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## Devonport-Takapuna Local Board

### OPEN MINUTES

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Minutes of a meeting of the Devonport-Takapuna Local Board on Tuesday, 15 March 2022 at 2.00pm. This meeting will proceed via Microsoft Teams. Either a recording or written summary will be uploaded on the Auckland Council website.

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#### **PRESENT**

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

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## 1 Welcome

The meeting was opened with a karakia

Whakataka te hau ki te uru  
Whakataka te hau ki te tonga  
Kia mākinakina ki uta  
Kia mātaratara ki tai  
E hī ake ana te atakura  
He tio  
He huka  
He hau hū  
Thei mauri ora!

*Cease o winds from the west  
Cease o winds from the south  
Bring calm breezes over the land  
Bring calm breezes over the sea  
And let the red-tipped dawn come  
With a touch of frost  
A sharpened air  
And promise of a glorious day*

## 2 Apologies

There were no apologies.

## 3 Declaration of Interest

There were no declarations of interest.

## 4 Confirmation of Minutes

Resolution number DT/2022/19

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

**That the Devonport-Takapuna Local Board:**

- a) **confirms the ordinary minutes of its meeting, held on Tuesday, 15 February 2022 as true and correct.**

**CARRIED**

## 5 Leave of Absence

There were no leaves of absence.

## 6 Acknowledgements

### 6.1 Acknowledgment - Terry Dunleavy

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

Resolution number DT/2022/20

MOVED by Member G Wood, seconded by Chairperson R Jackson:

**That the Devonport-Takapuna Local Board:**

- a) **acknowledge the passing of Terry Dunleavy and offer our sincere condolences to his family.**

**CARRIED**

#### **Attachments**

- A 15 March 2022 - Devonport -Takapuna Local Board Meeting - Item 6.1 - Acknowledgments - Terry Dunleavy

## 7 Petitions

There were no petitions.

## 8 Deputations

There were no deputations.

## 9 Public Forum

There was no public forum.

## 10 Extraordinary Business

### 10.1 Extraordinary Business - Anzac day service

Resolution number DT/2022/21

MOVED by Deputy Chairperson J O'Connor, seconded by Chairperson R Jackson:

**That the Devonport-Takapuna Local Board:**

- a) **considers an extraordinary item 'ANZAC Day Service' at Item 18.1 – Consideration of Extraordinary Items of this agenda, noting:**
  - i) **the reason the matter was not on the agenda is to ensure staff can account and plan effectively for local board decisions relating to ANZAC Day services prior to April.**
  - ii) **the reason why this matter cannot be delayed until a subsequent meeting is to ensure staff can account and plan effectively for local board decisions relating to ANZAC Day services prior to April.**

**CARRIED**

## Precedence of Business

Resolution number DT/2022/22

MOVED by Chairperson R Jackson, seconded by Deputy Chairperson J O'Connor:

**That the Devonport-Takapuna Local Board:**

- a) **agree that Item 18: ANZAC Day Service be accorded precedence at this time.**

**CARRIED**

## 18 Consideration of Extraordinary Items

### 18.1 ANZAC day service

A report has been circulated prior to the meeting. A copy has been placed on the official minutes and is available on the Auckland Council website as a minutes attachment.

Resolution number DT/2022/23

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

**That the Devonport-Takapuna Local Board:**

- a) **approve the delivery of a small invitation-only Anzac Day remembrance at the Takapuna War Memorial on 25 April 2022, as outlined in Paragraph 19 of this agenda report,**
- b) **approve the delivery of a small invitation-only Anzac Day remembrance at the Devonport War Memorial on 25 April 2022, as outlined in Paragraph 19 of this agenda report, including filming**
- c) **approve the delivery of an invitation-only service at the Devonport Returned Services Association premises on 25 April 2022, as outlined in Paragraph 19 of this agenda report, including the option live-streaming to enable the community to safely take part in the commemoration**
- d) **note that members of the public and local schools and community organisations will be able to place poppies, flowers, and tributes at the Takapuna and Devonport war memorials during the day, and that the support frame for flowers and the sandboxes for poppies will be installed at the Devonport War Memorial as usual to enable this.**
- e) **note that the total estimated of \$13,250 for delivery of the three small events is significantly less than the \$40,000 allocated in the Devonport-Takapuna Local Board Anzac Services budget (ID 121)**
- f) **reallocate unspent funds from the Devonport-Takapuna Anzac Services budget (ID 121) in two parts:**
- i) **make a one-off donation of \$10,000 to the Devonport RSA Poppy Day Fund, noting that the combined effects of three consecutive years of pandemic disruption have decreased the Devonport RSA income and fundraising opportunities, while the need for their welfare and outreach services has grown significantly.**
- ii) **reallocate the remaining unspent funds of approximately \$16,750 to the local board's Community Grants programme (ID 125).**

