

Devonport-Takapuna Local Board OPEN MINUTES

Minutes of a meeting of the Devonport-Takapuna Local Board held in the Devonport-Takapuna Office 1 The Strand, Takapuna on Tuesday, 20 April 2021 at 2.00pm.

PRESENT

Chairperson	Aidan Bennett, QSM
Deputy Chairperson	George Wood, CNZM
Members	Trish Deans Ruth Jackson Jan O'Connor, QSM Toni van Tonder

ABSENT

ALSO PRESENT

IN ATTENDANCE

1 Welcome

The meeting was opened with a karakia.

2 Apologies

There were no apologies.

3 Declaration of Interest

There were no declarations of interest.

4 Confirmation of Minutes

Resolution number DT/2021/23

MOVED by Chairperson A Bennett, seconded by Member T Deans:

That the Devonport-Takapuna Local Board:

- a) **confirm the ordinary minutes of its meeting, held on Tuesday, 16 March 2021, as true and correct.**

CARRIED

5 Leave of Absence

There were no leaves of absence.

6 Acknowledgements

6.1 Gordon Eil, ONZM

A document was tabled. A copy has been placed on the official minutes and is available on the Auckland Council website as a minute's attachment.

Resolution number DT/2021/24

MOVED by Member R Jackson, seconded by Member T Deans:

That the Devonport-Takapuna Local Board:

- a) **acknowledged the passing of former North Shore Forest and Bird Board Chair and prominent conservationist and author, Gordon Eil, and sends condolences to his family and friends.**

CARRIED

Attachments

A 20 April 2021 - Item 6.1 Acknowledgments: Gordon Eil - Obituary

6.2 Bryan Mahon

Member R Jackson and Deputy Chairperson G Wood spoke to this item. Documents were tabled. Copies have been placed on the official minutes and are available on the Auckland Council website as minute's attachments.

Resolution number DT/2021/25

MOVED by Chairperson A Bennett, seconded by Member R Jackson:

That the Devonport-Takapuna Local Board:

- a) **acknowledged the passing of well-known lawyer and former Takapuna City Councillor, Bryan Mahon, and sends condolences to his family and friends.**

CARRIED

Attachments

- A 20 April 2021 - Item 6.2 Acknowledgments: Bryan Mahon - Obituary
B 20 April 2021 - Item 6.2 Acknowledgments: Bryan Mahon - News Article

7 Petitions

There were no petitions.

8 Deputations

There were no deputations.

9 Public Forum

9.1 Bill Rayner - Item 13 - Termination of the Lease to the Takapuna Services and Social Bowling Club.

Resolution number DT/2021/26

MOVED by Chairperson A Bennett, seconded by Member T Deans:

That the Devonport-Takapuna Local Board:

- a) **received the presentation from Bill Rayner and thanks him for his attendance.**

CARRIED

9.2 Devonport Yacht Club - Item 15 - Public Feedback on proposal to make new navigation rules

A document was tabled. A copy has been placed on the official minutes and is available on the Auckland Council website as a minute's attachment.

Resolution number DT/2021/27

MOVED by Chairperson A Bennett, seconded by Member T Deans:

That the Devonport-Takapuna Local Board:

- a) **received the presentation from the Devonport Yacht Club and thank them for their attendance.**

CARRIED

Attachments

- A 20 April 2011 - 9.2: Devonport Yacht Club - Powerpoint Presentation

10 Extraordinary Business

There was no extraordinary business.

