

Rodney Local Board OPEN MINUTES

Minutes of a meeting of the Rodney Local Board held in the Council Chamber, Orewa Service Centre, 50 Centreway Road, Orewa on Thursday, 18 April 2019 at 2.00pm.

PRESENT

Chairperson	Beth Houlbrooke
Deputy Chairperson	Phelan Pirrie
Members	Brent Bailey
	Tessa Berger
	Cameron Brewer
	Louise Johnston
	Allison Roe, MBE

ABSENT

Members	Brenda Steele
	Colin Smith

1 Welcome

The Chairperson opened the meeting and welcomed those in attendance.

2 Apologies

Resolution number RD/2019/28

MOVED by Member B Bailey, seconded by Member T Berger:

That the Rodney Local Board:

- a) **accept the apologies from Member B Steele and Member C Smith for absence.**

CARRIED

3 Declaration of Interest

There were no declarations of interest.

4 Confirmation of Minutes

Resolution number RD/2019/29

MOVED by Member B Bailey, seconded by Member T Berger:

That the Rodney Local Board:

- a) **confirm the ordinary minutes of its meeting, held on Thursday, 21 March 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.

8 Deputations

8.1 Netball Rodney facilities on Centennial Park in Wellsford

Ms Pixie Jones and Ms Lynette Gubb were in attendance from Netball Rodney for this item.

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

Resolution number RD/2019/30

MOVED by Member A Roe, seconded by Member B Bailey:

That the Rodney Local Board:

- a) **thank Netball Rodney Centre for their presentation.**

CARRIED

Attachments

- A 18 April 2019 - Rodney Local Board, Item 8.1 - Netball Rodney Centre - presentation

9 Public Forum

9.1 Warkworth Dog Club

Mr Gary Martin was in attendance on behalf of the Warkworth Dog Club to discuss the Auckland Council Policy on Dogs and Dog Management Bylaw.

9.2 Hibiscus Dog Club

Ms Claire Teirney was in attendance on behalf of the Hibiscus Dog Club to discuss the Auckland Council Policy on Dogs and Dog Management Bylaw.

10 Extraordinary Business

There was no extraordinary business.

11 Public notification of Auckland Council's intention to reclassify a portion of land at Goodall Reserve, Snells Beach from recreation reserve to local purpose (helipad and parking) reserve

Ms Walby – Community Lease Specialist, was in attendance for this item.

Resolution number RD/2019/31

MOVED by Member B Bailey, seconded by Deputy Chairperson P Pirrie:

That the Rodney Local Board:

- a) **approve the public notification of Auckland Council's intention to reclassify 0.1712Ha of part of Goodall Reserve legally described as Part Lot 3 DP 114828 redefined by survey as Section 1 Survey Office Plan 530069 from recreation reserve to local purpose (helipad and parking) reserve (Attachment A to the agenda report)**

- b) appoint members Houlbrooke, Bailey and Berger to a hearings panel to hear, consider and decide on any submissions or objections received following the public notification process
- c) request that council staff report back to the local board following public notification for a decision or reclassification of the portion (0.1712Ha) of Part Lot 3 DP 114828 redefined by survey as Section 1 Survey Office Plan 530069 from recreation reserve to local purpose (helipad and parking).

CARRIED

12 Public notification of Auckland Council's intention to grant a new community lease to The Mahurangi Community Trust with provision for a sub-lease to Fire and Emergency New Zealand at Goodall Reserve, 326 Mahurangi East Road, Snells Beach

Ms Walby – Community Lease Specialist, was in attendance for this item.

Resolution number RD/2019/32

MOVED by Chairperson B Houlbrooke, seconded by Member B Bailey:

That the Rodney Local Board:

- a) approve the public notification of Auckland Council's intention to grant The Mahurangi Community Trust a new community lease (1033m² more or less) to be issued under the Local Government Act 2002 for a portion of the land legally described as Part Lot 3 DP 114828 at Goodall Reserve, 326 Mahurangi East Road, Snells Beach (Attachment A to the agenda report). Any new community lease would be subject to the following terms and conditions:
 - i) term – 10 years with one 10 year right of renewal
 - ii) rent - \$1.00 plus GST per annum if demanded
 - iii) a community outcomes plan be appended as a schedule to the lease agreement
- b) appoint members Houlbrooke, Bailey and Berger to a hearings panel to hear, consider and decide on any submissions or objections received following the public notification process
- c) note that all other terms and conditions of the proposed new community lease would be in accordance with the Auckland Council Community Occupancy Guidelines 2012
- d) request that council staff report back to the local board following public notification for a decision or final approval of the proposed new community lease.

