I hereby give notice that an ordinary meeting of the Waiheke Local Board will be held on:

**Date:** Wednesday, 29 January 2020  
**Time:** 5:15pm  
**Meeting Room:** Local Board Office  
**Venue:** 10 Belgium Street Ostend Waiheke

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**Waiheke Local Board**  
**OPEN AGENDA**

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**MEMBERSHIP**

Chairperson: Cath Handley  
Deputy Chairperson: Bob Upchurch  
Members: Kylee Matthews, Robin Tucker, Paul Walden

(Quorum 3 members)

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Dileeka Senewiratne  
Democracy Advisor Waiheke Local Board  

22 January 2020

Contact Telephone: 021 840 914  
Email: dileeka.senewiratne@aucklandcouncil.govt.nz  
Website: www.aucklandcouncil.govt.nz

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**Note:** The reports contained within this agenda are for consideration and should not be construed as Council policy unless and until adopted. Should Members require further information relating to any reports, please contact the relevant manager, Chairperson or Deputy Chairperson.
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1 Welcome

Kua uru mai a hau kaha, a hau maia, a hau ora, a hau nui,
Ki runga, ki raro, ki roto, ki waho
Rire, rire hau…pai marire

Translation (non-literal) - Rama Ormsby
Let the winds bring us inspiration from beyond,
Invigorate us with determination and courage to achieve our aspirations for abundance and sustainability
Bring the calm, bring all things good, bring peace….good peace.

2 Apologies

At the close of the agenda no apologies had been received.

3 Declaration of Interest

Members are reminded of the need to be vigilant to stand aside from decision making when a conflict arises between their role as a member and any private or other external interest they might have.

4 Confirmation of Minutes

That the Waiheke Local Board:

a) confirm the ordinary minutes of its meeting, held on Wednesday, 4 December 2019, including the confidential section, as a true and correct record.

5 Leave of Absence

At the close of the agenda no requests for leave of absence had been received.

6 Acknowledgements

At the close of the agenda no requests for acknowledgements had been received.

7 Petitions

At the close of the agenda no requests to present petitions had been received.

8 Deputations

Standing Order 7.7 provides for deputations. Those applying for deputations are required to give seven working days notice of subject matter and applications are approved by the Chairperson of the Waiheke Local Board. This means that details relating to deputations can be included in the published agenda. Total speaking time per deputation is ten minutes or as resolved by the meeting.

8.1 Deputation - Michael Fleck - Declaration of Waiheke Island as a 5G-Free community

Te take mō te pūrongo
Purpose of the report

1. Michael Fleck as spoke person of 5G-Free Waiheke, would like the opportunity to update the board on national and global development regarding wireless radiation
and citizen democracy, and urge the board to support to declare Waiheke a 5G-Free community.

Whakarāpopototanga matua
Executive summary
2. Michael Fleck on behalf of the 5G-Free Waiheke will be in attendance to present to the board.

Te tūtohunga
Recommendation
That the Waiheke Local Board:

a) thank Michael Fleck for his attendance and presentation.

Attachments
A 20200120 Waiheke Local Board Business Meeting - 5G-Free Community. Pg 157

9 Public Forum

A period of time (approximately 30 minutes) is set aside for members of the public to address the meeting on matters within its delegated authority. A maximum of 3 minutes per item is allowed, following which there may be questions from members.

9.1 Public Forum - Colin Beardon - Arts and Culture spending

Whakarāpopototanga matua
Executive summary
1. Colin Beardon – will be in attendance to speak under Public Forum on the topic Arts and Culture spending.

Ngā tūtohunga
Recommendation
That the Waiheke Local Board:

a) thank Colin Beardon for his attendance.

10 Extraordinary Business

Section 46A(7) of the Local Government Official Information and Meetings Act 1987 (as amended) states:

“An item that is not on the agenda for a meeting may be dealt with at that meeting if-

(a) The local authority by resolution so decides; and

(b) The presiding member explains at the meeting, at a time when it is open to the public,-

(i) The reason why the item is not on the agenda; and
(ii) The reason why the discussion of the item cannot be delayed until a subsequent meeting.”

Section 46A(7A) of the Local Government Official Information and Meetings Act 1987 (as amended) states:

“Where an item is not on the agenda for a meeting,-

(a) That item may be discussed at that meeting if-

(i) That item is a minor matter relating to the general business of the local authority; and

(ii) the presiding member explains at the beginning of the meeting, at a time when it is open to the public, that the item will be discussed at the meeting; but

(b) no resolution, decision or recommendation may be made in respect of that item except to refer that item to a subsequent meeting of the local authority for further discussion.”
Te take mō te pūrongo
Purpose of the report
1. To provide an update to the Waiheke Local Board on transport related matters in their area including the Local Board Transport Capital Fund.

Whakarāpopototanga matua
Executive summary
2. Auckland Transport (AT) will provide a verbal update at the January 2020 meeting on how the Matiatia Summer Trial performed over the Christmas holiday period.
3. The current status of the Local Board Transport Capital Fund is noted in the report.
4. Consultations sent to the local board since December 2019 are noted.

Te tūtohunga
Recommendation
That the Waiheke Local Board:
a) receive the Auckland Transport Report January 2020.

Horopaki
Context
5. This report addresses transport related matters on Waiheke and includes information on the status of the Local Board Transport Capital Fund.
6. Auckland Transport is responsible for all of Auckland’s transport services, excluding state highways. They report on a monthly basis to local boards, as set out in their Local Board Engagement Plan. This monthly reporting commitment acknowledges the important engagement role local boards play within and on behalf of their local communities.
7. The Local Board Transport Capital Fund is a capital budget provided to all local boards by Auckland Council and delivered by Auckland Transport. Local boards can use this fund to deliver transport infrastructure projects that they believe are important but are not part of Auckland Transport’s work programme. Projects must also:
   • be safe.
   • note impede network efficiency.
   • be in the road corridor (although projects running through parks can be considered if there is a transport outcome).
Item 11

**Analysis and advice**

**September 2019 Resolutions WHK 2019/184**

**Matiatia Summer Trial Plan**

8. Auckland Transport will provide a verbal report at the January 2020 business meeting on the progress of the trial throughout the busy Christmas holiday period and will table any supporting written information.

**Local Board Transport Capital Fund**

9. A summary of the Waiheke Local Board Transport Capital Fund is contained in the table below. The local board has held the majority of its Local Board Transport Capital Fund for the major reorganisation of Matiatia and therefore has spent very little of its allocation over the last electoral term.

10. In February/March 2020, the local board will consider the results of the Matiatia summer trial and its subsequent plans for Matiatia. All transport capital projects to be considered for this financial year will need to be discussed and prioritised before 31 March 2020.

11. Auckland Transport will then provide rough order of costs for these projects so that the local board can allocate funds as appropriate.

<table>
<thead>
<tr>
<th>Waiheke Local Board Transport Capital Fund Financial Summary</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Total Funds Available in last political term</strong></td>
</tr>
<tr>
<td><strong>Amount committed to date on projects approved for design and/or construction</strong></td>
</tr>
<tr>
<td><strong>Remaining Budget left until 1 July 2020</strong></td>
</tr>
</tbody>
</table>

**Climate impact statement**

12. Auckland Transport engages closely with the council on developing strategy, actions and measures to support the outcomes sought by the Auckland Plan 2050, the Auckland Climate Action Plan and the council’s priorities.

13. Auckland Transport’s core role is in providing attractive alternatives to private vehicle travel, reducing the carbon footprint of its own operations and, to the extent feasible, that of the contracted public transport network.

14. To this end, Auckland Transport’s Statement of Intent contains three performance measures:

<table>
<thead>
<tr>
<th>Measure</th>
<th>2019/20</th>
<th>2020/21</th>
<th>2021/22</th>
</tr>
</thead>
<tbody>
<tr>
<td>Number of buses in the Auckland bus fleet classified as low emission</td>
<td>5</td>
<td>25</td>
<td>55</td>
</tr>
<tr>
<td>Reduction in CO2e (emissions) generated annually by Auckland Transport corporate operations (from 2017/18 baseline)</td>
<td>7%</td>
<td>9%</td>
<td>11%</td>
</tr>
<tr>
<td>Percentage of Auckland Transport streetlights that are energy efficient LED</td>
<td>56%</td>
<td>66%</td>
<td>76%</td>
</tr>
</tbody>
</table>
Ngā whakaaweawe me ngā tirohanga a te rōpū Kaunihera
Council group impacts and views

15. The Matiatia Summer Trial has been discussed with Auckland Council and its input has been taken into account during the development of the design. Monitoring results from the trial will be discussed with Auckland Council staff.

Ngā whakaaweawe ā-rohe me ngā tirohanga a te poari ā-rohe
Local impacts and local board views

Counsellingts

16. The public consultation below was sent to the local board members for information and comment.

<table>
<thead>
<tr>
<th>Street Name</th>
<th>Proposal</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Kennedy Point Road</td>
<td>Auckland Transport is proposing P72 Hour (3-day) At All Times parking restrictions along Kennedy Point Road in Surfdale.</td>
<td>This proposal responds to concerns from residents about low parking availability due to cars parking long-term on the road. Residents also expressed concerns about parked vehicles blocking visibility at vehicle entrances. This proposal aims to improve parking turnover and availability for residents and visitors. The restrictions are expected to reduce parking occupancy and improve visibility and safety on the street.</td>
</tr>
</tbody>
</table>

Traffic Controls Committee Decision

17. The Traffic Control Committee did not make any decisions that affected the local board area since the last reporting period.

Tauākī whakaaweawe Māori
Māori impact statement

18. Interactions with manu whenua is done on a project specific basis.

Ngā ritenga ā-pūtea
Financial implications

19. There are no financial implications resulting from this report.

Ngā raru tūpono me ngā whakamaurutanga
Risks and mitigations

20. The proposed decision of receiving the report has no risks.

Ngā koringa ā-muri
Next steps

21. Auckland Transport will provide another update report to the local board in February 2020.
Ngā tāpirihanga
Attachments
There are no attachments for this report.

Ngā kaihaina
Signatories

<table>
<thead>
<tr>
<th>Author</th>
<th>Jonathan Anyon – Elected Member Relationship Manager – Auckland Transport</th>
</tr>
</thead>
<tbody>
<tr>
<td>Authorisers</td>
<td>Louise Mason – General Manager - Local Board Services</td>
</tr>
<tr>
<td></td>
<td>Helgard Wagener - Relationship Manager - Aotea / Great Barrier and Waiheke Local Boards</td>
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Matiatia Plan - Next Steps

File No.: CP2020/00163

Te take mō te pūrongo
Purpose of the report
1. To confirm next steps, governance roles and funding to advance non-transport aspects of the Mātiatia Plan to align with Auckland Transport’s Mātiatia business case.

Whakarāpopototanga matua
Executive summary
2. Auckland Transport has engaged consultants and proposed a timeline for advancing the Mātiatia transport business case during 2020. It is important that non-transport aspects of the Mātiatia Plan led by the Waiheke Local Board are progressed at the same time and that the Waiheke community is engaged on one integrated project.
3. The Waiheke Local Board will need to allocate funding for consultation and preliminary non-transport plan development as this is expected to precede a request for One Local Initiative funding to advance the final Mātiatia Plan and business case.
4. It is proposed that the Waiheke Local Board retains overall governance and decision-making of the Mātiatia Plan with Auckland Transport making decisions on transport matters within this context.

Ngā tūtohunga
Recommendation/s
That the Waiheke Local Board:
a) confirms its overall governance role over the Mātiatia Plan, that it will make decisions over Mātiatia land that is not part of the road reserve and will agree final transport aspects of the Mātiatia Plan with Auckland Transport in accordance with the Memorandum of Understanding signed by both parties
b) confirms its expectation that transport and non-transport aspects of the Mātiatia Plan are developed and consulted on as far as possible as one project noting that some matters may be more or less developed depending on progress made with key stakeholders and that engagement is programmed to commence in February 2020
c) supports Direction Mātiatia Incorporated allocating funding it holds for community engagement to enable the consultants leading on the transport business case for Mātiatia, to develop non-transport collateral
d) requests that the governing body allocate up to $300,000 in One Local Initiative (OLI) funding to progress the Mātiatia non-transport masterplan and business case in 2019/20 and 2020/21 noting that Mātiatia was specifically identified in the LTP process for OLI funding as a backup if self-funding alternative sources were not available
e) allocates up to $90,000 from its LDI Mātiatia Masterplan opex budget to undertake preliminary urban design and landscape work on non-transport aspects of the final Mātiatia Plan as this will precede, and be required to support a subsequent One Local Initiative funding request to the Governing Body
Horopaki
Context
5. In July 2019 the Waiheke Local Board approved the Stage 1 Mātiatia Plan post stakeholder engagement. It held off on wider public consultation until a more detailed Stage 2 plan was developed on the basis that the community would be more interested in engaging on a more detailed plan. The Stage 1 plan and principles and outcomes statements are included at Attachment A (note: wording around mana whenua and tangata whenua interests is still to be agreed).

6. In late 2019 Auckland Transport commenced work on a transport business case for Mātiatia as the first step in accessing the $15m included in the Regional Land Transport Plan to address transport issues at Mātiatia. Half of this funding comes from the NZ Transport Agency if it meets NZTA’s criteria. Community engagement on the transport business case is expected to commence early in 2020.

7. The Waiheke community will expect all aspects of the Mātiatia Plan, transport and non-transport to be consulted on together. While funding for the transport business case is in place, funding for the masterplan and non-transport business case will be sought from both the Waiheke Local Board and council’s One Local Initiative (OLI) budget.

8. Project governance arrangements also need to be agreed as the Waiheke Local Board has decision-making authority for land use and development of public land at Mātiatia while Auckland Transport has similar authority over use of the road reserve.

Tātaritanga me ngā tohutohu
Analysis and advice
9. This report seeks approval from the Waiheke Local Board to governance, community engagement and funding matters as per the above recommendations.

Governance
10. Final Mātiatia Plan development and delivery project governance arrangements need to be agreed. While the Waiheke Local Board and Auckland Transport have respective and separate decision-making roles over public land at Mātiatia, a significant portion of the Waiheke Local Board controlled land at Mātiatia is and will continue to be used for public parking, managed by AT.

11. The Memorandum of Understanding between the Waiheke Local Board and AT commits both parties to work together. It is proposed that the above transport and non-transport projects all form part of a final Mātiatia Plan which would be approved by the Waiheke Local Board. Transport outcomes to be funded by AT and NZTA will need to be approved by AT and agreed between AT and the Waiheke Local Board.

Community engagement
12. Work to develop and consult on a final Mātiatia Plan stalled in 2019 for a variety of reasons. With community engagement on the transport business case for Mātiatia commencing in early 2020, and agreement that both transport and non-transport aspects of the Mātiatia Plan must be consulted on as one, a plan to achieve that is needed.

13. Staff propose that WSP, the same consultants AT is using to develop the transport business case, are also engaged to progress the non-transport elements of the Mātiatia Plan – open space, cultural, commercial, ecological, visitor impacts etc. Board members have already met WSP staff at the transport workshop in December. There are clear and obvious synergies from using the same consultants and in addition, there is no capacity within council to progress this work in the required timeframe.

14. Initial discussions suggest that a two-stage process to develop non-transport elements will work best. Stage 1 will be to prepare a “masterplan” which takes the preliminary precinct layout of the Stage 1 Mātiatia Plan to a more detailed level. This would be led by WSP’s
urban design and architecture team which will work closely with its transport team, and Crisp Communications which will be leading on consultation.

15. Stage 1 would include options for things like (for example) where any cultural, commercial or information facility(ies) might be located, the extent and use of the site of significance to mana whenua, walkway connections, and wetland and bush area enhancements. It will also need to look at what if any role Mātiatia could or should have in managing the considerable impact of the 1.3m plus visitors who come to Waiheke annually, most via Mātiatia. It would also show preliminary designs where appropriate. The purpose would be to have options and ideas for consultation alongside AT’s transport options. Stage 2 would be the non-transport business case built on the back of outcomes from Stage 1. Its purpose would be to make the case for council funding as discussed below.

**Funding**

16. Funding is required for the following aspects of the Mātiatia Plan; Stage 1 (the masterplan), Stage 2 (the business case) and Stage 3 (subsequent non-transport development).

17. Funding for Stage 1 will be sought from the Waiheke Local Board’s $90,000 Mātiatia Masterplan opex budget (Recommendation e) as this will be progressed in early 2020 and is currently the only available budget.

18. Non-transport engagement collateral can be funded from budget already held by Direction Mātiatia Inc for community engagement. Crisp Communications will work with DMI on this.

19. Funding for Stage 2 will be sought from council’s One Local Initiative (OLI) budget as Mātiatia is the Waiheke Local Board’s OLI. Recommendation d) requests up to $300,000 in OLI funding in 2019/20 and 2020/21. It is understood this resolution will form part of a report to council’s Finance and Performance Committee in March or April 2020 seeking OLI funding.

20. The Governing Body resolved that non-transport components of the Waiheke Local Board’s OLI have the potential to be self-funding and that this option will be investigated with OLI funding remaining a back-up if required. This option is currently being investigated.

21. A commercial lease of the Harbormasters building at Mātiatia has only just been entered into and is specifically intended to help understand what, if any commercial activities at Mātiatia may be viable. The new “two plus three” year lease offsets revenue against the considerable cost to the lessee to bring this dilapidated building up to the standard required to attract commercial activity. As such is it expected to be well into the term of this lease before any clarity on the ability of commercial activity to help fund Mātiatia development is known.

22. Funding for Stage 3 will be considered once Stage 1 and 2 are completed and it is too early to speculate on costs.

23. The Waiheke Local Board also has $2.2m in its Transport Capital Fund which it has prioritised to potentially support transport development at Mātiatia which isn’t able to be funded from AT’s budget. Consideration of what (if any) elements of the Mātiatia Plan could be funded from this budget can occur later when the business cases are confirmed.

**Tauākī whakaaweawe āhuarangi**

**Climate impact statement**

28. The Mātiatia Plan covers an area of land at Mātiatia bay immediately inland of the beach. The Auckland Unitary Plan identifies parts of the foreshore, keyhole area and main stream/wetland as being susceptible to flooding and coastal inundation at the 1 percent Annual Exceedance Probability level and under the plus one metre sea level rise scenario (see plan at Attachment B). The Auckland Unitary Plan contains provisions for addressing these issues when developments, including roads and carparks are being considered. The transport and non-transport business cases and outcomes will need to take these into account.
29. The extent to which transport outcomes address greenhouse gas emissions will also need to be considered by the project. Investigating transport modes other than single occupancy fossil fuel private car use is expected to be a feature of the business case. This work will build on and support the recent increase in bus services on Waiheke.

**Ngā whakaaweawe me ngā tirohanga a te rōpū Kaunihera Council group impacts and views**

30. Since the Mātiatia bay was purchased in 2005 as public land, efforts to agree its development and use have been unsuccessful. Waiheke Local Board leadership of these outcomes, via its land-use and development delegation over Mātiatia, and its formal MoU with AT are the key to success.

31. Activities on public land at Mātiatia are under the management of various council units including Community Facilities (leases and open space), Healthy Waters (stormwater and wastewater systems), Community Services (placemaking and service levels), Plans and Places (Mātiatia is a precinct in the Waiheke Area Plan currently being developed) and Finance (LDI and OLI funding). AT units include, strategy, parking, roading and public transport. All these units have been represented on the project team assembled to produce the Stage 1 Mātiatia Plan and will be involved in ongoing work.

**Ngā whakaaweawe ā-rohe me ngā tirohanga a te poari ā-rohe Local impacts and local board views**

32. The Mātiatia Plan is led by the Waiheke Local Board which is the decision-maker over public land-use and development at Mātiatia. The board is working in partnership with Auckland Transport which holds decision-making over development and use of the road reserve. This partnership will ensure transport and non-transport activities are integrated.

**Tauākī whakaaweawe Māori Māori impact statement**

33. Mana whenua and tangata whenua will be engaged early and centrally as part of final Mātiatia Plan development. Ngati Paoa has been represented on the Mātiatia Plan project team since 2017 and has a key role due to the existence of a site of significance to Maori covering a significant part of the Mātiatia foreshore and bay. It is anticipated that decisions on recognition, use and development of that area will be made in agreement with Maori.

34. Ngati Paoa is currently working through mandate issues which have constrained its ability to contribute in a detailed manner to aspirations for Mātiatia. It is understood these issues may be resolved in early 2020.

**Ngā ritenga ā-pūtea Financial implications**

35. Mātiatia is the Waiheke Local Board’s OLI. Funding to implement some non-transport aspects of the Mātiatia Plan will require OLI funding. The process outlined in this report is intended to make the case for OLI funding, initially to support the business case and ultimately of development.

36. The Waiheke Local Board funded the approved Stage 1 Mātiatia Plan and has some opex budget allocated to advancing the final Mātiatia Plan.

37. AT is developing a transport business case to enable funding provisionally allocated in its Regional Land Transport Plan to be released.

38. Aspects of commercial activity at Mātiatia may be self-funding if revenue levels which exceed asset management costs can be achieved.
Risks and mitigations

39. There are several known risks in achieving and delivering on a Mātia Plan that will be acceptable to the Waiheke community.

40. A comprehensive community engagement process reaching all key stakeholders will need to be undertaken to inform Mātia Plan content and development actions. The large numbers of commuters, visitors, and associated support services such as transport operators, all competing in a small congested space, particularly over summer, makes solutions difficult to achieve. Work to date has shown how difficult it will be to agree outcomes and Waiheke Local Board leadership on this project is seen as essential if this is to be addressed.

41. Funding will need to be available to deliver on outcomes agreed through the engagement and business case processes. It is anticipated that available funding will be inadequate to address all key issues and outcomes identified through this process. As such, staging over a longer period, subject to funding through future 10-year plans is likely to be needed.

42. The formal inclusion of the foreshore site of significance to Maori in the Hauraki Gulf Islands District Plan, necessitates that the values of this area be fully considered and that its future use and development be led by Maori. This is expected to be challenging, for example this area is likely to be unavailable for parking although cultural facilities may have a place.

Next steps

43. Pre-engagement information materials including a written and social media campaign and potentially a video, will be prepared for release in early 2020 to alert the Waiheke community to the coming engagement on the Mātia Plan.

44. Two separate community engagement processes are proposed during early-mid 2020, the first seeking agreement to short-listed development options and a final process to confirm a final development option.

45. These engagements will inform separate business cases for both the transport and non-transport elements of the Mātia Plan which will seek funding from respective parties. This process is expected to be completed in late 2020.

Attachments

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<th>No.</th>
<th>Title</th>
<th>Page</th>
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<tr>
<td>A4</td>
<td>Stage 1 Matiatia Plan</td>
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</tr>
<tr>
<td>B4</td>
<td>Climate Change Impacts Map</td>
<td>21</td>
</tr>
</tbody>
</table>

Signatories

<table>
<thead>
<tr>
<th>Author</th>
<th>John Nash - Programme Manager, Waiheke &amp; Gulf Islands</th>
</tr>
</thead>
<tbody>
<tr>
<td>Authoriser</td>
<td>Helgard Wagener - Relationship Manager - Aotea / Great Barrier and Waiheke Local Boards</td>
</tr>
</tbody>
</table>
Mātiatia Plan Stage 1 – Principles and Outcomes

Principles - Mātiatia is:

a. An efficient, safe and accessible multi-modal transport hub for Waiheke

b. An attractive and welcoming gateway to Waiheke with a ‘sense of arrival’

c. A significant coastal landscape where the natural environment and ecology is sustainably protected and enhanced

d. A place of special cultural, historic and spiritual value to Ngāti Pāoa and other Mana Whenua

e. A place where development is sustainable and reflects the economic, social, cultural and environmental well-beings

Transport Outcomes

a. The Mātiatia Plan’s primary focus will be the safe and efficient movement of people and a gateway to Waiheke

b. All public carparking will be user pays to manage demand and encourage more sustainable transport choices

c. Public carpark development will be focused at the Owahanake carpark serviced by frequent public transport at peak commuter times and well connected to ferry services, and in the bay away from the immediate foreshore

d. Transport activities nearest the foreshore and terminal will ensure accessibility needs are met, and prioritise the needs of Metro buses and other transport operators, pick up and drop off, mobility parking, cycling and walking, and water access

Other outcomes

e. The foreshore area will be predominantly open space

f. Ngāti Pāoa cultural values will be recognised and reflected in future development

g. No public land will be sold

h. Options for a visitor/cultural centre will be explored

i. Existing bush, wetland and stream areas will be protected and enhanced

j. Off road walkway connections will be created or upgraded

k. Stormwater, erosion and associated issues will be improved to support the above outcomes

l. Commercial development at the bay will be focused on, and located where it supports the above outcomes. It will be lease only and include private parking infrastructure if supported, but exclude residential and visitor accommodation

1
Stage 1 Matiatia Plan - Landuse Areas

Attachment A

Item 12
Te take mō te pūrongo
Purpose of the report
1. To approve the allocation of $10,000 from the 2019/2020 arts and culture response programme towards the community-led proposal for a Kāhui Creative Waiheke coordinator role.

Whakarāpopototanga matua
Executive summary
2. The 2019/2020 arts and culture response programme has a budget of $10,000 for the local board to allocate to a community group or individual.
3. Staff recommend funding Kāhui Creative Waiheke with the total available budget to establish a coordinator role to support networking with the arts community and establish an arts events calendar.
4. The coordinator role will grow participation in arts, support collaboration and capacity building between practitioners and celebrate Waiheke as an arts destination.
5. A proposal has been received to create an Emerging Artist award, including a selection panel of five local practitioners from different art practices.
6. Staff advise that the wider community support for an Emerging Artist award is unestablished and the benefits are limited to an individual rather than the community.

Te tūtohunga
Recommendation
That the Waiheke Local Board:
a) approve the allocation of $10,000 from the 2019/2020 arts and culture response programme (work programme line 566) for a Kāhui Creative Waiheke coordinator role with a two-year funding agreement under the umbrella of Community Networks Waiheke.

Horopaki
Context
7. The 2019/2020 arts and culture response programme has a budget of $10,000 to be allocated to a community initiative.
8. The local board can allocate the available budget to a community group or individual to deliver the intended outcomes of the arts and culture response programme.
9. The Waiheke Arts and Culture Needs Assessment 2018 was commissioned by the local board to identify arts needs for the Waiheke community and is used to inform the assessment criteria for allocating the arts and culture response programme budget.
10. Two community proposals have been received for this fund and assessed against relevant strategic criteria.
11. At a workshop in December 2019, the local board discussed the community proposals and options for allocating the arts and culture response programme budget.
Tātaritanga me ngā tohutohu
Analysis and advice

12. Kāhui Creative Waiheke have submitted a proposal to establish a coordinator role for their network of more than 20 local artists (Attachment A).

13. Local playwright and arts volunteer, Colin Beardon, has submitted a proposal to create an Emerging artist award (Attachment B).

14. Staff assessed the proposals based on their alignment to the following strategic documents that inform the desired outcomes of the arts and culture response programme, as show in table one.

