

---

# Waiheke Local Board

## OPEN MINUTES

---

Minutes of a meeting of the Waiheke Local Board held online via Teams on Wednesday, 23 February 2022 at 5.15pm.

---

### PRESENT

<b>Chairperson</b>	Cath Handley
<b>Deputy Chairperson</b>	Kylee Matthews
<b>Members</b>	Robin Tucker
	Bob Upchurch
	Paul Walden

### ALSO PRESENT

<b>Councillor</b>	Pippa Coom
-------------------	------------

---



## 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

There were no apologies.

## 3 Declaration of Interest

There were no declarations of interest.

## 4 Confirmation of Minutes

Resolution number WHK/2022/1

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

**That the Waiheke Local Board:**

- a) **confirm the minutes of its ordinary meeting, held on Wednesday, 15 December 2021, as a true and correct record.**

**CARRIED**

## 5 Leave of Absence

There were no leaves of absence.

## 6 Acknowledgements

### 6.1 Acknowledgements - Kara Nelson, Linda Chalmers and Dee Sims

Resolution number WHK/2022/2

MOVED by Chairperson C Handley, seconded by Member B Upchurch:

**That the Waiheke Local Board:**

- a) **note the following acknowledgements:**
  - i) **Kara Nelson – Sadly acknowledging the passing of our island’s activist, musician and teacher, Kara passed away at the end of last year at age 102.**

**An independent, adventurous, spirited storyteller, Kara will be remembered fondly by our community.**

- ii) **Linda Chalmers – Linda has been the Director of the gallery for the last 15 years when she moved to the island to take on the role. She has made a tremendous contribution to the gallery, growing its presence in the NZ arts arena. The gallery now hosts two nationally recognised arts awards that attract entries from across NZ. The Walker & Hall art award for two dimensional works and the Small Sculpture Prize for three dimensional works.**
- iii) **Dee Sims – We are sorry to lose our star comms and media specialist, Dee Sims, who has been supporting us since the 2019 election. Dee has an amazing talent for pulling together interesting stories from our huge agendas, keeping the community informed and following up social media queries, always in the most helpful and gracious manner. Best of luck for your new role Dee.**

**CARRIED**

## 7 Petitions

There were no petitions.

## 8 Deputations

There were no deputations.

**Note:** The chairperson accorded precedence to Items 9.5 - Public Forum - John Meeuwsen - Hākaimango-Mātiatia marine reserve application, 9.6 - Public Forum - Herearoha Skipper - Hākaimango-Mātiatia marine reserve application, 9.3 - Public Forum - Cameron Priest - Wharetana Bay Reserve and 9.4 - Public Forum - Mike Gray - Wharetana Bay Reserve due to technical difficulties.

## 9 Public Forum

### 9.5 Public Forum - John Meeuwsen - Hākaimango-Mātiatia marine reserve application

Resolution number WHK/2022/3

MOVED by Chairperson C Handley, seconded by Member B Upchurch:

**That the Waiheke Local Board:**

- a) **thank John Meeuwsen for his attendance to speak at public forum regarding the Hākaimango-Mātiatia marine reserve application.**

**CARRIED**

**9.6 Public Forum - Herearoa Skipper - Hākaimango-Mātiatia marine reserve application**

Resolution number WHK/2022/4

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

**That the Waiheke Local Board:**

- a) **thank Herearoa Skipper who spoke on behalf of the Ngāti Pāoa Iwi Trust for her attendance to speak at public forum regarding Hākaimango-Mātiatia marine reserve application.**

**CARRIED**

**9.3 Public Forum - Cameron Priest - Wharetana Bay Reserve**

Resolution number WHK/2022/5

MOVED by Chairperson C Handley, seconded by Member B Upchurch:

**That the Waiheke Local Board:**

- a) **thank Cameron Priest for his attendance to speak at public forum regarding Wharetana Bay Reserve.**

**CARRIED**

**9.4 Public Forum - Mike Gray - Wharetana Bay Reserve**

Resolution number WHK/2022/6

MOVED by Chairperson C Handley, seconded by Member B Upchurch:

**That the Waiheke Local Board:**

- a) **thank Mike Gray for his attendance to speak at public forum regarding Wharetana Bay Reserve.**