CARRIED

Note: Pursuant to Standing Order 1.9.7 Member Phelan Pirrie requested that his abstention be recorded.

13 Community-led sport and recreation projects at Warkworth Showgrounds

Mr Harris – Sport and Recreation Lead was in attendance via Skype for this item.

Resolution number RD/2019/33

MOVED by Member B Bailey, seconded by Deputy Chairperson P Pirrie:

That the Rodney Local Board:

- a) grant \$20,000 Locally Driven Initiative Opex from the existing budget line “Rodney Greenways Plan – develop design” to Mahurangi Community Sport and Recreation Collective towards preliminary planning for the proposed Mahu Bike and Skate facility at Warkworth Showgrounds; and,
- b) grant \$18,000 Locally Driven Initiative Opex from the existing budget line “Rodney Greenways Plan – develop design” to Mahurangi Community Sport and Recreation Collective towards the upgrade of the existing security camera network at Warkworth Showgrounds operated by the Collective
- c) note that by granting funding in resolution b) above the local board will not be responsible for the ongoing maintenance, renewal, or operation of the security camera network.

CARRIED

14 Community Facilities Work Programme Renewal Reallocations

Ms Angie Bennett – Work Programme Lead, was in attendance for this item.

Resolution number RD/2019/34

MOVED by Deputy Chairperson P Pirrie, seconded by Member A Roe:

That the Rodney Local Board:

- a) cancel the community facilities work programme line SPID18/19 1834 activity ‘15 Mill Lane, Warkworth - renew facility’ (approved under RD2018/86) with a budget of ‘\$15,000’
- b) cancel the community facilities work programme line SPID18/19 1895 activity ‘Warkworth Masonic Hall - underpin main entrance stairs’ (approved under RD2018/86) with a budget of ‘\$45,000’
- c) cancel the community facilities work programme line SPID18/19 1858 activity ‘Riverhead Historic Mill Reserve - renew seawall’ (approved under RD2018/86) with a budget of ‘\$90,000’
- d) approve a \$90,000 increase in coastal renewals funding to ‘Rodney - renew coastal assets’ work programme line SPID 18/19 1862
- e) approve a \$60,000 increase for local carpark and drainage renewals in the 2018/2019 community facilities work programme SPID 18/19 1869
- f) approve the unbundling and reprioritising of the three community facilities work programme line items for carpark and drainage renewals as shown in Appendix A with priority carparks being Algies Bay Reserve, Currys Bush Reserve, Matheson Bay Reserve, Shelly Beach Reserve and Kaukapakapa Reserve and delegate to the Chairperson of the Parks and Recreation Committee the authority to approve the detail and wording of these work programme lines
- g) approve variation of scope to the existing activity ‘Rodney - renew park signage 2018/2019+’ to include an additional site; being: ‘Scotts Landing – replace and resite interpretive signage’.

CARRIED

15 Community Facilities Work Programme LDI Opex Allocations

Ms Angie Bennett – Work Programme Lead, was in attendance for this item.

Resolution number RD/2019/35

MOVED by Deputy Chairperson P Pirrie, seconded by Member B Bailey:

That the Rodney Local Board:

- a) **amend community facilities work programme line SPID18/19 1884 activity ‘Rodney Greenways Plan – develop design’ (approved under RD2018/86) to reduce the scope of the project to reflect a reduction in funding allocation from \$149,000 to \$74,000**
- b) **allocate \$50,000 Locally Driven Initiatives Opex budget to a new community facilities work programme line entitled ‘Riverhead - develop concept plan - play space provision gaps’ incorporating the following activity description:**
 - i) **‘develop a concept plan for the play space provision gaps in the Riverhead area. The concept is to include walkway networks where necessary to ensure safe access to the proposed sites. This planning will also include public consultation and provide options to the local board for future decision making based on the recommendations in the Riverhead Play Space Site Analysis undertaken in July 2017.**
FY18/19 investigate and develop concept design for public consultation and local board input and approval’
- c) **delegate to the Chairperson of the Parks and Recreation Committee the authority to approve an additional community facilities work programme line item relating to the Muriwai Village Green Pine Tree Removal and revegetation planning to a maximum of \$25,000 Locally Driven Initiatives Opex.**

CARRIED

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

Resolution number RD/2019/36

MOVED by Member A Roe, seconded by Deputy Chairperson P Pirrie:

That the Rodney Local Board:

- a) **receive the 28 February 2019 Governing Body resolution on the Auckland Council Policy on Dogs and Dog Management Bylaw Statement of Proposal.**
- b) **note that the hearings for the Dogs and Dog Management Bylaw Statement of Proposal have been postponed until 21 June 2019.**
- c) **reserve the local board’s right to provide local views and preferences on the Auckland Council Policy on Dogs and Dog Management Bylaw Statement of Proposal until it has had an opportunity to review the public submissions on the proposal**
- d) **delegate authority to the Chairperson to prepare and to provide the local board’s feedback on the Dogs and Dog Management Bylaw Statement of Proposal to the hearings panel in June.**

CARRIED

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

Mr Ben Moimoi – Local Board Advisor, was in attendance for this item.

Resolution number RD/2019/37

MOVED by Chairperson B Houlbrooke, seconded by Member B Bailey:

That the Rodney Local Board:

- a) **receive consultation feedback on the Rodney Local Board priorities for 2019/2020**
- b) **approve the following advocacy initiatives for inclusion (as an appendix) to its 2019/2020 Local Board Agreement:**
 - i) **request that the local board's One Local Initiative, being a local indoor courts facility on Huapai Domain, proceed to the delivery phase as soon as possible to make use of the \$3 million in local board and community funding currently available for this project**
 - ii) **request equitable funding for local facilities region wide, such as operational funding for arts centres and community facilities which will bring those facilities in Rodney into line with the funding available for similar facilities in other local board areas**
 - iii) **request that Auckland Transport increase the amount of funding available for rural road maintenance, in order to increase the quality of our rural roads (both sealed and unsealed) and improve the safety of driving on them**
- c) **receive 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 Rodney Local Board area**
- d) **provide the following feedback on the Annual Budget 2019/2020:**
 - i) **confirm that it has no comment on the following items in the Annual Budget 2019/2020 as they do not have any impact on the Rodney Local Board area:**
 - A) **annual waste management changes**
 - B) **food scraps targeted rate**
 - C) **Waitākere rural sewerage targeted rate**
 - D) **urban boundary rating**
 - ii) **do not support the proposed change to rating of religious properties, noting that a small majority of submission points from people in Rodney did not support this change**
 - iii) **do not support the proposed changes to regulatory fees, noting that a significant proportion of submission points were opposed to this, which the local board believes is reflective of a view that the fees are already too high and the time taken to get a consent is too long to justify further increases; the local board would recommend investing in better processes to reduce the time taken and the effective cost per consent**
 - iv) **confirms that it has no comment on the draft Tupuna Maunga o Tamaki Makaurau Authority Operational Plan 2019/2020, having received no feedback on this item from submitters in Rodney**

- e) provide the following feedback on the proposed amendment to the 10-year Budget 2018-2028:
 - i) support the proposed transfer of legal ownership of the city centre waterfront properties from Panuku Development to Auckland Council, noting that the proposal will save a considerable sum in tax liabilities in the long term for a relatively minimal outlay now.

CARRIED

18 Rodney Local Board Chairperson's report

Resolution number RD/2019/38

MOVED by Deputy Chairperson P Pirrie, seconded by Member C Brewer:

That the Rodney Local Board:

- a) note the chairperson's report for April 2019.

CARRIED

19 Rodney Local Board workshop records

Resolution number RD/2019/39

MOVED by Member B Bailey, seconded by Member T Berger:

That the Rodney Local Board:

- a) note the workshop records for 4 April 2019.