11 Devonport-Takapuna Local Board Grants Programme 2021/2022

Resolution number DT/2021/28

MOVED by Deputy Chairperson G Wood, seconded by Member T Deans:

That the Devonport-Takapuna Local Board:

- a) **adopt the Devonport-Takapuna Grants Programme 2021/2022 in Attachment A.**

CARRIED

12 Approval of additional play equipment at Gould Reserve, Takapuna

Resolution number DT/2021/29

MOVED by Deputy Chairperson G Wood, seconded by Member T van Tonder:

That the Devonport-Takapuna Local Board:

- a) **approve the concept design for additional play equipment at Gould Reserve, Takapuna changing, as per Attachment A to the agenda report, and request staff to progress the project to detailed design, consents, and construction**
- b) **thank Mr. and Mrs. Reeves for their generous contributions to make Gould Reserve, Takapuna a premier space for people of all abilities to enjoy.**
- c) **thank Philippa Bollond from Future Landscapes for her significant contributions to plan and deliver the improvements at Gould Reserve, Takapuna.**
- d) **recommend that the Auckland Council arborist relocate any trees that may be removed as part of the design, and that the board be kept informed accordingly.**

CARRIED

13 Lease termination to Takapuna Services and Social Bowling Club Incorporated and expressions of interest at 2 Mary Poynton Crescent, Takapuna.

MOVED by Chairperson A Bennett, seconded by Member T van Tonder:

That the Devonport-Takapuna Local Board:

- a) **terminate the community lease to the Takapuna Services and Social Bowling Club Incorporated, six months from the date of the local board resolution.**
- b) **agree to the early surrender of lease by Takapuna Services and Social Bowling Club Incorporated, should it vacate the premises prior to the six months termination.**
- c) **request staff undertake an Expressions of Interest process to invite potential community groups to occupy the premises vacated by the bowling club.**

MOVED by Member R Jackson, seconded by Member T Deans:

Member R Jackson moved an amendment by replacement to the original recommendation as follows:

- a) **accept the invitation from Takapuna Services & Social Bowling Club for a site visit to meet club members and view the club facilities and defer any decision on this matter to a future business meeting after the visit has taken place.**

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

For

Member T Deans
Member R Jackson
Member J O'Connor

Against

Chairperson A Bennett
Member T van Tonder
Deputy Chairperson G
Wood

Abstained

The motion was declared EQUAL.

The chair exercised their against so the motion was Lost.

LOST

Resolution number DT/2021/30

MOVED by Chairperson A Bennett, seconded by Member T van Tonder:

The Chairperson put the substantive motion.

That the Devonport-Takapuna Local Board:

- a) **terminate the community lease to the Takapuna Services and Social Bowling Club Incorporated, six months from the date of the local board resolution.**
- b) **agree to the early surrender of lease by Takapuna Services and Social Bowling Club Incorporated, should it vacate the premises prior to the six months termination.**
- c) **request staff undertake an Expressions of Interest process to invite potential community groups to occupy the premises vacated by the bowling club.**

The substantive motion was declared.

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

<u>For</u>	<u>Against</u>	<u>Abstained</u>
Chairperson A Bennett	Member T Deans	
Member T van Tonder	Member R Jackson	
Deputy Chairperson G Wood	Member J O'Connor	

The motion was declared EQUAL.

The chair exercised their casting vote for, so the motion was Carried.

CARRIED

14 Grant a new community licence to Forrest Hill Community Garden Trust for par of land at R 12 Seine Road, Seine Reserve, Forrest Hill.

Resolution number DT/2021/31

MOVED by Deputy Chairperson G Wood, seconded by Member T van Tonder:

That the Devonport-Takapuna Local Board:

- a) **note the completion of public notification and iwi engagement of Auckland Council's intention to grant a licence to Forrest Hill Community Garden Trust**
- b) **grant a new community license to Forrest Hill Community Garden Trust for part of the land at R 12 Seine Road, Seine Reserve, Forrest Hill (312m² more or less) on land legally described as Lot 18 Deposited Plan 52216 (Attachment A) subject to the following terms and conditions:**
 - i) **term - two years, commencing 1 May 2021, with one right of renewal for a further 2 years.**
 - ii) **rent – \$1.00 plus GST per annum**
- c) **all other terms and conditions to be in accordance with the Auckland Council Community Occupancy Guidelines 2012 and the Reserves Act 1977.**