Table one: Strategic alignment of the proposals for the 2019/2020 arts and culture response programme

<table>
<thead>
<tr>
<th>Proposal</th>
<th>Arts and culture needs assessment</th>
<th>Toi Whītiki</th>
<th>Local outcomes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Kāhui Creative Waiheke coordinator</td>
<td>✔ ✔ ✔ ✔</td>
<td>✔ ✔ ✔</td>
<td>✔ ✔ ✔</td>
</tr>
<tr>
<td>Emerging artist award</td>
<td>✔ ✔</td>
<td>✔ ✔</td>
<td>✔</td>
</tr>
</tbody>
</table>

Kāhui Creative Waiheke coordinator

15. The proposed coordinator role for Kāhui Creative Waiheke includes networking with the arts community on Waiheke and regionally and leading joint projects including the establishment of an arts events calendar.

16. The proposal budget includes $8,000 to fund to connect, enhance, and grow awareness of Kāhui Creative Waiheke and to support collaboration amongst local creative organisations and practitioners. The additional $2,000 of the budget would be required for operational expenditure of Kāhui Creative Waiheke.

17. Kāhui Creative Waiheke are seeking a two-year funding agreement from the local board, with the intention of seeking alternative funding for the coordinator after 2020/2021 to ensure future sustainability of the coordinator role.

18. Staff recommend that the local board allocate the available budget to Kāhui Creative Waiheke for a coordinator role because the proposal has high alignment to the relevant strategic assessment criteria, it will grow participation in arts, support greater collaboration and capacity building between arts practitioners and celebrate the unique identity of Waiheke.

19. The local board have previously allocated the arts and culture response programme budget to Kāhui Creative Waiheke to facilitate an arts community strategy. Establishing a coordinator role will support Kāhui Creative Waiheke to implement the recommendations from the arts community strategy.

Emerging Artist Award

20. The proposed Emerging Artist award includes providing encouragement and support for emerging young artists in any discipline who have achieved some local success in their chosen field of the arts.

21. The proposal includes creating a selection panel consisting of five local practitioners from different art practices.

22. The proposal is for the local board to fully fund the award in the first year and the intention is that it will progress to becoming self-funding through sponsorship within three years.
23. The proposal budget includes $4,000 towards administration and promotion, $2,000 award event costs, and $4,000 as a prize for the winner.

24. The Emerging artist award could be an opportunity to celebrate new artists and promote Waiheke as a unique arts and culture destination.

25. However, it has low alignment to the relevant strategic assessment criteria, the wider community support for this initiative is unestablished and the benefits are limited to an individual rather than the community.

26. The Emerging Artist award proposal was presented to Kāhui Creative Waiheke in June 2019 and they indicated that it could be considered in future after the network was more established.

**Tauākī whakaaweawe āhuarangi**

*Climate impact statement*

27. The are no identified climate impacts associated with the arts and culture response programme.

**Ngā whakaaweawe me ngā tirohanga a te rōpū Kaunihera**

*Council group impacts and views*

28. Funding the community-led proposal to establish a coordinator role for Kāhui Creative Waiheke supports the delivery of the Empowered Communities Approach that sits within the Thriving Communities Action Plan - Ngā Hapori Momoho and Whiria Te Muka Tangata.

**Ngā whakaaweawe ā-rohe me ngā tirohanga a te poari ā-rohe**

*Local impacts and local board views*

29. The proposals received for the Emerging Artist award and from Kāhui Creative Waiheke were presented to the local board at a workshop in December 2019.

30. The proposal from Kāhui Creative Waiheke supports the local board to deliver the following outcomes from the 2017 local board plan:

- A sustainable economy and positive visitor experience
- Thriving, strong and engaged communities
- Vibrant places for people.

**Tauākī whakaaweawe Māori**

*Māori impact statement*

31. Representatives from Piritahi Marae participated in Kāhui Creative Waiheke sessions.

32. A principle of the Kāhui Creative Waiheke is to work together based on treaty partnership as a bicultural platform.

**Ngā ritenga ā-pūtea**

*Financial implications*

33. The 2019/2020 Arts and culture response programme has an allocated budget of $10,000 to fund the community to deliver arts and culture activity.

34. The proposed budget for Kāhui Creative Waiheke includes $8,000 for annual coordinator fees and $2,000 for administrative support of the network.
Ngā raru tūpono me ngā whakamaurutanga
Risks and mitigations

35. There are multiple stakeholders for Kāhui Creative Waiheke which may impact timeframes for delivery in the coordinator role. To mitigate this, a steering group made up of representatives from different artistic disciplines was created to streamline decision making and for the new coordinator to report to.

Ngā koringa ā-muri
Next steps

36. Staff will administer a two-year funding agreement for Kāhui Creative Waiheke, to be distributed through Community Networks Waiheke.

Ngā tāpirihanga
Attachments

<table>
<thead>
<tr>
<th>No.</th>
<th>Title</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>Proposal for a Kāhui Creative Waiheke coordinator role</td>
<td>27</td>
</tr>
<tr>
<td>B</td>
<td>Proposal for Emerging artist award</td>
<td>33</td>
</tr>
</tbody>
</table>

Ngā kaihaina
Signatories

<table>
<thead>
<tr>
<th>Author</th>
<th>Marieke Numan - Senior Engagement Advisor</th>
</tr>
</thead>
<tbody>
<tr>
<td>Authorisers</td>
<td>Graham Bodman - General Manager Arts, Community and Events</td>
</tr>
<tr>
<td></td>
<td>Helgard Wagener - Relationship Manager - Aotea / Great Barrier and Waiheke Local Boards</td>
</tr>
</tbody>
</table>
Application to the Waiheke Local Board to provide seed funding for the role of Kāhui Creative Waiheke Network Coordinator

1. The Kāhui Creative Waiheke Network

Waiheke has a flourishing diverse range of arts activities and entities. Kāhui Creative Waiheke is a collective formed by members of the Waiheke arts community.

Our purpose is to generate, maintain and grow the arts practices, practitioners and entities on Waiheke. We are an open collective that meets regularly hosting each other in our diverse spaces and actively encourages participation by both new and existing members.

To achieve our purpose we are guided by the following principles:

- Treaty partnership, a bicultural platform
- Celebrating our unique, diverse and authentic identity through the arts
- All our groups working better together; the loud ones and the quiet ones, the practitioners and the participants
- Creating opportunities for engagement throughout the whole community, recognising the diversity and the importance of community inclusivity.

Kahui’s current contributing arts organisations attending the meetings in addition to individual artists

<table>
<thead>
<tr>
<th>Artworks Theatre</th>
<th>Catherine Mitchell Arts Centre</th>
<th>Once Upon an Island Trust</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pritahi Marae</td>
<td>Pottery Society</td>
<td>Sculpt Oneroa</td>
</tr>
<tr>
<td>Sculpture on the Gulf</td>
<td>Song and Poetry Thing</td>
<td>Spinners and Weavers</td>
</tr>
<tr>
<td>Waiheke Adult Learning</td>
<td>Waiheke Community Art Gallery</td>
<td>Waiheke Community Cinema</td>
</tr>
<tr>
<td>Waiheke Community Radio</td>
<td>Waiheke High School</td>
<td>Waiheke Library</td>
</tr>
<tr>
<td>Waiheke Writers Group</td>
<td>Waiheke Youth Voice</td>
<td>Whittakers Musical Museum</td>
</tr>
<tr>
<td>Waiheke Theatre Company</td>
<td>Waiheke Comedy Club</td>
<td>Waiheke Choirs</td>
</tr>
</tbody>
</table>

2. The need for a Kāhui Creative Waiheke Coordinator

In 2017 the Arts and Culture Needs Assessment identified some areas of work that will support, enhance and foster arts on Waiheke Island. The Kāhui Creative Waiheke was established based on the recommendations of the needs assessment, broadening the range of arts activities and setting a focus on key areas of opportunity.

In particular, the Kāhui recognises the vital need for an “arts coordinator”, “arts broker” as recommended in the Arts and Culture Needs Assessment. This proposal seeks to give life to that recommendation.

The Kāhui request that arts-related Local Board funds are allocated towards paying for a part-time person who can organise and drive us toward realising our strategic direction of
ensuring that there are multiple sites both in the real world and in virtual space which let the community and visitors know what creative activities are happening on Waiheke. We recognise that this would fill a current gap. It is something our members have advocated for as we see this as strengthening community awareness and participation in creative arts as in building Waiheke’s identity as an artistic community both for ourselves and for visitors. We see this as essential for the wellbeing of the island as the identity of the island continue to be at risk of being solely defined by vineyards and hospitality. This role would therefore confer significant benefit to the Waiheke community as a whole.

A paid coordinator will connect, enhance, grow awareness in the first instance and we envisage this would also contribute to enhanced networking amongst those creative practitioners on Waiheke leading to more collaboration, mentoring of others including rangatahi. In summary we see this role as providing employment for someone who can play a pivotal role in contributing to our community’s overall well being, offering opportunities for creative pursuits to be more visible, and therefore more accessible, thereby enhancing the arts educational, visitor and mental health impact on our island.

3. Indicative overview for measuring outcomes and outputs of the coordinator role

<table>
<thead>
<tr>
<th>Outcome</th>
<th>Description</th>
<th>Indicators of Success</th>
<th>Means of Verification</th>
<th>Risks/Assumptions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Toi Whitiki Strategic Action Plan</td>
<td>To integrate arts and culture into our everyday lives</td>
<td>Toi Whitiki Goal 1: All Aucklanders can participate in arts and culture - Better communicate what’s on offer - Remove barriers to access and participation Toi Whitiki Goal 6: Auckland has a robust and flourishing creative economy</td>
<td>Surveys/feedback mechanisms Whether objectives and outputs are met</td>
<td></td>
</tr>
<tr>
<td>Objective</td>
<td>Stakeholders involved in art on Waiheke feel that coordination of arts has improved and thus enhanced their ability to deliver and/or participate in art</td>
<td>Improved coordination and communication for those delivering ‘art’. Improved availability of information for those attending and/or participating in ‘art’ events</td>
<td>Surveys/feedback mechanisms</td>
<td>Meeting attendance</td>
</tr>
<tr>
<td>---------------------------------------------------------------------------</td>
<td>----------------------------------------------------------------------------------------------------------------------------------</td>
<td>-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
<td>-----------------------------------------------------------------------------</td>
<td>-----------------</td>
</tr>
<tr>
<td>Outputs</td>
<td>Waiheke arts calendar implemented</td>
<td>Up to date calendar of an agreed format and frequency is produced. Reduced clashes of events</td>
<td>Feedback from community and art organisations is collected and analysed</td>
<td>Technological challenges; access issues; last minute changes</td>
</tr>
</tbody>
</table>
## Item 13

<table>
<thead>
<tr>
<th>Organise regular meetings for the art community</th>
<th>Monthly meetings with a range of artists attending</th>
<th>Minutes are kept and recorded</th>
<th>participating</th>
</tr>
</thead>
<tbody>
<tr>
<td>Established a platform for networking and information sharing</td>
<td>Artists and art organisations can share information and knowledge directly with each other</td>
<td>Artistic cooperation increases; organisations apply for funds</td>
<td>Participants not turning up</td>
</tr>
<tr>
<td>Kahui Network future is secured</td>
<td>Funding is available</td>
<td>Minutes of Kahui meetings</td>
<td>Buy in from everyone; technical issues;</td>
</tr>
</tbody>
</table>

### Indicative activities
- Research options; carry training; provide workshops; network; carry out awareness activities; develop communication with different stakeholders; share information; identifying and applying for additional funding sources

### Job Description
- Regular Kahui meetings are organised, facilitated, recorded
- Other networking activities are recorded and outcomes are identified, shared with Kahui and other stakeholders, to include, sharing news of new initiatives, ideas, projects and
art collaborations which are emerging. Recognising the inclusion of activities across the gulf islands as a region. Useful connections to off-Island resources are recorded and shared with the Island art community.

- Set up the calendar and ensure that all events are kept current on a weekly basis, physical and virtual sites are regularly checked and any challenges or difficulties are brought to the attention of the involved parties in a timely manner
- Future proof the Waiheke Event Calendar by enabling the art community to upload their information directly. This needs to include accessibility information.
- Provide training to the art community to use the platform in providing customised material and updates as necessary
- Research and establish an information sharing platform for the Waiheke Arts Community. Use this platform will be used to publish a funding opportunities calendar for the whole Waiheke art community (Artworks theatre will be able to provide help because of their existing calendar)
- Planning for and applying to secure additional funds to maintain the role in order to support the Kahui and visibility of Waiheke creative events for the local community and visitors to the island

4. Outline of planned Budget for one year

<table>
<thead>
<tr>
<th>Budget Item</th>
<th>Estimated over one year</th>
</tr>
</thead>
<tbody>
<tr>
<td>Contracting cost for the coordinator</td>
<td>$8000</td>
</tr>
<tr>
<td>Administration Costs</td>
<td></td>
</tr>
<tr>
<td>- Running workshops</td>
<td>$2000</td>
</tr>
<tr>
<td>- Research costs</td>
<td></td>
</tr>
<tr>
<td>- Meetings and printing costs</td>
<td></td>
</tr>
<tr>
<td>TOTAL SOUGHT FROM LOCAL BOARD over 1 year</td>
<td>$10 000</td>
</tr>
</tbody>
</table>
Waiheke Emerging Artist Award

Aim
The project aims to bring the island’s artists into the process through which the Board is trying to develop a “a collaborative community arts strategy”. The Board’s current attempt is focussed almost entirely on Artworks which long ago ceased to provide a home for artists.

There are about a thousand artist-makers on Waiheke involved in a wide range of art community-based practices (weaving, kapahaka, photography, poetry, singing, filmmaking, drama, circus, fashion, fine art, creative writing, etc.) and they use a wide range of local resources such as sheds, halls, cafes, shops and galleries. It is diversity of this activity that makes us an especially creative community.

An Emerging Artist Award
An Emerging Artist Award will provide encouragement and support for new (mainly younger) artists who have achieved some local success in their chosen field of the arts. It will provide meaningful encouragement and support at a critical stage in becoming an artist, where it is necessary to begin to present your work as a coherent whole and with a future trajectory.

The Award
The Award will be given to one or more Waiheke artists in any discipline who have created a significant body of work that shows potential but who have yet to achieve recognition beyond Waiheke.

The Award is not primarily competitive but will be supportive of all who enter, through appropriate mentoring, feedback and exposure.

There will be an Award Event which will aim to be a celebration of the work of all entrants, with the winner(s) being given additional support to take their work further in specific ways (e.g. participating in festivals, workshops, competitions).

Who will benefit?
1) **Those who are just setting out** will be given a short-term goal to enter for the Award within one or two years. This will be a great incentive to develop and improve the quality of their work.

2) **Those who are eligible for the Award** will need to take their practice seriously and consider it in an holistic way. They will begin to discover what it means to take themselves a little more seriously as artists.

3) **Those who enter for the Award** will gain valuable experience as presenting their work as a coherent whole and gain feedback and exposure.

4) **Those who receive the Award** will get public recognition which will be something to put on their cv and be a great help in the future. They will also get
encouragement and financial support to take their work out into the bigger art world.

5) **The reputation of the whole island** will benefit from being identified as supporting new artists and making their work accessible.

**How it will work**

Month 1  The Co-ordinator will consult widely among practitioners and create a Selection Panel for 2020 consisting of five local art practitioners. The Panel will be balanced in terms of gender, ethnicity and art practice.

Months 2-4  The Selection panel will meet to decide on the criteria for the Award, the process and timetable, and the means of distributing information about the new Award.

Months 5-9  Information about the Award will be disseminated and queries handled.

Months 10-12  Selection of Award winners, feedback to all entrants, arrangements for a suitable Award event.

Month 12  The Award Event.

**Funding**

This project is a direct response to the $10,000 which the Board indicated was available to the “Kāhui Creative Waiheke” and would operate within that limit.

<table>
<thead>
<tr>
<th>Months</th>
<th>Activity</th>
<th>Budget</th>
</tr>
</thead>
<tbody>
<tr>
<td>1-4</td>
<td>Meeting expenses</td>
<td>250</td>
</tr>
<tr>
<td>5-9</td>
<td>Advertising and promotion</td>
<td>3,750</td>
</tr>
<tr>
<td>10-12</td>
<td>Award Event</td>
<td>2,000</td>
</tr>
<tr>
<td>12</td>
<td>Winner’s Awards</td>
<td>4,000</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td></td>
<td><strong>10,000</strong></td>
</tr>
</tbody>
</table>

A detailed budget will be dependent on the views of the Selection Panel.

In addition all members of the Panel will give their time *pro bono*.

**Future**

This is initially a one year project, but if successful then the Award could become an annual event. In future years it is hoped that the Award will attract sponsorship from the wider community once it has a track record and so would require steadily decreasing funds from the Board, becoming fully self-funding within three years.
Co-ordinator

Successful art projects tend to be led by an artist with a vision and often do not easily comply with rules and procedures developed from other disciplines.

To get this project off the ground I am prepared to act as Co-ordinator for the first year (but would happily stand aside if someone else was better suited).

From 1990-2005 I was employed at a senior level within several art colleges as they became part of universities, holding Professorial positions at Exeter School of Art & Design (UK), Malmö University (Sweden) and University of Waikato (NZ). I learned to work with 17 different art disciplines and participated in many international projects.

On retirement in 2005 I came to Waiheke and put that aside, rolling up my sleeves and getting Artworks Theatre back on its feet, raising $70,000 for the new seating, acoustics, sound and lighting systems that are in use today. I went on to found Grow Your Own Productions which, among other things, ran five Waiheke Playwrights Festivals involving over 120 local people in their production. I have also helped the Red Shed develop a programme of community exhibitions and have been a Cinema volunteer since 2006. I now teach a course through Adult Learning.

Grow Your Own Productions disbanded last year after raising about $35,000 for local causes and never charging more than $15 for a ticket.

Local Board Plan

Council and the Local Board have put far more resources into Artworks than into artist-makers and their organisations. “Creative activities originating from, or occurring in, the Precinct attracted 89% of all Auckland Council arts and culture funding distributed on Waiheke in FY 2016/17” (Community Arts And Culture Needs Assessment 2018). This would seem not atypical of the past 10 years. In addition, Phase 2 of the Master Plan for Artworks entailed demolishing the studios and re-styling the courtyard which cost, I believe, in excess of $1 million.

The Board has indicated a desire to be more inclusive: “Use community grants and partnerships to support community-led activities using local facilities” (Local Board Plan 2017) and “We are supporting our arts community to develop a collaborative community arts strategy which will support future board decisions.” (LB Agreement 2019/20).

If the Board genuinely wishes to see “a collaborative community arts strategy” then it needs to first make access to funds more equitable. The proposal for an Emerging Artist Award is an attempt toudge the Board into acknowledging the community of practicing artist-makers. It will also be a constructive step towards building meaningful collaboration in the future.

Colin Beardon 18 January 2020
Improved Public Accessibility to the governance function of Waiheke Local Board

File No.: CP2020/00314

Te take mō te pūrongo

Purpose of the report

1. To provide the local board with options to provide greater transparency of deliberations of the Waiheke Local Board, as resolved by the local board on 4 December 2019.

Whakarāpopototanga matua

Executive summary

2. Following the decision by the local board on 4 December 2019 not to adopt the proposal in a Notice of Motion to open access to local board workshops and the request by the local board for staff to provide options for greater transparency on local board deliberations, this report sets out three options for consideration.

3. The three options are:
   - Option 1: No change to the status quo
   - Option 2: Public access to monthly Community Forums to be held during the morning of the first Wednesday of the month; enhanced publication of selected workshop material
   - Option 3: Public access to workshops, subject to the right to selectively exclude the public

4. In accordance with the Waiheke Local Board Standing Orders, workshops are informal opportunities for staff of the council group to share information with the local board and obtain guidance from the local board. No decisions or resolutions are made at workshops and therefore workshops are not deemed to be meetings under the Local Government Official Information and Meetings Act 1987. Decisions and resolutions are only made at monthly business meetings of the local board that is accessible by the public.

5. The report does not recommend retaining the status quo as it does not provide for greater transparency. As opening workshops to the public has already been rejected by the local board, this option is not recommended.

6. Staff recommend that local board establishes a pre-booked monthly Community Forum that allows members of the public to raise issues with the local board. It is proposed that Community Forums be held by the local board on the first Wednesday of each month. This option is supplemented with enhanced transparency of workshop activities by publication of workshop notes and material on the local board’s Facebook page within three days from the workshop, with the redaction of confidential workshop material. The report notes similar arrangements are in place at some other local boards.
Ngā tūtohunga
Recommendations

That the Waiheke Local Board:

a) notes that the definition of a ‘meeting’ as outlined in Part 7 Section 45(2) of the Local Government Official Information and Meetings Act 1987 (LGOIMA) excludes any meeting of a local authority (or any committee or sub-committee of a local authority) at which no resolutions or decisions are made is not a “meeting” as defined by LGOIMA, and as such there is no requirement for the local authority to undertake the following activities as outlined in sections 45 to 54 of LGOIMA for such meetings:

i) to publicly notify workshops

ii) to publicly provide agendas and reports for workshops at least two working days in advance

iii) to provide for public and / or media access to workshops

iv) to provide publicly available minutes of workshop after the fact.

b) notes that the Standing Orders of the Waiheke Local Board explicitly defines ‘workshop’ as an informal forum held primarily for information or discussion purposes as the case may be, and at which no resolutions or decisions are to be made.

c) notes that Standing Order 12.1.2 as outlined with the Standing Orders of the Waiheke Local Board explicitly states that:

i) workshops are solely for information and discussion purposes

ii) workshops are not considered public ‘meetings’ as defined by Section 45(2) of the Local Government Official Information and Meetings Act 1987 (LGOIMA)

iii) part 7 of LGOIMA and the requirements contained therein as outlined in resolution a) above do not apply to local board workshops.

d) confirm that the local board holds its workshops, briefings and / or other meetings at which no resolutions or decisions are to be made without members of the public, media and / or stakeholders in attendance, as is allowed for under the Local Government Official Information and Meetings Act 1987.

e) request local board services staff, in order to ensure openness and transparency of the content at local board workshops, undertake the following activities:

i) all material and documentation, unless it is considered confidential under section 7(2) of the Local Government Official Information and Meetings Act 1987 ‘are to be made available on the Waiheke Local Board webpage within three working days following the workshop.

ii) agenda material and workshop outputs will continue to be included on the subsequent local board business meeting agenda (e.g. workshop material from February will be included on the March business meeting agenda).

iii) staff have amended and enhanced the content available on the Record of Workshops report, which will now include an overview of the item, summary of the discussion and agreed action points, along with the agenda materials as highlighted in the previous bullet point.

iv) arrange a monthly community forum which will enable the public to be kept
informed on matters relating to the workshop material. Staff propose that these sessions will:

- be held on the first week of the month on Wednesday mornings during the time scheduled for local board workshops, and will run for two hours.
- be booked in advance by calling or emailing the local board office and confirming an appointment.
- have appointments which run for 15 minutes at a time.
- allow multiple requests as one appointment when considered appropriate.
- led by the local board chair, assisted by local board staff.

v) this process will be outlined on the local board webpage and will also include the creation of a dedicated email address for booking an appointment.

vi) note that these sessions will not be attended by the council staff who presented the workshop item to the local board.

vii) ongoing engagement between local board staff and interested members of the public and/or community groups.

viii) all workshop material and documentation, unless it is considered confidential under section 7(2) of the Local Government Official Information and Meetings Act 1987, will be made available to local media for their information, along with the invitation to meet with local board staff in person to discuss any of the matters raised in workshops.

ix) local media will continue to have the opportunity to proactively work with council communications staff to discuss workshop items, and to meet with local board staff to discuss other local matters.

x) increase activity on existing communications channels such as Our Auckland, social media and local media to inform the public that workshop material is available to be viewed on the local board webpage.

xi) authorize the local board relationship manager, in consultation with the chair of the local board, to make minor adjustments should this be required to enable the practical implementation of the measures in this resolution.

**Horopaki Context**

7. Since the establishment of the Waiheke Local Board when the Local Government (Auckland Council) Act 2009 came into effect, provision has been made for public meetings of the local board that are to be held under the Local Government Official Information and Meetings Act 1987. Meetings are defined in section 45 as follows:

(1) *In this Part, unless the context otherwise requires,—*

*meeting, in relation to a local authority, means, subject to subsection (2),—*

(a) any annual, biennial, triennial, ordinary, or extraordinary meeting of a local authority; and

(b) any meeting of—

(i) any committee or standing committee or special committee or subcommittee of a local authority; and

(ii) any meeting of any joint standing committee or joint special committee appointed by 2 or more local authorities, and any subcommittee of any such committee—
(iii) any function, duty, or power is conferred or imposed on that committee or subcommittee by any enactment; or
(iv) that committee or subcommittee is empowered to exercise or perform, on behalf of any local authority or any committee of any local authority, any function, duty, or power conferred or imposed on any local authority, or on any committee of any local authority, by or under any enactment or bylaw

(1A) .......

(2) For the avoidance of doubt, it is hereby declared that any meeting of a local authority or of any committee or subcommittee of a local authority, at which no resolutions or decisions are made is not a meeting for the purposes of this Part.

8. The purpose of these meetings are to enable the local board to give effect to its governance role by enabling it to make resolutions or decisions in the presence of members of the public, media and / or stakeholders.

9. Continuing the long-established practice of earlier local boards, on 4 December 2019 the Waiheke Local Board resolved as follows to provide for local board governance work management for the 2019-2022 triennium:

Resolution number WHK/2019/222

MOVED by Chairperson C Handley, seconded by Deputy Chairperson B Upchurch:
That the Waiheke Local Board:

a) endorse the following approach to effectively and efficiently manage the governance work of the local board for the 2019-2022 triennium:

i. maintain a key focus on annual work programmes and their implementation through quarterly reporting and regular workshops with the whole local board, with decisions made at business meetings.

ii. appoint nominated local board members who will facilitate consultation with local board members on time sensitive landowner consents and events, and who will provide the local board’s full feedback on liquor licences and resource consents.

iii. appoint nominated local board members to external organisations.

10. Clause 9 of the Waiheke Local Board Standing Orders defines a workshop as follows:

Workshop means an informal forum held primarily for information or discussion purposes, as the case may be, and at which no resolutions or decisions are made.

11. The functioning of workshops are provided for in Appendix C of the Waiheke Standing Orders that provides as follows:

12.1.1 Workshops exempt from provisions of Part VII (Local Government Meetings) of the Local Government Official Information and Meetings Act 1987

Only this part of the standing orders apply to workshops of the local board or its committees as these are held solely for information and discussion purposes with no ability for any resolutions or decisions to be made.

Section 45(2) of LGOIMA 1987 (which is included in Part VII of that Act) provides that, for the avoidance of doubt, any meeting of the local board or of any committee or subcommittee of the local board, at which no resolutions or decisions are made is not a meeting for the purposes of this Part of this Act.

Given that workshops will not make any resolutions or decisions they are not subject to the requirements contained in Part VII of LGOIMA 1987 (e.g. public access to the meetings, availability of agenda material to the public and notification of meetings etc.).
12. The agenda of the local board business meeting of 4 December 2019 included a Notice of Motion that proposed the following:

That the Waiheke Local Board:

a) hold all workshops, including for committees, open for the public, subject to the provisions of section 48 of the Local Government Official Information and Meetings Act 1987 (Right of local authorities to exclude members of the public).

13. The proposal was not accepted by the local board but the local board thereafter resolved that staff deliver an options paper to explore opportunities for greater transparency of board deliberations (Resolution number WHK/2019/220).