**CARRIED**

**9.7 Public Forum - Dave Malan - Pohutukawa Avenue Reserve**

Resolution number WHK/2022/7

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

**That the Waiheke Local Board:**

- a) **thank Dave Malan for his written submission regarding the concerns on the Pohutukawa Avenue Reserve.**

**CARRIED**

**9.8 Public Forum - Mike Lee - Hākaimango-Mātiatia marine reserve application**

Resolution number WHK/2022/8

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

**That the Waiheke Local Board:**

- a) **thank Mike Lee for his attendance to speak at the public forum regarding Hākaimango-Mātiatia marine reserve application.**

**CARRIED**

**9.1 Public Forum - EmmaJane Strickson - mental health**

This item was withdrawn due to technical difficulties.

**9.2 Public Forum - Nikki Green and Carl Dalton - Wharetana Bay Reserve**

This item was withdrawn due to technical difficulties.

**10 Extraordinary Business**

There is one item of extraordinary business.

**10.1 Extraordinary Business - Notice of Motion - The Hauraki Gulf Forum's proposed amendments to the Hauraki Gulf Marine Park Act 2020**

Resolution number WHK/2022/9

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

**That the Waiheke Local Board:**

- a) **Under Standing Order 2.5.1 Notices of Motion have been received from Chairperson Cath Handley for consideration at Item 28 – Consideration of Extraordinary Item of this agenda, noting:**
  - i) **the reason the matter was not on the agenda is the Hauraki Gulf Forum agenda was released after the board's business meeting agenda had closed.**
  - ii) **the reason why this matter cannot be delayed until a subsequent meeting is that feedback is due to the Hauraki Gulf Forum on 28 February 2022, and this is prior to the next meeting of the board.**

**CARRIED**

**11 Councillor's Update**

Resolution number WHK/2022/10

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

**That the Waiheke Local Board:**

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

**CARRIED**

## 12 Chairperson's report

Resolution number WHK/2022/11

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

**That the Waiheke Local Board:**

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

**CARRIED**

## 13 Proposed Auckland Council submission on the Hākaimangō-Matiatia Marine Reserve application

Resolution number WHK/2022/12

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

**That the Waiheke Local Board:**

- a) note their general support for Marine Protected Areas including marine reserves, and support this proposed marine reserve northwest of Waiheke Island (Hakaimango-Matiatia) application subject to mana whenua views, scientific review and community support.
- b) note the general Waiheke community support with regards to enhancing the marine environment around Waiheke and the Hauraki Gulf.
  - i) identify that there has been a history of interest and funding support to marine education, protection, and restoration by the Waiheke Local Board since its inception in 2010.
  - ii) note the 2020 Waiheke Local Board Plan has as an outcome: *E tiakina, e whakaoratia, e whakareitia ake te taiao o Waiheke / Waiheke's environment is protected, restored and enhanced*. With the goal of 'We want to protect, maintain and enhance our unique islands' land, coastline, bush, wetland and marine environments for future generations' and lists the related initiatives:
    - A) Work with the Hauraki Gulf Forum, community groups and council to support the implementation of marine protection strategies within our local board area and the wider Gulf
    - B) Advocate for and support initiatives to prevent sedimentation of the Hauraki Gulf
    - C) Continue to support marine regeneration projects with key community organisations, schools and other agencies.
  - iii) note through its appointed membership to the Hauraki Gulf Forum the local board support the vision of the reversing the decline of the Hauraki Gulf and seeking to restore the balance of life-supporting ecosystems.
- c) acknowledge the effort of the Friends of the Hauraki Gulf Incorporated who have lodged an application to Department of Conservation for a proposed marine reserve north-west of Waiheke Island (Hākaimangō-Matiatia).
- d) support the engagement with mana whenua as Te Tiriti o Waitangi partners to establish their views with respect to this application, and to identify pathways for their continued partnering involvement should this application progress to implementation.