CARRIED

15 Public feedback on proposal to make new navigation rules

Resolution number DT/2021/32

MOVED by Deputy Chairperson G Wood, seconded by Member T Deans:

That the Devonport-Takapuna Local Board:

- a) receive the public feedback on the proposal to make a new Te Kaunihera o Tāmaki Makaurau Ture ā-Rohe Urungi Āhuru 2021 / Auckland Council Navigation Safety Bylaw 2021 and associated controls as attached to this agenda report.
- b) Provides the following feedback on the Te Kaunihera o Tāmaki Makaurau Ture ā-Rohe Urungi Āhuru 2021 / Auckland Council Navigation Safety Bylaw 2021:
 - i. notes that it continues to regulate the use of Auckland’s navigable waters (for example by recreational vessels, kite boarders, swimmers, divers, ferries, and cargo vessels) to help minimise the risk of accidents, nuisance, and damage.
 - ii. notes that the bylaw is one part of a wider regulatory framework that includes the Maritime Transport Act and Maritime Rule, Resource Management Act and Marine Mammal Protection.
 - iii. notes that 27 individuals and one organisation from the local board area provided feedback on the bylaw.
 - iv. supports the respondent’s majority view (18 of the 27 responses) that the maximum speed limit on the Waitemata Harbour should not exceed 12 knots.
 - v. support the bylaw provisions that exempt police, medical, Coastguard and other emergency vessels from speed restrictions.
 - vi. consider that small non-motorised vessels such as kayaks, paddleboards etc ought to be exempt from having to carry at least two means of communication, noting that it is not practical for them to do so.
 - vii. supports proposals three to eight, as they were strongly supported by respondents from the local board area.
- c) appoint Members Trish Deans and Deputy Chairperson George Wood to present the views in b) to the Bylaw Panel on 7 May 2021.
- d) delegate authority to the local board chair to appoint replacement(s) to the persons in c) should an appointed member be unable to present to the Bylaw Panel on 7 May 2021.

CARRIED

Note: The meeting adjourned at 4.04pm and reconvened at 4.10pm.
All members of the meeting were present.

16 Proposal to make a new Public Trading and Events Bylaw

Resolution number DT/2021/33

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

That the Devonport-Takapuna Local Board:

- a) support the draft Statement of Proposal in Attachment A of this agenda report to make a new Auckland Council Public Trading, Events and Filming Bylaw 2022 for public consultation, in particular:
 - i. the inclusion of specific rules for rental micromobility independently from mobile trading due to higher risk to public safety from power-assisted devices
 - ii. identifying filming as a separate category to events as:
 - A. they are lower risk to public safety and nuisance as filming activities do not directly involve the public.
 - B. it will make a new bylaw easier to understand and comply with.

CARRIED

17 Statement of proposal to amend the Animal Management Bylaw and controls

Resolution number DT/2021/34

MOVED by Deputy Chairperson G Wood, seconded by Member T Deans:

That the Devonport-Takapuna Local Board:

- a) support the draft statement of proposal in Attachment A of this agenda report to amend the Auckland Council Animal Management Bylaw 2015 and associated controls for public consultation.
- b) note that the local board has previously provided views and preferences in September 2019 through the draft findings of the Animal Management Bylaw 2015 (DT/2019/42) as outlined on page 385 of Attachment B to the agenda report.
- c) note that following public consultation, that the local board will be provided with the feedback report in September 2021 and given the opportunity to provide feedback on the final draft bylaw in October in 2021.
- d) note that the restrictions on beehives included on pages two and four of the Statement of Proposal at Attachment A to the agenda report are incorrect and receive the corrected version of the Statement of Proposal.

CARRIED

Precedence of Business

Resolution number DT/2021/35

MOVED by Chairperson A Bennett, seconded by Member T van Tonder:

That the Devonport-Takapuna Local Board:

- a) agree that Item 21: Review of the Code of Conduct - draft revised code be accorded precedence at this time.