Tātaritanga me ngā tohutohu
Analysis and advice

14. There are limited opportunities for the community to formally engage with the governance of Waiheke Local Board. The Waiheke Local Board Standing Orders provides for the public to directly interact with the local board during its business meetings when presenting a petition, or during deputations or at the public forum. No provision is made for attendance of members of the public at workshops.

15. A petitioner who presents a petition to the local board or a committee may speak for five minutes. Deputations are accepted with at least seven days prior notice, at the discretion of the chair of the local board, the topics are restricted to the scope or functions of that local board and participation is limited to two persons who are allowed a maximum of 10 minutes to address the local board. Public Forum items are similarly restricted to individuals who may address the local board for a maximum of three minutes on subject within the scope or functions of that local board. The total allocation of time for public forum items on the agenda is 30 minutes.

16. Similar concerns to those of the Waiheke Local Board about greater transparency of board deliberations have since the election prompted four North Shore local boards to provide for community forums to enable members of the public to raise issues with the local board in a less formal setting (Attachment A). Other local boards, for example Howick, Puketapapa and Maungakiekie-Tamaki have informally decided on community forums to engage further with local communities in a regular face to face session. Although workshops of the Governing Body are not open to the public, the Governing Body workshop material is published.

17. The options to provide for greater transparency are set out in Table 1 below. Option 2, (Public access to monthly Community Forums; enhanced publication of selected workshop material) is recommended:

<table>
<thead>
<tr>
<th>Option</th>
<th>Advantage</th>
<th>Disadvantage</th>
</tr>
</thead>
</table>
| 1      | No change to status quo  
(Continue current well-established practice) | • Well-established and tested routine  
• No additional time or resources required  
• Consistency with most other local board | • Does not provide for improved transparency of local board deliberations |
| 2      | Public access to monthly Community Forums to be held during the morning of the first Wednesday of the month; enhanced publication of selected workshop material  
(Option adopted by Devonport-Takapuna, | • Improved transparency of published material presented at workshops with access to more comprehensive | • Additional resource and time demand on local board members  
• Additional workload for local board staff  
• Requires members of |
<table>
<thead>
<tr>
<th>Item 14</th>
<th>with variations adopted by other North Shore Local Boards</th>
<th>workshop notes</th>
<th>the public to pro-actively make timely arrangements to attend the community forum</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>• More opportunity for informal direct interaction of the local board with the public</td>
<td>• Does not provide access to informal discussion between staff and local board members at workshops</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Conforms with intent of Standing Orders that workshops are an informal, access-restricted opportunity for staff to seek guidance and to provide information to the local board.</td>
<td>• A risk that council group staff omit useful information from workshop material to protect confidential information which may result in local board members not receiving full free and frank advice from staff. Alternatively it may be that material presented to the local board during workshop is not suited for publication due to containing confidential information. These risks can be mitigated by applying the exclusions of section 7(2) of the LGOIMA and redacting confidential information.</td>
</tr>
<tr>
<td>3</td>
<td>Public access to workshops, subject to the right to selectively exclude the public (Notice of Motion option rejected by the</td>
<td>• Direct access by members of the public to informal workshops between</td>
<td>• A risk that the proposed measures may not achieve the objective due to practicalities, for example the allocation of time or the suitability of time and dates. However, the risk will be mitigated by enabling minor adjustments to be made administratively by local board staff in consultation with the chair of the local board.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
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</tr>
<tr>
<td>local board on 4 December 2019</td>
<td>staff and local board provides improved transparency</td>
<td>Does not conform with intent of Standing Orders that workshops are an informal, access-restricted opportunity for staff to seek guidance and to provide information to the local board; However, noting that s48 of LGOIMA enables the exclusion of the public for confidential items</td>
<td></td>
</tr>
<tr>
<td>---</td>
<td>---</td>
<td>---</td>
<td></td>
</tr>
<tr>
<td>• Less additional resource and time demand than community forum option</td>
<td>• Compromises the information sharing and discussion of confidential material under section 7(2) of the LGOIMA</td>
<td>• To achieve greater transparency, it will require advance public notice of workshop agenda items and publication of material, resulting in additional workload for local board staff</td>
<td></td>
</tr>
</tbody>
</table>

18. If the local board accepts the recommendation in this report, local board staff will take the necessary measures to implement the decision in the calendar month following decision, including advising council group staff of the new requirements.

**Tauākī whakaaweawe āhuarangi**

**Climate impact statement**

19. As this is an administrative decision, there are no anticipated impacts on climate change.

**Ngā whakaaweawe me ngā tirohanga a te rōpū Kaunihera**

**Council group impacts and views**

20. With the exception of council staff who provide support to the local board, the recommendations do not require additional resources or commitment from the council group. Local Board Services and the Communications departments will be responsible for giving effect to the expanded communication requirements.

21. Council group staff (council, Auckland Transport, ATEED etc) who engage with the local board during workshops will be advised of the proposed arrangements and will ensure that workshop material is suited for publication.

**Ngā whakaaweawe ā-rohe me ngā tirohanga a te poari ā-rohe**

**Local impacts and local board views**

22. The recommendations are in response to a resolution of the Waiheke Local Board on 4 December 2019 that intends to provide improved to ensure openness and transparency of the content of local board workshops of the Waiheke Local Board.
23. Although not adopted by the majority of the local boards, the recommendations are similar to some of the measures adopted in the current term by four North Shore local board such as Upper Harbour, Hibiscus and Bays, Kaipatiki and Devonport Takapuna Local Boards. (See attachment A). Other local boards, for example Howick, Puketapapa and Maungakiekie-Tamaki have informally decided on community forums to engage further with local communities in a regular face to face session.

**Tauākī whakaaweawe Māori**

**Māori impact statement**

24. This decision does not have any specific impact on Māori than the broader community of Waiheke.

**Ngā ritenga ā-pūtea**

**Financial implications**

25. This decision has no financial implications for the local board

**Ngā raru tūpono me ngā whakamaurutanga**

**Risks and mitigations**

26. There is a risk that council group staff omit useful information from workshop material to protect confidential information which may result in local board members not receiving full free and frank advice from staff. Alternatively it may be that material presented to the local board during workshop is not suited for publication due to containing confidential information.

27. It is proposed that the exclusions under the Local Government Official Information and Meetings Act 1987 be applied to the content of the material and confidential information unsuited for publication be redacted.

28. There is a risk that the proposed measures may not achieve the objective due to practicalities, for example the allocation of time or the suitability of time and dates. However, the risk will be mitigated by enabling minor adjustments to be made administratively by local board staff in consultation with the chair of the local board.

**Ngā koringa ā-muri**

**Next steps**

29. If the recommendations are accepted by the local board, staff will ensure the arrangements are made operational as soon as practical during the calendar month following approval.

**Ngā tāpirihanga**

**Attachments**

<table>
<thead>
<tr>
<th>No.</th>
<th>Title</th>
<th>Page</th>
</tr>
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<tbody>
<tr>
<td>A</td>
<td>Resolution of local boards establishing Community Forums</td>
<td>45</td>
</tr>
</tbody>
</table>

**Ngā kaihaina**

**Signatories**

<table>
<thead>
<tr>
<th>Author</th>
<th>Authorise</th>
</tr>
</thead>
<tbody>
<tr>
<td>Helgard Wagener - Relationship Manager - Aotea / Great Barrier and Waiheke Local Boards</td>
<td>Louise Mason – General Manager - Local Board Services</td>
</tr>
</tbody>
</table>
Resolution of local boards establishing Community Forums

<table>
<thead>
<tr>
<th>Local Board</th>
<th>Minutes Date</th>
<th>Details</th>
</tr>
</thead>
</table>
| Devonport-Takapuna | Minutes - November 2019 | 12 Notice of Motion – Chairperson Aiden Bennett – Public Workshops  
Resolution number DT/2019/84  
MOVED by Chairperson A Bennett, seconded by Deputy Chairperson G Wood:  
That the Devonport-Takapuna Local Board:  
a) notes that the definition of a ‘meeting’ as outlined in Part 7 Section 45(2) of the Local Government Official Information and Meetings Act 1987 (LGOIMA) excludes any meeting of a local authority (or any committee or sub-committee of a local authority) at which no resolutions or decisions are made is not a meeting as defined by LGOIMA, and as such there is no requirement for the local authority to undertake the following activities as outlined in sections 45 to 54 of LGOIMA for such meetings:  
i) to publicly notify workshops;  
ii) to publicly provide agendas and reports for workshops at least two working days in advance;  
iii) to provide for public and / or media access to workshops;  
iv) to provide publicly available minutes of workshop after the fact; and  
v) note that the Local Government Official Information and Meetings Act 1987 (LGOIMA) does not prohibit public or media access to workshops.  
b) notes that the Standing Orders of the Devonport-Takapuna Local Board (December 2017) explicitly defines ‘workshop’ as an informal forum held primarily for information or discussion purposes as the case may be, and at which no resolutions or decisions are to be made.  
c) notes that Standing Order 12.1.2 as outlined with the Standing Orders of the Devonport-Takapuna Local Board (December 2017) explicitly states that:  
i) workshops are solely for information and discussion purposes;  
ii) workshops are not considered public ‘meetings’ as defined by Section 45(2) of the Local Government Official Information and Meetings Act 1987 (LGOIMA); and  
iii) part 7 of LGOIMA and the requirements contained therein as outlined in resolution a) above do not apply to local board workshops. |
CARRIED 

Resolution number DT/2019/65
MOVED by Chairperson A Bennett, seconded by Deputy Chairperson G Wood:
That the Devonport-Takapuna Local Board:
d) rescinds the resolution from its 21 February 2017 meeting where it resolved to ‘hold workshops and / or briefings with members of the public, media and stakeholders in attendance’ (resolution number DT/2017/15 resolution b)).
e) resolves to holds its workshops, briefings and / or other meetings at which no resolutions or decisions are to be made without members of the public, media and / or stakeholders in attendance, as is allowed for under the Local Government Official Information and Meetings Act 1987.

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

For
Chairperson A Bennett
Member T van Tonder
Deputy Chairperson G Wood

Against
Member T Deans
Member R Jackson
Member J O’Connor

Abstained

The motion was declared EQUAL.
The chair exercised their casting vote for so the motion was Carried.
CARRIED
Resolution number DT/2019/66

MOVED by Chairperson A Bennett, seconded by Deputy Chairperson G Wood:

That the Devonport-Takapuna Local Board:

f) request local board services staff, in order to ensure openness and transparency of the content at local board workshops, undertake the following activities:

i) all material and documentation, unless it is considered confidential under section 7(2) of LGOIMA, will be made available on the Devonport-Takapuna Local Board webpage within two working days following the workshop;

ii) agenda material and workshop outputs will continue to be included on the subsequent local board business meeting agenda (e.g. workshop material from February will be included on the March business meeting agenda);

iii) staff have amended and enhanced the content available on the Record of Workshops report, which will now include an overview of the item, summary of the discussion and agreed action points, along with the agenda materials as highlighted in the previous bullet point above;

iv) a monthly drop-in session which will enable the public to be kept informed on matters relating to the workshop material. Staff propose that these sessions will:

- be held on the fourth week of the month on Thursday mornings, and will run for two hours.
- be booked in advanced by calling or emailing the local board office and confirming an appointment
- have appointments which run for 15 minutes at a time.
- allow multiple requests as one appointment when considered appropriate.
- be led by Local Board Services staff

v) this process will be outlined on the local board webpage and will also include the creation of a dedicated email address for booking an appointment.

vi) note that these sessions will not be attended by the council staff who presented the workshop item to the local board.
<table>
<thead>
<tr>
<th>Kaipātiki</th>
<th>Minutes - November 2019</th>
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<tbody>
<tr>
<td></td>
<td>17 Adoption of a business meeting schedule</td>
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</table>

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

Resolution number KT/2019/223

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

That the Kaipātiki Local Board:

a) confirm one community forum meeting every second month, generally held on the fourth Wednesday of the month, commencing at 6.00pm and held at various locations around the Kaipātiki Local Board area, noting that the primary purpose is to engage with the public via public forum, deputations and reporting from community organisations, and also to consider any items of business that need to be considered due to time constraints, or that are more appropriately dealt with at community forum as below:

b) note the board will consider the community forum schedule for the remainder of the 2019-2022 political term in December 2020, reflecting on the frequency and effectiveness of varied locations during the first 12-month period.

c) ongoing engagement between Local Board Services team and interested members of the public and/or community groups;

d) all material and documentation will be sent to local media for their information, along with the invitation to meet with Local Board Services staff in person to discuss any of the matters raised in workshops;

e) local media will continue to have the opportunity to proactively work with council communications staff to discuss workshop items, and to meet with Local Board Services staff to discuss other local matters; and

f) increase activity on existing communications channels such as Our Auckland, social media and local media to inform the public that workshop material is available to be viewed on the local board webpage

CARRIED
| Item 14 | 
|---|---|
| Hibiscus and Bays Minutes – November 2019 | 16 Adoption of business meeting schedule Resolution number HB/2019/204 MOVED by member G Holmes, seconded by Member J Fitzgerald: That the Hibiscus and Bays Local Board:

- a) adopt the meeting schedule outlined below for the period November 2019 to December 2020:
- b) ...
- c) Agree to commence community forum meetings at 6.00pm at the Council Chambers, Orewa Service Centre, and the Local Board Office, Browns Bay, alternating each month between the two local board venues. Community forums are being introduced to provide a dedicated forum for community groups members of the public to present and update the local board on projects or issues through deputations.
- d) Note that deputations are at the approval and discretion of the chairperson and must be booked through the democracy advisor at least seven days in advance.
- e) ...
<p>| CARRIED |</p>
<table>
<thead>
<tr>
<th></th>
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<tbody>
<tr>
<td>b)</td>
<td>agree to hold a community forum meeting on Thursday, 13 February 2020, commencing at 6.30pm at the Upper Harbour Local Board office, Kell Drive, Albany village, noting that this meeting will be conducted as a 'meeting' as defined by the Local Government and Official Information and Meetings Act 1987.</td>
</tr>
<tr>
<td>c)</td>
<td>note that the local board will consider the community forum meeting schedule for the remainder of the 2019-2022 triennium at a business meeting in the first quarter of 2020.</td>
</tr>
<tr>
<td>d)</td>
<td>adopt the workshop schedule outlined in Attachment B to the agenda report, consisting of workshop sessions around the work programmes.</td>
</tr>
<tr>
<td>e)</td>
<td></td>
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<td></td>
<td>CARRIED</td>
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</table>
Te take mō te pūrongo

Purpose of the report

1. To re-appoint two committees for the development and approval of the reserve management plan (RMP) for Rangihoua Reserve and Onetangi Sports Park.
2. To appoint local board members to the two committees.
3. To delegate the appointment of the independent commissioner to the Development Committee.

Whakarāpopototanga matua

Executive summary

4. Work is underway to create a reserve management plan for Rangihoua Reserve and Onetangi Sports Park. Refer to Attachment A for background on this project.
5. In September 2018, the Waiheke Local Board (the local board) appointed two committees, the Rangihoua Reserve and Onetangi Sports Park Reserve Management Plan Development Committee (the Development Committee) and the Rangihoua Reserve and Onetangi Sports Park Reserve Management Plan Approvals Committee (the Approvals Committee).
6. The Development Committee is responsible for developing the draft reserve management plan (RMP) for Rangihoua Reserve and Onetangi Sports Park and the Approvals Committee for approving the final RMP. Refer to Attachment B for a copy of the report to the Waiheke Local Board (27 September 2018) outlining this governance approach and committee appointments.
7. The two committees were deemed to be discharged under the Local Government Act 2002 at the end of the 2016–2019 term. This report seeks to re-appoint the two committees and appoint local board members to the committees.
8. Recommendations in this report are consistent with decisions to appoint the two committees, made by Waiheke Local Board in the previous electoral term.
9. For continuity, staff recommend the appointment of previous committee members C Handley (as chair) and the Aotea / Great Barrier Local Board chair, I Fordham, for a second tenure on the Development Committee and the Approvals Committee.
10. A further two local board members would be appointed to both committees.
11. For the hearings process, deliberations and approval of the final plan, staff recommend that an independent hearings commissioner with expertise in the Reserves Act 1977 is also appointed to the Approvals Committee.
12. Staff recommend that the local board delegate the selection of the independent commissioner to the Development Committee.

Ngā tūtohunga

Recommendations

That the Waiheke Local Board:

a) re-appoint the Rangihoua Reserve and Onetangi Sports Park Reserve Management Plan - re-appointing committees and appointing members
Plan Development Committee.

b) appoint to the Development Committee: Chairperson C Handley (as chair) and the Aotea / Great Barrier Local Board chair, I Fordham, and two other members.

c) delegate to the Development Committee the Waiheke Local Board’s responsibilities, duties and powers necessary to:
   i) approve the scope of the Rangihoua Reserve and Onetangi Sports Park management plan
   ii) determine whether to include the Rangihoua maunga and landscape amenity area following consultation with Ngati Paoa and/or decisions by the Rangihoua and Tawaipareira Committee
   iii) determine whether to declare and classify any part of Rangihoua Reserve
   iv) publicly notify and seek comments and objections on the draft plan.
   v) select and appoint the independent commissioner to form part of the Approvals Committee

d) re-appoint the Rangihoua Reserve and Onetangi Sports Park Reserve Management Plan Approvals Committee.

e) appoint to the Approvals Committee: Chairperson C Handley (as chair) and the Great Barrier Local Board chair, I Fordham, two other members and an independent hearings commissioner experienced in Reserves Act 1977 matters.

f) delegate to the Approvals Committee the Waiheke Local Board’s responsibilities, duties and powers necessary to:
   i) hear objections and comments from submitters
   ii) consider the extent to which they would be allowed or accepted or disallowed or not accepted
   iii) seek, where required, the Minister of Conservation’s comments and/or approval of the management plan
   iv) approve the Rangihoua Reserve and Onetangi Sports Park management plan

Horopaki Context

13. Work is underway to create a reserve management plan (RMP) for Rangihoua Reserve and Onetangi Sports Park as outlined in the report to the Waiheke Local Board on 26 July 2018 (Attachment A).

14. The timeline below gives an overview of key activities leading to the establishment of the two Rangihoua Reserve and Onetangi Sports Park Management Plan committees:
Item 15

- request by the Minister of Conservation to Auckland Council to prepare a RMP for Rangihoua Park as required under the Reserves Act 1977

- local board resolved to develop a RMP for Rangihoua Reserve and Onetangi Sports Park (Resolution WHK/2018/151);
  - RMP to be developed as stand-alone plan, developed concurrently with the omnibus reserve management plan for all other local parks on Waiheke.

- local board resolve for the whole board to develop the draft and approve the final plan (Resolution WHK/2018/153). See Attachment A for full report.

- local board resets its role in developing the RMP and establishes two committees to develop and approve the plan respectively (Resolution WHK/2018/190). See Attachment B for full report.

- Development Committee makes decision on scope area of the RMP, resolves to declare and classify as recreation reserve, part Lot 7 DP 161747, and approves public notification of intention to prepare an RMP for Rangihoua Reserve and Onetangi Sports Park (Resolutions RDC/2018/2, RDC/2018/3, RDC/2018/4 and RDC/2018/5)

Role and make-up of the two committees

15. Table 1 below shows the roles and responsibilities and the composition of the two committees in the previous term:

<table>
<thead>
<tr>
<th>Role</th>
<th>Development Committee</th>
<th>Approvals Committee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Role</td>
<td>To develop the draft RMP for Rangihoua Reserve and Onetangi Sports Park.</td>
<td>To conduct hearings and approve the final RMP.</td>
</tr>
<tr>
<td>Decisions to make</td>
<td>• approve the scope of the management plan</td>
<td>• hear objections and comments from submitters</td>
</tr>
<tr>
<td></td>
<td>• determine whether to declare and classify any part of Rangihoua Reserve</td>
<td>• determine whether to include the Rangihoua maunga and landscape amenity area following consultation with Ngati Paoa and/or decisions by the Rangihoua and Tawaipareira Committee</td>
</tr>
<tr>
<td></td>
<td>• publicly notify intention to prepare a plan and seek comments to inform the preparation of the draft plan</td>
<td>• consider the extent to which objections and comments would be allowed or accepted or disallowed or not accepted</td>
</tr>
<tr>
<td></td>
<td>• publicly notify the draft plan and seek comments and objections.</td>
<td>• seek, where required, the Minister of Conservation’s comments and/or approval of the management plan</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• approve the final Rangihoua Reserve and Onetangi Sports Park</td>
</tr>
</tbody>
</table>
16. Attachment B includes a copy of the report to the Waiheke Local Board business meeting on 27 September 2018 which outlined the governance approach and the appointment of committee members.

17. Both committees were deemed to be discharged under the Local Government Act 2002 at the end of the 2016–2019 term.

### Tātaritanga me ngā tohutohu

#### Analysis and advice

18. Both the Development and the Approvals Committees were established to:
   - assist independent decision making
   - manage the risk of potential pre-determination and perceived conflict of interest
   - retain local decision making
   - ensure the relevant Reserves Act expertise is present on the Approvals Committee, especially during the hearings process.

#### Recommended approach based on decision by the previous local board

19. Staff recommend both committees are re-appointed with the same powers under the Reserves Act as in the previous term.

20. For continuity, staff recommend the appointment of previous committee members C Handley (as chair) and I Fordham to the two committees.

21. Staff recommend appointing two new members to replace outgoing local board members Brown and Meeuwsen on both committees.

22. An independent hearings commissioner will be appointed to the Approvals Committee, for the hearings process and approval of the final plan. For a more efficient process, we recommend that the local board delegate the selection of this commissioner to the Development Committee.

23. This approach provides the greatest level of independent decision-making and meets the requirements of both the Local Government Act 2002 and the Reserves Act 1977.

### Tauākī whakaaweawe āhuarangi

#### Climate impact statement

24. As this is an administrative decision, there are no anticipated impacts on climate change.

### Ngā whakaaweawe me ngā tirohanga a te rōpū Kaunihera

#### Council group impacts and views

25. There are no anticipated impacts on any council departments and CCOs from this decision.
This report seeks a decision by the local board on reappointing the two committees to develop and approve the Rangihoua Reserve and Onetangi Sports Park Management Plan and appoint members to the committees.

Staff recommendations in this report are consistent with the decisions made by the previous local board.

### Tauākī whakaaweawe Māori

Māori impact statement

28. Rangihoua maunga is co-managed by the Waiheke Local Board and Ngāti Paoa under a co-governance committee (which is yet to formally convene). The Development Committee would also be responsible for making decisions on whether to include Rangihoua maunga and landscape amenity area following consultation with Ngāti Paoa and/or decisions by the Rangihoua and Tawaipareira Committee once it is able to convene.

29. Mana whenua will continue to be closely involved in the drafting of the RMP, reflecting the local board’s commitment to support Māori outcomes outlined in the Waiheke Local Board Plan 2017; and council’s obligations to Māori under the Local Government Act 2002 and Reserves Act 1977.

### Ngā ritenga ā-pūtea

Financial implications

30. This decision has no financial implications for the local board

### Ngā raru tūpono me ngā whakamaurutanga

Risks and mitigations

31. As outlined in the July and September 2018 reports to the Waiheke Local Board (Attachment A and B), Rangihoua Reserve and Onetangi Sports Park have a contentious history resulting in keen public interest in their management and development.

32. Dividing plan development from plan approval through separate committees will help mitigate this risk. The inclusion of an independent commissioner on the Approvals Committee similarly adds robustness and independence to the process.

33. There are no significant risks from re-instating the two committees to develop and approve the Rangihoua Reserve and Onetangi Sports Park Management Plan.

### Ngā koringa ā-muri

Next steps

34. The terms of reference will be updated based on decisions made on this report. Staff will meet with the Development Committee to progress drafting of the RMP.

### Ngā tāpirihanga

Attachments

<table>
<thead>
<tr>
<th>No.</th>
<th>Title</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>A4</td>
<td>Waiheke Local Board report_July 2018_Development of a local park management plan for Rangihoua</td>
<td>57</td>
</tr>
<tr>
<td>B4</td>
<td>Waiheke Local Board report_September 2018_Resetting the role of the Waiheke Local Board in the development and Finalisation of the OSP Management Plan</td>
<td>71</td>
</tr>
</tbody>
</table>
### Ngā kaihaina

**Signatories**

<table>
<thead>
<tr>
<th>Author</th>
<th>Nicki Malone - Service and Asset Planner</th>
</tr>
</thead>
</table>
| Authorisers             | Lisa Tocker - Head of Service Strategy and Integration  
|                         | Helgard Wagener - Relationship Manager - Aotea / Great Barrier and Waiheke Local Boards |

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Item 15
Attachment A_WLB report from July 2018_Development of a local park management plan for Rangihoua
Development of a local park management plan for Rangihoua Reserve and Onetangi Sports Park

File No.: CP2018/13317

Te take mō te pūrongo / Purpose of the report
1. To seek approval for option three - concurrent development of a management plan for Rangihoua Reserve and Onetangi Sports Park and the Waiheke omnibus management plan.

2. To provide information on options for independent decision-making for the development of Rangihoua Reserve and Onetangi Sports Park management plan, and seek approval for option (d) - appoint an independent committee including local authority representation to hear submissions and make decisions.

Whakarāpopototanga matua / Executive summary
3. The Waiheke Local Board has sought further advice on the development of a management plan for Rangihoua Reserve and Onetangi Sports Park (reserve and park) and options for independent decision-making of the plan's development.

4. This responds to the December 2017 request by the Minister of Conservation that the council complies with the requirement to develop a management plan for Onetangi Sports Park.

5. Staff identified four options for the management plan development. These were considered at local board meeting on 26 April 2018 and discussed at two subsequent workshops on 14 June and 12 July 2018.

6. Option three - concurrent development of the Rangihoua Reserve and Onetangi Sports Park management plan and the Waiheke omnibus management plan is recommended.

7. The July workshop also discussed four possible options for independent decision-making for the development of the plan.

8. Option (d) – appoint an independent committee including local authority representation, is the recommended option on the basis that it provides the greatest level independent decision-making and meets the requirements of both the Local Government Act 2002 and Reserves Act 1977.

9. If option (d) is approved, staff recommend the local board proceed with the appointment of a committee comprising two accredited commissioners, one of whom would chair the committee, the Chair of Waiheke Local Board, one other Waiheke Local Board member and the Chair of Great Barrier Local Board. This is consistent with feedback given by the local board at their 12 July workshop.

10. Te Rangihoua maunga and the surrounding Landscape Amenity Area sit within Rangihoua Reserve and Onetangi Sports Park. The local board has approved the appointment of the Rangihoua and Tāwaiapereira management committee to manage the maunga and Landscape Amenity Area. Until the committee is convened, it is recommended that these areas be excluded from the management plan.