- i) note the submission of Ngāti Pāoa Trust Board in support of the application
- ii) note the Ngāti Pāoa Iwi Trust Board are yet to formalise their response but are actively progressing their position
- e) support the review of this application by Department of Conservation and Auckland Council specialist staff, in particular to assess this application's proposed site as being a suitable Waiheke Island marine location for protection to deliver the impactful marine outcomes desired.
  - i) with regard to being "no-take" marine reserve, it is noted that there are indigenous species such as kina and exotic species whose control / removal may significantly benefit marine regeneration, and matters such as this must be considered and enabled from the outset.
    - A) For example, Waiheke has an existing significant citizen science project to remove kina to regenerate kelp gardens.
- f) note the Colmar Brunton survey 2015 household survey (n=1402) identified with respect 'no take marine reserves' generally that 64% of Waiheke registered voters who submitted were in favour, 25% against, and 10% neutral.
  - i) Board members are aware that public sentiment with respect to the regeneration of the Hauraki Gulf will have significantly moved in favour of marine protection since 2015 due to their awareness of the state of the Gulf.
- g) encourage any Department of Conservation approved community marine protection application to utilise empowering methodologies with the Waiheke community.

**CARRIED UNANIMOUSLY**

The meeting adjourned at 7.07pm and reconvened at 7.17pm.

Note: The chairperson accorded precedence to Item 28 – Consideration of Extraordinary Business (Item 28.1 Notice of Motion - Cath Handley - The Hauraki Gulf Forum's proposed amendments to the Hauraki Gulf Marine Park Act 2020), at this time.

## **28 Consideration of Extraordinary Items**

### **28.1 Notice of Motion - Cath Handley - The Hauraki Gulf Forum's proposed amendments to the Hauraki Gulf Marine Park Act 2020**

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/2022/13

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

**That the Waiheke Local Board:**

- a) invite the Hauraki Gulf Forum Co Chair Pippa Coom and Executive Officer Alex Rogers to speak to this item.

**CARRIED**



Resolution number WHK/2022/14

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

**That the Waiheke Local Board:**

- a) **support the Hauraki Gulf Forum's proposed amendments to the Hauraki Gulf Marine Park Act 2020 in principle, recognising that members will determine the ultimate outcome within its debate on item 7 of the forthcoming agenda 28 Feb 2022.**
- b) **acknowledge its appointee must retain an open mind and listen to the contributions of all members of the Hauraki Gulf Forum prior to deliberating and voting on the proposals.**
- c) **support its appointee, Cath Handley, to discharge her duties in full under the legislation and within the agreed governance framework of the Forum, and**
- d) **acknowledge that the appointee, as a member of the Waiheke Local Board is also bound to uphold the principles and intentions of the Waiheke Local Board in her wider role within the Hauraki Gulf Forum as expressed particularly in the Waiheke Local Board Plan 2021-2023.**

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

<u>For</u>	<u>Against</u>	<u>Abstained</u>
Chairperson C Handley Deputy Chairperson K Matthews Member R Tucker Member B Upchurch	Member P Walden	

**CARRIED**

**Attachments**

- A 23 February 2022 - Waiheke Local Board Business Meeting - Item 28.1 - Notice of Motion - Cath Handley - The Hauraki Gulf Forum's proposed amendments to the Hauraki Gulf Marine Park Act 2020
- B 23 February 2022 - Waiheke Local Board Business Meeting - Item 28.1 - Hauraki Gulf Forum agenda - 28 February 2022

**14 Wharetana Bay Reserve - Inland Boundary Demarcation**

Resolution number WHK/2022/15

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

**That the Waiheke Local Board:**

- a) **confirm it will not proceed to construct a fence on the inland boundary of Wharetana Bay Reserve as the adjoining landowner at 88 Vintage Lane has reinstated the previous boundary fence which addresses the need for a fence, subject to formal agreement and consent conditions requiring the adjoining owner to maintain the new fence as per the photos included in Attachment C of this agenda report.**
- b) **thank the owners for the initiative of reinstating the fence and enabling closure on the boundary issue.**

**CARRIED**

**15 Auckland Transport Report - February 2022**

Resolution number WHK/2022/16

MOVED by Chairperson C Handley, seconded by Member B Upchurch:

**That the Waiheke Local Board:**

- a) receive the Auckland Transport February 2022 update report.

**CARRIED**

**16 Ngā Pou Taunaha o Aotearoa - New Zealand Geographic Board: recording of unofficial place names as official**

Resolution number WHK/2022/17

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

**That the Waiheke Local Board:**

- a) support the use of Māori place names and dual Māori and English naming across the Waiheke Local Board area.
- b) acknowledge the work done in identifying and collating the unofficial names and proposed corrections in the attachments to this report and the opportunity being identified to expediate the standard naming process.
- c) do not support the current fast track proposal as it stands.
- d) seek guidance from mana whenua on the endorsement of the use and spelling of the listed (Attachments A, B, C to the report) Māori place names.
- e) note the local board are currently not in an informed governance position to make any comment on the proposals until mana whenua engagement has occurred and has been clearly presented to the local board.

