

Upper Harbour Local Board

OPEN MINUTES

Minutes of a meeting of the Upper Harbour Local Board held in the Upper Harbour Local Board Office, 30 Kell Drive, Albany on Thursday, 18 April 2019 at 9.31am

PRESENT

Chairperson	Margaret Miles, QSM, JP	
Members	Uzra Casuri Balouch, JP	Until 10.40am [Item 14]
	Nicholas Mayne	Until 10.31am [Item 14]
	John McLean	
	Brian Neeson, JP	

ABSENT

Deputy Chairperson Lisa Whyte

1 Welcome

The Chairperson opened the meeting and welcomed those present.

2 Apologies

Resolution number UH/2019/28

MOVED by Chairperson M Miles, seconded by Member N Mayne:

That the Upper Harbour Local Board:

- a) accept the apology from Deputy Chairperson L Whyte for absence.

CARRIED

3 Declaration of Interest

There were no declarations of interest.

4 Confirmation of Minutes

Resolution number UH/2019/29

MOVED by Chairperson M Miles, seconded by Member U Casuri Balouch:

That the Upper Harbour 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

6.1 Dean Martin bereavement

Resolution number UH/2019/30

MOVED by Chairperson M Miles, seconded by Member U Casuri Balouch:

That the Upper Harbour Local Board:

- a) acknowledge the sudden recent passing of Dean Martin, Principal Advisor Māori Relations and Governance – Te Waka Anga Mua ki Uta, and recognise his role in establishing and delivering a relationship agreement between the local board and mana whenua of Ngati Manuhiri.
- b) extend condolences to Dean's family and friends at this very difficult time.

CARRIED

6.2 Paul Herbert bereavement

Resolution number UH/2019/31

MOVED by Chairperson M Miles, seconded by Member U Casuri Balouch:

That the Upper Harbour Local Board:

- a) **acknowledge the recent passing of Paul Herbert who, along with his wife, Annette Mitchell, has been instrumental in organising and driving the vision of the Whenuapai Restoration Group and who was also a founding member and inaugural Chairperson of the group.**
- b) **extend condolences to Paul's wife and his family and friends at this very difficult time.**

CARRIED

7 Petitions

There were no petitions.

8 Deputations

There were no deputations.

9 Public Forum

There was no public forum.

10 Extraordinary Business

There was no extraordinary business.

11 Minutes of the Upper Harbour Local Board meeting held Thursday, 21 March 2019

Note: that the open unconfirmed minutes of the Upper Harbour Local Board meeting held on Thursday, 21 March 2019, are attached at item 11 of the agenda for the information of the board only and were confirmed under item 4 of the agenda.

12 Disposal recommendations report - 131 (part) Clark Road, Hobsonville

The Senior Advisor Portfolio Review, Panuku Development Auckland, was in attendance to support the item.

Resolution number UH/2019/32

MOVED by Chairperson M Miles, seconded by Member N Mayne:

That the Upper Harbour Local Board:

- a) **endorse Panuku Development Auckland's recommendation to the Finance and Performance Committee to dispose of part of 131 Clark Road, Hobsonville, comprising approximately 5,500m² (subject to survey) for commercial and housing outcomes in accordance with the Scott Point Precinct Plan 3.**

- b) request that, in the event the Finance and Performance Committee so decides at its meeting on 18 June 2019 to dispose of the property, that the proceeds from the disposal of part of 131 Clark Road, Hobsonville, be ring-fenced to put towards the future cost of the Scott Point Sustainable Sports Park.

CARRIED

13 Auckland Transport monthly report - April 2019

The Elected Member Relationship Manager, Auckland Transport, was in attendance to support the item.

