quality and clarity across the local board area, in particular a continuation of the investigative works being undertaken on Takapuna and Milford Beach and necessary actions identified as part of this projects.

- iii. That the local board advocates for an amendment to the allocation of non-regulatory decision making table so that local boards are allocated decision-making on:
 - 1. the acquisition and divestment of all land,
 - 2. the disposal of surplus land; with the local board approval being required before the final decision by the Governing Body.
- c) receives consultation feedback on regional proposals in the Annual Budget 2019/2020 and on the proposed amendment to the 10-year Budget 2018-2028 regarding property transfers from people or organisations based in the Devonport-Takapuna Local Board area.
- d) provides the following feedback on the Annual Budget 2019/2020 regional topics , based on comments and feedback received from the community during consultation:
 - i. does not support the proposed \$20.67 increase to the annual waste management charge to cover increased costs;
 - ii. does not support extending the food scraps targeted rate to 2000 properties in the North Shore former trial area to whom the service is available;
 - iii. does not support phasing out the Waitakere rural sewerage service and targeted rate over a two-year period (2019/2020-2020/2021);
 - iv. supports adjusting the urban rating boundary to apply urban rates to 400 properties in recently urbanized areas (that receive the same services as their adjacent urban neighbours);
 - v. supports the proposal to not charge rates on some parts of the land owned by religious organisations; and
 - vi. does not support an increase to some regulatory fees (such as resource consent, building control, harbour master fees and animal management fees).
- e) provides the following feedback on the proposed amendment to the 10-year Budget 2018-2028 based on comments and feedback received from the community during consultation:
 - i. supports the transfer of legal ownership of the city centre water front properties currently owned by Panuku to Auckland Council.
- f) request that the Governing Body consider consultation as part of the 2020/2021 Annual Budget or next Ten-year Budget, an amendment to the allocation of non-regulatory decision making table so that local boards are allocated decision-making on:
 - i. the acquisition and divestment of all land,
 - ii. the disposal of surplus land; with the local board approval being required before the final decision by the governing body.

CARRIED

17 Auckland Council Policy on Dogs and Dog Management Bylaw Statement of Proposal resolution from Governing Body

Resolution number DT/2019/54

MOVED by Chairperson G Wood, seconded by Member J McKenzie:

That the Devonport-Takapuna Local Board:

- a) receives the 28 February 2019 Governing Body resolution on the Auckland Council Policy on Dogs and Dog Management Bylaw Statement of Proposal.
- b) requests staff provide a workshop with the local board to present the public consultation findings, which will inform the local board's feedback at the 21 June 2019 hearing.
- c) requests advice from staff on whether the proposed dog exercise area at Barry's Point Reserve, Takapuna, which is currently under development can be included in the Auckland Council Policy on Dogs and Dog Management Bylaw
- d) notes that the local board will be presenting its views on the Auckland Council Policy on Dogs and Dog Management Bylaw Statement of Proposal to the hearings panel on 21 June 2019.

CARRIED

Note: The meeting adjourned at 5.57pm and reconvened at 6.05pm
All members of the meeting were present.

18 Request for an additional business meeting to support the Auckland Council 2019/2020 Annual Budget and proposed amendment to the 10-Year Budget 2018-2028 timeframes

Resolution number DT/2019/55

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

That the Devonport-Takapuna Local Board:

- a) approves one meeting date to be added to the 2016-2019 Devonport-Takapuna Local Board meeting schedule to accommodate the Annual Budget 2019/2020 and proposed amendment to 10-Year Budget 2018-2028 timeframes as follows:
 - Tuesday, 4 June 2019 at 5pm, in the Council Chamber, Level 3, Takapuna Service Centre, 1-7 The Strand, Takapuna.
- b) notes that as this meeting has been approved as an addition to the meeting schedule, the board retains the ability to consider other items of business (in addition to the Annual Budget 2019/2020 and proposed amendment to 10-Year Budget 2018-2028) in the event the need arises.

