

Waiheke Local Board OPEN MINUTES

Minutes of a meeting of the Waiheke Local Board held in the Local Board Office, 10 Belgium Street, Ostend, Waiheke on Wednesday, 21 April 2021 at 5.18pm.

PRESENT

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

ALSO PRESENT

Councillor	Pippa Coom	Until 6.40pm
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1 Welcome

Board members led the meeting in a karakia.

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

There were no apologies.

3 Declaration of Interest

There were no declarations of interest.

4 Confirmation of Minutes

Resolution number WHK/2021/49

MOVED by Chairperson C Handley, seconded by Member R Tucker:

That the Waiheke Local Board:

- a) **confirm the ordinary minutes of its meeting, held on Wednesday, 24 March 2021, as a true and correct record.**

CARRIED

5 Leave of Absence

There were no leaves of absence.

6 Acknowledgements

6.1 Acknowledgements

Resolution number WHK/2021/50

MOVED by Chairperson C Handley, seconded by Member K Matthews:

That the Waiheke Local Board:

- a) **acknowledge the health challenges of the Minister of Conservation, Hon Kiritapu Allen, and note the Chairperson has sent letter on behalf of the board to wish her well for her recovery.**

CARRIED

7 Petitions

There were no petitions.

8 Deputations

There were no deputations.

9 Public Forum

9.1 Public Forum - Dru Burger - Proposal discussion on the Skatepark

Resolution number WHK/2021/51

MOVED by Chairperson C Handley, seconded by Member R Tucker:

That the Waiheke Local Board:

- a) **thank Dru Burger for attending public forum to speak about a proposal for the Skatepark.**

CARRIED

10 Extraordinary Business

10.1 Notice of Motion - Paul Walden - Kennedy Point

Resolution number WHK/2021/52

MOVED by Member P Walden, seconded by Member R Tucker:

That the Waiheke Local Board:

- a) **accept an extraordinary Notice of Motion from board member Walden to be considered under Item 30.**

CARRIED

11 Councillor's Update

Resolution number WHK/2021/53

MOVED by Chairperson C Handley, seconded by Member K Matthews:

That the Waiheke Local Board:

- a) **receive Waitemata and Gulf Ward Councillor, Pippa Coom's update.**

CARRIED

12 Minutes of the Waiheke Transport Forum 7 April 2021

Resolution number WHK/2021/54

MOVED by Deputy Chairperson B Upchurch, seconded by Member R Tucker:

That the Waiheke Local Board:

- a) **note the minutes of the Waiheke Transport Forum business meeting dated 7 April 2021.**

- b) request advice from Auckland Transport with respect to permanent changes at the old Mātiatia wharf and effects on wharf users outside of the commercial ferry with specific reference to emergency and Coastguard services.
- c) request advice from Auckland Transport with respect to Donald Bruce roundabout design and the incorporation of cycleways.

CARRIED

13 Auckland Transport Report - April 2021

Resolution number WHK/2021/55

MOVED by Deputy Chairperson B Upchurch, seconded by Member K Matthews:

That the Waiheke Local Board:

- a) receive the Auckland Transport April 2021 update report.

CARRIED

14 Auckland Transport – Regional Land Transport Programme 2021

Resolution number WHK/2021/56

MOVED by Chairperson C Handley, seconded by Member R Tucker:

That the Waiheke Local Board:

- a) receive the Auckland Transport – Regional Land Transport Programme report
- b) delegate Chairperson Handley to provide feedback on the Regional Land Transport Programme following input from local board members.

CARRIED

15 Proposal to vary the Regional Fuel Tax scheme

Resolution number WHK/2021/57

MOVED by Deputy Chairperson B Upchurch, seconded by Member R Tucker:

That the Waiheke Local Board:

- a) endorse the proposed variation to the 2018 Regional Fuel Tax scheme and support for the continued inclusion of budget allocation to the Mātiatia park and ride improvements as an identified funded project.

CARRIED

16 Auckland Council's Performance Report: Waiheke Local Board for November 2020 to February 2021

Resolution number WHK/2021/58

MOVED by Member R Tucker, seconded by Member K Matthews:

That the Waiheke Local Board:

- a) receive the performance report for November 2020 to February 2021.
- b) acknowledge the efforts of Council staff and our Waiheke community partners in effective project delivery during a six month period that has been significantly affected by COVID-19 impacts.