CARRIED

21 Review of the Code of Conduct - draft revised code

Resolution number DT/2021/36

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

That the Devonport-Takapuna Local Board:

- a) support the proposed revised draft Code of Conduct to be adopted by the Governing Body.
- b) reiterates the feedback provided to staff at the 23 March workshop as outlined in the agenda report on page 846, Item 27 Devonport-Takapuna Local Board – Record of Workshops March 2021, Attachment B.

CARRIED

18 Auckland Transport – Regional Land Transport Programme 2021

Resolution number DT/2021/37

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

That the Devonport-Takapuna Local Board:

- a) receive the Auckland Transport – Regional Land Transport Programme report
- b) request local board workshop(s) to discuss and develop draft feedback on the Regional Land Transport Programme (RLTP), noting that
 - i) draft feedback will be placed on the meeting agenda for the board's 18 May business meeting for adoption: and
 - ii) local board feedback is required to inform decision-making by the Regional Transport Committee on / about 27 May, and subsequent decision-making by the Governing Body on 3 June.

CARRIED

19 Proposal to vary the Regional Fuel Tax (RFT) scheme

Resolution number DT/2021/38

MOVED by Chairperson A Bennett, seconded by Member T van Tonder:

That the Devonport-Takapuna Local Board:

- a) receive the report on proposed variations to the 2018 Regional Fuel Tax Scheme
- b) support the continuation of the Regional Fuel Tax scheme for Auckland as a key funding source for investment in Auckland's transport network
- c) note that decisions by central government to invest directly in RFT projects and reviews of the Auckland Transport Alignment Project (ATAP) indicative package and the draft Regional Land Transport Plan (RLTP) have necessitated a variation to the RFT scheme.
- d) supports Project 5: Park and rides and advocate that the programme focus along the Northern Busway, particularly at the Akoranga and Sunnynook bus terminals.
- e) supports Project 7: Ferry network improvements, in particular the initiatives to redevelop the Downtown Ferry Terminal and decarbonising the ferry fleet.

CARRIED

Resolution number DT/2021/39

MOVED by Chairperson A Bennett, seconded by Member T van Tonder:

That the Devonport-Takapuna Local Board:

- f) **does not support the proposed reduction in funding (\$40 million over the 2018-2028 period) under Project 9 – Active Transport, which will likely result in decreased investment in walking and cycling improvements across the region despite such infrastructure being included as part of other projects.**

CARRIED

Resolution number DT/2021/40

MOVED by Chairperson A Bennett, seconded by Member T van Tonder:

That the Devonport-Takapuna Local Board:

- g) **supports project 8: Road safety, as it continues to implement the Auckland Safety Programme, and ensures community safety fund projects, which were identifies by local board, are completed.**
- h) **continues to support the Lake Road Improvements as a project included in Project 12: Road Corridor Improvements.**
- i) **note that is not proposed that there is any change to the rate of the RFT, the period of the scheme, or the area subject to the scheme.**

CARRIED

Resolution number DT/2021/41

MOVED by Chairperson A Bennett, seconded by Member T van Tonder:

That the Devonport-Takapuna Local Board:

- j) **support the proposed changes, with the exception of Project 9, which include:**
- i. **project descriptions, initiatives, and benefits**
 - ii. **projected expenditure and indicative RFT contributions per project**
 - iii. **project timings**

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

<u>For</u>	<u>Against</u>	<u>Abstained</u>
Chairperson A Bennett	Member T Deans	
Member R Jackson	Deputy Chairperson G	
Member J O'Connor	Wood	
Member T van Tonder		

The motion was declared **CARRIED** by 4 votes to 2.

CARRIED

Note: Pursuant to Standing Order 1.8.6, Member J O'Connor requested that her dissenting vote against clause d) above be recorded.