11. Taking the above approach will achieve:
   - clear management direction for the Rangihoua Reserve and Onetangi Sports Park
   - mitigation from the contention surrounding the reserve and park
   - the level of independence sought by the local board
Waiheke Local Board
29 January 2020

- compliance with the Reserves Act 1977 requiring local authority representation

12. Next steps will be a report to the local board approving notification of the intent to develop a management plan along with all processes required to comply with the Reserves Act 1977

Ngā tūtohunga / Recommendations
That the Waiheke Local Board:

a) approve option three - concurrent development of a management plan for Rangihoua Reserve and Onetangi Sports Park, with the Waiheke omnibus management plan (noting that the development of a Waiheke omnibus management plan has been approved under resolution WHK(2018/91), using the process outlined in the Reserves Act 1977.

b) agree to exclude Te Rangihoua maunga and the surrounding Landscape Amenity Area from the management plan as these areas are under the terms of reference of the Rangihoua and Tāwaiapareira Committee.

c) approve option (d) – appointment of the Rangihoua Reserve and Onetangi Sports Park management plan committee to hear objections and comments from submitters, consider the extent to which they have been allowed or accepted or disallowed and not accepted and approve the management plan.

d) appoint a committee comprising two accredited commissioners, one of whom would chair the committee, the Chair of Waiheke Local Board, one other Waiheke Local Board member and the Chair of Great Barrier Local Board.

Horopaki / Context

13. The Minister of Conservation has set out her expectation that Auckland Council will comply with the requirement to prepare a reserve management plan for Onetangi Sports Park. This follows the discontinuation of judicial review proceedings brought by the Hauraki Gulf Enhancement Society against Auckland Council and others, in relation to a lease to the Waiheke Golf Club over part of Onetangi Sports Park.

14. Onetangi Sports Park is held under the Reserves Act 1977 and classified recreation reserve. Rangihoua Reserve is held as fee simple under the Local Government Act 2002. Other smaller parcels of parkland adjoining the park and reserve are held as unclassified reserves under the Reserves Act 1977 (see Attachment A for further details).

15. At the local board meeting held on 26 April 2018, staff provided options for the development of a management plan.

16. Four options were presented:

- option one: develop a Rangihoua Reserve and Onetangi Sports Park management plan
- option two: incorporate Rangihoua Reserve and Onetangi Sports Park in an open space management plan covering all local parks in the Waiheke Local Board area (omnibus plan)
- option three: concurrent development of the Rangihoua Reserve and Onetangi Sports Park management plan and the Waiheke omnibus management plan
- option four: consider incorporating Rangihoua Reserve and Onetangi Sports Park into Whakanewha Regional Park requiring a variation to the Regional Parks Management Plan 2010.

17. The local board resolved:

a) request that the General Manager, Parks Sports and Recreation provide advice on the viability of and process around incorporating Rangihoua Park into the Whakanewha Regional Park as per option four and for reviewing the existing
Whakanewha Reserve Management Plan to accommodate this, for consideration at the next available board workshop followed by a report to a local board meeting agenda.

b) staff proceed with the development of an omnibus open space management plan for all other local parks on Waiheke (with a decision on the inclusion or otherwise of Rangihoua Reserve and Onetangi Sports Park in that plan to be confirmed) (resolution number: WHK/2018/91)

18. On 14 June 2018, staff presented further advice at the local board workshop on:
   - incorporating the reserve and park into Whakanewha Regional Park and
   - options for independent decision-making on a local park management plan for the reserve and park.

19. On 12 July 2018, the local board discussed the following at its workshop:
   - the scope of and decision-making for the omnibus local park management plan for all other Waiheke parks
   - option one, a standalone management plan for Rangihoua Reserve and Onetangi Sports Park
   - options for independent decision-making for option one – a management plan for Rangihoua Reserve and Onetangi Sports Park.

20. Staff have now responded to the request for further advice on option four, the viability of incorporating the reserve and park into Whakanewha Regional Park.

21. Staff have recommended the local board does not proceed with option four. This is covered in the July report "Incorporation of Rangihoua Reserve and Onetangi Sports Park in Whakanewha Regional Park".

22. This report covers a local board request for a formal report on options for independent decision-making for the development of the Rangihoua Reserve and Onetangi Sports Park management plan.

Tātaritanga me ngā tohutohu / Analysis and advice

Local park management plan development

23. The local board has resolved to prepare an omnibus open space management plan for all local parks on Waiheke. (resolution number: WHK/2018/91)

24. The June and July workshops considered the risks and opportunities of including the reserve and park in the omnibus open space management plan.

25. Staff recommend the preparation of the Rangihoua Reserve and Onetangi Sports Park management plan concurrently with the preparation of the omnibus open space management plan.

26. Developing the two plans at the same time will allow the community to take a holistic look at local park issues on the island and provide the flexibility to separate the two plans if extra time is required to look at specific issues in depth.

27. Additionally, cost savings can be realised by running the two management plan projects at the same time. This includes community engagement and public notices.

28. The plans are intended to be the guiding policy framework for managing use, protection and development of Waiheke's local parks network. The plans will include general management principles and policies which will apply to all parks or park types across the local park network, as well as park-specific policies and guidance where required.
29. The plans will be developed under the Reserves Act 1977 and the Local Government Act 2002. The Reserves Act 1977 requires that management plans be prepared and kept under continuous review for land held under that Act.

30. Management plans are not mandatory under the Local Government Act 2002. However, the local parks network is a strategic asset for the council which requires that the land be managed in terms of public policy developed consistent with section 83 of the Local Government Act 2002.

31. In the interests of developing an integrated local park management plan compliant with both the Reserves Act 1977 and the Local Government Act 2002, it is prudent to prepare the plan utilising the procedures for developing reserve management plans set out in the Reserves Act 1977.

32. The Reserves Act 1977 process includes two formal rounds of public consultation. The purpose of the first round is to seek feedback to inform the development of the draft plans. The purpose of the second round is to invite submissions on the draft plan, including a formal hearings process for objectors or supporters wanting to be heard prior to finalisation of the plans.

**Independent decision-making on Rangihoua Reserve and Onetangi Sports Park**

33. There has been a long contentious history surrounding Rangihoua Reserve and Onetangi Sports Park. The local board have indicated a need for independent decision-making on the management plan that covers the reserve and park.

34. Staff have investigated four options which provide varying levels of independent decision-making on the management plan following the notification of the draft management plan.

<table>
<thead>
<tr>
<th>Option</th>
<th>Description of management plan decision-making</th>
</tr>
</thead>
<tbody>
<tr>
<td>Option a) local board</td>
<td>- Local board hears submissions and makes decisions on the management plan.</td>
</tr>
</tbody>
</table>
| Option b) local board with an independent chair | - Local board appoints an independent commissioner to chair a panel with some or all of the local board.  
- The panel would hear submissions and make decisions on the management plan (if a quorum of the local board is on the panel). |
| Option c) independent commissioners (option only available for land held under the Reserves Act) | - Local board appoints a panel of three independent commissioners to hear objections and comments from submitters, consider and make recommendations to the local board.  
- The local board would make the decision on whether or not to accept the recommendations of the commissioners and adopt the management plan.  
- This option is only available for Onetangi Sports Park as it is held under the Reserves Act 1977. Rangihoua Reserve would have to be declared and classified a reserve under the Reserves Act 1977 to be included. |
| Option d) appoint an independent committee including local authority representation | - Local board appoints an independent committee to:  
  o hear objections and comments from submitters;  
  o consider the extent to which they should be allowed or accepted or disallowed or not accepted; |
35. The analysis of the decision-making options is provided in Attachment B.
36. All options except option a) involve the use of commissioners in the hearing of submissions, making recommendations on the management plan and/or the decision-making.
37. Local authorities use commissioners in a variety of situations including where there are perceived or actual conflicts of interest, or perceptions of bias, or where there is the need for specialist or independent advice.
38. Under options b), c) and d), commissioners with knowledge and experience of the Reserves Act 1977, landscape architecture and kaupapa Māori could assist in the decision-making for the reserve and park.
39. In assessing the options, the following factors were considered:
   - retention of local decision-making
   - perceived/actual conflict of interest
   - complexity of decision-making.
40. It is recommended that the local board approve option d – appoint an independent committee including local authority representation to hear submissions and approve the final management plan for the reserve and park.

**Te Rangihoa maunga management and Tāwaipareira and Rangihoa management committee**

41. At the November 2017 meeting, the Waiheke Local Board resolved to establish a Rangihoa and Tāwaipareira management committee and adopted the terms of reference for the committee. (resolution number: WHK/2017/195).
42. The management consists of three representatives of Ngāti Paoa and three Waiheke Local Board members.
43. As outlined in the terms of reference, the committee is delegated management of the maunga and surrounding Landscape Amenity area of Te Rangihoa and will be consulted on issues related to the management of surrounding areas where public consultation is required.
44. Te Rangihoa maunga is located within Rangihoa Reserve while the Landscape Amenity Area is located within both Rangihoa Reserve and Onetangi Sports Park. Therefore, the management committee would have interests in the development of a management plan that would cover the reserve and park.
45. The proposed decision-making arrangements for the management plan do not include a representative from Ngāti Paoa. The inclusion of Te Rangihoa maunga and the Landscape Amenity Area would effectively remove the co-management arrangement that the local board has put in place.
46. Staff recommend that the above areas are excluded from the scope of the management plan until the Rangihoa and Tāwaipareira committee has been convened and made a decision on their inclusion.
Ngā whakaaweawe ā-rohe me ngā tirohanga a te poari ā-rohe / Local impacts and local board views

47. The local board has considered options for the development of a management plan at the April meeting and at two subsequent workshops in June and July 2018. Options for independent decision-making were also covered at the June and July workshops.

48. At the July workshop, local board members expressed their preference for the appointment of a committee to delegate decision-making on the reserve and park management plan to that committee.

49. Local board members expressed their preference to have five committee members.

50. The proposed committee would comprise two accredited commissioners, one of whom would chair the committee, the Chair of the Waiheke Local Board, one other Waiheke Local Board member and a local board member from outside Waiheke.

51. An understanding of the challenges facing Hauraki Gulf islands would add value and insight. Therefore it is recommended that the Chair of Great Barrier Local Board is considered.

52. This approach provides for independent decision-making and a mix of knowledge of the Reserves Act 1977, local knowledge and knowledge of island communities.

53. The local board members present at the July workshop expressed their desire to include Te Rangihoua maunga in the Rangihoua Reserve and Onetangi Sports Park management plan, until such time as the Rangihoua and Tāwaihareira management committee is established.

54. Staff will consult Ngāti Paoa about the scope of the management plan and report back to the September local board meeting.

Tauākī whakaaweawe Māori / Māori impact statement

55. Mana whenua involvement in the development of the plan is important to enable te ao Māori to be incorporated into the management of Waiheke’s local parks network.

56. The planning process is intended to provide an opportunity for mana whenua to participate and influence management of local parks. This supports their role as kaitiaki and enables a better understanding of and confidence in how local parks on Waiheke Island will be managed in the future.

57. Staff have initially engaged with mana whenua at the Parks and Recreation Mana Whenua Forum to introduce the proposed plan. Mana whenua who have rohe which includes Waiheke Island will be invited to hui prior to commencing the public notification process to discuss how they want to be involved in the development of the plan.

Ngā ritenga ā-pūtea / Financial implications

58. At their 26 April 2018 meeting, the Waiheke Local Board resolved to allocate $80,000 in 2018/19 to prepare an omnibus open space management plan. (resolution number WHK/2018/91)

59. The total costs to prepare the omnibus management plan concurrently with the Rangihoua Reserve and Onetangi Sports Park management plan are estimated to be $130,000. A further $50,000 locally driven initiatives funding will be required in 2019/20.

60. The cost of independent commissioners will be met from the Democracy Services departmental operating budget.

Ngā raru tūpono / Risks

61. There has been significant interest in the appropriate use of Rangihoua Reserve and Onetangi Sports Park. This has included a discontinued judicial review of a decision to grant a lease to the Waiheke Golf Club Inc.
62. In the course of preparing the management plan, there may be further significant interest or dispute over these issues which may require an extension to the programme timeframe to complete the work. This will be mitigated by undertaking comprehensive community engagement beyond what is required in the Reserves Act 1977 as part of the development of the plan.

63. The plan timeline in Attachment C notes that the process will be paused prior to the 2019 local government elections as it will not be possible for decisions on submissions and the final plan to be made by the end of September 2019. This will ensure that local board members on the committee will remain unchanged during hearings and approving the final plan.

64. The management plan process may generate some uncertainty for existing leaseholders, particularly if there are alternative uses suggested for their sites. The Reserves Act 1977 does not provide certainty that existing leases will continue beyond their current rights.

65. Rangihoua and Tāwaipareira management committee has yet to formally meet and have not discussed the inclusion of Te Rangihoua maunga and the Landscape Amenity Area in the reserve and park management plan. If the committee decides to include the maunga and Landscape Amenity Area in the management plan this will need to be formalised in a report to the Waiheke Local Board.

Ngā koringa ā-muri / Next steps

66. If the local board accepts the recommendation to form a separate committee for the reserve and park management plan, staff will prepare a report to formally initiate the statutory process to prepare two management plans for parks on Waiheke Island. One for Rangihoua Reserve and Onetangi Sports Park and one for all other parks on the island.

67. Proposed classification of the four parcels of land identified in attachment 1 will be reported to the local board for their consideration at their September 2018 business meeting.

68. The first round of formal consultation is intended to commence late October 2018. This will initially focus on mana whenua and key stakeholder engagement as well as providing an opportunity for the general public to provide suggestions to inform the draft plans.

69. Formal consultation will include statutory public notification of the intention to prepare two management plans in accordance with the Reserves Act 1977.

70. An indicative timeline for the preparation of a management plan is outlined in attachment 3.

Ngā tāpirihanga / Attachments

<table>
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<th>No.</th>
<th>Title</th>
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</thead>
<tbody>
<tr>
<td>A1</td>
<td>Classification details for Rangihoua Reserve and Onetangi Sports Park</td>
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<tr>
<td>B4</td>
<td>Options for independent decision-making on a management plan</td>
<td>15</td>
</tr>
<tr>
<td>C1</td>
<td>Management plan indicative timeline</td>
<td>17</td>
</tr>
</tbody>
</table>

Ngā kaihaina / Signatories

Authors
- Shyrel Burt - Service and Asset Planning Specialist
- Matthew Ward - Service & Asset Planning Team Leader

Authorisers
- Lisa Tocker - Head of Service Strategy and Integration
- Helgard Wagener - Relationship Manager Great Barrier and Waiheke Local Boards
Classification details for Rangihoua Reserve and Onetangi Sports Park

Onetangi Sports Park:
- Lot 2 DP 94533 and Part Lot 15 DP 11657 - held under the Reserves Act and classified recreation reserve (New Zealand Gazette 1989 p 3101) - 54.6555 ha
- Onetangi Sports Park has the golf club lease and is the park that the Minister of Conservation incorrectly refers to in her letter as ‘Rangihoua Recreation Reserve’.

Rangihoua Reserve:
- Lot 7 DP 161747 - held in fee simple (not subject to the Reserves Act 1977) - 54.29ha

Other adjoining parcels of park land
There are four other parcels of land that adjoining Rangihoua Reserve/Onetangi Sports Park block that are subject to the Reserves Act but have not been classified yet:
- Lot 6 DP 204906 - 1.8860 ha (unclassified recreation reserve)
- Lot 17 DP 184090 - 0.6850 ha (unclassified local purpose (access) reserve)
- Lot 19 DP 184090 - 0.2220 ha (unclassified local purpose (access) reserve)
- Lot 12 DP 161747 - 70m2 (unclassified local purpose (esplanade) reserve)

The process to classify requires:
- Mana whenua consultation
- Resolution by the local board under s.18(2A) of the Reserves Act 1977.
- Public notification is not required.
### Options for independent decision-making on a management plan

(as provided to the 14 July local board workshop and updated post-feedback)

<table>
<thead>
<tr>
<th>Option</th>
<th>Requires local decision-making</th>
<th>Risk</th>
<th>Risk mitigation</th>
<th>Complexity of decision-making</th>
<th>Hearing</th>
<th>Decision-maker</th>
<th>Local board commitment of time</th>
<th>Perception of independence</th>
</tr>
</thead>
<tbody>
<tr>
<td>Option a) Local board</td>
<td>Yes</td>
<td>- Risk of perception/actual conflict of interest&lt;br&gt;Local board members with varying levels of experience of the Reserves Act&lt;br&gt;If more than three local board members stand down there would not be enough board members to form a quorum and make a decision</td>
<td>Local board members with an actual or perceived conflict of interest would need to declare their interest and stand down from the submission hearings and decision-making on the plan.</td>
<td>Local board</td>
<td>Local board</td>
<td>High</td>
<td>Would not adequately address perceptions of conflict of interest or a sense of independent decision-making</td>
<td></td>
</tr>
<tr>
<td>Option b) Local board with an independent chair</td>
<td>Yes</td>
<td>- Risk of perception/actual conflict of interest&lt;br&gt;Local board members with an actual or perceived conflict of interest could stand down from the submission hearings and decision-making on the plan. An independent chair could hold the local board to an agreement.</td>
<td>An independent commissioner acting as chair would bring additional knowledge of the Reserves Act 1977</td>
<td>Independent commissioner and local board</td>
<td>Local board</td>
<td>High</td>
<td>Would go a some way to reduce perceptions of conflict of interest and increase a sense of decision-making independence</td>
<td></td>
</tr>
<tr>
<td>Option c) Independent commissioners hear submissions and make recommendations to the local board</td>
<td>Yes</td>
<td>- This option is only available for Onetangi Sports Park as it is held under the Reserves Act 1977.&lt;br&gt;Rangihoua Reserve would need to be declared and classified under the Reserves Act to be included.&lt;br&gt;Local board members will not have had the benefit of hearing submissions directly when they are making the decision on the commissioner's report.</td>
<td>An independent commissioner would have sound knowledge and experience of the Reserves Act</td>
<td>Independent commissioner</td>
<td>Local board</td>
<td>Low/Medium</td>
<td>No conflict of interest for Onetangi Sports Park and provides independence for decision-making for the management plan development (however unless Rangihoua Reserve is classified it will be excluded from the management plan)</td>
<td></td>
</tr>
<tr>
<td>Option d) Appoint a committee to hear submissions and approve the final management plan</td>
<td>Yes – if local board member included</td>
<td>- Reduced risk of perceived/actual conflict of interest</td>
<td>This option would provide a high level of independence for the submission hearing and decision-making.</td>
<td>An independent commissioner acting a chair would bring sound knowledge and experience of the Reserves Act&lt;br&gt;Other committee members would have knowledge and experience of the Reserves Act 1977 as they would have completed the Commissioners’ training.</td>
<td>Independent commissioner and local board members</td>
<td>Independent commissioner and local board members</td>
<td>Low- High for local board members appointed to committee</td>
<td>Would provide a high level of actual perceived conflict of interest and increase a sense of independent decision-making</td>
</tr>
</tbody>
</table>
## Attachment C

### Management plan indicative timeline

<table>
<thead>
<tr>
<th>Proposed key milestones</th>
<th>Estimated timing</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mana whenua engagement begins</td>
<td>August 2018</td>
</tr>
<tr>
<td>Local board report – confirm scope of the plans and intention to notify</td>
<td>September 2018</td>
</tr>
<tr>
<td>including classification of unclassified reserves</td>
<td></td>
</tr>
<tr>
<td>Public notification of intention to prepare plan</td>
<td>October 2018</td>
</tr>
<tr>
<td><strong>Preparation of plan</strong></td>
<td><strong>November 2018</strong> - <strong>March 2019</strong></td>
</tr>
<tr>
<td>Mana whenua hui</td>
<td>October 2018 – February 2019</td>
</tr>
<tr>
<td>Local board workshop/s – summary of submissions and generic polices</td>
<td>December 2018</td>
</tr>
<tr>
<td>Local board workshop/s – specific park section and land inventory</td>
<td>February 2019</td>
</tr>
<tr>
<td>Local board report – approval to consult on draft management plan</td>
<td>April 2019</td>
</tr>
<tr>
<td>Public notification of draft plan</td>
<td>End of May – July 2019</td>
</tr>
</tbody>
</table>

All timeframes below are subject to the volume of submissions and complexity of issues raised by submitters.

- Summary of submissions and hearings report completed and publicly available 10 days prior to hearing: August 2019
- **Local government elections** October 2019
- **Hearings held** February 2020
- **Develop hearings panel/commissioners recommendations report** March 2020
- **Committee approve final management plan** April 2020
- Make any required amendments to final plan and provide mana whenua and stakeholders with link to plan: May 2020
- Management plan handed over to business owner: May 2020
Attachment B_ Waiheke Local Board report_Scember 2018_Resetting the role of the Waiheke Local Board in the development and Finalisation of the ROSP Management Plan
Reseting the Waiheke Local Board role in the Development and Finalisation of the Rangihoua and Onetangi Sports Park Management Plan

File No.: CP2018/17503

Te take mō te pūrongo / Purpose of the report
1. To recommend the Waiheke Local Board form separate committees to:
   - develop and notify the draft Rangihoua Reserve and Onetangi Sports Park management plan; and
   - hold hearings and make decisions on submissions, and undertake decision-making on adopting the management plan.

Whakarāpopototanga matua / Executive summary
2. At its 26 July 2018 meeting, the Waiheke Local Board considered a staff report on options for a process to make decisions on the proposed Rangihoua Reserve and Onetangi Sports Park management plan.
3. The report responded to the local board’s request for a formal report including options for independent decision-making and presented the following four options for the board’s consideration.

<table>
<thead>
<tr>
<th>Option</th>
<th>Approach</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>The local board hears submissions and makes decisions on the management plan</td>
</tr>
<tr>
<td>B</td>
<td>The local board appoints an independent commissioner to chair a panel with some or all of the local board and to make decisions on the management plan</td>
</tr>
<tr>
<td>C</td>
<td>The board appoints a panel of three independent commissioners to hear submissions and make recommendations to the local board on the management plan</td>
</tr>
<tr>
<td>D</td>
<td>The local board appoints an independent committee to hear submissions and make a decision on the management plan</td>
</tr>
</tbody>
</table>

4. The report recommended Option D that the board appoint a committee comprising two accredited commissioners, one of whom would chair the committee, the Chair of Waiheke Local Board, one other Waiheke Local Board member and the Chair of Great Barrier Local Board.

5. The report noted that this option provided the greatest level of independent decision-making and met the requirements of both the Local Government Act 2002 and Reserves Act 1977. It also noted that due to the long and contentious history surrounding Rangihoua Reserve and Onetangi Sports Park, the local board had wanted to consider independent decision-making.

6. At the 26 July 2018 meeting, the Waiheke Local Board resolved to appoint all local board members as the Rangihoua Reserve and Onetangi Sports Park management plan committee to hear objections and comments from submitters, consider the extent to which they have been allowed or accepted or disallowed or not accepted and approve the management plan (Resolution number WHK/2018/153). This included all local board members participating in the development of the draft management plan.
Tātaritanga me ngā tohutohu / Analysis and advice

7. Since that time, local board members have had further discussions and received further staff advice on this decision, and agreed to reconsider an approach which is most likely to be supported by submitters and interested parties.

8. The revised approach separates out plan development, notification of the draft plan, hearings on submissions and objections, and decision-making processes to adopt the plan and sees members Upchurch and Walden stepping aside from all proceedings due to perceptions of conflicts of interest.

9. On this basis, staff recommend that solely Chairperson C Handley (as chair), Members S Brown and J Meeuwsen and the Great Barrier Local Board chair participate in the development of a draft management plan.

10. The development committee would be responsible for decision-making regarding initiating the development of the plan and notifying the draft plan as well as providing political oversight of the draft plan as it is developed.

11. The development committee would also be responsible for making decisions on whether to include Rangihoua maunga and landscape amenity area following consultation with Ngati Paoa and/or decisions by the Rangihoua and Tawaipaireira Committee which has yet to be convened.

12. Rangihoua Reserve is currently held in fee simple under the Local Government Act 2002. As part of the plan development process, the development committee may want to consider the merits of declaring and classifying it as reserve. It is recommended that the ability to make decisions on this matter be included in the committee’s responsibilities.

13. A hearings committee consisting of these members (with member Handley as chair) plus an independent commissioner experienced in Reserves Act matters would be constituted to hear submissions and objections, and make decisions on submissions and objections, and adopting the management plan.

14. It is noted that the project timeline suggested for management plan development and approval in the 26 July 2018 report has been revised and updated and is provided as Attachment A. It sees the process spanning the October 2019 local board elections with a draft management plan being notified for submissions prior to the elections.

15. While this timeline is conservative given that a robust process is essential, the above recommendations seek to provide certainty to all parties, notwithstanding the outcome of the elections.

Ngā tūtohunga / Recommendations

That the Waiheke Local Board:

a) rescind resolution WHK/2018/153 from the 26 July 2018 meeting.

b) appoint Chairperson C Handley (as chair), Members S Brown and J Meeuwsen and the Great Barrier Local Board chair as a committee to develop the draft Rangihoua Reserve and Onetangi Sports Park management plan including decisions on:

i. the scope of the management plan

ii. inclusion of Rangihoua maunga and landscape amenity area following consultation with Ngati Paoa and/or decisions by the Rangihoua and Tawaipaireira Committee

iii. whether to declare and classify any part of Rangihoua Reserve following consultation with Ngati Paoa and/or decisions by the Rangihoua and Tawaipaireira Committee

iv. publicly notifying the intention to prepare the plan and seek comments to

Resetting the Waiheke Local Board role in the Development and Finalisation of the Rangihoua and Onetangi Sports Park Management Plan

Rangihoua Reserve and Onetangi Sports Park Management Plan - re-appointing committees and appointing members
inform the preparation of the plan

v. publicly notifying the draft plan and seeking comments and objections on the draft plan.

c) appoint Chairperson C Handley (as chair), Members S Brown and J Meeuwsen, the Great Barrier Local Board chair and an independent commissioner experienced in Reserves Act matters as a committee to:

i. hear objections and comments from submitters

ii. consider the extent to which they would be allowed or accepted or disallowed or not accepted

iii. seek, where required, the Minister of Conservation’s comments and/or approval of the management plan

iv. approve the Rangihoua Reserve and Onetangi Sports Park management plan.

Ngā tāpirihanga / Attachments

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<tbody>
<tr>
<td>A1</td>
<td>Updated management plan indicative timeline</td>
<td>107</td>
</tr>
</tbody>
</table>

Ngā kaihaina / Signatories

<table>
<thead>
<tr>
<th>Author</th>
<th>John Nash - Programme Manager, Waiheke &amp; Gulf Islands</th>
</tr>
</thead>
<tbody>
<tr>
<td>Authoriser</td>
<td>Helgard Wagener - Relationship Manager Great Barrier and Waiheke Local Boards</td>
</tr>
</tbody>
</table>
Purchase of an additional beach access mat

File No.: CP2020/00346

Te take mō te pūrongo
Purpose of the report

1. To seek approval for allocation of Locally Driven Initiatives (LDI) capex funding to purchase an additional 10m beach access mat to provide wheelchair access to Oneroa Beach during low tide.

Whakarāpopototanga matua
Executive summary

2. Following a public forum submission from Pam Cleverly to the Waiheke Local Board in 2019 the board approved the purchase of a 10m beach to provide wheelchair access at Oneroa Beach.

3. Locally Driven Initiative (LDI) capex budget of $4,500 was approved from the board’s minor capex fund in December 2019.

4. Community facilities staff have installed the mat and have advised it works well however there is of insufficient length to access the hard sand during low tide. They have advised additional funding of $5,685 would be required for an additional mat to provide this access and provide the necessary maintenance. Attachment A provides a photo of low and high tide access.

5. There is $29,000 remaining in the board’s minor capex quick response fund. This fund is a discretionary capital budget to deliver minor community capex projects throughout the financial year and is the appropriate budget for this project.

