
Devonport-Takapuna Local Board

OPEN MINUTES

Minutes of a meeting of the Devonport-Takapuna Local Board held in the Devonport-Takapuna Local Board Office, 1 The Strand, Takapuna on Tuesday, 21 February 2023 at 10.00am.

TE HUNGA KUA TAE MAI | PRESENT

Chairperson	Toni van Tonder
Deputy Chairperson	Terence Harpur
Members	Peter Allen
	Gavin Busch
	Melissa Powell
	George Wood, CNZM

1 Nau mai | Welcome

The meeting was opened with a karakia.

Whakataka te hau ki te uru	Cease o winds from the west
Whakataka te hau ki te tonga	Cease o winds from the south
Kia mākinakina ki uta	Bring calm breezes over the land
Kia mātaratara ki tai	Bring calm breezes over the sea
E hī ake ana te atakura	And let the red-tipped dawn come
He tio	With a touch of frost
He huka	A sharpened air
He hau hū	And promise of a glorious day.
Tīhei mauri ora	

2 Ngā Tamōtanga | Apologies

There were no apologies.

3 Te Whakapuaki i te Whai Pānga | Declaration of Interest

There were no declarations of interest.

4 Te Whakaū i ngā Āmiki | Confirmation of Minutes

Resolution number DT/2023/15

MOVED by Chairperson T van Tonder, seconded by Member M Powell:

That the Devonport-Takapuna Local Board:

- a) confirm the ordinary minutes of its meeting, held on Tuesday, 7 February 2023, as true and correct.

CARRIED

5 He Tamōtanga Motuhake | Leave of Absence

There were no leaves of absence.

6 Te Mihi | Acknowledgements

6.1 Cyclone Gabrielle

Resolution number DT/2023/16

MOVED by Chairperson T van Tonder, seconded by Member G Busch:

That the Devonport-Takapuna Local Board:

- a) **acknowledges the severe weather event and national state of emergency in New Zealand which has caused widespread destruction, flash flooding and landslips across the North Island and extends their sympathies to all those who have been impacted.**
- b) **acknowledges the tragic loss of life caused by Cyclone Gabrielle and offer sincere condolences to the families and loved ones of those who have passed away.**
- c) **acknowledges the community groups, clubs, businesses and individuals that have supported the area during this event.**

CARRIED

7 Ngā Petihana | Petitions

There were no petitions.

8 Ngā Tono Whakaaturanga | Deputations

There were no deputations.

9 Te Matapaki Tūmatanui | Public Forum

9.1 Max Whitehead

Resolution number DT/2023/17

MOVED by Chairperson T van Tonder, seconded by Member P Allen:

That the Devonport-Takapuna Local Board:

- a) **receive the presentation from Max Whitehead and thank them for their attendance.**

CARRIED

10 Ngā Pakihi Autaia | Extraordinary Business

There was no extraordinary business.

11 Ngā Pānui mō ngā Mōtini | Notices of Motion

Under Standing Order 2.5.1 (LBS 3.11.1) a Notice of Motion has been received from Member George Wood for consideration under item 12.

12 Notice of Motion - George Wood - Floodwaters 27 January 2023

Documents were tabled. Copies have been placed on the official minutes and are available on the Auckland Council website as a minutes attachment.

Resolution number DT/2023/18

MOVED by Member G Wood, seconded by Member G Busch:

That the Devonport-Takapuna Local Board:

- a) **request a workshop with the department of Auckland Council that grants building consents in areas where residents downstream, to these new developments, are already being subjected to flooding and this can only worsen with more development occurring.**
- b) **recommend that due consideration be given to known floodplains and natural hazards (inundation) particularly in areas like Sunnynook and Totaravale and that, where appropriate, invoke Section 71 of the Building Act 2004 if planned building works are likely to accelerate or worsen damage to adjoining properties through inundation**
- c) **request Healthy Waters to advise the local board on their future plans on how they attenuate the real issues of widespread flooding; and**
- d) **request a workshop with Auckland Transport and Healthy Waters on the cleaning and maintenance of catchpits and catchpit covers along with discussion with Auckland Transport on how they intend to give better service in the cleaning of the covered drains at the new raised pedestrian crossings.**

CARRIED

Attachments

- A Video: Flooding of Wairau Stream, March 2022
- B Images: Flooding of Wairau Stream, March 2022