Resolution number UH/2019/33

MOVED by Chairperson M Miles, seconded by Member U Casuri Balouch:

That the Upper Harbour Local Board:

- a) receive the monthly update report from Auckland Transport for March 2019.
- b) allocate funding to the following Local Board Transport Capital Fund projects and request that Auckland Transport develop them to detailed design and provide firm estimates of the costs:
- i. 634 Kingsway Road, Herald Island – rough order of cost estimated at \$34,000
 - ii. Albany Highway / Upper Harbour Drive junction initial scheme design and cost analysis for various options – rough order of cost estimated at \$60,000
 - iii. Kyle Road footpath, Kyle Road section – rough order of cost estimated at \$412,000
 - iv. Kyle Road footpath, Schnapper Road section – rough order of cost estimated at \$132,000.
- c) request a workshop with relevant Auckland Transport and relevant staff from Parks, Sport and Recreation regarding parking issues at Hooton Reserve with the intent of identifying and progressing solutions as soon as possible.

CARRIED

Note: Under Standing Order 1.9.7, Member N Mayne requested that his dissenting vote to resolution b) ii. and b) iii. be recorded.

Note: Item 17 – Department of Conservation proposal to revoke Reserves Act 1977 delegations, was considered prior to Item 14 – Road name approval: New road at 61-117 Clark Road, Hobsonville.

17 Department of Conservation proposal to revoke Reserves Act 1977 delegations

The Relationship Manager, Local Board Services, was in attendance to support the item.

A copy of the 'Draft submission on the revocation of certain delegations to Territorial Authorities under the Reserves Act 1977' was provided. A copy has been placed on the official minutes and is available on the Auckland Council website as a minutes attachment.

MOVED by Chairperson M Miles, seconded by Member J McLean:

That the Upper Harbour Local Board:

- a) receive the draft Auckland Council submission to the Department of Conservation (DOC) proposal on the revocation of certain delegations to territorial authorities under the Reserves Act 1977, noting that the Environment

- and Community Committee will be retrospectively endorsing council's submission at its May 2019 business meeting.
- b) support council's draft submission on the Department of Conservation (DOC) proposal, and specifically support the following aspects which have been included in the submission:
- i. that the DOC proposal lacks a clear identification of the problems created by territorial authorities in exercising dual delegations under the Reserves Act 1977, and the local board supports the view that revocation of these delegations will likely undermine local decision-making and community outcomes
 - ii. that revocation of Ministerial delegations will likely add additional costs and significant delay to all Reserves Act processes, which could severely impact council's ability to be responsive to communities and the changing needs of residents, which could lead to a decline in resident trust and confidence in both local and central government
 - iii. that DOC is seeking to take action in response to the *Opuia Coastal Preservation Inc v Far North District Council (2018)* decision, yet the court did not reach a conclusion on the lawfulness of the dual decision-making process as part of its ruling, noting that the Opuia decision has been appealed to the Supreme Court which could make any changes to Ministerial delegations premature
 - iv. that revocation of Ministerial delegations would undermine the primary outcomes sought from improved delegation under the Reserves Act 1977, in that it would be a backwards step to unwind decision-making at the local level and will serve to disempower local communities, thereby creating a risk that the proposed changes will reduce council's ability to deliver a range of health, well-being and social outcomes as identified in the Auckland Plan and local board plans
 - v. that the DOC proposal is silent on how the department intends to resource the significant volume of work required to process decisions in relation to reserve management plans, reserve classification, land exchanges, easements and leases / licences, and expresses concern that these issues will be exacerbated in Auckland due to the rate of growth and the high number of infrastructure projects that require management under the Reserves Act 1977, particularly given that the Auckland region is home to over 4000 parks and reserves comprised of over 18,000 parcels of land.
- c) note that there is a proven record of successful decision-making with regard to Auckland Council reserves that includes liaison with local communities, so therefore the board believes there is no justification to change the current Ministerial delegation to local authorities under the Reserves Act 1977.

A division was called for, voting on which was as follows:

<u>For</u>	<u>Against</u>	<u>Abstained</u>
Member J McLean Chairperson M Miles Member B Neeson	Member N Mayne	Member U Casuri Balouch

The motion was declared CARRIED by 3 votes to 1.