**CARRIED**

### Attachments

A 15 March 2022, Devonport-Takapuna Local Board: Item 18.1 - ANZAC day service, Report

## 11 Local board input to development of Auckland Transport's Interim Speed Management Plan

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

MOVED by Chairperson R Jackson, seconded by Member G Wood:

That the Devonport-Takapuna Local Board:

- a) recommends that the following roads within the local board area be reviewed as a part of the Interim Speed Management Plan, with a view to reducing speeds on these roads to 40kmph, subject to public consultation and local board having decision-making on any recommendations made:
  - i) Sunnynook and Forrest Hill – the area bounded by the Northern Motorway to the west, Tristram Ave to the south, Forrest Hill Road and East Coast Road from Tristram Ave to Sunset Road forming the eastern boundary; and Sunset Road to the Northern Motorway on the northern boundary
  - ii) Campbells Bay – Aberdeen Road, between 63 Aberdeen Road and Beach Rd (Campbells Bay Primary School)
  - iii) Castor Bay – Beach Road, Castor Bay, between Peter Terrace and Rahopara Street
  - iv) Narrow Neck – Seabreeze Road, Hamana Street, Old Lake Road (between Lake Rd and Wairoa Road)
  - v) Devonport – Vauxhall Road (from Wairoa Road to Albert Road), Albert Road
  - vi) Hauraki – Hart Road, Purchas Rd, Stone Street, Jutland Road, Northboro Road
  - vii) Belmont – Eversleigh Road, Coronation St, Creamer Ave, Bardia Street
- b) notes that the streets in (a) have been recommended for further investigation in response to community enquiries.

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

Member T van Tonder moved an amendment by replacement to the original recommendation as follows:

- a) recommends that the following roads within the local board area be reviewed as a part of the Interim Speed Management Plan, with a view to reducing speeds on these roads to 40kmph, subject to public consultation and local board having decision-making on any recommendations made:
  - i) Sunnynook and Forrest Hill – the area bounded by the Northern Motorway to the west, Tristram Ave to the south, Forrest Hill Road and East Coast Road from Tristram Ave to Sunset Road forming the eastern boundary; and Sunset Road to the Northern Motorway on the northern boundary
  - ii) Campbells Bay – Aberdeen Road, between 63 Aberdeen Road and Beach Rd (Campbells Bay Primary School)
  - iii) Castor Bay – Beach Road, Castor Bay, between Peter Terrace and Rahopara Street.

**LOST**

Resolution number DT/2022/24

MOVED by Chairperson R Jackson, seconded by Member G Wood:

The Chairperson put the substantive motion.

**That the Devonport-Takapuna Local Board:**

- a) recommends that the following roads within the local board area be reviewed as a part of the Interim Speed Management Plan, with a view to reducing speeds on these road to 40kmph, subject to public consultation and local board having decision-making on any recommendations made:
- i) Sunnynook and Forrest Hill – the area bounded by the Northern Motorway to the west, Tristram Ave to the south, Forrest Hill Road and East Coast Road from Tristram Ave to Sunset Road forming the eastern boundary; and Sunset Road to the Northern Motorway on the northern boundary
  - ii) Campbells Bay – Aberdeen Road, between 63 Aberdeen Road and Beach Rd (Campbells Bay Primary School)
  - iii) Castor Bay – Beach Road, Castor Bay, between Peter Terrace and Rahopara Street
  - iv) Narrow Neck – Seabreeze Road, Hamana Street, Old Lake Road (between Lake Rd and Wairoa Road)
  - v) Devonport – Vauxhall Road (from Wairoa Road to Albert Road), Albert Road
  - vi) Hauraki – Hart Road, Purchas Rd, Stone Street, Jutland Road, Northboro Road
  - vii) Belmont – Eversleigh Road, Coronation St, Creamer Ave, Bardia Street
- b) notes that the streets in (a) have been recommended for further investigation in response to community enquiries.

The substantive motion was declared.