Te tūtohunga
Recommendation

That the Waiheke Local Board:

a) allocate $5,685 from the Locally Driven Initiative (LDI) capex budget to purchase an additional 10m beach mat to provide low-tide wheelchair access at Oneroa Beach.

Ngā tāpirihanga
Attachments

<table>
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<th>Title</th>
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<tbody>
<tr>
<td>A4</td>
<td>Beach mat installation photos</td>
<td>79</td>
</tr>
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</table>

Ngā kaihaina
Signatories

<table>
<thead>
<tr>
<th>Author</th>
<th>Janine Geddes - Senior Local Board Advisor Waiheke</th>
</tr>
</thead>
<tbody>
<tr>
<td>Authoriser</td>
<td>Helgard Wagener - Relationship Manager - Aotea / Great Barrier and Waiheke Local Boards</td>
</tr>
</tbody>
</table>
Beach Mat installation Oneroa Beach

High tide access

Low tide access
Feedback on Local Government New Zealand discussion paper: Reinvigorating local democracy
File No.: CP2020/00232

Te take mō te pūrongo
Purpose of the report

1. To note the local board feedback submitted on the Local Government New Zealand (LGNZ) discussion paper on “Reinvigorating local democracy”.

Whakarāpopototanga matua
Executive summary

2. In 2019, LGNZ released its discussion paper Reinvigorating local democracy: The case for localising power and decision-making to councils and communities. LGNZ is welcoming feedback from individuals and organisations and have extended the deadline for receiving feedback to the end of January 2020.

3. The discussion paper seeks to refine LGNZ’s advocacy position on ‘localism’ and calls for an active programme of devolution and decentralisation of services. The paper argues that decentralisation will be more efficient and effective in meeting community needs, be more relevant and able to respond to growing diversity, increase voter interest and participation and spur innovation.

4. Some of the key elements of the proposal include:
   - establishing a framework to enable councils to take over certain devolved functions where local capacity exists; or, alternatively, enabling negotiated devolution
   - removing regulatory and legislative constraints on local government, such as those related to pre-fabricated building, public transport and the Resource Management Act
   - a suggestion that the State Services Commission regularly review the range of services that could be transferred to local government or appropriate local agencies
   - a principle that any transfer would need to include (a) funding (b) guidance and support to build competence and (c) enabled only where local capacity already exists.

5. There is no official Auckland Council position on this proposal. This proposal has also not received any endorsement by central government. The council may wish to discuss and agree the types of services that would be appropriate for Aucklanders to have more say and influence on, and this could be the subject of future discussions at Auckland Council/LGNZ meetings.

6. In the meantime, local boards who were interested in giving their views on this discussion paper were encouraged to submit directly to LGNZ. This also ensures LGNZ receives a diversity of views to consider on each of the proposals.

7. The Waiheke Local Board has submitted its feedback (Attachment A) on the Local Government New Zealand (LGNZ) discussion paper Reinvigorating local democracy: The case for localising power and decision-making to councils and communities

Te tūtohunga
Recommendation

That the Waiheke Local Board:

a) approve its feedback to LGNZ on the discussion paper “Reinvigorating local democracy: The case for localising power and decision-making to councils and
communities” as per Attachment A.

Ngā tāpirihanga
Attachments

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<td>20200129 Waiheke Local Board Business Meeting - LGNZ localism discussion paper</td>
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Ngā kaihaina
Signatories

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<tr>
<th>Author</th>
<th>Shirley Coutts - Principal Advisor - Governance Strategy</th>
</tr>
</thead>
<tbody>
<tr>
<td>Authorisers</td>
<td>Louise Mason – General Manager - Local Board Services</td>
</tr>
<tr>
<td></td>
<td>Helgard Wagener - Relationship Manager - Aotea / Great Barrier and Waiheke Local Boards</td>
</tr>
</tbody>
</table>
Feedback by the Waiheke Local Board on Local Government New Zealand discussion document: *Reinvigorating local democracy: The case for localising power and decision-making to councils and communities*

Purpose

1. To provide feedback from the Waiheke Local Board on the Local Government New Zealand (LGNZ) discussion document titled *Reinvigorating local democracy: The case for localising power and decision-making to councils and communities* (July 2019). (localism discussion paper).

Context

2. An opportunity to feedback before the end of January 2020 on the LGNZ ‘Reinvigorating local democracy’ discussion paper on localism has been provided to Auckland Council’s local boards. This issue was discussed at the Chairs’ Forum on 9 December 2019. We note the discussion paper was issued in July and should have been discussed with local boards rather sooner than that.

3. The paper seeks to refine LGNZ’s advocacy position on ‘localism’ and makes the case for decentralisation of decision-making. The overall proposal is for an active programme of devolution by central government. The paper argues that decentralisation will be more efficient and effective in meeting community needs, be more relevant and able to respond to growing diversity and inequality, increase voter empowerment and, thereby, participation and innovation.

4. Feedback from the Waiheke Local Board on key elements of the proposal are as follows:

- a suggestion that the State Services Commission regularly review the range of services that could be transferred to local government or appropriate local agencies.

  Feedback: There appears to be a propensity of central government officials and Ministers to have little faith in the capabilities of local government – both elected members and officials as evidenced at p.26 of the discussion paper [Arthur] Grimes, former Chair of the NZ Reserve Bank and current Chair of Wellbeing and Public Policy at Victoria University, who is quoted as recently advising in this regard that “officials...may need the greatest attention”. To empower only the State Services Commission in reviewing potential for transfers of functions to local authorities may not achieve a favourable outcome for localism due to conscious or unconscious bias. The local board proposes that LGNZ and some kind of independent input should be formally part of the reviewing / recommending process in this regard.

- establishing a framework to enable councils to take over certain functions where local capacity exists; or, alternatively, enabling councils to negotiate or request functions to be devolved

  Feedback: There is a risk of ‘chicken and egg’ about the ‘take over’ part of this proposal. Capability is largely a product of having to do – one recruits expertise, for example, only when one has the responsibility for something – and the right to coerce funding for it through taxes, rates or fees. The note above then follows – officials will be reluctant to devolve for fear of lack of capability while no involvement will ensure self-fulfilment of that view.

- a principle that any transfer would need to include (a) funding or the right to levy for it (b) guidance and support to build competence
• removing constraints on local government’s ability to set the rules itself, subject to principles such as National Policy Statements or similar where necessary/desirable – e.g. regulatory/legislative e.g. pre-fabricated housing, public transport, Resource Management Act.

Feedback: The regulatory restrictions in the Local Government (Auckland Council) Act 2009 should also be removed unless there is a very clear need for a regional approach and/or formal agreement from local boards to a given regulation.

Discussion

Local boards as part of Auckland’s unique governance model

5. The localism discussion document does not consider the differing capacities of the various regional and territorial authorities, specifically no mention is made of Auckland’s position.

6. Auckland is the largest city in New Zealand and is home to about a third of the country’s population with commensurate challenges and opportunities.

7. The 2010 Auckland governance reforms brought about significant change for local government in Auckland. The primary intent of these reforms was to provide stronger regional decision-making alongside greater community engagement and decision-making at the local level.

8. The resulting governance model for Auckland created a shared system of local government, with regional authority over regulatory and planning decision-making allocated to the governing body, and decision-making over local activities being allocated to 21 local boards.

9. We note that all finance and rating authority sit with the ‘Governing Body’ – so called local ‘targeted rates’ would be political suicide for elected members if they have to be added on top of council’s rates already perceived to be high.

10. The same arguments about concentration of power, empowerment etc used in the LGNZ paper about redressing this imbalance should at least be considered in respect of the current Auckland Council governance arrangements. Local rates should be determined locally before or separately from rates needed for agreed regional responsibilities. Only then can local board members be held reasonably accountable to their own constituents for the decisions they make on services etc after they consult their communities.

11. It is noteworthy that the total amounts of funding allocated to local boards closely mirrors the 10-12 per cent that local government spends vis a vis the 88 per cent of all government expenditure central government currently accounts for. Note also at p.32 of the paper “our localism can only work if citizens have a meaningful say in the way local budgets are set.” In Auckland that means at local board level - c.f. New York City is promoting this approach.

12. The fact that most Auckland local board areas have populations in excess of most cities and towns in New Zealand makes point 11. above more compelling in the context of this discussion. The various local board areas are different, with their own respective characteristics and environment.

13. It is therefore important to include local boards in any further discussion about devolution. Any additional devolution of functions from central to local government that results in further non-regulatory activities of Auckland Council being exercised at the local board level will impact on local board decision-making.

14. Local boards are also the Auckland Council’s interface with local communities. The aspirations of local communities are captured in local board plans. Localism includes
the participation of communities and local boards are key to this for a third of NZ’s population.

Review of the Auckland co-governance model: the Waiheke Pilot Project

15. In 2016, Auckland Council commissioned an external review of its governance framework. The review investigated the extent to which the implementation of the governance model has enabled Auckland Council to meet the aim of the 2010 reforms.

16. Many of the recommendations related to further empowering local boards to fulfil their role as local place shapers and representatives of the interests of their communities.

17. In particular, one resolution established a Waiheke Local Board pilot project, which aims to trial greater devolution of decision-making to the local board, and to test ways of resolving a number of long-standing issues on the island. We repeat, though, that all financial and regulatory decisions remain with council.

18. The intent and proposals of the localism discussion document align with the objectives of the Waiheke Local Board pilot project, which is to pursue “localism” within the Auckland context and enable the empowerment of the local community within the local government decision making process on Waiheke.

Waiheke’s challenges and opportunities

19. Waiheke Island is the most populated and second-largest island in Auckland’s Hauraki Gulf. Located just 21.5 km and 35 minutes via ferry from the Downtown Ferry Terminal in central Auckland, the island is both separate from and closely connected to the rest of Auckland.

20. The island has experienced significant growth in recent decades. The current residential population on the island is 9770 (as at June 2018), having grown 50 per cent over the last 22 years, from 6500 in 1996. Many of the permanent residents have strong economic ties with the rest of Auckland, with more than a quarter of employed Waiheke residents (28 per cent) commuting regularly via ferry off the island. Fullers Ferries is currently the main provider of passenger ferry services to and from the island.

21. Uniquely in Auckland, access to Waiheke is only through ferry services, which are operated by two privately-owned service providers. Whilst crucial for Waiheke, ferry services are a minor part of the overall public transport services in Auckland. Unlike other public transport services in Auckland, the ferry services are not subject to the Public Transport Operating Model (PTOM).

22. In addition to an increasing permanent residential population, the island has experienced significant growth in visitor numbers in recent years. The island functions as a popular holiday destination, receiving an estimated 1.3 million unique visitors in 2016/2017, up 18 per cent from 1.1 million visitors in 2015/2016.

23. Tourism and population growth have created a range of environmental and infrastructure pressures on the island, including water pollution, litter and pressures on toilet infrastructure. Local waterways are vulnerable to pollution from poorly maintained and stressed septic systems, and Little Oneroa Lagoon has a long-term no-swim warning in effect due to poor water quality.

24. The current funding methodology is not suited to deal with the pressure that the seasonal influx of visitors puts on the island’s infrastructure.

25. The infrastructure (roads, public toilets, wharves, etc) is designed and is funded through rates to accommodate the resident population and the available funding
models do not enable the Waiheke Local Board to respond to the challenge presented by the massive increase in visitor numbers. Additional and more innovative funding mechanisms are required.

*Delegation of specific functions to local boards*

26. The localism discussion document proposes that specific functions may be devolved from central government to local government as:
   - agreed devolution - agree up front what services local government can ‘take over’
   - negotiated devolution - give local government the ability to apply and negotiate areas that they want to take over.

27. Whilst there are a set of readily-identifiable functions that should be delegated to all local authorities, there are also multiple uniquely local challenges and opportunities that may best be dealt with through negotiated devolution by a specific territorial or regional authority or a group of authorities (including local boards) that gives due regard to local conditions and can be delivered within their resource capacity.

**Recommendations**

28. The Waiheke Local Board:
   a) support the concept of localism and rethinking centralized systems
   b) support the proposal that employing a place-based approach to decision making, especially on areas where needs and preferences vary, enables authorities to deliver locally-appropriate services to our increasingly diverse communities
   c) support initiatives that are likely to increase the ability of people to influence decisions in their communities and thereby increase interest and participation in democratic processes
   d) support a collaborative approach between central and local government to decision making that affects people in local board areas and the Auckland region
   e) support an approach that:
      i. identifies generic functions that are appropriate for delegation to all local authorities
      ii. enables negotiated devolution of functions that gives a council (or local board) or group of councils (or local boards) the ability to apply and negotiate additional functions, activities and/or areas that are suited to be devolved
      iii. but disagrees that the State Services Commission alone should be the body that considers the scope for devolution of central government functions to local government. LGNZ and an independent, qualified body should be part of the process.
   f) agree that any devolution of functions must be supported by necessary funding or the ability to collect it. Sharing GST, as in done in Australia between central government and the states, is considered a very good example of a ‘buoyant tax’ that would be fit for the overall purpose.
   g) support the proposal for exploring funding mechanisms that can support, enable and incentivise local government to invest in areas that will spur growth and better deliver local services
h) recommend LGNZ considers what localism looks like at the local government level to ensure local boards and community boards are a key part of the solution.
Feedback on the Urban Development Bill and the Infrastructure Funding and Financing Bill

File No.: CP2020/00342

Te take mō te pūrongo
Purpose of the report
1. To delegate approval of the Waiheke Local Board feedback on the Urban Development Bill and the Infrastructure Funding and Financing Bill.

Whakarāpopototanga matua
Executive summary
2. The Waiheke Local Board has been invited to provide feedback to support Auckland Council’s submission on two Bills currently being considered by Parliament.

3. A workshop on the Urban Development Bill in conjunction with the Infrastructure Funding and Finance Bill is available to all local board members on Friday, 31 January 2020. Feedback from this workshop will feed into council’s draft submission.

Urban Development Bill
4. This Bill provides for functions, powers, rights, and duties of the Crown entity Kāinga Ora – Homes and Communities (Kāinga Ora) to enable it to undertake its urban development functions.

5. Attached are two summaries on the Bill including a one-page summary from the Ministry of Housing and Urban Development and a summary of the Bill and considerations for local government by DLA Piper (see Attachments 1 and 2).


7. Feedback is required by 7 February 2020.

Infrastructure Funding and Financing Bill
8. The Infrastructure Funding and Financing Bill proposes that finance is raised for infrastructure projects (or bundles of projects) through a Special Purpose Vehicle (SPV), which is a stand-alone entity. The SVP will support urban development projects to begin sooner than council funding for infrastructure allows.

9. A summary document on the Infrastructure Funding and Financing Bill is attached (Attachment 3)


Te tūtohunga
Recommendation
That the Waiheke Local Board:

a) delegate to the Chair approval of feedback on the Urban Development Bill and the Infrastructure Funding and Financing Bill following input from board members.
Ngā tāpirihanga
Attachments

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<td>C</td>
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Ngā kaihaina
Signatories

<table>
<thead>
<tr>
<th>Author</th>
<th>Janine Geddes - Senior Local Board Advisor Waiheke</th>
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<tbody>
<tr>
<td>Authoriser</td>
<td>Helgard Wagener - Relationship Manager - Aotea / Great Barrier and Waiheke Local Boards</td>
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</table>
Summary of Powers available to Kāinga Ora

The Urban Development Bill gives Kāinga Ora a tool box of development powers that it can use when undertaking specified development projects. Each power is designed to address a specific better for development. Not all powers will be needed by every project, and the development plan will set out which ones are needed to progress each specified development project.

<table>
<thead>
<tr>
<th>Development power category</th>
<th>Description of power</th>
<th>Act currently enabling this power</th>
<th>Agency currently responsible for this power</th>
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<tbody>
<tr>
<td><strong>Infrastructure</strong></td>
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<tr>
<td>Scope potential works including:</td>
<td>Having access to private property for the purposes of surveying</td>
<td>Local Government Act 2002</td>
<td>Department of Internal Affairs</td>
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<tr>
<td></td>
<td>Require the Local Authority to provide information or charge a fee to the Local Authority to detain that information for themselves</td>
<td>Government Building Powers Act 1989</td>
<td>Ministry of Transport</td>
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<td></td>
<td>Construct, remove, amend and replace ‘g waters’ and drainage infrastructure</td>
<td>Public Works Act 1951</td>
<td>New Zealand Land Transport Agency</td>
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<tr>
<td></td>
<td>Construct, stop, amend and re-aligning roads</td>
<td>Land Transport Management Act 2013</td>
<td>Land Information New Zealand</td>
</tr>
<tr>
<td></td>
<td>Create, amend, remove carparking areas, public transport facilities and ancillary infrastructure</td>
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<tr>
<td></td>
<td>Transfer ownership and operation of new infrastructure to a local authority (but not land)</td>
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<td></td>
<td>Ability to request a Local Authority to make, amend or suspend a bylaw for a defined area and time period, to support development activities. Approval of the request may not be unreasonably withheld.</td>
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<td><strong>Planning and consenting</strong></td>
<td>Overide, add to, or suspend provisions in the district plan, regional plan, or regional policy statement</td>
<td>Resource Management Act 1991</td>
<td>Ministry for the Environment</td>
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<tr>
<td></td>
<td>Issue resource consents (City/District level – land use and subdivision consents)</td>
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<td></td>
<td>Shortened resource consent process</td>
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<td></td>
<td>Act as a requiring authority under the RMA to create designation inside and outside of the project area</td>
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<td></td>
<td>Remove, change or replace designations for infrastructure within a project area</td>
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<td></td>
<td>Veto or amend the applications of resource consents or plan changes in the project area</td>
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<td><strong>Funding</strong></td>
<td>Set and assess targeted rates within a specified development project area</td>
<td>Local Government Rating Act 2002</td>
<td>Department of Internal Affairs</td>
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<td>Require development contributions</td>
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<td>Ministry for the Environment</td>
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<td>Require betterment payments</td>
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<td></td>
<td>Require infrastructure and administrative charges</td>
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<td><strong>Land acquisition and transfer</strong></td>
<td>Exchanging, revoking or reconfiguring some types of reserves</td>
<td>Reserves Act 1977</td>
<td>Department of Conservation</td>
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<td>Creating, classifying and vesting of reserves</td>
<td>Public Works Act 1951</td>
<td>Land Information New Zealand</td>
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<td>Transferring and setting apart of Crown owned land</td>
<td>Crown Entities Act 2004</td>
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<td></td>
<td>Compulsory acquisition of private land</td>
<td>Housing Act 1955</td>
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<td>Ability to transfer ownership of land to a developer to deliver urban development works. This may be necessary when a developer needs to own the land to be able to access development finance.</td>
<td></td>
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<td></td>
<td>Ability to buy, sell or hold land in own name</td>
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<tr>
<td></td>
<td>Transfer of former Maori land</td>
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Urban Development Bill

DLA Piper has prepared this article as a summary of the content of the new Urban Development Bill. It was introduced on 5 December 2019, had its First Reading on 10 December 2019 and has now been referred to the Environment Committee. Submissions are due on 14 February 2020.

We have focussed on the new process proposed for urban development and the land acquisition powers. Of note, urban development is defined to include housing for any purpose, development and renewal of urban environments (whether or not this includes housing) and development of related commercial, industrial, community or other amenities, infrastructure, facilities, services or works. We have then identified some of the implications for territorial authorities, regional councils and Māori.

This is a significant piece of legislation that gives central government significant powers in relation to urban development and creates a 'bespoke' resource management process for specified development projects.

General process for development

We have set out in the Appendix a step by step diagram that shows the process for proceeding with a development under this Bill, which incorporates the following steps:

- Selection of an urban development project
- Assessment of an urban development project
- Preparation of a project assessment report
- Decision on whether to establish a specified development project
- Preparation of a draft development plan
- Decision on draft development plan
- Effect of a development plan becoming operative

Land acquisition powers

The Bill gives Kāinga Ora the power to acquire land for 'specified works' that it is initiating, facilitating or undertaking. 'Specified works' are a work for the purpose of urban development and which includes 1 or more of the following:

- housing
- urban renewal
- a transport network
- water, energy or telecommunications infrastructure
- a community facility
- a facility for emergency services
- a waste disposal or recycling facility
- a reserve or other public space
- a crematorium or cemetery (including urupā)
- a work to avoid, remedy or mitigate the effects of natural hazards or climate change
- the reinstatement elsewhere of a work located on land that is set apart, acquired, or taken pursuant to these provisions of the Bill
- any other work that is a public work within the meaning of section 2 of the Public Works Act 1981

However, where the work is to be used for a commercial or industrial purpose, 'specified work' is limited to where it is for community facilities, it supports the development of housing or it involves urban renewal.
The bill places restrictions on the acquisition of land defined as protected land (or in fact, the exercise of any power in the Bill in relation to this land which is land that is absolutely protected from acquisition and development). That land is nature and scenic reserves, national parks, conservation areas, wildlife sanctuaries, refugees or management reserves, Māori customary land, Māori reserves and reservations, any part of the common marine and coastal area in which customary marine title or protected customary rights have been recognised, land that is a natural feature that has been declared by an Act to be a legal entity or person and the maruā listed in the Tamaki Makaurau Collective Redress Act.

Other categories of land are protected from compulsory acquisition but may be developed using powers under the Bill if the owners of the land provide their prior consent. This includes Māori freehold land, certain types of general land held by Māori, land held by a post-settlement governance entity, and land held by or on behalf of an iwi or hapu if the land was transferred with the intention of returning the land to the holders of mana whenua. The Marine and Coastal Areas (Takutai Moana) Act 2011 (MACA Act), is to prevail over the Bill in the event of any inconsistency however no specific protection is provided in the Bill in respect of any area that is subject to pending proceedings under the MACA Act. The Bill is also subject to any Treaty Settlement Act or deed, and Te Ture Whenua Māori Act 1993.

Implications for territorial authorities
The specified development project assessment process (which is set out in detail in the Appendix) and short statutory timeframes for a territorial authority to respond to a draft report, highlight the importance of early engagement between Kāinga Ora and territorial authorities and the importance of dialogue on an ongoing basis.

The implications of a specified development project being established are that in the transitional period which starts once the development project is established by Order in Council and generally ends when the project’s development plan becomes operative:

- The planning instruments that apply in a project area continue to apply.
- A local authority that has functions in respect of activities to be undertaken in a project area will continue to be the consent authority unless it decides to transfer consenting functions under the RMA to Kāinga Ora.
- When preparing or changing a plan that would apply in the relevant project area, the territorial authority must have regard to the project area and project objectives to the extent that their content has a bearing on resource management issues in the district.
When a plan change is being prepared, Kāinga Ora has the power to decide that the plan change or any part of it will not apply in the project area and to give written notice to the local authority of that decision. Kāinga Ora may only do so if it considers that it is reasonably necessary to make that decision in order to achieve the project objectives for the relevant specified development project. There is a right of appeal to the High Court on matters of law only in relation to the Kāinga Ora decision.

During the transitional period, for an activity within the project area, if a resource consent application or application to change conditions is received for within the project area, then before consent may be granted, or a condition changed, it must give the application and certain information to Kāinga Ora for a decision from it. The application cannot be granted if Kāinga Ora decides it should be declined and conditions cannot be imposed that are inconsistent with that decision. There is a right of objection in relation to the Kāinga Ora decision.

Once a development plan for a specified development project is notified as taking effect there are significant implications for a territorial authority. For example:

- Kāinga Ora becomes the consent authority under the RMA for all resource consent applications in the project area, if a territorial authority would otherwise be the consent authority. The specific steps set out in the Bill apply to the processing of the application.
- By contrast, this is not the case if a regional council, the Minister for the Environment or the Environmental Protection Authority would be the consent authority. Consent authority status remains with those entities, albeit they will need to follow the specific steps set out in the Bill that apply to the processing of the application.
- Kāinga Ora also has monitoring and enforcement functions in a project area for resource consents which it grants, as well as for activities specified as permitted activities in the district plan or development plan.
- A designation in the project area, other than a designation for a defence area or nationally significant infrastructure, ceases to apply in the project area and only designations included in the development plan have effect in the project area.
- Kāinga Ora becomes the territorial authority for Notices of Requirement for designations within the project area.

As well as replacing many of their functions in project areas, territorial authorities need to be aware that the Bill sets out statutory tests for specified development projects, which are different to those under the RMA. This could result in different environmental outcomes to those under the RMA.

For example, similar to Part 2 of the RMA, clause 5 of the Bill sets out specified principles for specified development projects. In promoting sustainable management of natural and physical resources the matters of national importance in section 6 of the RMA must be recognised and provided for. Particular regard must be had to the other matters in section 7 of the RMA. However, clause 5 of the Bill specifies that it is to be recognised that amenity values may change. The clause 5 principles, coupled with the requirement for development plans to not be inconsistent with the New Zealand Coastal Policy Statement and other national policy statements as opposed to the requirement to give effect to those instruments under the RMA, could result in a lesser level of amenity and environmental protection for a project area and the surrounding environment.

Territorial authorities also need to be aware that:

- Kāinga Ora may have road powers for roads within a project area and it has a range of powers to fund specified development projects. These include the power to set rates, if authorised by the Governor General and the power to require development contributions from persons undertaking developments.
- It will need to include in the electronic versions of its planning instruments a map showing the project area and advice on where to access the relevant development plan.
- There are powers given to Kāinga Ora in relation to proposing amendments to existing bylaws, revoking existing bylaws and making new ones within a specified development project area, in relation to roads and non-roads infrastructure that connects or services non-roads infrastructure.

Implications for regional councils

The implications for regional councils are more limited, but potentially still significant:

- It remains the consent authority within specified development project area during both the transitional period and once a specified development project becomes operative, unless it chooses to transfer consenting functions to Kāinga Ora in the project area.
- During the transitional period, if a resource consent application or application to change conditions is received for within the project area, then before consent may be granted, or a condition changed, it must give the application and certain information to Kāinga Ora for a decision from it. The application cannot be granted if Kāinga Ora decides it should be declined and conditions cannot be imposed that are inconsistent with that decision. There is a right of objection in relation to the Kāinga Ora decision.
- When preparing or changing a plan that would apply in the relevant project area, the regional council must have regard to the project area and project objectives to the extent that their
content has a bearing on resource management issues in the region.

- When a plan change is being prepared, Kāenga Ora has the power to decide that the plan change or any part of it will not apply in the project area and to give written notice to the local authority of that decision. Kāenga Ora may only do so if it considers that it is reasonably necessary to make that decision in order to achieve the project objectives for the relevant specified development project. There is a right of appeal to the High Court on matters of law only in relation to the Kāenga Ora decision.

- Once a development plan for a specified development project is operative the specific steps set out in the Bill apply to the processing of resource consent applications.

- There are amendments to regional council’s functions where there are joint hearings.

- It will need to include in the electronic versions of its planning instruments a map showing the project area and advice on where to access the relevant development plan.

Implications for Māori

The Bill complements the Kāenga Ora Homes and Communities Act 2019. A function of that Act is to understand, support, and enable the aspirations of Māori in relation to urban development. It also provides that one of the operating principles of Kāenga Ora is that it will partner and engage early and meaningfully with Māori communities when undertaking urban development. The Bill sets out in more detail the obligations of Kāenga Ora to Māori in urban development.