**CARRIED**

**17 Auckland's Water Strategy**

Resolution number WHK/2022/18

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

**That the Waiheke Local Board:**

- a) support the eight strategic shifts of the Water Strategy framework:
- i) Te Tiriti Partnership
- ii) Empowered Aucklanders
- iii) Sustainable Allocation and Equitable Access
- iv) Regenerative Water Infrastructure
- v) Water Security
- vi) Integrated Land use and Water Planning
- vii) Restoring and Enhancing Water Ecosystems
- viii) Pooling Knowledge.

**CARRIED**

**18 Proposed Auckland Council submission on the Kia kaha ake te tiakina o ngā puna wai-inu/Improving the protection of drinking-water sources: Resource Management (National Environmental Standards four sources of Human Drinking Water) Regulations 2007**

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/2022/19

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

**That the Waiheke Local Board:**

- a) **note feedback provided under delegation(as tabled) to inform a council-wide submission on the proposed amendments to the *Kia kaha ake te tiakina o ngā puna wai-inu / Improving the protection of drinking-water sources: Resource Management (National Environmental Standards for Sources of Human Drinking Water) Regulations 2007* consultation document (NES-DW).**

**CARRIED**

**Attachments**

- A 23 February 2022 Waiheke Local Board Business Meeting - Item 18 - Feedback from the Waiheke Local Board to support Auckland Council's submission.

**19 Public feedback on proposal to make a Freedom Camping in Vehicles Bylaw 2022**

Resolution number WHK/2022/20

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

**That the Waiheke Local Board:**

- a) **tūtohi / receive public feedback on the proposal to make a new Te Kaunihera o Tāmaki Makaurau Te Ture ā-Rohe Noho Puni Wātea ā-Waka 2022 / Auckland Council Freedom Camping in Vehicles Bylaw 2022 in this agenda report.**
- b) **record disappointment that the public consultation did not cover issues and concerns raised by the board in previous representations to the committee and that therefore the public input does not address those concerns, and that the consultation was limited to four specific prohibited sites which skewed feedback overall.**
- c) **note the significant feedback from residents concerning behaviour of some freedom campers including public health and safety risk due to defecating in reserves and on berms, fire risk due to open fire cooking, rubbish, noise and restriction to beach access and parking.**
- d) **note the proportionately high levels of engagement of the Waiheke populations relative to the other local board areas that reflects the high level of public interest in freedom camping.**
- e) **whakarato / provide its views on how the Bylaw Panel should address matters raised in public feedback to the proposal in clause a) to assist the Bylaw Panel in its deliberations as follows:**
  - i) **reiterate its previous request for the Governing Body to prohibit freedom camping on the island in its entirety, because:**
    - A) **Waiheke Island operates predominately on septic tanks and that chemical toilets destroy the essential biodiversity of septic systems.**

- B) Waiheke has no public dump station.
- C) Waiheke's roading infrastructure is not currently fit for purpose as is recognised by Auckland Transport, and the predominance of narrow roads are not suitable for large camper vans which would add to existing significant well-recorded safety concerns especially for walkers and cyclists, which are prioritised in local board, council and Auckland Transport statutory plans.
- D) there is insufficient staff resource to enforce and monitor the proposed maximum two-day limit, and the resultant impact on the environment and public health and safety.
- E) Waiheke has a significant housing shortfall for residents and its workforce in, but not limited to, the peak and shoulder holiday season which is also the peak freedom camping period. Therefore, any available public facilities and space needs to be prioritised 100% for genuine social needs.
  - ii) advise that Waiheke has a noted history for several years of near daily complaints to local board members and staff from the public in peak season due to instances of reported environmental damage, disruption to enjoyment of life in one's home, crime, lack of beach access, and so on, due to people camping in vehicles and the Waiheke Local Board seeks a paradigm shift as is enabled in this case by the Governing Body's decisions within this by-law review.
  - iii) note the bylaw will not be used to manage issues associated with homelessness and request Community Facilities staff investigate options to enable Onetangi Sports Park to be an area that can support vulnerable or homeless members of the community when required.
  - iv) request the Governing Body allocate additional funding to increase service levels for compliance activities including Responsible Camping Ambassadors during peak season, particularly at night when vehicles are parked up, due to concern over Council's ability to enforce the bylaw and the cost of enforcement and monitoring. Local discretionary funding is limited and intended for local initiatives rather than policy enforcement.
  - v) request that, should the Governing Body not support island-wide prohibition, that staff work with car ferry services to implement communication, alignment and education with regard to self-contained vehicle travel and the maximum time limits stipulated within the new bylaw and simultaneously commits its members as members of the Finance and Performance Committee to sufficiently fund dedicated on-island compliance and enforcement resources.
- f) whakatuu / appoint member Robin Tucker and/or Chairperson Cath Handley to present the above views to the Bylaw Panel on 22 April 2022.
- g) tuku mana / delegate authority to the local board chair to appoint replacement(s) to the persons in clause f) should an appointed member be unable to present to the Bylaw Panel.