**CARRIED**

#### Attachments

- A 15 March 2022 - Devonport Takapuna Local Board Business Meeting - Item 11 - Auckland Transport's Interim Speed Management Plan

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

Resolution number DT/2022/25

MOVED by Chairperson R Jackson, seconded by Member G Wood:

**That the Devonport-Takapuna Local Board:**

- a) receives the public feedback on the proposal to make a new Auckland Council and Auckland Transport Signs Bylaw 2022 / Ture ā-Rohe mo nga Tohu 2022 and associated controls as attached to this agenda report
- b) notes that three people from the local board area provided feedback to this proposal, and a total of 106 submissions were received from the whole of Auckland (76 individuals and 30 organisations)
- c) supports making a new bylaw which combines the current Signage Bylaw 2015 and Election Signs Bylaw 2013
- d) provides the following feedback on matters raised in the public submissions and by the local board, to assist the Bylaw Panel in its deliberations:
  - i) **P1 Banners: Support the definitions and controls outlining the use of banner signs in selected locations to promote events which add vibrancy to our town centres and communities**
  - ii) **P2 Election Signs**
    - A) **P2A Display period – Support the 9-week display period and note that, while all three local submitters would have preferred a briefer timeframe, the Electoral Act 1993 prohibits a bylaw being made to shorten this period**
    - B) **P2B Election signs facing parks – Do not support provisions seeking to restrict election signs on private properties facing parks, reserves, and open spaces, as this restricts the right of residents to exercise their democratic right to display election signage. However, the board would support a prohibition on placing election signs along the shared boundary between private and council-controlled land.**
    - C) **P2C Entrust election signs – support provisions removing Entrust’s status as the only energy trust permitted to display election signs and ensuring all energy trusts are treated equally – noting that Entrust does not hold elections in the Devonport-Takapuna Local Board area**
    - D) **The board considers that outside the 9-week election campaign period signs designed purely to promote government or local body elected members should be restricted to their official premises or residence**
    - E) **The board considers that outside the 9-week election campaign period signs where a government or local body elected member is promoting a particular cause or event should be limited to no more than 3 weeks at any one site in any three-month period.**
  - iii) **P3 Event Signs**
    - A) **P3A Private garage sale signs – Partially support these provisions, but recommend allowing garage sale signs to be displayed up to three days prior**



- B) **P3B Roadside event signs for elections and not-for-profits – Support proposals permitting events run by not-for-profits to use the same approved roadside sites as election signage, but seek clarification around signage for events benefitting not-for-profits which are sponsored or provided by a commercial third party, and recommend that these sites be limited to election candidates and not-for-profit organisations and events in the local board/ward area**
- C) **P3C Clarify event sign rules, including definition and placement – Support the additional clarifications and definitions**
- D) **Support temporary signs up to 3m2 on private property supporting trade exhibitions, shows, and commercial events which may be displayed up to four weeks prior, and moved immediately after the event.**
- E) **Does not support signs attached to public infrastructure such as traffic signs, power poles, communications cabinets, or power transformers for purposes not related to the purpose of the infrastructure – including house removals, real estate sales, vehicle sales, or advertising services.**
- iv) **P4 Freestanding signs –**
  - A) **P4 Support the proposals clarifying the definitions of freestanding signs, distance between multiple signs, location, and proximity to neighbouring sites**
- v) **P5 Portable signs**
  - A) **P5A Increasing area in Auckland City Centre Zone where portable signs are prohibited – We do not offer feedback on this point, which we believe would be more appropriately dealt with by the Waitemata Local Board**
  - B) **P5B Clarify current rules, including definition and placement – Generally support the clarity and definitions, but recommend some flexibility or consenting process which enables additional ladderboards for multi-business buildings and arcades, and/or for reasonable signage at street corners to enable customers to find businesses and local attractions located down side streets – to support business recovery, and the vibrancy and viability of our shopping centres.**
- vi) **P6 Posters Clarifying current rules, including poster sites needing permission – Support the proposal to introduce controls on the proliferation of poster sites, so vibrancy is maintained without overwhelming visual clutter**
- vii) **P7 Real estate signs**
  - A) **P7A Increase size of wall-mounted real estate signs in Heavy Industry Zones to 6m2 – Support the proposal**
  - B) **P7B General real estate signage – Support provisions for one principal ‘for sale’ sign at the property, but recommend clear rules on how long they may remain in place after the property has been sold**