Clause 4 of the Bill states that in achieving the purpose of the Bill, all persons performing functions or exercising powers under it must take into account the principles of Treaty, imposing a legal duty on decision-makers to consider the Treaty principles in the same way as under the RMA. The principles of the Treaty are woven throughout the Bill.

As part of the specified development project process, Kāenga Ora will be required to engage with Māori entities and the former owners of, and the hapū associated with, any former Māori land within a proposed project area, when assessing a proposal to establish a specified development project. This includes seeking expressions of interest from Māori entities to develop, as part of the project, any land within the project area in which they have an interest. It is intended that this will provide an opportunity for Māori to shape the project area and project objectives. Notably, in seeking engagement with Māori, Kāenga Ora must allow adequate time for engagement, taking into account tikanga Māori.

The Bill may create opportunities for Māori developers. The Bill sets out a new approach to rights of first refusal (RRFs), designed to support Māori aspirations in urban development and to enable participation in development opportunities. Where Kāenga Ora wishes to undertake an urban development project on RRF land it holds or controls, it would be required to engage with the RRF holder and offer the opportunity to undertake the development on specified terms. A development may not proceed unless the RRF holder agrees to participate in the development on those or other terms or to the development going ahead without its involvement. In such a case, the RRF would continue to apply, meaning the RRF holder will (subject to any other requirements) be offered the first opportunity to purchase the land and improvements if they are sold.

Requiring authorities

As part of its planning and consent powers under the Bill, Kāenga Ora will have the ability to act as a requiring authority under the RMA to create designations in side and outside of project areas. Kāenga Ora is recognised as a requiring authority within a project area, as if it were a network utility operator, subject to the conditions in clause 137(3) being met. The conditions that apply are that the activity

- is necessary for, or related to, the project objectives for a specified development project, and

- is an activity in which Kāenga Ora

- is in a significant contractual relationship with the developer, operator, or service provider, and

- has a direct financial interest in the outcome.

It may also operate as a requiring authority outside the project area of the conditions in clause 137(4) are met. Namely that the activity is one that distributes water for supply, including irrigation; operates a drainage or sewage system; constructs or operates a road or a railway line and is intended to connect to or support, the development of a specified development project and is necessary for or related to, achieving the project objectives for a specific development project and is work in which Kāenga Ora is in a significant contractual relationship with the developer, operator, or service provider, and has a direct financial interest in the outcome.
Key contacts

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Appendix - process for specified development projects

**Urban development project selected by:**
- Kāinga Ora assesses the project, or
- Joint Ministers direct Kāinga Ora to assess the project
- Can be a potential project or one already being carried out

**‘Key features’ of specified development project are identified by Kāinga Ora, which must be:**
- Project objectives (key outcomes and outputs that the project aims to deliver)
- Defined project area (which does not need to be contiguous)
- Project governance body

**Kāinga Ora assesses project:**
- Identifies constraints and opportunities listed in clause 34
- Seeks engagement from Māori and identified stakeholders and expressions of interest from Māori in developing any land within the project area
- Considers the identified constraints and opportunities, feedback from engagement and anything else it considers relevant
- Refines ‘key features’ if necessary
- Publicly notifies the assessment and considers any feedback received
- Determines whether to recommend the project be established and if so, the key features to recommend

**Kāinga Ora prepares project assessment report:**
If recommending not establishing project the report must ‘broadly’ describe and assess project
If recommending it is established, then report must include:
- Summary of the project assessment
- Recommendation that it is established, together with recommended key features
- Concept plan showing general layout once project is delivered
- Confirmation from Minister of Conservation (if conservation-related area included)
- If governance body is not Kāinga Ora, confirmation that the governance body has agreed to be appointed
- Responses from each relevant territorial authority (they are required to indicate whether they support it and any conditions)

**Joint Ministers make a decision whether to establish specified development project (discretionary, even if the criteria are met):**
The following criteria apply to the decision:
- Appropriate for a project to be established with the key features recommended (having regard to clauses 3-5)
- Project objectives are consistent with the purpose and principles in clauses 3-5 and consistent with national directions under the RMA
- The project area contains only land that is generally suitable for urban development and if it contains conservation-related land, that the Minister of Conservation has provided approval
- The boundaries of the project area are clearly defined and identifiable
- If the governance body is not Kāinga Ora, be satisfied that the governance body has agreed to be appointed
- That engagement was appropriate
- That there is general support from relevant territorial authorities or the project is in the national interest
Kāinga Ora prepares a draft development plan

For the purpose of preparing, amending or reviewing a development plan, Kāinga Ora has the following functions:

- Establishing, implementing and reviewing the objectives of any planning instrument and the policies, rules and methods to achieve the project objectives
- Controlling the actual or potential effects of the use development and protection of land to achieve the project objectives, ensure there is sufficient land for residential and business development, avoid or mitigate risks from natural hazards and to develop or provide for development of infrastructure.
- Ensuring that there are rules to control the emission of noise and mitigate its effects, about any actual and potential effects of activities in relation to the surface water in rivers and lakes and to control subdivision.

It must have regard to:

- Regional policy statements, regional plans and district plans
- Regional land transport plans
- Long term plans of local authorities
- Relevant planning documents recognised by an iwi authority and lodged with a TA
- Emissions reduction plan or national adaptation plan

It must take into account:

- Matters set out in section 101(3)(a) and (b) of the LGA 2002 if it considering including development contributions, targeted rates, or an administrative charge as a funding source
- A development plan must not be inconsistent with an NPS, NZCPS, NES or other regulations, the National Planning Standards and any national land transport policy

It must consult with:

- Owners and occupiers of land within the project area
- Māori and key stakeholders set out in clause 35(2) and (3)
- Reserve administrators
- Members of a standing committee in the project area, who were appointed under iwi participation legislation (it must also have particular regard to any comment given)
- Any Minister of the Crown affected

It may choose to consult with any other person who has an interest.

The development plan must enable the project objectives to be achieved and make provision for any Treaty settlement obligations applying in the project area.

The draft development plan must:

- Include a structure plan
- Include conditions, if imposed by the Minister of Conservation, on the use of a specified reserve or the coastal marine area, acquisition of land

Transitional period commences

Local authorities are notified of the establishment order and specified development projects are published on the internet

The transitional period means that plan changes, new resource consent applications and changes or cancellations of conditions of existing resource consent in the project area are subject to the powers and process changes in the Bill and other requirements, as follows:

- A map of the project area must be included in all electronic versions of planning instruments, without using a Schedule 1 process
- Consenting functions can be transferred to Kāinga Ora
- During any district or regional plan change the Council must have regard to the project area and relevant project objectives
- Any plan change must be notified to Kāinga Ora 20 working days prior to approval/adoption of the plan change
- Where a plan change applies to a project area, Kāinga Ora can decide that the plan change will not apply to the project area, provided notice is provided within 15 working days of receiving notice of the proposed plan change. This decision can be appealed to the High Court on matters of law only
- Any resource consent application for an activity within the project area or change to conditions
subject to a conservation interest and the use of any other land integral to those conditions

- Describe of any relevant participation arrangement or redress under any iwi participation legislation
- Set out any modifications to be made to objectives, policies, methods and rules in planning instruments to enable the project objectives to be achieved
- Set out any applicable statement of resource management issues of significance to a Māori entity within the district or region as required by iwi participation legislation
- Set out the rules for public notification of a controlled or restricted discretionary activity (unless the evaluation report justifies not doing so)
- Set out any designations that apply in the project area
- State whether Kāinga Ora has or does not have the roading powers for the project, the relevant date from which it has those powers, the extent of non-roading infrastructure and whether bylaw changes are proposed
- Set out the sources of funding and if they include a development contribution or targeted rate, administrative charges the draft policies/details of those mechanisms, including any remissions
- Identify any material incorporated by reference

Kāinga Ora prepares supporting documents to the draft development plan:

An evaluation report that addresses:

- Whether the proposals in the draft development plan are the most appropriate way to achieve the project objectives
- Costs and benefits (quantified, if practicable)
- The risk of acting or not acting
- Consistency with a relevant NES
- Summaries of the responses from key stakeholders
- Information on specific land within the project area
- How environmental constraints and opportunities will be managed, a broad assessment of the likely effects and if relevant, how heritage values have been provided for

An infrastructure statement that:

- Describes the infrastructure proposed and the effect of the proposed infrastructure on existing infrastructure
- States whether Kāinga Ora has entered into any binding agreements with any infrastructure provider
- Discloses whether Kāinga Ora proposes to construct new infrastructure on land not controlled by Kāinga Ora and whether it has obtained the consent of the owner of that land
- States where further information will be available about the progress of the construction of the proposed infrastructure
- Identifies the expected total costs of construction of the proposed infrastructure

application must be provided by the Council to Kāinga Ora

- Kāinga Ora can then decline to grant all or part of the consent or modify conditions of the consent. The applicant or consent holder may object to this decision.
Preconditions to public notification of the draft development plan

Kāinga Ora must be satisfied the requirements of clauses 62-74 have been met, and it must:

- Advise the responsible Minister and the Ministers for the Environment, Māori Development, Māori Crown Relations—Te Arawhiti and Treaty of Waitangi Negotiations of the draft development plan
- Have confirmation from the Minister for Māori Crown Relations—Te Arawhiti that any participation arrangement or redress having effect in all or part of the project area has been identified in the draft development plan; and the draft development plan provides adequately for those matters
- If any Māori land is included in a project area, have confirmation from the Minister for Māori Development that the plan is consistent with the principles set out in the Preamble to Te Ture Whenua Māori Act 1993

It must also have:

- Approval from the Minister of Conservation for any provisions which suspend or override a regional coastal plan
- Land owner agreement to any revocation or cancellation of conservation interest in land that is not owned by Kāinga Ora
- If a coastal marine area, reserve, or land subject to conservation interest is affected, approvals are required from the Minister of Conservation

Kāinga Ora publicly notifies the draft development plan and calls for submissions and then considers and makes recommendations on them to the IHP

Minister appoints IHP to consider draft development plan and submissions and provide recommendations to the Minister

IHP must consider and provide recommendations with 9 months of the close of submission to the Minister. It must have regard to:

- All information provided by Kāinga Ora
- Any information obtained by the IHP in response to an information request
- The purpose and principles of the Act in clauses 3-5
- Any relevant matters in a NPS, NZCPS, NES, national planning standards, regulations, any national land transport policy, regional policy statements, regional plans, district plans, regional land transport plans, regional public transport plans, long term plans, Urban Design Protocol (2005), any relevant planning documents recognised by an iwi authority and emissions reduction plan or national adaptation plan
- The project objectives

Kāinga Ora provides advice to the Minister on IHP’s recommendations

Minister decides on development plan and must consider the planning documents referred to above that the IHP must consider and give reasons for decision
If Minister accepts the development plan, notified as operative in the Gazette

Appeals to High Court on questions of law only

**Effect of development plan becoming operative:**

From the date of notification Kāinga Ora has the following powers:

- It is the consent authority for resource consent applications and it must follow the decision making framework in the Bill (see below)
- It is the territorial authority for notices of requirements for designations in the project area
- Only designations included in the development plan have effect in the project area - any other one ceases to apply
- It can set apart reserves or create new ones and can also revoke or cancel conservation interests
- It can exercise infrastructure powers and may use funding mechanisms

Planning instruments continue to apply in the project area, unless overridden by, added to, or suspended by the development plan. In the event of inconsistency, the development plan prevails. However, the development plan does not override or have any effect on an iwi planning document.

Kāinga Ora also takes on the functions of monitoring, enforcing and promoting compliance in the in the project area for resource consents granted by Kāinga Ora, and permitted activities in the district plan or development plan. Kāinga Ora may authorise enforcement officers.

**Review of development plan**

Kāinga Ora may review a development plan at any time.

A development plan must be reviewed not later than 10 years after notification, unless a different time period is specified in the development plan.

**Amendment of a development plan**

Kāinga Ora may amend a development plan, provided the appropriate process is followed, and the amendment is required to achieve the project objectives.

A private plan change may be made to request the way in which a planning instrument is modified by a development plan, subject to limitations, including that the request must be two years after the development plan became operative and must be made in writing and include the purpose and reason for the change, together with an evaluation report.

**The resource consent decision making framework:**

The Bill includes a process that:

- addresses the form of the application and what amounts to a complete application
- applies certain provisions of the RMA (sections 88A-88E, 89, 89A, 91, 91A-91C, 92, 92A and 92B) and provisions relating to making submissions, hearings, conditions and commencement
- applies the RMA notification provisions, unless the development plan either requires or precludes notification
- requires a decision within 10 working of lodgement on non-notified consents that are controlled or restricted discretionary land use or subdivision activities and within 20 working days for all other application. For notified applications, it is within 15 working days of the hearing or 20 working days after the close of submissions if no hearing
- provides for appeals to the Environment Court, as if it were an appeal under section 120 of the RMA
More Homes, Sooner
A New Infrastructure Funding Tool

New Zealand is growing fast, but housing and associated infrastructure are not keeping pace. While zoning changes mean more land is available for homes, efforts to develop that land are stymied by a lack of supporting infrastructure – typically water, roads and community infrastructure.

Councils are responsible for most of this infrastructure but those in high-growth areas – Auckland, Hamilton, Tauranga and Queenstown – face constraints in funding and financing new projects.

Most are at, or near, their maximum debt-to-revenue ratios. They also face other constraints on borrowing – higher debt can increase the cost of borrowing and most ratepayers have not been convinced to invest in growth, preferring instead to see rates kept down.

These constraints mean viable infrastructure investment is postponed, creating a burgeoning infrastructure deficit for future generations while also forcing up the price of urban land and housing in cities unable to expand in response to growth.

Looking beyond traditional tools
To keep up with growth, New Zealand needs to look beyond traditional funding and financing tools.

Working closely with the high-growth councils, the Government has developed a new alternative funding and finance tool so private capital can be accessed to get infrastructure built sooner than would otherwise be the case, without putting pressure on council balance sheets.

It will also help make the cost of new infrastructure more transparent while spreading that cost so it falls primarily on the homeowners who benefit over time, including across generations.

Water and transport infrastructure (including cycleways, roads and public transport infrastructure) could be funded using this tool, as well as certain community facilities, and environmental resilience infrastructure, such as flood protection.

The tool will be an important addition to councils’ infrastructure provision toolkit, helping them start viable housing and urban development projects sooner. It will not replace existing council planning and decision-making processes.

While at Midland (see over page) a similar funding and financing approach was negotiated with the sole (landowner), the new tool will be enabled through legislation, so it can be used for a wider variety of projects.

Proposal

Those who benefit from the new infrastructure pay a levy to fund it.
When they sell their property, the new owner pays levy.
When the infrastructure is paid off, the levy ends.

Approval

Council endorses use of levy
Government accepts (or rejects) recommendation to approve levy, enables SPV and agrees to government support package.

Funding & Financing

SPV borrows to finance new infrastructure, and uses levy payments to repay debt.
Council uses rates system to collect levy from homeowners on behalf of SPV.

Construction

SPV oversees construction of infrastructure.

Asset Transfer

SPV transfers ownership of completed asset to appropriate public entity – usually a council

Facilitation & Recommendation

Facilitator assesses feasibility and helps develop levy proposal.
Recommendation advises government on whether to approve a levy.

SPV Established

Monitoring, reporting, intervention and disclosure regime in place.
Key to the tool’s success will be the ability to ring-fence infrastructure projects from the relevant council’s balance sheet.

A Special Purpose Vehicle (SPV), a stand-alone entity, will be created for each project (or a bundle of projects). It would be enabled by legislation to raise finance for the infrastructure project, collect a multi-year levy to repay the finance, and contract for the delivery of the infrastructure.

The levy would be paid by those who are expected to benefit from the infrastructure project, for a period of up to 50 years. A government support package would be agreed by Cabinet to cover certain land and risks that can’t be managed by either the SPV or the council.

The term could be for up to 50 years, reflecting the life of the infrastructure, and helping ensure the costs are spread across the generations that benefit from it. Initially it is likely only new housing developments will be funded through the tool. Those looking to buy into one of the developments will be told about the levy so they can consider it when deciding whether to opt in, and the price implications.

Options for further evolving the new tool to meet the needs of a wider range of councils will also be considered.

Legislation enabling the tool is expected to be passed by mid-2020. Councils and developers will then need time to work through the usual planning and consenting issues involved with getting large and complex projects underway, with the first project funded through the new tool expected to start in late 2021. In the meantime, a pipeline of possible projects is under development.

The Government is also exploring other ways to give councils greater flexibility in funding and financing infrastructure, including exploring how development contributions and the targeted rate regime could be improved.
Regional Facilities Auckland Quarter 1 Performance Report for the period ending 30 September 2019

File No.: CP2020/00194

Te take mō te pūrongo
Purpose of the report
1. To update the Waiheke Local Board on the performance of Regional Facilities Auckland for the quarter ending 30 September 2019.

Te tūtohunga
Recommendation/s
That the Waiheke Local Board:

a) receive the Regional Facilities Auckland Quarterly Performance Report for the quarter ending 30 September 2019.

Ngā tāpirihanga
Attachments

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Ngā kaihaina
Signatories

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<th>Dileeka Senewiratne - Democracy Advisor Waiheke Local Board</th>
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<td>Author</td>
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<td></td>
<td>Louise Mason – General Manager - Local Board Services</td>
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<td>Authorisers</td>
<td>Helgard Wagener - Relationship Manager - Aotea / Great Barrier and Waiheke Local Boards</td>
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Regional Facilities Auckland

Quarter 1 Performance Report

For the period ending 30 September 2019

This report outlines the key performance of Regional Facilities Auckland
Regional Facilities Auckland Q1 summary

Highlights, issues & risks for the quarter:

1. Auckland Stadiums: Mt Smart Stadium played host to the first ever standalone NRL Women’s Premiership (NRLW) fixture, Warriors v Dragons (crowd circa 3,000). Key Western Springs announcements for the summer concert season included massive headline acts for Friday Jams return, Festival X Rising and Fat Freddy’s Drop.
2. Auckland Conventions: 113 events were delivered across our venues, attracting around 59,000 attendees. The biggest was New Zealand Fashion Week, which returned to Auckland Town Hall after 26 years and attracted over 24,000 people. North Harbour Stadium hosted 32 events and Aotea Centre hosted 27 (welcoming 29,000 people).
3. Auckland Live: School of Rock – The Musical rocked The Civic in September, with more than 28,000 tickets sold for the almost four-week season. Other successful key events included Mr Red Light, James Morrison, Ruel, The Children, Pink & Mix, Area 51, Rock Oriet, We Will Rock You, Neil Young’s Live Rust, War Horse, Stan Walker, 7 Days Live, Nga Puke. Partnership with ATEED transformed Aotea Square into the Elemental Hub in July – alongside the perennially popular Ice Rink.

Issues/Risks:
1. Auckland Stadiums: The two Metallica concerts were cancelled by the band for reasons of ill health.
2. Auckland Live: Queens Wharf closed to the public to enable repairs to the roof of The Cloud and doors and walls of Shed 10 following two mini-tornadoes in August.
3. Auckland Conventions: Ongoing construction of the Queens Wharf ferry terminal means the Cloud is unavailable for bookings until 29 February 2020.
4. Auckland Zoo: 71 rain days in Q1 had a significant impact at the Zoo, both on visitation and the complex South East Asia development.

Financial commentary:

Capital delivery: The RFA capital programme for Q1 delivered $18.2m of works and is forecast to achieve total spend to budget for the year. The delivery is primarily in two major projects: the Aotea Centre refurbishment and the South East Asia Precinct.

Net direct expenditure: The $0.4m unfavourable variance relates in part to the grants paid by RFA.

Forecast FY20: Current indicators are that RFA will miss the FY20 revenue target in particular as a result of the exceptionally wet weather in the first quarter and business interruption impacts of construction at the Zoo through the remaining months of the year. Although an allowance was made in the budget for business interruption, the shortfalls being experienced are greater than previously estimated. Direct expenditure is also anticipated to exceed budget due to higher than expected staffing costs and professional fees.

<table>
<thead>
<tr>
<th>Key performance indicators</th>
<th>Previous Quarter</th>
<th>FY20 Quarter 1</th>
<th>Status</th>
<th>Commentary</th>
</tr>
</thead>
<tbody>
<tr>
<td>The number of people who experience RFA’s arts, environment and sports venues and events</td>
<td>-</td>
<td>778,688</td>
<td>925,000</td>
<td>Not met</td>
</tr>
<tr>
<td>The net promoter score for Regional Facilities Auckland’s audiences and participants</td>
<td>-</td>
<td>44</td>
<td>19</td>
<td>Met</td>
</tr>
<tr>
<td>Percentage of operating costs funded through non-rates revenues</td>
<td>-</td>
<td>55%</td>
<td>60%</td>
<td>Not met</td>
</tr>
<tr>
<td>Number of programmes contributing to the visibility and presence of Māori in Auckland, Tamaki Makaurua</td>
<td>-</td>
<td>20</td>
<td>4</td>
<td>Met</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Financials (million)</th>
<th>YTD actual</th>
<th>YTD budget</th>
<th>Actual vs Budget</th>
</tr>
</thead>
<tbody>
<tr>
<td>Capital delivery</td>
<td>18.2</td>
<td>19.2</td>
<td>95%</td>
</tr>
<tr>
<td>Direct revenue</td>
<td>13.1</td>
<td>13.4</td>
<td>(0.3)</td>
</tr>
<tr>
<td>Direct expenditure</td>
<td>24.8</td>
<td>24.7</td>
<td>(0.1)</td>
</tr>
<tr>
<td>Net direct expenditure</td>
<td>11.7</td>
<td>11.3</td>
<td>(0.4)</td>
</tr>
</tbody>
</table>
Strategic focus area – Stadia

Key commentary
For three months ended 30 September 2019, a total of $1.6m was spent towards stadia against a budget of $3.2m.

Highlights
1. North Harbour Stadium: works to reconfigure the main field to accommodate baseball have commenced and are on schedule for completion by November 2019. Planning for renewal of the main stand roof is underway, following a delay to the programme to enable the team to expand the project scope to include additional seismic strengthening.
2. Mt Smart Stadium: works are completed on the lower west stand and the upper south stand aside from minor outstanding detail work.
3. Western Springs: upgrade works to the entry road commenced in July 2019. Stages 1 and 2 will be complete and operational for the start of the speedway season in November. Building consents for the four building renewal projects have been received.

Issues/Risks
1. Stand strengthening and renewals works at Mt Smart and North Harbour stadia: In early 2019, RFA received preliminary findings from seismic surveys of building structures at Mt Smart and North Harbour stadiums, which prompted further detailed assessments. These were received in late FY19 and indicated low seismic ratings, albeit within tolerance. Further strengthening works, particularly at North Harbour Stadium, were identified to improve the seismic ratings of these structures, and these works are now in the planning stage. For North Harbour Stadium, the RFP for a larger renewals project will be released shortly. This will encompass not only seismic strengthening, but also the general renewal of a roof approaching the end of its useful life.
2. Toilet, works facility and entry road renewals at Western Springs Stadium: $2.4m of works focussed on renewing roadway, toilet and works facilities at the existing stadium were re-phased into early FY20. These works are contracted and ongoing. The discovery of unknown services near the surface and unexpectedly rocky ground conditions have delayed progress on the project.

<table>
<thead>
<tr>
<th>Key programme of works</th>
<th>Status</th>
<th>Description</th>
<th>Outlook</th>
</tr>
</thead>
<tbody>
<tr>
<td>North Harbour Stadium – baseball reconfiguration</td>
<td>On track</td>
<td>Reconfiguration and construction to enable the hosting of the Auckland Tuatara home games for next season at North Harbour Stadium</td>
<td>This project is currently in the construction phase, with work on track for completion by November 2019</td>
</tr>
<tr>
<td>North Harbour Stadium – main stand roof renewal</td>
<td>Delayed</td>
<td>To construct access to the grandstand roof and undertake roof repairs (renewals)</td>
<td>The stand’s seismic assessment has been confirmed as 34%NBS. The package of upgrade and renewal works for the stand is being progressed with works expected to be completed in FY21</td>
</tr>
<tr>
<td>Western Springs Stadium renewals</td>
<td>On track</td>
<td>The replacement of two toilet blocks, gate entry building, maintenance shed, concourse and Stadium Road upgrade works</td>
<td>The road upgrade has commenced, and the four building replacements will commence shortly. The discovery of unidentified services and difficult ground conditions has delayed the project, with further delays now likely in working around the upcoming event season. The major elements of the project are expected to be delivered in FY20</td>
</tr>
</tbody>
</table>
Strategic focus area – Auckland Zoo development

Key commentary
For the three months ended 30 September 2019, a total of $7.6m was spent towards zoo development against a budget of $9.8m.

Highlights
1. Construction of the South East Asia Precinct and new café is well underway. The project is being managed in zones, with the first zone due for completion in December 2019. The overall programme is scheduled for completion by mid-2020.
2. A significant programme of general renewals and infrastructure upgrades is also progressing well.

Issues/Risks
1. The extent of the construction work currently underway at the Zoo (the South East Asia project is currently impacting on more than 20% of the site) is impacting on the visitor experience and perception of value at the Zoo. A range of mitigation strategies is in place, the most significant of which is the implementation of an adjusted pricing strategy, reducing the cost of entry by as much as 30%. Although the new pricing strategy resulted in the Zoo achieving 718,027 visitors in FY19, the reduced price impacted on revenue. Visitor numbers are down in quarter one, with visitors less likely to commit to multiple visits until the South East Asia construction is completed.

<table>
<thead>
<tr>
<th>Key programme of works</th>
<th>Status</th>
<th>Description</th>
<th>Outlook</th>
</tr>
</thead>
<tbody>
<tr>
<td>South East Asia Precinct development</td>
<td>On track</td>
<td>Redevelopment of the central area within the Zoo to provide modern standards of housing and care for the Zoo’s South East Asian species, and new catering facilities</td>
<td>Largest renewals project in the Zoo’s history. Tracking to budget and expected to be completed in the 2019/20 financial year.</td>
</tr>
</tbody>
</table>

Strategic context
RFA is continuing with development of a world-class zoo and wildlife conservation facility by addressing aging infrastructure at Auckland Zoo and long-term under-investment through a phased programme of works.

These works constitute essential renewals aimed at ensuring Auckland Zoo meets the modern standards of animal welfare, visitor amenity, wildlife exhibition and health and safety obligations.
Strategic focus area – Aotea precinct development

Key commentary
For the three months ended 30 September 2019, a total of $6.4m was spent towards the Aotea Centre development against a budget of $6.3m. This project remains substantially challenged by delays associated with the need for a comprehensive redesign to meet new standards.

Highlights
1. Refurbishment of the interior of the Aotea Centre (Centre) is drawing to a conclusion, with significantly upgrading facility as a result
2. Working with the Auckland Design Office, a draft Aotea Square precinct master plan has been incorporated into Council’s proposed refresh of the City Centre Master Plan, and a programme of consultation with key partners and stakeholders is underway.