CARRIED

20 Deputations and public forum update

Resolution number RD/2019/40

MOVED by Deputy Chairperson P Pirrie, seconded by Member B Bailey:

That the Rodney Local Board:

- a) note the deputation and public forum update for 21 March 2019.

CARRIED

21 Governance forward work calendar

Resolution number RD/2019/41

MOVED by Deputy Chairperson P Pirrie, seconded by Member B Bailey:

That the Rodney Local Board:

- a) note the governance forward work calendar as at April 2019.

CARRIED

22 Rodney Ward Councillor update

No update received from the Rodney Ward Councillor.

23 Consideration of Extraordinary Items

There was no consideration of extraordinary items.

24 Department of Conservation proposal to revoke Reserves Act 1977 delegations

Resolution number RD/2019/42

MOVED by Chairperson B Houlbrooke, seconded by Member B Bailey:

That the Rodney Local Board:

- a) **provide the following feedback on the Department of Conservation proposal to revoke current ministerial delegations to Auckland Council under the Reserves Act 1977:-**
 - i) **does not support the proposal to revoke 44 delegations granted by the Minister for Conservation under the Reserves Act 1977**
 - ii) **note that the Reserves Act 1977 was drafted when central government had considerably more staff and expertise available to give effect to the Act**
 - iii) **further note that the Court of Appeal in *Opua Coastal Preservation Society v Far North District Council* was not directly asked to look at the matter of delegations under the Reserves Act 1977 as the point was not pursued by the appellant, and therefore the commentary by the court was an observation not a considered judgment**
 - iv) **recommend that the Department of Conservation re-assess whether the existing delegations in place are automatically faulty or in need of revocation in the absence of a considered judgment**
 - v) **consider that it is not clear, based on the information provided, what problem the Department of Conservation is trying to fix, or what the benefit to local reserves and communities will be if the current delegations are revoked**
 - vi) **consider that the Department of Conservation needs to seriously consider whether they are adequately resourced to give effect and to implement the delegations in a timely and efficient manner, as the reason the delegations were made was to provide timely and efficient decision-making**
 - vii) **express its concerns regarding the expected delay that will eventuate as a result of revoking these delegations, noting that a one year delay is common and a three year delay is not unheard of when working with the Department of Conservation and Reserves Act 1977 decision making**
 - viii) **submit that a pragmatic approach needs to be taken to the handling of delegations in light of current departmental resourcing, the capability of territorial authorities, and existing checks and balances in the process, before any revocations are confirmed**
 - x) **note that, in the Auckland context, there is already a two stage approach to decision making under the Reserves Act 1977 with the following decisions delegated to local boards and then confirmed via the Reserves Act 1977 delegations by the Governing Body (exercised, in practice, by staff):**

- A) approval of Reserve Management Plans
 - B) classification of reserves
 - C) the change of classification or purpose of a reserve
 - D) declaration of land vested in council to be a reserve
 - E) exchange of reserves for other land
 - F) granting of rights of way and other easements
 - G) powers (other than leasing) in respect of reserves
 - H) leasing of reserves
- xi) consider that the revocation of the current delegations will put local decision making at risk and create the perverse scenario where decisions normally made by Auckland Council will need to be approved by central government staff in Hamilton, Wellington or Christchurch
- xii) express its concern that there is likely to be an increased cost to council (and therefore to the ratepayers of Auckland) if the revocations are made given the Department of Conservation's cost recovery model
- xiii) recommend that the Minister and the Department of Conservation work to update the Reserves Act 1977 to better reflect the present day balance of resourcing and capability, noting that 80 per cent of Auckland reserves are owned by Auckland Council with no contribution from central government and this proposal has raised questions about the extent to which decision making under the Reserves Act 1977 is still fit for purpose
- xiv) recommend that the Minister and the Department of Conservation seriously consider a review of the Reserves Act 1977 to meet modern day requirements and a detailed analysis of the decision making required for reserves and their management.

CARRIED

3.10pm

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 RODNEY LOCAL BOARD
HELD ON

DATE:.....

CHAIRPERSON:.....