20 Draft Statement of Expectations for Council-controlled Organisations

Resolution number DT/2021/42

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

That the Devonport-Takapuna Local Board:

- a) provide the following feedback on the draft Statement of Expectations, prepared in accordance with s64B of the Local Government Act 2002.
 - i. supports the issuance of a Statement of Expectations to council-controlled organisations (CCOs) pursuant to section 64B of the Local Government Act 2002, but requests that a more collaborative development process is designed so local boards are provided a more meaningful opportunity to engage in the creation of the inaugural SOE for CCOs in Auckland.
 - ii. believes that the draft Statement of Expectations is too high level and will not provide the requisite detail to CCOs of council's expectations on 'how' CCOs must undertake their business.
 - iii. believes that the wording of the draft Statement of Expectations, specifically to 'build good relationships and 'consult' with local boards does not recognise their position in Auckland Council's shared governance model and continues to perpetuate the erroneous view that local boards are 'stakeholders' rather than governors.
 - iv. notes the following remarks of the Independent Panel on the Review of Council Controlled Organisations (CCOs) in 2020:
 - A. council needs to give CCOs clear strategic direction to translate the council's high- level plans into practical work programmes;
 - B. council's many plans, policies and strategies offer little practical strategic direction to CCOs, as they do not contain careful, detailed information about the council's expectations of CCOs so they can set their work programmes and priorities accordingly;
 - C. CCOs' interactions with local boards generally do not result in effective accountability, as CCOs largely inform local boards about projects in their area rather than seek real input into their design; and
 - D. CCOs are not sufficiently responsive to local boards' concerns and do not coordinate their efforts in local board areas with other CCOsprovides the following additional feedback on the draft Statement of Expectations:
 - A. it is not clear on why the Statement of Expectations needs to be adopted in such a short timeframe in order to match Long-term Plan timeframes;
 - B. the local board does not support the approach of a high level and general Statement of Expectations (SOE) that will be revised shortly after adoption to accommodate the progress / conclusion of related pieces of work, as this will lead to confusion and uncertainty for CCOs with very little incentive to operationalise the SOE in the short term;
 - C. requests that a review of the Governance Manual for CCOs is included as part of the development of the Statement of Expectations SOE so that staff and governors of council and CCOs have a clear manual that outlines shareholders' expectations; and
 - D. request that further consideration is given to what direction should be provided to CCOs in order to develop plans to support local board governance, such as annual work programmes or community engagement plans.
 - E. request that the SOE includes clear measures and monitoring tools to ensure that the behaviours and intent contained within the SOE itself are upheld.

CARRIED

Note: Item 21: Review of the Code of Conduct - draft revised code was taken ahead of Item 18: Auckland Transport – Regional Land Transport Programme 2021

22 **Auckland Council's Performance Report: Devonport-Takapuna Local Board for November 2020 to February 2021**

Resolution number DT/2021/43

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

That the Devonport-Takapuna Local Board:

- a) receive the performance report for November 2020 to February 2021.
- b) congratulate Younite for receiving an award for student engagement at the Auckland Youth Voice Awards.
- c) approve the concept plan for the Nile Reserve playground renewal as detailed in Attachment B, and recommend staff proceed to the detailed design and consenting phases of the project.
- d) request that the following work programme projects and their respective budgets be carried-forward to the 2021/2022 financial year:
 - i) SeaBins – Milford Marina rubbish removal (ID 3541): \$5,000;
 - ii) Devonport-Takapuna Local Parks Management Plan (ID 1675): \$51,000;
 - iii) Auburn Street Reserve service assessment (ID 24): \$20,000; and
 - iv) Te Kete Rukuruku (ID 1996): \$20,000.
- e) request that staff prepare and administer the funding agreement to the Korean Garden Trust so that the local board's historical \$150,000 operational grant can be allocated prior to the end of the 2020/2021 financial year.
- f) support the allocation of \$4000 funding from the Local Board Community Grants budget to initiate a hui between mana whenua with an interest in our rohe, and the Devonport-Takapuna Local Board to be organized prior to the end of the Financial Year 2021.