CARRIED

17 Waiheke Local Board Grants Programme 2021/2022

Resolution number WHK/2021/59

MOVED by Member K Matthews, seconded by Member R Tucker:

That the Waiheke Local Board:

- a) **adopt the Waiheke Grants Programme 2021/2022 in Attachment A of the agenda.**

CARRIED

18 Waiheke Walking Festival 2021 Funding

Resolution number WHK/2021/60

MOVED by Chairperson C Handley, seconded by Member K Matthews:

That the Waiheke Local Board:

- a) **approve allocation of \$10,000 LDI opex from the walking and cycling budget to the Waiheke Walking Festival Trust to support the delivery of the walking festival scheduled for November 2021.**

CARRIED

19 Deputy Chairperson position discussion

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

Resolution number WHK/2021/61

MOVED by Chairperson C Handley, seconded by Member R Tucker:

That the Waiheke Local Board:

- a) **note that Deputy Chairperson Upchurch has tabled his resignation from the position Deputy Chairperson of the Waiheke Local Board, noting his intent to remain as a member of the local board.**
- b) **acknowledge the service that member Bob Upchurch has provided to the local board in his Deputy Chair role and in particular the support provided to the Chairperson and mentoring of the new board members during the first 18 months of this term.**
- c) **resolve:**
 - i) **to appoint a new Deputy Chairperson utilising System B of Schedule 7, Part 1, Clause 25 of the Local Government Act 2002.**

CARRIED

Resolution number WHK/2021/62

MOVED by Deputy Chairperson B Upchurch, seconded by Member R Tucker:

That the Waiheke Local Board:

- d) **appoint member Kylee Mathews to serve Waiheke Local Board as Deputy Chairperson for the remainder of the 2019-2022 political term, utilising System B.**

CARRIED - UNANIMOUSLY

Attachments

- A 20210421 Waiheke Local Board Meeting - Item 19 - Letter of Resignation from Deputy Chairperson Bob Upchurch

20 Review of the Code of Conduct - draft revised code

Resolution number WHK/2021/63

MOVED by Member R Tucker, seconded by Deputy Chairperson B Upchurch:

That the Waiheke Local Board:

- a) **support the proposed revised draft Code of Conduct to be adopted by the Governing Body.**

CARRIED

Note: *Member Walden requested his dissenting vote be recorded.*

21 Draft Statement of Expectations for Council-controlled Organisations

Resolution number WHK/2021/64

MOVED by Member P Walden, seconded by Chairperson C Handley:

That the Waiheke Local Board:

- a) **receive the draft Statement of Expectations for Council-Controlled Organisations, prepared in accordance with s64B of the Local Government Act 2002.**
- b) **note that the draft Statement of Expectations for Council-Controlled Organisations will be updated in the near future to more fully deliver on the expected actions from the 2020 CCO Review, particularly in relation to enhanced engagement with local boards.**
- c) **proposes that the Governing Body include a reference to CCOs role in relationship to Local Board Plans that articulate the strategic direction and objectives of local boards.**

CARRIED

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

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

Resolution number WHK/2021/65

MOVED by Member K Matthews, seconded by Deputy Chairperson B Upchurch:

That the Local Board:

- a) **support the draft statement of proposal in Attachment A as tabled to amend the Auckland Council Animal Management Bylaw 2015 and associated controls for public consultation.**

CARRIED

Attachments

A 20210421 Waiheke Local Board Meeting - Item 22 - Statement of Proposal - corrected version

23 Proposal to make a new Public Trading and Events Bylaw

Resolution number WHK/2021/66

MOVED by Member R Tucker, seconded by Member K Matthews:

That the Waiheke Local Board:

- a) support the draft Statement of Proposal in Attachment A of this agenda report to make a new Te Kaunihera o Tāmaki Makaurau Ture ā-rohe Tauhokohoko, Takunetanga, me ngā Whakaahua i ngā Wāhi Marea 2022 / Auckland Council Public Trading, Events and Filming Bylaw 2022 for public consultation.

CARRIED

24 Public feedback on proposal to make new navigation rules

Resolution number WHK/2021/67

MOVED by Member R Tucker, seconded by Deputy Chairperson B Upchurch:

That the Waiheke 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.