Issues/Risks
1. New external cladding standards and associated Council consenting processes have caused significant delays to the Aotea Centre refurbishment project. To somewhat mitigate the impact on the operation of the Centre and the ongoing project risks, the original refurbishment project has been split into two projects – internal works and external works. Internal refurbishment works are scheduled for completion in November 2019. Re-design of the weather tightness project is ongoing.
2. A review of escalating project costs, following an assessment of on-going delays identified the need for an additional $14m to complete the project, funding which was been approved by Council in FY19. The project now has a total budget of $66.8m million allocated to dealing with the Centre’s underlying structural problems and refurbishing its interior spaces.
3. Delays to completion of the project will reduce revenue potential from the Centre for a longer period than previously anticipated.
4. The need to work around Centre bookings continues to compromise the delivery of the renewal project, further exacerbating time delays and budget pressures
5. There will be some negative impact on the customer experience caused by ongoing construction works until completion

Strategic context
The refurbishment and further proposed development and expansion of the Aotea Centre are aimed at creating a vibrant cultural and civic centre for Auckland focussed on the Aotea Square precinct and as part of a wider Aotea Arts Quarter.

This will include a significantly upgraded and expanded Aotea Centre and Integrated Aotea Square, providing a home for the development and presentation of performing arts in Auckland.

<table>
<thead>
<tr>
<th>Key programme of works</th>
<th>Status</th>
<th>Description</th>
<th>Outlook</th>
</tr>
</thead>
<tbody>
<tr>
<td>Aotea refurbishment</td>
<td>Delayed</td>
<td>The first significant refurbishment of the 30-year-old Centre, aiming to upgrade foyer and functions spaces and address long-standing weather-tightness issues</td>
<td>NZ’s growing understanding of the safety implications of building façades and cladding standards has required substantial changes to this project mid-programme. Council has approved an additional $14m in funding for the project.</td>
</tr>
<tr>
<td>Aotea Square master plan</td>
<td>On track</td>
<td>A precinct planning approach to the development of the Square and its surrounds to ensure the precinct meets its potential as a key lively and active space for Aucklanders</td>
<td>A consultation draft of the masterplan has been completed and is being used to inform discussions with partners and stakeholders, and the design for the Aotea Studios project.</td>
</tr>
<tr>
<td>Aotea Centre expansion (Aotea Studios)</td>
<td>On track</td>
<td>Developing concept plans for expanding the current Aotea Centre to provide a home for performing arts organisations and to foster the work of performing arts groups</td>
<td>This project is in its early stages – the concept, funding and potential timing of this proposed development will be discussed with Council in 2020.</td>
</tr>
</tbody>
</table>
Other Statement of Intent focus areas

Arts & Culture Strategy
- In July, Auckland Live presented its first Relaxed Performances for Māori for Tamariki and Room on the Broom. Auckland Live also hosted the NZ International Film Festival in July.
- NZ Maritime Museum hosted a sold-out event that brought a new and diverse audience to the Museum, While the Light Lasts, an interactive, late-night mystery-style game for 200+ visitors.
- Nearly 400 patrons came to Auckland Art Gallery’s popular and lively Art After Hours in July. Inspired by the exhibition Frances Hodgkins: European Journeys, the gallery transformed into a European courtyard, with a packed schedule including drawing classes, dance performances and demonstrations, a popular talk by Mary Kider, live music and bespoke food and drink.
- In August, Auckland Art Gallery hosted the Pat Hanly Creativity Awards, recognising 36 exceptional Year 13 art students from 28 Auckland secondary schools. The awards, supported by AUT, acknowledge Pat Hanly’s contribution to New Zealand contemporary art and his passion for art education and supporting young artists.
- The new exhibition A Place to Paint: Colin McCahon in Auckland opened on 10 August at Auckland Art Gallery, and was officially launched a week later by Prime Minister the Rt Hon Jacinda Ardern.

Sustainability and Climate Change
- Reports have been received from the waste services provider for the Aotea Centre and Auckland Zoo refurbishment projects, demonstrating waste diversion rates of over 80% across both construction sites.
- The North Harbour Stadium Baseball project saw 800 stadium seats recycled, and a resurfacing of the design stage prevented the use of 250 tonnes of concrete and 22 tonnes of reinforcing steel, equivalent to around 40 tonnes of CO2e.
- A new waste compound has been constructed at Mt Smart Stadium to enable enhanced management and sorting of waste streams, including a hand-sorting area and wash-down facilities.
- New water metering equipment has been installed at the Gallery to enable a more refined level of understanding of water usage within the building.
- A sustainability workshop was held with 23 staff members from across RFA’s business units to discuss opportunities for cross-collaboration on sustainability initiatives, knowledge sharing and staff engagement. In addition, Auckland Stadiums re-invigorated their Green Team, meeting to compile a list and initiate work on various sustainability initiatives across Stadiums’ sites.

Contribution towards Māori Outcomes
- Te Reo Māori
  - RFA in partnership with Auckland Council’s People and Performance Group have successfully received Te Toa Taokiri funding to resource capability and development training for staff, with foundational level training will start in November. This is a positive step towards achieving goals related to “An empowered Organisation”. This will also increase the ability of our staff to work effectively with Mana Whenua and Māori communities in the delivery of our business activities.
- Identity and Culture
  - NZ Maritime Museum:
    - The Talking Portrait project stage 1 has been completed with Te Toki Voyaging Trust. A young female sharing her story. Stage 2 is in progress where public can interact and ask questions and the portrait will respond from a diverse, Te Ao Māori perspective.
    - Building collections for the future was able to purchase three taonga from the Webber Collection and registered to purchase taonga of New Zealand.
  - Tūia Tākiri (unfurling) Exhibition opens in October. Working in collaboration with Local government, Ngāti Whātua and artists. The waka from Tahiti has left bound for Aoteaaroa.
  - Auckland Zoo:
    - The leadership team undertook a marae visit to Orakei as part of a commitment and efforts to build stronger relationships with Ngāti Whātua.

Local Board Engagement
- The Quarter 4 Performance Report for the period ending 30 June will not be distributed to the local boards until December, after the local government elections, as this is a year-end report requiring confidentiality until the financial results are released.
- After the new Council term begins on November 1, all local board members will be fully informed of RFA facilities and activities through the Auckland Council training programme, and through visits to the boards. These visits will include an overview presentation, as well as the fourth quarter 2018-19 and first quarter 2019-20 performance reports.
- A presentation of the ongoing work on the Aotea Precinct Master Plan was positively received by the Waitāmata Local Board.
- Upper Harbour Local Board members enthusiastically endorsed the concept plans that aim to significantly increase the use of North Harbour Stadium.
### Direct operating performance

<table>
<thead>
<tr>
<th></th>
<th>FY 19 Actual</th>
<th>FY 20 YTD Actual</th>
<th>Budget Variance</th>
<th>FY 20 Budget</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Net direct expenditure</strong></td>
<td>A 39.4</td>
<td>11.7</td>
<td>11.3 (0.4)</td>
<td>40.9</td>
</tr>
<tr>
<td><strong>Direct revenue</strong></td>
<td>B 53.8</td>
<td>13.1</td>
<td>13.4 (0.3)</td>
<td>60.8</td>
</tr>
<tr>
<td>Fees &amp; user charges</td>
<td>39.4</td>
<td>9.9</td>
<td>9.7 0.2</td>
<td>47.2</td>
</tr>
<tr>
<td>Operating grants and subsidies</td>
<td>1.1</td>
<td>0.3</td>
<td>0.4 (0.1)</td>
<td>1.1</td>
</tr>
<tr>
<td>Other direct revenue</td>
<td>13.3</td>
<td>2.9</td>
<td>3.3 (0.4)</td>
<td>12.5</td>
</tr>
<tr>
<td><strong>Direct expenditure</strong></td>
<td>93.2</td>
<td>24.8</td>
<td>24.7 (0.1)</td>
<td>101.7</td>
</tr>
<tr>
<td>Employee benefits</td>
<td>C 51.2</td>
<td>14.0</td>
<td>11.9 (2.1)</td>
<td>45.7</td>
</tr>
<tr>
<td>Grants, contributions &amp; sponsorship</td>
<td>D 1.1</td>
<td>0.8</td>
<td>0.3 (0.5)</td>
<td>1.3</td>
</tr>
<tr>
<td>Other direct expenditure</td>
<td>E 40.4</td>
<td>10.0</td>
<td>12.5 2.5</td>
<td>54.7</td>
</tr>
</tbody>
</table>

### Other key operating lines

- AC operating funding: 36.6 10.2 10.2 - 40.6
- AC capital funding: 92.7 18.3 19.6 (1.4) 78.5
- Vested assets: - - - - -
- Depreciation: 32.2 8.2 4.9 3.2 33.0
- Net interest revenue: 0.6 0.2 0.1 0.1 0.3

### Financial Commentary

**A:** The $0.4m unfavourable variance reflects in part the grants paid by RFA, refer to Note D below.

**B:** Direct revenue unfavourable variance is due to $433k of Spark Arena rental revenue transferred to offset costs in other direct expenditure however the budget remains in revenue.

**C:** Employee Benefits contains $2.9m staff costs that are recharged against events. These recharges are budgeted under Cost of Goods Sold (COGS) within other direct expenses. Actual staff costs are favourable to budget due to recruitment for vacancies being put on hold for non-essential roles.

**D:** Grants, contributions and sponsorships: RFA converted the MOTAT loan to a capital grant recognising $280k in quarter one for the FY20 financial year. Other grants related to capital spend programmes.

**E:** Other direct expenditure contains COGS which includes salary recharges of $2.9m. The $2.9m recovery should be offset against employee benefits (where the budget is held). This has resulted in a misalignment between actuals and budget which will be corrected in the next LTP process.
## Regional Facilities Auckland Q1 performance measures

<table>
<thead>
<tr>
<th>Key performance indicators</th>
<th>Previous Year</th>
<th>YTD Actual</th>
<th>YTD Target</th>
<th>Status</th>
<th>Commentary</th>
</tr>
</thead>
</table>
| The number of people who experience Regional Facilities Auckland's arts, environment and sports venues and events | 3,363,323 | 778,688 | 925,000 | Not met | The original target for RFA visitors/patrons was set prior to Council’s decision to lease the Viaduct Events Centre to Team NZ. This removed a key venue from RFA’s events programme and will continue to impact on RFA’s expected visitor/patron numbers. In addition:  
  - Major construction programme and 71 rain days during the quarter have had a significant impact on visitation.  
  - The Gallery saw a continued reduction in international visitor numbers, possibly related to the international visitor levy.  
  - The Maritime Museum is also impacted by construction within the vicinity, and the loss of Ted Ashby for sailings for five weeks. |
| Auckland Zoo visitation | 718,027 | 138,270 | 182,500 | Not met |  |
| Auckland Art Gallery visitation | 401,883 | 102,145 | 128,750 |  |
| NZ Maritime Museum visitation | 157,091 | 32,799 | 42,500 |  |
| The net promoter score for Regional Facilities Auckland’s audiences and participants | 43 | 44 | 19 | Met |  |
| Percentage of operating costs funded through non-rates revenues | 57% | 54% | 60% | Not met | RFA did not achieve its revenue targets this quarter due to $433k Spark Arena rental revenue transferred against the rental expenses (budget remained in revenue) and tight controls over expenditure were offset by un-budgeted MOTAT grant-related expenses |
| Percentage of Auckland residents surveyed who value RFA venues and events | 69% | 74% | 69% | Met | RFA’s community value score shows a 5% improvement on the previous year. An increasing percentage of the community consider that RFA’s activities enrich their lives in Auckland. |
| Number of programmes contributing to the visibility and presence of Maori in Auckland, Tamaki Makaurau | 68 | 20 | 4 | Met |  |
Regional Facilities Auckland Q1 non-financial performance

- 384,323 people experienced free or subsidised events
- 778,688 patrons/fans participated in 917 event days
- 2,104 people participated in RFA’s outreach programmes
- 11,379 hours inspiring volunteers contributed supporting RFA activities
- 17,225 school students participated in RFA’s curriculum-based learning programmes
List of resource consents

File No.: CP2020/00191

Whakarāpopototanga matua
Executive summary

1. Attached are the lists of resource consent applications related to Waiheke Island received from 27 October to 2 November, 3 to 9 November, 10 to 16 November, 17 to 23 November, 24 to 30 November, 1 to 7 December, 8 to 14 December, 15 to 21 December 2019 and 6 to 11 January 2020.

Te tūtohunga
Recommendation

That the Waiheke Local Board:

a) note the lists of resource consents lodged related to Waiheke Island from 27 October to 2 November, 3 to 9 November, 10 to 16 November, 17 to 23 November, 24 to 30 November, 1 to 7 December, 8 to 14 December, 15 to 21 December 2019 and 6 to 11 January 2020.

Ngā tāpirihanga
Attachments

<table>
<thead>
<tr>
<th>No.</th>
<th>Title</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>Resource consent applications received from 27 October to 2 November 2019</td>
<td>119</td>
</tr>
<tr>
<td>B</td>
<td>Resource consent applications received from 3 to 9 November 2019</td>
<td>121</td>
</tr>
<tr>
<td>C</td>
<td>Resource consent applications received from 10 to 16 November 2019</td>
<td>123</td>
</tr>
<tr>
<td>D</td>
<td>Resource consent applications received from 17 to 23 November 2019</td>
<td>125</td>
</tr>
<tr>
<td>E</td>
<td>Resource consent applications received from 24 to 30 November 2019</td>
<td>127</td>
</tr>
<tr>
<td>F</td>
<td>Resource consent applications received from 1 to 7 December 2019</td>
<td>129</td>
</tr>
<tr>
<td>G</td>
<td>Resource consent applications received from 8 to 14 December 2019</td>
<td>131</td>
</tr>
<tr>
<td>H</td>
<td>Resource consent applications received from 15 to 21 December 2019</td>
<td>133</td>
</tr>
<tr>
<td>I</td>
<td>Resource consent applications received from 6 to 11 January 2020</td>
<td>135</td>
</tr>
</tbody>
</table>

Ngā kaihaina
Signatories

<table>
<thead>
<tr>
<th>Author</th>
<th>Dileeka Senewiratne - Democracy Advisor Waiheke Local Board</th>
</tr>
</thead>
<tbody>
<tr>
<td>Authorisers</td>
<td>Louise Mason – General Manager - Local Board Services</td>
</tr>
<tr>
<td></td>
<td>Helgard Wagener - Relationship Manager - Aotea / Great Barrier and Waiheke Local Boards</td>
</tr>
</tbody>
</table>
## Resource consent applications received from 27 October to 2 November 2019

<table>
<thead>
<tr>
<th>Application No.</th>
<th>Date Lodged</th>
<th>Application Type</th>
<th>Applicant Name</th>
<th>Address</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>DIS60347870</td>
<td>Oct 29, 2019</td>
<td>Discharge Consent</td>
<td>Adrienne Alexandra Wigmore</td>
<td>32 Church Bay Road Waiheke Island Auckland</td>
<td>New dwelling, pool, studio with a secondary dwelling (main consent is BUN60347838)</td>
</tr>
<tr>
<td>LUC60347839</td>
<td>Oct 29, 2019</td>
<td>Land Use Consent</td>
<td>Adrienne Alexandra Wigmore</td>
<td>32 Church Bay Road Waiheke Island Auckland</td>
<td>New dwelling, pool, studio with secondary dwelling (main consent is BUN60347838)</td>
</tr>
<tr>
<td>TRE60347831</td>
<td>Oct 29, 2019</td>
<td>Tree Consent</td>
<td>Arborbros</td>
<td>20 The Esplanade Waiheke Island Auckland</td>
<td>General thinning and removal of epicormic growth of a Pohutukawa</td>
</tr>
<tr>
<td>DIS60348000</td>
<td>Oct 30, 2019</td>
<td>Discharge Consent</td>
<td>Rachael Mansell</td>
<td>89 Wilma Road Waiheke Island Auckland 1081</td>
<td>Domestic Wastewater Treatment Disposal to ground assessment for an existing dwelling on new proposed Lot 300 (associated with</td>
</tr>
<tr>
<td>LUC60347904</td>
<td>Oct 30, 2019</td>
<td>Land Use Consent</td>
<td>Richard John Whitburn</td>
<td>362 Cowes Bay Road Waiheke Island Auckland</td>
<td>New residential dwelling and extension to the existing driveway</td>
</tr>
<tr>
<td>LUC60347933</td>
<td>Oct 30, 2019</td>
<td>Land Use Consent</td>
<td>Brett James Dennerly</td>
<td>168 Delamore Drive Waiheke Island Auckland 1081</td>
<td>Earthworks associated with stream works and culvert replacement (main consent is BUN60347932)</td>
</tr>
<tr>
<td>LUC60347934</td>
<td>Oct 30, 2019</td>
<td>Land Use - Stream Co</td>
<td>Brett James Dennerly</td>
<td>168 Delamore Drive Waiheke Island Auckland 1081</td>
<td>Stream works and culvert replacement (main consent is BUN60347932)</td>
</tr>
<tr>
<td>LUC60347983</td>
<td>Oct 31, 2019</td>
<td>Land Use Consent</td>
<td>Willem Frederick Van Den Bergh</td>
<td>21 Crescent Road West Waiheke Island Auckland 1081</td>
<td>The construction of a new dwelling and adjoining sleepout and the conversion of the existing tiny house for use as a visitor accommodation unit. Associated works include the installation of a new wastewater system to service all site development.</td>
</tr>
<tr>
<td>LUC60348032</td>
<td>Oct 31, 2019</td>
<td>Land Use Consent</td>
<td>Carl Petri Ploetner</td>
<td>79A-79B Trig Hill Road Waiheke Island Auckland</td>
<td>Additions and alterations to an existing dwelling and new visitor accommodation unit</td>
</tr>
<tr>
<td>LUC60348051</td>
<td>Nov 1, 2019</td>
<td>Land Use Consent</td>
<td>Helen Barbara Fuller</td>
<td>44 Waiheke Road Waiheke Island Auckland 1971</td>
<td>New residential dwelling (main consent is BUN60348037)</td>
</tr>
<tr>
<td>LUC60348055</td>
<td>Nov 1, 2019</td>
<td>Land Use Consent</td>
<td>Stuart Rober Trinnaman</td>
<td>28 Tiri Road Waiheke Island Auckland 1081</td>
<td>Construction of a new residential, parking platform, driveway and new domestic</td>
</tr>
<tr>
<td>SUB60348052</td>
<td>Nov 1, 2019</td>
<td>Subdivision Consent</td>
<td>Helen Barbara Fuller</td>
<td>44 Waiheke Road Waiheke Island Auckland 1971</td>
<td>Boundary adjustment with 44A Waiheke Road ROW (main consent is BUN60348037)</td>
</tr>
<tr>
<td>Application No.</td>
<td>Application Date</td>
<td>Application Type</td>
<td>Applicant Name</td>
<td>Address</td>
<td>Description</td>
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<tr>
<td>TRE60348170</td>
<td>Nov 4, 2019</td>
<td>Tree Consent Application</td>
<td>Erin Cameron Tipping-Clatworthy</td>
<td>24 Kennedy Point Road Waiheke Island</td>
<td>Reduce length of 2 leaders overhanging deck and some smaller secondary branches of the same tree at the corner of the house.</td>
</tr>
<tr>
<td>SUB60348227</td>
<td>Nov 5, 2019</td>
<td>Subdivision Consent Application</td>
<td>Sophie And Gavin Storry And Smith</td>
<td>22 Totara Road Waiheke Island</td>
<td>The applicants propose to subdivide the property into three freehold sites comprising 1.71ha (site 1), 2.29ha (site 2) and 1.57ha (site 3). The SF provisions will be utilised so that over 1.0ha of wetlands are protected by way of covenants.</td>
</tr>
<tr>
<td>TRE60348245</td>
<td>Nov 5, 2019</td>
<td>Tree Consent Application</td>
<td>George Daniel Brooks</td>
<td>42 Aran Bay Waiheke Island</td>
<td>Tree has significant growth over dwelling, neighbouring property and public walkway with additional issues of water collection potability and leaf litter.</td>
</tr>
<tr>
<td>LUC60348407</td>
<td>Nov 8, 2019</td>
<td>Land Use Consent Application</td>
<td>Robert Lloyd Fisher</td>
<td>45 The Strand Waiheke Island</td>
<td>The proposal involves a small 4m2 addition to the rear of the dwelling and associated improvements within the existing footprint.</td>
</tr>
<tr>
<td>LUC60348520</td>
<td>Nov 8, 2019</td>
<td>Land Use Consent Application</td>
<td>Fred and Jennifer Kingery</td>
<td>140 Delamore Drive Waiheke Island</td>
<td>Additions and alterations to an existing dwelling, utility room, conservatory and pool area (associated with VCN70016232 to vary a Consent Notice).</td>
</tr>
<tr>
<td>Application No.</td>
<td>Date Lodged</td>
<td>Application Date</td>
<td>Application Type</td>
<td>Applicant Name</td>
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<tr>
<td>CST60348655</td>
<td>Nov 12, 2019</td>
<td>Nov 12, 2019</td>
<td>Coastal Consent Application</td>
<td>Hurakia Lodge Limited</td>
<td>60 Sandford Way Rakino Island Auckland 1010</td>
</tr>
<tr>
<td>LUC60348842</td>
<td>Nov 15, 2019</td>
<td>Nov 15, 2019</td>
<td>Land Use Consent Application</td>
<td>William Gary Thomason</td>
<td>7 Ocean View Road Whauheke Island Auckland 1081</td>
</tr>
<tr>
<td>LUC60348844</td>
<td>Nov 15, 2019</td>
<td>Nov 15, 2019</td>
<td>Land Use Consent Application</td>
<td>Rank Trust Limited</td>
<td>206 Church Bay Road Whauheke Island Auckland 1971</td>
</tr>
<tr>
<td>LUC60348880</td>
<td>Nov 15, 2019</td>
<td>Nov 15, 2019</td>
<td>Land Use Consent Application</td>
<td>David Bertram Grove</td>
<td>464 Sea View Road Whauheke Island Auckland 1081</td>
</tr>
<tr>
<td>Application No.</td>
<td>Date Lodged</td>
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<td>Applicant Name</td>
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<tr>
<td>LUC60349131</td>
<td>Nov 20, 2019</td>
<td>Land Use Consent Application</td>
<td>University Of Auckland - Property Services</td>
<td>Rural/ 18 Causeway Road Waiheke Island Auckland 1081</td>
<td>Retrospective resource consent is sought for a sign that has recently been erected within the road reserve outside</td>
</tr>
<tr>
<td>LUC60349190</td>
<td>Nov 20, 2019</td>
<td>Land Use Consent Application</td>
<td>Carl George Fenton</td>
<td>398 Gordons Road WAIHEKE ISLAND 1971</td>
<td>To undertake earthworks for temporary clean fill stockpile</td>
</tr>
<tr>
<td>DIS60349173</td>
<td>Nov 21, 2019</td>
<td>Discharge Consent Application</td>
<td>Jeremy Fraser Gwyn Zinzan</td>
<td>36A Hill Road Waiheke Island Auckland 1081</td>
<td>Installation of onsite wastewater treatment plant and disposal system</td>
</tr>
<tr>
<td>TRE60349157</td>
<td>Nov 21, 2019</td>
<td>Tree Consent Application</td>
<td>Wawata Estate Limited</td>
<td>306 Sea View Road Waiheke Island Auckland 1081</td>
<td>Removal of trees for access to enact approved crossing permit to proposed</td>
</tr>
<tr>
<td>TRE60349158</td>
<td>Nov 21, 2019</td>
<td>Tree Consent Application</td>
<td>Kenneth James Edwards</td>
<td>156 Wharf Road Waiheke Island Auckland 1081</td>
<td>Routine pruning of trees overhanging dwelling and decks and some storm damage to be modified</td>
</tr>
<tr>
<td>DIS60349244</td>
<td>Nov 22, 2019</td>
<td>Discharge Consent Application</td>
<td>Stephen Hallett Cozens</td>
<td>2 Kiwi Street Waiheke Island Auckland 1081</td>
<td>Wastewater Discharge permit for a new dwelling (main consent is</td>
</tr>
<tr>
<td>LUC60349243</td>
<td>Nov 22, 2019</td>
<td>Land Use Consent Application</td>
<td>Stephen Hallett Cozens</td>
<td>2 Kiwi Street Waiheke Island Auckland 1081</td>
<td>New residential dwelling and swimming pool (main consent is BUN60349242)</td>
</tr>
<tr>
<td>Application No.</td>
<td>Application Date</td>
<td>Application Type</td>
<td>Applicant Name</td>
<td>Address</td>
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<tr>
<td>DIS60349524</td>
<td>Nov 26, 2019</td>
<td>Discharge Consent Application</td>
<td>Gary John Burdett</td>
<td>59 Junction Road Waiheke Island Auckland 1081</td>
<td>Storm water permit for exceeding more than 50m2 of new impervious surfaces within a SWM Area Flow 1 (SMAF 1) (main consent is BUN60 349522)</td>
</tr>
<tr>
<td>DIS60349525</td>
<td>Nov 26, 2019</td>
<td>Discharge Consent Application</td>
<td>Gary John Burdett</td>
<td>59 Junction Road Waiheke Island Auckland 1081</td>
<td>New wastewater treatment and disposal system associated with a new residential dwelling (main consent is BUN60349522)</td>
</tr>
<tr>
<td>LUC60349523</td>
<td>Nov 26, 2019</td>
<td>Land Use Consent Application</td>
<td>Gary John Burdett</td>
<td>59 Junction Road Waiheke Island Auckland 1081</td>
<td>New 2 storey 4 bedroom residential dwelling (main consent is BUN60349522)</td>
</tr>
<tr>
<td>LUC60349581</td>
<td>Nov 26, 2019</td>
<td>Land Use Consent Application</td>
<td>Vanda Trustees (2011) Limited</td>
<td>19 Crescent Road West Waiheke Island Auckland</td>
<td>Retrospective and proposed additions to an existing dwelling. The conversion of a garage into a one-bedroom visitor accommodation unit. A new Wastewater and stormwater</td>
</tr>
<tr>
<td>DIS60349661</td>
<td>Nov 27, 2019</td>
<td>Discharge Consent Application</td>
<td>Wawata Estate Limited</td>
<td>306 Sea View Road Waiheke Island Auckland 1081</td>
<td>To establish a 3km long private walking track network as part of the development at Wawata Estate, a new rural-residential subdivision development located at the eastern end of Palm Beach on Waiheke Island. Vegetation clearance,</td>
</tr>
<tr>
<td>LUC60349600</td>
<td>Nov 27, 2019</td>
<td>Land Use Consent Application</td>
<td>Gulf Vines Limited c/-Lucy Porter</td>
<td>11 Belgium Street Waiheke Island Auckland 1081</td>
<td>To drill a bore</td>
</tr>
<tr>
<td>LUC60349662</td>
<td>Nov 27, 2019</td>
<td>Land Use Consent Application</td>
<td>Wawata Estate Limited</td>
<td>306 Sea View Road Waiheke Island Auckland 1081</td>
<td>To establish a 3km long private walking track network as part of the development at Wawata Estate, a new rural-residential subdivision development located at the eastern end of Palm Beach on Waiheke Island. Vegetation clearance,</td>
</tr>
<tr>
<td>Application No.</td>
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<tr>
<td>DIS60349878</td>
<td>Dec 2, 2019</td>
<td>Discharge Consent Application</td>
<td>Ian Christopher Page</td>
<td>1 Hill Road WAIHEKE ISLAND 1081</td>
<td>Install new WW system (main consent is BUN60349877)</td>
</tr>
<tr>
<td>LUC60349862</td>
<td>Dec 2, 2019</td>
<td>Land Use Consent Application</td>
<td>Ian Christopher Page</td>
<td>1 Hill Road WAIHEKE ISLAND 1081</td>
<td>Alterations including new WW system and place new culvert and earthworks for a driveway across a</td>
</tr>
<tr>
<td>LUS60349879</td>
<td>Dec 2, 2019</td>
<td>Land Use - Stream Consent Application</td>
<td>Ian Christopher Page</td>
<td>1 Hill Road WAIHEKE ISLAND 1081</td>
<td>Stream works involving driveway and culvert placement (main consent is BUN60349877)</td>
</tr>
<tr>
<td>TRE60349801</td>
<td>Dec 2, 2019</td>
<td>Tree Consent Application</td>
<td>Emile Joseph Francis</td>
<td>9 Coromandel Road Waiheke Island Auckland 1081</td>
<td>Pruning to restore vistas</td>
</tr>
<tr>
<td>DIS60349942</td>
<td>Dec 3, 2019</td>
<td>Discharge Consent Application</td>
<td>David Gordon Coldstream Pondergrast</td>
<td>11 Belle Terrace Waiheke Island Auckland 1971</td>
<td>Discharge to ground permit (main consent is BUN60349940)</td>
</tr>
<tr>
<td>DIS60349943</td>
<td>Dec 3, 2019</td>
<td>Discharge Consent Application</td>
<td>David Gordon Coldstream Pondergrast</td>
<td>11 Belle Terrace Waiheke Island Auckland 1971</td>
<td>New impervious surfaces within SMAF-1 (main consent is BUN60349940)</td>
</tr>
<tr>
<td>LUC60349929</td>
<td>Dec 3, 2019</td>
<td>Land Use Consent Application</td>
<td>Martin Lambert Minnie</td>
<td>23 Hobson Terrace Waiheke Island Auckland 1081</td>
<td>To construct a shed with attached deck</td>
</tr>
<tr>
<td>LUC60349941</td>
<td>Dec 3, 2019</td>
<td>Land Use Consent Application</td>
<td>David Gordon Coldstream Pondergrast</td>
<td>11 Belle Terrace Waiheke Island Auckland 1971</td>
<td>And a 1 bedroom accommodation unit for the elderly, driveway, car deck (main consent is BUN60349940)</td>
</tr>
<tr>
<td>LUC60349957</td>
<td>Dec 4, 2019</td>
<td>Land Use Consent Application</td>
<td>Sean Connolly</td>
<td>Waiheke Island Auckland 1081</td>
<td>Proposed relocated building in combination as a visitor accommodation unit, to construct a new shed</td>
</tr>
<tr>
<td>LUC60350073</td>
<td>Dec 5, 2019</td>
<td>Land Use Consent Application</td>
<td>Gaynor Lindsay Watt</td>
<td>47 Korona Road Waiheke Island Auckland 1081</td>
<td>Conversion of an existing VFU to a dwelling</td>
</tr>
<tr>
<td>LUC60350270</td>
<td>Dec 6, 2019</td>
<td>Land Use Consent Application</td>
<td>Richard Stephen Burrowes</td>
<td>8 Tri View Road Waiheke Island Auckland 1081</td>
<td>Driveway, new carport and additions and alterations to an existing dwelling</td>
</tr>
<tr>
<td>Application No.</td>
<td>Date of Application</td>
<td>Application Type</td>
<td>Applicant Name</td>
<td>Address</td>
<td>Description</td>
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<tr>
<td>LUC60350271</td>
<td>Dec 9, 2019</td>
<td>Land Use Consent Application</td>
<td>Rachel Jane Dick</td>
<td>320A Sea View Road Waiheke Island 1081</td>
<td>New residential dwelling, wastewater and stormwater treatment and disposal (on proposed Lot 1)</td>
</tr>
<tr>
<td>TRE60350272</td>
<td>Dec 9, 2019</td>
<td>Tree Consent Application</td>
<td>Duncan William Harris</td>
<td>3 Totara Road Waiheke Island Auckland 1081</td>
<td>Removal of Pohutukawa roots are interfering with house foundations.</td>
</tr>
<tr>
<td>TRE60350278</td>
<td>Dec 9, 2019</td>
<td>Tree Consent Application</td>
<td>Warren Doak</td>
<td>33 Victoria Road South Waiheke Island Auckland 1081</td>
<td>Removal of an attenuated limb from a Pohutukawa and to balance the tree</td>
</tr>
<tr>
<td>SUB60350455</td>
<td>Dec 10, 2019</td>
<td>Subdivision Consent Application</td>
<td>Michael Browne</td>
<td>29 Anzac Road Waiheke Island Auckland 1971</td>
<td>Boundary relocation to incorporate an existing garage</td>
</tr>
<tr>
<td>LUC60350698</td>
<td>Dec 14, 2019</td>
<td>Land Use Consent Application</td>
<td>Meredith Renee Bean</td>
<td>40 Onetangi Road Waiheke Island 1081</td>
<td>The proposal involves the construction of a dwelling on the site and associated works including a new wastewater system, water tanks and preparatory</td>
</tr>
<tr>
<td>Application No.</td>
<td>Date of Application</td>
<td>Application Type</td>
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<tr>
<td>DIS60350956</td>
<td>Dec 18, 2019</td>
<td>Discharge Consent Application</td>
<td>Yingjie Deng</td>
<td>37 Tetley Road Waiheke Island Auckland 1081</td>
<td>On-site wastewater discharge from a house.</td>
</tr>
<tr>
<td>LUC60350944</td>
<td>Dec 18, 2019</td>
<td>Land Use Consent Application</td>
<td>Timothy Richard George Scott</td>
<td>16 Waikare Road Waiheke Island Auckland 1081</td>
<td>Additions and alterations and sleepout</td>
</tr>
<tr>
<td>LUC60350946</td>
<td>Dec 18, 2019</td>
<td>Land Use Consent Application</td>
<td>Wai-The-Hek Limited</td>
<td>23 Valley Road Waiheke Island Auckland 1081</td>
<td>Garage replacement, additions and alterations to an existing dwelling</td>
</tr>
<tr>
<td>DIS60351103</td>
<td>Dec 20, 2019</td>
<td>Discharge Consent Application</td>
<td>Gemma Louise Findlay</td>
<td>19 Cory Road Waiheke Island Auckland 1081</td>
<td>Discharge permit</td>
</tr>
<tr>
<td>DIS60351105</td>
<td>Dec 20, 2019</td>
<td>Discharge Consent Application</td>
<td>David Scott</td>
<td>129 Carson Road Waiheke Island Auckland 1971</td>
<td>Discharge permit</td>
</tr>
<tr>
<td>DIS60351244</td>
<td>Dec 20, 2019</td>
<td>Discharge Consent Application</td>
<td>Kauaroa Bay Limited</td>
<td>341 Gordons Road Waiheke Island Auckland 1971</td>
<td>Resource consent is sought for the construction and operation of a new visitor accommodation lodge at 341 Gordons Road, Waiheke. The lodge will cater for up to 40 guests at any one time. A full description of the proposal, including associated earthworks, water take and on-site wastewater disposal, is set out in the AEE submitted with the application.</td>
</tr>
<tr>
<td>DIS60351291</td>
<td>Dec 20, 2019</td>
<td>Discharge Consent Application</td>
<td>Sarah Cullim</td>
<td>14 Crescent Road West Waiheke Island Auckland 1081</td>
<td>Additions and alterations to the existing dwelling including upgrades to the existing wastewater treatment and disposal system.</td>
</tr>
<tr>
<td>Attachment H</td>
<td>Item 20</td>
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<tr>
<td>Land Use</td>
<td>Consent Application Dec 20, 2019</td>
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<tr>
<td>Kauaroa Bay Limited</td>
<td>341 Gordons Road Auckland 1971</td>
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<tr>
<td>Consents</td>
<td>Water Consent Application Dec 20, 2019</td>
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<tr>
<td>Kauaroa Bay Limited</td>
<td>341 Gordons Road Auckland 1971</td>
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<tr>
<td>Resource consent is sought for the construction and operation of a new visitor accommodation lodge at 341 Gordons Road, Waiheke. The lodge will cater for up to 40 guests at any one time. A full description of the proposal, including associated earthworks, water take and on-site wastewater disposal, is set out in the AEE submitted with the application.</td>
<td></td>
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<tr>
<td>Resource consent is sought for the construction of a public walking track on the property. A full description of the proposal is set out in the AEE submitted with the application.</td>
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<tr>
<td>Resource consent is sought for the construction and operation of a new visitor accommodation lodge at 341 Gordons Road, Waiheke. The lodge will cater for up to 40 guests at any one time. A full description of the proposal, including associated earthworks, water take and on-site wastewater disposal, is set out in the AEE submitted with the application.</td>
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</table>