CARRIED

19 Feedback on the Auckland Council draft Increasing Aucklanders' Participation in Sport: Investment Plan 2019-2039

Resolution number DT/2019/56

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

That the Devonport-Takapuna Local Board:

- a) endorses the overarching purpose, objectives and outcomes associated with the draft Increasing Aucklanders' participation in sport: Investment Plan 2019-2039, however expresses concern that the high-level nature of the plan, lack of information on council's current investment, and lack of information on any potential current under-funding may result in unintended consequences to the sport sector when implemented.
- b) provides the following feedback on the draft Increasing Aucklanders' Participation in Sport: Investment Plan 2019-2039 for consideration of the Environment and Community Committee:

Topic	Feedback
Key shifts	<ol style="list-style-type: none"> 1. endorse the key shifts in the council's future investment approach provided they don't disregard existing investment in both facilities and people; 2. recognizes in some situations the benefits of developing multisport facilities to cater for future sporting needs acknowledging that some facilities of a certain scale need a lead user.
Equity	<ol style="list-style-type: none"> 3. endorse the principle of equity as outlined in the draft Sport Investment Plan however request a baseline level of service is established to maintain adequate access to sport for all Aucklanders; 4. note that current and future needs cannot be addressed with current facilities, due to a significant historic under- investment in sports facilities; 5. request the plan has a greater emphasis on sustainability of clubs and community groups, to ensure their long-term viability and success.
Investment framework	<ol style="list-style-type: none"> 6. endorse the proposed investment framework as it will ensure a structured, evidenced-based approach for sport investment; 7. request a level of flexibility is provided for within the proposed investment framework for local boards to react to local investment decisions that are relatively minor in the total scheme of council's investment in sport; 8. endorse using the draft Increasing Aucklanders' participation in sport: Investment Plan 2019-2039 as a guiding document for the investment into new facilities; 9. request that investment decisions should be based on community outcomes as outlined in key documents such as Local Board Plans; 10. note that the plan may be used as a tool to help inform local board decision making on the future of local assets.
General	<ol style="list-style-type: none"> 11. endorse the people-centric approach used to develop the plan; 12. express concern that having only one objective for council's

	<p>investment in sport - to increase participation in community sport - is potentially limiting, particularly considering the agenda report states that 'the plan will guide all council investment in sport';</p> <p>13. note that both active and passive sport and recreation contribute to enhanced outcomes, in particular physical activity, health and wellbeing, and social and community benefits;</p> <p>14. request connecting new and emerging sports with well-established sports to leverage off existing facility investment and to enable trial projects to be undertaken, such as adding temporary court markings, before investing in more permanent solutions;</p> <p>15. express concern that incidental infrastructure such as clubrooms are identified as lower priority as these facilities are a key part of bringing people and communities together;</p> <p>16. express concern should this plan be used to inadvertently add costs to our sports clubs and organisations through charges for sports field use, increased facility hire or increased community lease costs;</p> <p>17. express concern that the draft plan includes limited analysis and information relating to the quantum of funding council currently provides in support of sport, and in particular, the lack of information regarding the potential under-funding of sport now and in the future;</p> <p>18. express concern that the draft Sport Investment Plan may have a detrimental impact on the ability of community sports clubs or organisations to partner with council to receive support for renewal and maintenance costs associated with community-owned buildings and assets (such as playing surfaces) on council-owned land express concern that the draft Sport Investment Plan has the ability to undermine the current community club based sport model and does not analyse the potential financial and social impact if the sport delivery model is changed;</p> <p>19. express concern with the lack of analysis on the potential impact on sport volunteers (administrators, managers, coaches etc.) and seek confirmation on how council will mobilise and coordinate the volunteer participation in sport if community sports clubs are weakened;</p> <p>20. endorse the use of partnerships to address the current and future investment required in sport facilities;</p> <p>21. endorse the close alignment between the Sport Investment Plan and the Facility Partnerships Policy when setting up and investing in community partnerships with the various sporting codes.</p>
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- c) expresses concern that the local board were not provided with sufficient support and advice to from staff leading the project, and this in turn made it difficult for the local board to confidently provide its views and preferences the Plan, due to local board feedback being sought concurrently with general public feedback an analysis of public submissions was not provided to enable the local board to hear it's community's views;
- d) requests clarification on the process, outcomes and how local board and community priorities can be supported from the Sport and Recreation Facilities Investment Fund;