- C) **P7B General real estate signage – Support provisions for up to three directional signs at the three intersections nearest to the property, which may only be displayed on the day of an open home or auction**
- D) **P7B General real estate signage – Recommend that each real estate brand be limited to one generic open home/auction sign at any intersection, noting a growing proliferation of signs at key intersections where multiple agents at the same branded agency are each displaying personalised open home signs**
- E) **P7B General real estate signage – Recommend that illuminated real estate signs in residential areas be prohibited, as they create light disturbance to neighbours and we do not have the resources to monitor and enforce the allowed light levels.**
- F) **The board considers that real estate signs where the primary purpose is to advertise the agent and not a property for sale should only be permitted at their business premises or private residence**
- viii) **P8 Stencil signs – Support the provisions and clarity provided**
- ix) **P9 Vehicle signs – The board understands the intent of these provisions, but does not support this due to concerns about potential inequities – such as private vehicles being prohibited from being used as mobile billboards while our public buses carry large advertising, and prohibitions intended to prevent commercial car yards using on-street parking to sell cars meaning private vehicle owners would also be committing a breach if they park their car on the road with a for sale sign.**
- x) **P10 Verandah signs – Support the greater clarity of these rules on the different types of verandah signage**
- xi) **P11 Wall-mounted signs – Support 11A provisions increasing the size of wall-mounted signs in Heavy Industry Zones, and increased clarity in 11B's provisions outline on size, location, and proximity to other signs**
- xii) **P12 Window signs – Support these proposals**
- xiii) **P13A, 13B, 13C Special rules for certain signs (Major Recreational Facility Zones, Open Space Zone, Commercial Sexual Services) – Support these proposals**
- xiv) **P14A, 14B General rules (Safety and Traffic, Tops of Buildings) – Support these proposals**
- xv) **P14C Illuminated Signs – Support these proposals, and**
  - A) **recommend that illuminated signs be restricted to commercial and industrial zones, or that the size of illuminated signs in residential areas be no greater than 0.3m<sup>2</sup> and have low luminance levels**
  - B) **recommend that illuminated commercial billboards be restricted in size, and not be permitted to primarily face a motorway or road where they create a visual distraction and safety hazard**
- xvi) **P14D Business which have ceased to trade – Support the proposal that signs should be removed or covered within 60 days of a business or organisation ceasing to trade – unless the sign is of heritage value or is an integral part of the structure of the building**
- xvii) **P15 Controls and approvals – Supports these proposals**
- xviii) **P16 Enforcement powers and penalties, Savings and transitional – Support these proposals, and:**

- A) notes that for this bylaw to be effective it must be enforceable and request that council ensure sufficient staffing levels, funding, and other resources are put in place to support this and ensure a high level of compliance is achieved
- B) recommends that, as this bylaw is made under the Local Government Act, the Auckland Council seek an Order In Council empowering council to impose infringements (fines)
- xix) Other feedback
  - A) Recommends clarifying that it is not permitted for signs to be attached temporarily or permanently to traffic signs or other public infrastructure
  - B) Recommends that businesses be encouraged to clearly display their street number
- e) Appoints member George Wood and chair Ruth Jackson to present the board's to the Bylaw Panel on 28 March 2022
- f) Delegates authority to the local board chair to appoint replacement(s) should the appointed members in (e) be unable to present to the Bylaw Panel

**CARRIED**

### 13 Public feedback on proposal to amend Stormwater Bylaw 2015

Resolution number DT/2022/26

MOVED by Member G Wood, seconded by Deputy Chairperson J O'Connor:

**That the Devonport-Takapuna Local Board:**

- a) receives the public feedback on the proposal to amend the Stormwater Bylaw 2015 / Te Ture-ā-Rohe Wai Āwhā 2015 as attached to this agenda report
- b) notes that a total of 79 submissions were received from people and organisations across the whole of Auckland, and the local board therefore does not have a strong indication of local views
- c) provides the following views on matters raised in the public feedback and by the local board, to assist the Bylaw Panel in its deliberations
  - i) supports the overall intent and improvements in the amended Stormwater Bylaw, which strengthens regulation of private stormwater and offers greater protection for public stormwater networks from damage, misuse, interference, and nuisance.
  - ii) notes that the bylaw aligns strongly with the local board's strategic priorities to improve water quality and stormwater and wastewater connections near our waterways, lake, and coastline.
- d) notes that for this bylaw to be effective it must be enforceable and request that council ensure sufficient staffing levels, funding, and other resources are put in place to support this and ensure a high level of compliance is achieved
- e) recommends that Auckland Council seek an Order In Council empowering council to impose infringements (fines) under the Local Government Act where applicable
- f) Appoints member George Wood to present the board's views to the Bylaw Panel on 28 March 2022