**CARRIED**

**20 Public feedback on proposal to amend the Property Maintenance and Nuisance Bylaw 2015**

Resolution number WHK/2022/21

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

**That the Waiheke Local Board:**

- a) **tūtohi / receive the public feedback on the proposal to amend Te Ture ā-rohe Tiaki Rawa me Ngā Mahi Whakapōrearea 2015 / the Property Maintenance and Nuisance Bylaw 2015 in this report.**

**CARRIED**

**21 Public feedback on proposal to make a new Signs Bylaw 2022**

Resolution number WHK/2022/22

MOVED by Deputy Chairperson K Matthews, seconded by Member P Walden:

**That the Waiheke Local Board:**

- a) **tūtohi / receive the public feedback on the proposal to make a new Auckland Council and Auckland Transport Ture ā-Rohe mo nga Tohu 2022 / Signs Bylaw 2022 and associated controls in this agenda report.**

**CARRIED**

**22 Resource Management System Reform**

Resolution number WHK/2022/23

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

**That the Waiheke Local Board:**

- a) **note feedback provided as per Attachment B, under delegated decision by the Chair, on the Transforming Aotearoa New Zealand's resource management system: Our future resource management system - materials for discussion document to inform the council's draft submission.**

**CARRIED**

**23 Auckland Council's Quarterly Performance Report: Waiheke Local Board for quarter two 2021/2022**

Resolution number WHK/2022/24

MOVED by Chairperson C Handley, seconded by Member B Upchurch:

**That the Waiheke Local Board:**

- a) **receive the performance report for quarter two ending 31 December 2021.**
- b) **note the financial performance report in Attachment B of the agenda report will remain confidential until after the Auckland Council Group half-year results for 2021/2022 are released to the New Zealand Exchange (NZX), which are expected to be made public on or about 28 February 2022**

**CARRIED**

**24 Community Forum record of proceedings**

Resolution number WHK/2022/25

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

**That the Waiheke Local Board:**

- a) **note the Community Forum record of proceedings dated 9 February 2022.**

**CARRIED**

**25 Waiheke Local Board Workshop record of proceedings**

Resolution number WHK/2022/26

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

**That the Waiheke Local Board:**

- a) **note the record of proceedings for the local board workshops held on 8 and 15 December 2021 and 2 and 9 February 2022.**

**CARRIED**

**26 List of resource consent applications - 7 December 2021 to 28 January 2022**

Resolution number WHK/2022/27

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

**That the Waiheke Local Board:**

- a) **note the list of resource consents applications related to Waiheke Island.**

**CARRIED**

**27 Local board governance forward work calendar - March 2022 update**

Resolution number WHK/2022/28

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

**That the Waiheke Local Board:**

- a) **receive its Governance Forward Work Calendar dated March 2022.**

**CARRIED**

Note: Item 28 – Consideration of Extraordinary Business (Item 28.1 Notice of Motion - Cath Handley - The Hauraki Gulf Forum’s proposed amendments to the Hauraki Gulf Marine Park Act 2020), was considered prior to Item 14 - Wharetana Bay Reserve - Inland Boundary Demarcation.

Member Matthews closed the meeting with a karakia.

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

9.05pm

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:**.....