CARRIED

25 Chairperson's report

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

Resolution number WHK/2021/68

MOVED by Member K Matthews, seconded by Deputy Chairperson B Upchurch:

That the Waiheke Local Board:

- a) receive the Chairperson, Cath Handley's report.

CARRIED

Attachments

- A Chairperson's report
- B Letter to Mike Horne of Fullers
- C Kennedy Point Marina Letter
- D Email from Kitt Littlejohn
- E Letter to Hon. Minister Kiritapu Allen

26 Waiheke Local Board Workshop record of proceedings

Resolution number WHK/2021/69

MOVED by Deputy Chairperson B Upchurch, seconded by Member R Tucker:

That the Waiheke Local Board:

- a) note the record of proceedings for the local board workshops held on 17, 24 and 31 March and 7 April 2021.

CARRIED

27 Community Forum record of proceedings

Resolution number WHK/2021/70

MOVED by Deputy Chairperson B Upchurch, seconded by Member K Matthews:

That the Waiheke Local Board:

- a) **note the Community Forum record of proceedings dated 14 April 2021.**

CARRIED

28 List of resource consent applications - 7 March to 10 April 2021

Resolution number WHK/2021/71

MOVED by Deputy Chairperson B Upchurch, seconded by Member K Matthews:

That the Waiheke Local Board:

- a) **note the list of resource consents applications related to Waiheke Island from 7 March to 10 April 2021.**

CARRIED

29 Local board governance forward work calendar - April 2021 update

Resolution number WHK/2021/72

MOVED by Deputy Chairperson B Upchurch, seconded by Member K Matthews:

That the Waiheke Local Board:

- a) **receive its Governance Forward Work Calendar dated April 2021.**

CARRIED

30 Consideration of Extraordinary Item - Notice of Motion - Paul Walden - Kennedy Point

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

That the Waiheke Local Board:

- a) **receive an extraordinary Notice of Motion.**
b) **restate Local board resolutions WHK2017/35 and 2017/111 (below).**

That the Waiheke Local Board:

- e) ***having considered community feedback from the proposed Kennedy Point consultations and also the Essentially Waiheke community strategy document, conclude this application will not provide for the social, economic, recreational, and cultural well-being of people and communities of Waiheke Island.***

CARRIED

That the Waiheke Local Board:

- a) ***oppose the establishment of any pontoon for vehicle parking or for any other commercial activity at Kennedy Point.***
b) ***request relevant council and CCO officers establish a range of options to maximise capacity for car parking at the Kennedy Point car park.***

- c) *request that the concepts include landscaping design to mitigate the impact of the parked cars and any buildings associated.*

CARRIED

- c) support actions by parties which facilitate the protection and, where appropriate, the enhancement of the life-supporting capacity of the environment of the Hauraki Gulf, its islands, and catchments, including the kororā at Kennedy Point/ Putuki Bay.
- d) acknowledge the personal sacrifice made by “protectors” who have been occupying the foreshore at Kennedy Point confronting the development and commend their lawful and peaceful actions.
- e) acknowledge the contribution of Ngāti Pāoa, hapū and whānau, and various trusts and other Mana Whenua representatives who have engaged and come together after consideration of the potential consequences of the marina development and acknowledge their frustration at a lack of good will consultation and engagement through the consent process.
- f) note the discrepancies between the penguin surveys presented to decision makers through the resource consent process and the kororā habitat and life that is recognised to reside at Kennedy Point now.
- g) note that the approved resource consent conditions do not contemplate the re homing of kororā at Kennedy Point Bay and in light of new evidence that there is a significant kororā colony, requests Auckland Council regulatory department consider their options to review the consent conditions or revoke the consent under Section 132 of the Resource Management Act.
- h) support in principle a judicial review application intended to ensure the kororā are given proper consideration and protection under various legal instruments.

Attachments

- A 20210421 Waiheke Local Board Meeting - Item 30 - Tabled Document - Notice of Motion - Paul Walden

Members closed the meeting with a karakia.

***Waiho i te toipoto kua i te toiroa
Let us keep close together, not far apart***

7.42 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 WAIHEKE LOCAL BOARD
HELD ON

DATE:.....

CHAIRPERSON:.....