**List of resource consents**
<table>
<thead>
<tr>
<th>Application No.</th>
<th>Date of Application</th>
<th>Application Type</th>
<th>Applicant Name</th>
<th>Address</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>LUC60351459</td>
<td>Jan 6, 2020</td>
<td>Land Use Consent</td>
<td>Kauaroa Bay Limited</td>
<td>341 Gordons Road Waiheke Island Auckland 1971</td>
<td>Earthworks and vegetation removal associated with the construction of a public walking track on the property.</td>
</tr>
<tr>
<td>DIS60351617</td>
<td>Jan 8, 2020</td>
<td>Discharge Consent</td>
<td>Carl George Fenton</td>
<td>398 Gordons Road Waiheke Island Auckland 1971</td>
<td>Regional consent under s15 for a clean fill site (E13 of the AUP) (associated with LUC60349190).</td>
</tr>
<tr>
<td>LUC60351618</td>
<td>Jan 10, 2020</td>
<td>Land Use Consent</td>
<td>Blair Drainage &amp; Digger Hire Limited</td>
<td>400 Orapiu Road Waiheke Island Auckland 1971</td>
<td>Small 1.9ha cleanfill proposal on a rural paddock to the rear of an existing farm</td>
</tr>
<tr>
<td>TRE60351619</td>
<td>Jan 10, 2020</td>
<td>Tree Consent</td>
<td>Jillian Sandra Brottn</td>
<td>55 Glen Brook Road Waiheke Island Auckland 1081</td>
<td>Pruning back branches from over the dwelling which is affection potable rainwater collection</td>
</tr>
<tr>
<td>TRE60351660</td>
<td>Jan 10, 2020</td>
<td>Tree Consent</td>
<td>Maria Posa</td>
<td>50 Ostend Road Waiheke Island Auckland 1081</td>
<td>Tree roots of a large Kanuka are affecting the drainage soakage fields</td>
</tr>
</tbody>
</table>
Whakarāpopototanga matua
Executive summary
1. Attached is a copy of the Governance Forward Work Programme for Waiheke which is a schedule of items that will come before the board at business meetings and workshops over the next three months.

Te tūtohunga
Recommendation
That the Waiheke Local Board:
 a) note the Governance Forward Work Programme.

Ngā tāpirihanga
Attachments

No. | Title                                                                 | Page |
--- |----------------------------------------------------------------------|------|
A   | 20200129 Waiheke Local Board Business Meeting - Governance Forward Work Programme | 139  |

Ngā kaihaina
Signatories

<table>
<thead>
<tr>
<th>Author</th>
<th>Dileeka Senewiratne - Democracy Advisor Waiheke Local Board</th>
</tr>
</thead>
<tbody>
<tr>
<td>Authorisers</td>
<td>Louise Mason – General Manager - Local Board Services</td>
</tr>
<tr>
<td></td>
<td>Helgard Wagener - Relationship Manager - Aotea / Great Barrier and Waiheke Local Boards</td>
</tr>
<tr>
<td>Meeting (workshop or business meeting)</td>
<td>Date</td>
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<td>Business Meeting</td>
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Te take mō te pūrongo
Purpose of the report
1. Attached are copies of the record of proceedings of the Waiheke Local Board workshops held on 27 November 2019, 04 December, 11 December and 18 December 2019.

Te tūtohunga
Recommendation
That the Waiheke Local Board:
a) note the record of proceedings of the Waiheke Local Board workshops held on 27 November 2019, 04 December, 11 December and 18 December 2019.

Ngā tāpirihanga
Attachments

<table>
<thead>
<tr>
<th>No.</th>
<th>Title</th>
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</thead>
<tbody>
<tr>
<td>A4</td>
<td>20191127 Waiheke Local Board Workshop proceedings</td>
<td>145</td>
</tr>
<tr>
<td>B4</td>
<td>20191204 Waiheke Local Board Workshop proceedings</td>
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<td>C4</td>
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<td>D4</td>
<td>20191218 Waiheke Local Board Workshop proceedings</td>
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</table>

Ngā kaihaina
Signatories

<table>
<thead>
<tr>
<th>Author</th>
<th>Authorisers</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dileeka Senewiratne - Democracy Advisor Waiheke Local Board</td>
<td>Louise Mason – General Manager - Local Board Services</td>
</tr>
<tr>
<td></td>
<td>Helgard Wagener - Relationship Manager - Aotea / Great Barrier and Waiheke Local Boards</td>
</tr>
</tbody>
</table>
Waiheke Local Board Workshop proceedings

Workshop record of the Waiheke Local Board held in the Waiheke Local Board Office, 10 Belgium Street, Ostend on Wednesday 27 November 2019, commencing at 9.00am

PRESENT
Chairperson: Bob Upchurch
Members: Kylee Matthews
Robin Tucker
Apologies: Cath Handley
Absent: Paul Walden
Also present: Helgard Wagener, Janine Geddes, Mark Inglis, Fiona Gregory and Dileeka Senewiratne

<table>
<thead>
<tr>
<th>Workshop Item</th>
<th>Governance role</th>
<th>Summary of Discussions</th>
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<tbody>
<tr>
<td>Board member discussion</td>
<td>Informal dissemination</td>
<td>Members used this time to discuss a number of local issues.</td>
</tr>
<tr>
<td>Area Plan briefing</td>
<td>Informal dissemination</td>
<td>Staff provided an introduction on the Draft Area Plan noting the working party will be re-established following Planning Committee approval. Other points of discussion were as follows:</td>
</tr>
<tr>
<td>Michele Perwick</td>
<td></td>
<td>• RIMU to assist with research projects.</td>
</tr>
<tr>
<td>Principal Planner, Plans and Places</td>
<td></td>
<td>• Look at Waiheke becoming self-sustaining.</td>
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<tr>
<td></td>
<td></td>
<td>• Look at quality of visitors rather than numbers.</td>
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<tr>
<td></td>
<td></td>
<td>• Obtain data on wastewater compliance results and monitoring and research.</td>
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<td>• Short term initiatives be included in the Local Board Plan.</td>
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<td></td>
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<td>• Marine environment opportunities.</td>
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<td></td>
<td></td>
<td>• Conservation Management Plan from Doc (Ngati Tak Tamaki – Conservation islands and reforestation)</td>
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<td></td>
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<td>• Mootohe - reforestation and endangered species support.</td>
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<tr>
<td>SS&amp;I Introduction and Omni-bus Parks</td>
<td>Informal dissemination</td>
<td>Staff provided a briefing on the Omni Bus Parks management plan and timeline.</td>
</tr>
<tr>
<td>Management Plan briefing</td>
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<tr>
<td>Annette Campion – Parks Sports and Recreation</td>
<td>Informal dissemination</td>
<td>The board provided their feedback on the local consultation content prior to approval at the December board meeting.</td>
</tr>
<tr>
<td>Jessica Morris – Service Asset Planner</td>
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</tbody>
</table>

| Local Board Agreement Workshop 2 - consultation material | Informal dissemination | A presentation was provided to the board on the draft 3-year engagement strategy options. |
| Janine Geddes Senior Advisor Waiheke Local Board | | |

| Waiheke Local Board 3-year engagement strategy | Informal dissemination | |
| Janine Geddes Senior Advisor Waiheke Local Board | | |

The workshop concluded at 2pm
Waiheke Local Board Workshop proceedings

Workshop record of the Waiheke Local Board held in the Waiheke Local Board Office, 10 Belgium Street, Ostend on Wednesday 04 December 2019, commencing at 9.00am

**PRESENT**

**Chairperson:** Cath Handley

**Members:**

- Bob Upchurch
- Kylee Matthews
- Robin Tucker
- Paul Walden (attended Mātiatia Strategic Plan Update item)

**Also present:** Helgard Wagener, Janine Geddes, Fiona Gregory and Dileeka Senewiratne

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<thead>
<tr>
<th>Workshop Item</th>
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<tbody>
<tr>
<td>Board member discussion</td>
<td>Informal dissemination</td>
<td>Members used this time to discuss a number of local issues.</td>
</tr>
<tr>
<td>Libraries Introduction</td>
<td>Informal dissemination</td>
<td>Manager Community Library gave an introduction on Libraries to the Board.</td>
</tr>
<tr>
<td>Mātiatia Strategic Plan Update</td>
<td>Informal dissemination</td>
<td>There was a discussion with the board on Mātiatia transport business case programme, consider a long list of options to address transport issues and how best to integrate non-transport outcomes with this business case.</td>
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<tr>
<td>Islands</td>
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<tr>
<td>David Smith</td>
<td>DMI Chair</td>
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<tr>
<td>Shirin Brown</td>
<td>DMI Deputy Chair</td>
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<tr>
<td>Shifani Sood</td>
<td>Senior Transportation Planner - WSP</td>
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<tr>
<td>Philippa White</td>
<td>Director Crisp Communications Limited</td>
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<tr>
<td>Phil Harrison</td>
<td>Transportation Manager - WSP</td>
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| Agenda run-through | Pre-agenda run through with the board members prior to the business meeting. |

The workshop concluded at 3.23pm
Waiheke Local Board Workshop proceedings

Workshop record of the Waiheke Local Board held in the Waiheke Local Board Office, 10 Belgium Street, Ostend on Wednesday 11 December 2019, commencing at 9.00am

PRESENT
Chairperson: Cath Handley (until 1.15pm)
Members: Bob Upchurch
Kylee Matthews
Robin Tucker
Absent: Paul Walden
Also present: Helgard Wagener, Janine Geddes, Mark Inglis and Fiona Gregory

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<thead>
<tr>
<th>Workshop Item</th>
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<tbody>
<tr>
<td>Board member discussion</td>
<td>Informal dissemination</td>
<td>Members used this time to discuss a number of local issues.</td>
</tr>
<tr>
<td>Stormwater Projects</td>
<td>Informal dissemination</td>
<td>The board was updated on regionally-funded stormwater projects underway on Waiheke. Discussion topics were:</td>
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<tr>
<td>Prasanthi Cottingham</td>
<td></td>
<td>• Tawaipareira Reserve/Tahi Rd</td>
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<td>– Relationship Coordinator</td>
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<td>• Victoria Ave</td>
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<td>Susan Mitchell - Customer</td>
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<td>• Moa Ave</td>
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<td>Communications</td>
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<td>• Wilma Road</td>
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<td>Mike Summerhay – Healthy</td>
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<td>• Trig Hill Road</td>
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<td>Waters</td>
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<td>• Little Trap trial</td>
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<td>Brian Sharman - Healthy</td>
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<tr>
<td>Waters</td>
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<tr>
<td>Kahui Creative Waiheke</td>
<td>Informal dissemination</td>
<td>Kahui Creative Waiheke presented a proposal for a Coordinator for the network.</td>
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</tbody>
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| Gerda Gorgner  
(Whittakers Music Museum) |
|--------------------------|
| Jane Scarles  
(Waiheke Cinema) |
| Helen Charters  
(Catherine Mitchell Arts Centre) |

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<tr>
<th>Omnibus Parks Management Plan</th>
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<tr>
<td>Annette Campion – Parks Sports and Recreation</td>
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<tr>
<td>Jessica Morris – Service Asset Planner</td>
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<th>Informal dissemination</th>
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The board was taken through remaining classifications and the outstanding issues for the park specific section of the plan.

Discussion topics were:
- Pakihi Point
- Crescent Road East extension
- Wilma Hillside Reserve

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<tr>
<th>Waiheke pool &amp; EOI Stage 1 application to Sport &amp; Recreation Facility Investment Fund</th>
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<tbody>
<tr>
<td>John Nash – Programme Manager Waiheke &amp; Gulf Islands</td>
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<tr>
<td>Hamish Rogers – Sports &amp; Recreation Lead</td>
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<td>Pippa Sommerville – PSR Portfolio Manager</td>
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<td>Jestine Joseph – Finance Advisor</td>
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Officers were in attendance to provide an update and seek direction on options for next steps.

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Colin Beardon sought board support for an Emerging Artists Award.
| Emerging Artist Award          | Colin Beardon
|                               | Fiona Gregory - Strategic Broker

The workshop concluded at 3pm
Waiheke Local Board Workshop proceedings

Workshop record of the Waiheke Local Board held in the Waiheke Local Board Office, 10 Belgium Street, Ostend on Wednesday 18 December 2019, commencing at 9.00am

PRESENT
Chairperson: Cath Handley
Members: Bob Upchurch
Kylee Matthews
Robin Tucker
Absent: Paul Walden
Also present: Helgard Wagener, Janine Geddes, Mark Inglis, Fiona Gregory and Dilseka Senewiratne

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<td>Informal dissemination</td>
<td>Members used this time to discuss a number of local issues.</td>
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<tr>
<td>Update on Harbormasters lease and Building removal</td>
<td>Informal dissemination</td>
<td>Senior Property Manager briefed the board on the proposed lease, the process, matters considered, and outcomes sought.</td>
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</table>
  John Nash – Programme Manager Waiheke & Gulf Islands
  Yusuf Khan - Senior Property Manager Community Facilities |
| Briefing on Resource Consent Comments | Informal dissemination | Josephine gave a briefing on the process of RMA.                                      |
  Mark Inglis – Waiheke Local Board Advisor
  Josephine Orange – Senior Planner – Resource Consents |
| Maori Responsiveness                 | Informal dissemination | Seeking feedback from the board for the $15K budget for the Maori Responsiveness.      |
  Fiona Gregory – Strategic Broker     |
### Local Board Plan
- Janine Geddes – Waiheke Local Board Senior Advisor
- Mark Inglis – Waiheke Local Board Advisor
- Teresa Quin – Waiheke Local Board PA/Liaison
- Fiona Gregory – Strategic Broker, Arts, Community and Events

### Informal dissemination
- Officers presented to the board to seek their feedback for the Local Board Plan.

The workshop concluded at 2.45pm
ATTACHMENTS

Item 8.1 Attachment A 20200120 Waiheke Local Board Business Meeting - 5G-Free Community Page 157
To the Waiheke Local Board:

Thank you again for receiving our deputation last year, January 31, 2019. At that time we requested the Board's support in declaring Waiheke a 5G-Free community.

As you may be aware, our subsequent approaches to Auckland Council’s Environment Committee were referred to the Ministry of Health, as 'EMF radition and health' was termed "a national issue." A further approach to the MOH was referred to the government's 1998 safety standards, clearly outdated, and which are based on the ICNIRP* industry-generated standards. The Prime Minister's Science Advisor also refers to these standards -- a dubious assumption of safety.

*The responsibility for the interpretation and use of the material lies with the reader. In no event shall the "International Commission on Non-Ionizing Radiation Protection be liable for damages arising from its use." --ICNIRP, 2008

None of these governing bodies are practising due diligence with respect to the increasing body of scientific evidence demonstrating the hazards of wireless radiation (EMFs), which indicate a looming public health epidemic.

As a community, we need to put a stake in the ground to acknowledge the gravity of the issue and the strength of our concern. Why do we feel this is important? And what does it mean in real terms?

This is very much a local issue.

We call your attention to the Local Government (Community Well-being) Amendment Act, which gives direction to the purpose of local government -- which is now to promote community well-being.

“Local authorities are responsible for improving the social, economic, environmental and cultural well-being of our communities.”

If central or regional governments are enacting legislation allowing, e.g., the cutting of trees, the spraying of toxic chemicals, the erection of cell towers), then this would appear to be in violation of the Local Government Amendment Act.
We want to be secure in the knowledge that any technology -- medical, scientific, commercial -- will not cause harm. A warrant of fitness at the very least.

This position is underscored by Article 10 of the NZ Bill or Rights:

"The Right not to be subjected to medical or scientific experimentation without that person’s consent."

Last year the city of Brussels, Belgium, recently placed a moratorium on 5G. Their environment minister, Celine Fremault, said, "The people are not guinea pigs whose health I can sell at a profit."

Are New Zealanders any different than Belgians in this regard?

The telecommunications industry is proceeding with a vast public experiment with a technology that has not been safety-tested on humans or the environment. At a 2019 US Senate hearing, the CEOs of the three major US telcos admitted that they had not done this testing. Currently there is a class-action suit against Apple and Samsung for deceiving the public about the safety of smart phone emissions. And there are more revelations and red flags like these, arising steadily.

**Up against overwhelming power and profits, we are not alone.**

Early in January an alliance of 100 municipalities throughout Italy said NO to 5G.

A few days later Papua New Guinea’s ICT Minister announced that he wants the country’s internet providers to hold off on any development of 5G until all risks from the new technology are evaluated.

Also this month, in Santa Rosa, California, a law firm on behalf of Santa Rosa for Safe Technology issued a Cease and Desist order to the Mayor and Councillors of the city with respect to the installation of small cell 5G units.

Our Waiheke community has long been subjected to developments and restrictions by powerful off-island entities, commercial and bureaucratic, with scarce regard for our well-being, often without consultation, and usually without our consent. Shall we surrender. again, our decision-making power on this risk-laden corporate venture?
This is more than a symbolic gesture.
5G-Free Waiheke -- What would this mean?

* Contrary to the current hype from Vodafone and Spark, we do not yet have 5G on Waiheke. At best it is 4G+

* Safer alternatives to 5G are available. Require Telcos to consider these alternatives, regardless of cost, and offer safer options to our community. A busy community health clinic in New South Wales now operates entirely free of wireless technology. Let’s exercise our practical ingenuity.

* Require consultation, full disclosure and a "discretionary activity" notice from all entities whose projects entail health and environmental risks -- even though these entities may be empowered by poor legislation from central or regional governments

* Exercise the moral force/mana invested in the Local Board by the electorate. Collectively, Local Boards throughout NZ can generate change on this issue. Grassroots democracy. Note the example of Tairua and Coromandel towns last July and September in negotiating with Spark re: the placement of cell towers

* Follow the case currently being prepared for the High Court by Nelson lawyer Sue Grey, for changing the government’s inadequate 1998 standards.

* Invoke the Precautionary Principle

* Encourage community participation in public health decision-making (e.g., clean streams, wifi-free classrooms)

* Demonstrate that we are a citizen-led democracy rather than pawns in top-down management of our lives, or naive consumers of closed-door corporate strategies.

* Generate RESPECT for our community, our environment (bees, birds, trees), the health of our families and animals, and for ‘the Commons’ -- public and private.

Last Saturday, January 25, communities worldwide demonstrated and celebrated 5G Global Protest Day.
Please add our voice to this global cry for safe technology, and support a declaration of **5G-Free Waiheke**.

Yours sincerely,

Michael Fleck, M.A.
Grant Bridger
for 5G-Free Waiheke
Facebook: 5G-Free Waiheke
www.5g.org.nz

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"I have no doubt in my mind that, at the present time, the greatest polluting element in the Earth's environment is the proliferation of electromagnetic fields."

--Dr Robert O Becker, surgeon/researcher, twice nominated for the Nobel Prize

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**5G -- Unsafe  * Unethical  * Unnecessary**