- g) **Delegates authority to the local board chair to appoint replacement(s) should the appointed members in (f) be unable to present to the Bylaw Panel**

**CARRIED**

#### 14 **Chairpersons' Report**

Resolution number DT/2022/27

MOVED by Member T Deans, seconded by Deputy Chairperson J O'Connor:

**That the Devonport-Takapuna Local Board:**

- a) **receives and thanks Chairperson Ruth Jackson for her report**

**CARRIED**

#### **Precedence of Business**

Resolution number DT/2022/28

MOVED by Chairperson R Jackson, seconded by Deputy Chairperson J O'Connor:

**That the Devonport-Takapuna Local Board:**

- a) **agrees that Item 19: Procedural motion to exclude the public be accorded precedence at this time.**

**CARRIED**

#### 19 **Procedural motion to exclude the public**

Resolution number DT/2022/29

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

**That the Devonport-Takapuna Local Board:**

- a) **excludes the public from the following part(s) of the proceedings of this meeting.**

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution follows.

This resolution is made in reliance on section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by section 6 or section 7 of that Act which would be prejudiced by the holding of the whole or relevant part of the proceedings of the meeting in public, as follows:

#### **C1 CONFIDENTIAL: Alternative Commercial Opportunities**

Reason for passing this resolution in relation to each matter	Particular interest(s) protected (where applicable)	Ground(s) under section 48(1) for the passing of this resolution
The public conduct of the part of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under section 7.	s7(2)(c)(i) - The withholding of the information is necessary to protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information would be likely to	s48(1)(a) The public conduct of the part of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under section 7.

	<p>prejudice the supply of similar information or information from the same source and it is in the public interest that such information should continue to be supplied.</p> <p>In particular, the report contains information covered in confidential Finance and Performance workshops and information relating to commercial activities that affect private landowners and negotiations associated with Auckland Council's Own Your Own Home Scheme portfolio which has not been finalised or released publicly. The report, attachments, and resolution remain confidential until the reasons for confidentiality no longer exist.</p>	
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The text of these resolutions is made available to the public who are present at the meeting and form part of the minutes of the meeting.

**CARRIED**

3.32pm The public was excluded.

Resolutions in relation to the confidential items are recorded in the confidential section of these minutes and are not publicly available.

4.36pm The public was re-admitted.

### **RESTATEMENTS**

It was resolved while the public was excluded:

#### **C1 CONFIDENTIAL: Alternative Commercial Opportunities**

Resolution number DT/2022/30

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

**That the Devonport-Takapuna Local Board:**

- f) **agrees there be no restatement of the report, attachments and resolution until the reasons for confidentiality no longer exist.**

**CARRIED**

#### **15 Elected Members' Reports**

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

Resolution number DT/2022/31

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

**That the Devonport-Takapuna Local Board:**

- a) **receives and thanks member George Wood for his written report.**

- b) receives and thanks member Toni van Tonder for her written report.
- c) receives and thanks member Trish Deans for her verbal report.

**CARRIED**

**Attachments**

- A 15 March 2022 - Devonport Takapuna Local Board Business Meeting - Item 15 - Members Report - Toni van Tonder
- B 15 March 2022 - Devonport Takapuna Local Board Business Meeting - Item 15 - Members Report - George Wood Additional Items

**16 Devonport-Takapuna Local Board - Record of Workshops February 2022**

Resolution number DT/2022/32

MOVED by Member G Wood, seconded by Chairperson R Jackson:

**That the Devonport-Takapuna Local Board:**

- a) receives the record of the workshops held in February 2022

**CARRIED**

**17 Governance Forward Work Calendar**

Resolution number DT/2022/33

MOVED by Member G Wood, seconded by Chairperson R Jackson:

**That the Devonport-Takapuna Local Board:**

- a) notes the Devonport-Takapuna Local Board governance forward work calendar from March - May 2022 as set out in Attachment A of this agenda report.

**CARRIED**

Note Item 18: ANZAC Day Service was accorded precedence and taken ahead of Item 11: Local board input to development of Auckland Transport's Interim Speed Management Plan.

Note Item 19: Procedural motion to exclude the public was accorded precedence and taken ahead of Item 15: Elected Member Reports.

5.00 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:**.....