CARRIED

Attachments

A 20 April 2021 - Item 22 Auckland Council's Performance Report: DTLB November 2020 to February 2021 - DTLB Financial Report as at 28 February 2021

23 **Input into Auckland Council submission to central government - Inquiry into congestion pricing in Auckland**

Resolution number DT/2021/44

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

That the Devonport-Takapuna Local Board:

- a) receive the report and its attachments as follows:
 - i) Attachment A - memo provided to Auckland Council Planning Committee and local board members dated 1 April 2021; and
 - ii) Attachment B - findings report produced by 'The Congestion Question' project (TCQ) dated July 2020.

- b) provides the following input into Auckland Council's submission to the Transport and Infrastructure Select Committee inquiry into congestion pricing in Auckland:
 - i) supports congestion pricing in principle and recommends that revenue derived from congestion fees should be invested into relevant infrastructure projects and public transport.
 - ii) believes that any congestion pricing scheme should only be considered for Auckland once its public transport network is mature and efficient enough to make public transport an attractive and viable option for those residents who would otherwise use their private vehicles as their main mode of transport.
- c) feedback received from local boards by 10 May 2021 will be considered for incorporation into Auckland Council's main submission.

CARRIED

Note: Pursuant to Standing Order 1.8.6, Member J O'Connor requested that her dissenting vote against Item 23 above be recorded.

24 Wairau catchment working group meeting, Monday 15 March, 2021

Resolution number DT/2021/45

MOVED by Deputy Chairperson G Wood, seconded by Member T Deans:

That the Devonport-Takapuna Local Board:

- a) receive the following documents from the Wairau catchment working group meeting held on Monday 14 December 2020 at the Devonport-Takapuna Local Board office:
 - i) Wairau catchment working group agenda, meeting notes and action points
 - ii) Industrial Pollution Prevention Programme PowerPoint presentation.
 - iii) Auckland Council Healthy Waters PowerPoint presentation.
 - iv) Urban Sediment Concerns PowerPoint Presentation.
 - v) Water Quality Targeted Rate Proposal LTP 2021 PowerPoint presentation.

CARRIED

25 Chairpersons' Report

Resolution number DT/2021/46

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

That the Devonport-Takapuna Local Board:

- a) receive and thank Chairperson A Bennett for his tabled written report.

CARRIED

Attachments

A 20 April 2021 - Item 25: Chairpersons' Report - Aidan Bennett April 2021 Report

26 Elected Members' Reports

Resolution number DT/2021/47

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

That the Devonport-Takapuna Local Board:

- a) receive the tabled document and thank Deputy Chairperson G Wood for his verbal report.
- b) receive and thank Member J O'Connor for her verbal report.
- c) receive and thank Member T van Tonder for her tabled written report.
- d) receive and thank Member T Deans for her verbal report.
- e) receive the tabled document and thank Member Jackson for her verbal report.

CARRIED

Attachments

- A 20 April 2021 - Item 26: Elected Members Reports - Attachment to G Wood verbal report
- B 20 April 2021 - Item 26: Elected Members Reports - Toni van Tonder Written Report April 2021

27 Devonport-Takapuna Local Board - Record of Workshops March 2021

Resolution number DT/2021/48

MOVED by Deputy Chairperson G Wood, seconded by Member T van Tonder:

That the Devonport-Takapuna Local Board:

- a) receive the records of the workshops held in March 2021.

CARRIED

28 Governance Forward Work Calendar

Resolution number DT/2021/49

MOVED by Chairperson A Bennett, seconded by Member T Deans:

That the Devonport-Takapuna Local Board:

- a) note the Devonport-Takapuna Local Board governance forward work calendar for April 2021 as set out in Attachment A of this agenda report.

CARRIED

29 Consideration of Extraordinary Items

There was no consideration of extraordinary items.

6.25 pm

The Chairperson thanked Members for their attendance and attention to business and declared the meeting closed.

CONFIRMED AS A TRUE AND CORRECT RECORD
AT A MEETING OF THE DEVONPORT-TAKAPUNA
LOCAL BOARD HELD ON

DATE:.....

CHAIRPERSON:.....