CARRIED

Attachments

- A 18 April 2019 Upper Harbour Local Board: Item 17 - Draft submission on the revocation of certain delegations to Territorial Authorities under the Reserves Act 1977

Note: The meeting was adjourned at 10.30am and reconvened at 10.58am.
Members N Mayne and U C Balouch were not present.

14 Road name approval: New road at 61-117 Clark Road, Hobsonville

Member N Mayne left the meeting at 10.31am

Member U Casuri Balouch left the meeting at 10.40am

Resolution number UH/2019/34

MOVED by Member J McLean, seconded by Member B Neeson:

That the Upper Harbour Local Board:

- a) approve the name 'Genevieve Lane' for the new private road created by way of a subdivision at 61-117 Clark Road, Hobsonville (superlot BB14).

CARRIED

15 Upper Harbour Quick Response round two 2018/2019 grant applications

Resolution number UH/2019/35

MOVED by Chairperson M Miles, seconded by Member B Neeson:

That the Upper Harbour Local Board:

- a) agree to fund, part-fund or decline each application in round two of the Upper Harbour Quick Response Grants 2018/2019 listed in the following table:

Application ID	Organisation	Main focus	Requesting funding for	Amount requested	Amount granted
QR1917-201	The Upside Downs Education Trust	Community	Towards operational and speech and language therapy service costs for two children with Down Syndrome	\$1100	0 Not a high priority at this time
QR1917-206	Bays Youth Community Trust	Community	Towards the marketing costs to promote Bays Youth Community Trust between May and October 2019	\$2500	\$1500
QR1917-208	The Parenting Place Charitable Trust	Community	Towards coordinators and coaching costs to assist with running the four to seven-year olds' movement and sports skills development programme between May 2019 and August 2019	\$2000	\$1000
QR1917-214	ATC 30 Squadron Support Committee	Community	Towards travel costs for the weekend activities between	\$2000	\$1500

			August 2019 and January 2020		
QR1917-209	The Urban Eco-living Charitable Trust	Environment	Towards costs of engaging qualified teachers to deliver the Tread Lightly Caravan programme to Upper Harbour Primary School	\$865	\$865
QR1917-205	Windsor Park Community and Multisport Hub Incorporated	Sport and recreation	Towards the salary of a project manager at Windsor Park Community and Multisport Hub	\$2000	\$2000
QR1917-204	Salle Jean Louis Incorporated	Sport and recreation	Towards the venue hire and fencing equipment to maintain operation of the fencing club	\$5000	\$1000
QR1917-210	East Coast Bays and Districts Cricket Club Incorporated	Sport and recreation	Towards the club treasurer's wages between May and September 2019	\$2000	\$1500
QR1917-211	North Harbour Hockey Association	Sport and recreation	Towards costs of 55 presentations for participating students at four local high schools	\$2000	\$2000
Total				\$19,465	\$11,365

- b) approve the redirection of \$3470 in unspent funds originally allocated towards the drainage work of Rosedale Park Sports Charitable Trust (application number LG1917-111, resolution number UH/2018/129) to be allocated for the development of the club's fire safety report (refer to Attachments C to G to the agenda report).

CARRIED

Member B Neeson left the meeting at 11.14am

The quorum was lost.

11.14am Pursuant to Standing Order 3.1.6, the business of the meeting was suspended due to lack of quorum. Informal discussion took place.

Member B Neeson returned to the meeting at 11.17am

The chairperson reconvened the meeting.

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

The following additional documents were provided:

- the board's previous resolution number UH/2015/54 from May 2015
- open letter to His Worship the Mayor, signed by all local board chairpersons, dated 8 April 2019
- email from Michael Sinclair to all local board members re Auckland Council Policy on Dogs and Dog Management Bylaw Hearings Panel.

Copies have been placed on the official minutes and are available on the Auckland Council website as a minutes attachment.