- e) expresses concern that the proposed \$120 million to implement the plan is insufficient to meet current and future demand for sport and recreation activities;
- f) does not support the reallocation or redistribution of local board budgets (e.g. renewals) to implement the plan; and
- g) requests confirmation that this plan will not be used to inadvertently add costs to sports clubs and organisations through charges for sports field use, increased facility hire or increased community lease costs

CARRIED

20 Chairpersons' Report

Resolution number DT/2019/57

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

That the Devonport-Takapuna Local Board:

- a) receives and thank Chairperson G Wood for his verbal report

CARRIED

21 Elected Members' Reports

A document prepared by the Senior Advisor in response to matters raised in member O'Connor's report was tabled.

A document distributed by the chief operating officer on Friday 13 April 2019 titled ANZAC Day Commemorations – 2019 FAQs was tabled.

A copy of each of the tabled documents has been places on the official minutes and is available on the Auckland Council website as a minute attachment.

Resolution number DT/2019/58

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

That the Devonport-Takapuna Local Board:

- a) receives the tabled document prepared by the Senior Advisor in response to matters raised in member O'Connor's report.
- b) ensures the timetables for buses terminating at the Devonport Wharf and Bayswater Wharf be made more flexible so that priority is given to allowing ferry passengers to board awaiting buses.
- c) urgently investigates how to include the Takapuna Leisure Centre in the partnership of the Plunket Auckland, YMCA Auckland and Auckland Council which offers half price swimming and water safety for pre-schoolers aged between 3 months and 5 years.
- d) receives and thank Member J O'Connor for her written report.

CARRIED

Resolution number DT/2019/59

MOVED by Chairperson G Wood, seconded by Deputy Chairperson G Gillon:

That the Devonport-Takapuna Local Board:

e) receives and thank Member Cohen for his verbal report.

CARRIED

Resolution number DT/2019/60

MOVED by Chairperson G Wood, seconded by Member J McKenzie:

That the Devonport-Takapuna Local Board:

f) receives and thank Member Sheehy for his verbal report.

CARRIED

Resolution number DT/2019/61

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

That the Devonport-Takapuna Local Board:

g) receives and thank Deputy Chairperson Gillon for his verbal report.

h) understands that there is the possibility of informal ANZAC day gatherings and that there is a risk to public safety if any such events occur.

i) requests that the chairperson raise the issue of informal ANZAC day gatherings.

j) encourages people, in light of police advice, to quietly reflect on the day and lay a poppy or wreath at some stage during the day if they so desire.

k) receives the tabled document distributed by the chief operating officer on Friday 13 April 2019 titled ANZAC Day Commemorations – 2019 FAQs.

CARRIED

Attachments

A 16 April 2019 - Item 21 Elected Members' Reports - Response to Member O'Connor's report

B 16 April 2019 - Item 21 Elected Members' Reports - ANZAC Day Commemorations - 2019 FAQs

22 Ward Councillors Update

The Ward Councillors were not in attendance for this item.

23 Devonport-Takapuna Local Board - Record of Workshops March 2019

Resolution number DT/2019/62

MOVED by Chairperson G Wood, seconded by Deputy Chairperson G Gillon:

That the Devonport-Takapuna Local Board:

a) receives the records of the workshops held in March 2019.

CARRIED

24 Governance Forward Work Calendar

Resolution number DT/2019/63

MOVED by Chairperson G Wood, seconded by Deputy Chairperson G Gillon:

That the Devonport-Takapuna Local Board:

- a) notes the Devonport-Takapuna Local Board governance forward work calendar for April as set out in Attachment A of this agenda report.

CARRIED

25 Consideration of Extraordinary Items

There was no consideration of extraordinary items.

6.46 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 DEVONPORT-TAKAPUNA
LOCAL BOARD HELD ON

DATE:.....

CHAIRPERSON:.....