Resolution number UH/2019/36

MOVED by Member B Neeson, seconded by Member J McLean:

That the Upper Harbour Local Board:

- receive the 28 February 2019 Governing Body resolution on the Auckland Council Policy on Dogs and Dog Management Bylaw Statement of Proposal.**
- receive the open letter to His Worship the Mayor signed by all local board chairpersons, dated 8 April 2019, regarding concerns about the reduction in subsidiarity in the local board shared governance role within Auckland Council.**
- receive the email from the Policy Manager, Community and Social Policy dated 16 April 2019 regarding an amended timeline and process in support of the Auckland Council Policy on Dogs and Dog Management Bylaw.**
- delegate the Chairperson to attend the Hearings Panel on 21 June 2019, in the event there are submissions received from Upper Harbour residents.**
- note the board's previously adopted options in relation to the dog access rules review as set out in resolution number UH/2015/54 (refer to the tabled copy of the resolution attached to the minutes).**
- request that any submissions on the Auckland Council Policy on Dogs and Dog Management Bylaw Statement of Proposal from Upper Harbour residents be circulated to board members for their information for feedback to the Chairperson prior to attendance at the Hearings Panel on 21 June 2019.**

CARRIED

Attachments

- A 18 April 2019 Upper Harbour Local Board: Item 16 Auckland Council Policy on Dogs and Dog Management Bylaw Statement of Proposal - resolution from Governing Body - copy of resolution UH/2015/54
- B 18 April 2019 Upper Harbour Local Board: Item 16 Auckland Council Policy on Dogs and Dog Management Bylaw Statement of Proposal - open letter to Mayor from all local board chairpersons
- C 18 April 2019 Upper Harbour Local Board: Item 16 Auckland Council Policy on Dogs and Dog Management Bylaw Statement of Proposal - email from Michael Sinclair, Policy Manager Community and Social Policy, to all local board members

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

Resolution number UH/2019/37

MOVED by Chairperson M Miles, seconded by Member B Neeson:

That the Upper Harbour Local Board:

- a) receive consultation feedback on the Upper Harbour Local Board priorities for 2019/2020.
- b) approve the following advocacy initiatives for inclusion to its 2019/2020 Local Board Agreement:
 - i. transport – congestion and growth
 - ii. parks – maintenance and facilities provided
 - iii. council facilities and service provision in areas facing growth.
- 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 Upper Harbour Local Board area.
- d) does not feel it has sufficient mandate from the Upper Harbour community to provide views due to the low number of submissions received from residents on regional proposals.

CARRIED

19 Governance forward work calendar - May 2019 to April 2020

Resolution number UH/2019/38

MOVED by Chairperson M Miles, seconded by Member J McLean:

That the Upper Harbour Local Board:

- a) receive the Upper Harbour Local Board governance forward work calendar for the period May 2019 to April 2020, as set out in Attachment A to this agenda report.

CARRIED

20 Record of the Upper Harbour Local Board workshops held on Thursday 14 and 28 March, and 4 April 2019

Resolution number UH/2019/39

MOVED by Member J McLean, seconded by Member B Neeson:

That the Upper Harbour Local Board:

- a) receive the record of the Upper Harbour Local Board workshops held on Thursday 14 and 28 March, and 4 April 2019 (refer to Attachments A, B, and C to the agenda report).

CARRIED

21 Board members' reports - April 2019

Resolution number UH/2019/40

MOVED by Member J McLean, seconded by Member B Neeson:

That the Upper Harbour Local Board:

- a) **receive the attendance record of members as submitted by Deputy Chairperson L Whyte, in response to requests from residents via social media for more transparency on attendance.**

CARRIED

22 Consideration of Extraordinary Items

There was no consideration of extraordinary items.

11.33am

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 UPPER HARBOUR LOCAL
BOARD HELD ON

DATE:.....

CHAIRPERSON:.....