13 Reporting back decisions under delegation

Resolution number DT/2023/19

MOVED by Chairperson T van Tonder, seconded by Member M Powell:

That the Devonport-Takapuna Local Board:

- a) **receive the decision made under delegation to approve the Devonport Takapuna Local Board feedback on the draft Natural and Built Environment Act and Spatial Planning Act for inclusion in Auckland Council's submission.**

CARRIED

14 Draft Contributions Policy 2022, Variation A

MOVED by Chairperson T van Tonder, seconded by Deputy Chairperson T Harpur:

That the Devonport-Takapuna Local Board:

- a) provide the following feedback on the draft Contributions Policy 2022, Variation A:
 - i) any development contributions collected for the development in Drury, over and above what is already agreed, is ringfenced to be spent in Drury.
 - ii) suggests that future planned growth in Drury only be enabled outside the flood plain.
 - iii) asks that all anticipated infrastructure required in Drury is costed adequately to reflect the potential impacts of future flooding events.

MOVED by Member G Wood, seconded by Member G Busch:

Member G Wood moved an amendment to the original recommendation as follows:

- a) provide the following feedback on the draft Contributions Policy 2022, Variation A:
 - i) any development contributions collected for the development in Drury, over and above what is already agreed, is ringfenced to be spent in Drury.
 - ii) suggests that future planned growth in Drury only be enabled outside the flood plain.
 - iii) asks that all anticipated infrastructure required in Drury is costed adequately to reflect the potential impacts of future flooding events.
 - iv) recommend to extend the LTP beyond the normal 10 year period to pick up financial activities that will be spent in the extended period.

LOST

Resolution number DT/2023/20

MOVED by Chairperson T van Tonder, seconded by Deputy Chairperson T Harpur:

The Chairperson put the substantive motion.

That the Devonport-Takapuna Local Board:

- a) **provide the following feedback on the draft Contributions Policy 2022, Variation A:**
 - i) **any development contributions collected for the development in Drury, over and above what is already agreed, is ringfenced to be spent in Drury.**
 - ii) **suggests that future planned growth in Drury only be enabled outside the flood plain.**
 - iii) **asks that all anticipated infrastructure required in Drury is costed adequately to reflect the potential impacts of future flooding events.**

The substantive motion was declared.

CARRIED

15 Water Services Legislation Bill

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

Resolution number DT/2023/21

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

That the Devonport-Takapuna Local Board:

- a) **suspend standing order 1.5.2 Member speaking more than once, to openly discuss and develop feedback.**

CARRIED

Resolution number DT/2023/22

MOVED by Deputy Chairperson T Harpur, seconded by Chairperson T van Tonder:

That the Devonport-Takapuna Local Board:

- a) **provide the tabled feedback for inclusion in Auckland Council's submission on the Water Services Legislation Bill.**

CARRIED

Resolution number DT/2023/23

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

That the Devonport-Takapuna Local Board:

- a) **resume standing orders.**

CARRIED

Attachments

- A 21 February 2023 - Devonport-Takapuna Local Board Business Meeting - Item 15: Water Services Legislation Bill - Devonport-Takapuna Local Board feedback on the Water Services Entities Bill 2

Adjournment of Meeting

Resolution number DT/2023/24

MOVED by Chairperson T van Tonder, seconded by Member G Busch:

That the Devonport-Takapuna Local Board:

- a) **agree to adjourn the meeting for 5 minutes.**

CARRIED

The meeting adjourned at 11:21am and reconvened at 11.28am.

16 **Annual Auckland Council Group Māori Outcomes Report: Te Pūrongo a Te Kaunihera o Tāmaki Makaurau Ngā Huanga Māori 2021-2022.**

Resolution number DT/2023/25

MOVED by Chairperson T van Tonder, seconded by Member M Powell:

That the Devonport-Takapuna Local Board:

- a) **receive the annual Auckland Council Group Māori Outcomes Report: Te Pūrongo a Te Kaunihera o Tāmaki Makaurau Ngā Huanga Māori 2021-2022.**

CARRIED

17 **Local board feedback on the draft Future for Local Government report**

Resolution number DT/2023/26

MOVED by Chairperson T van Tonder, seconded by Member M Powell:

That the Devonport-Takapuna Local Board:

- a) **provide the following feedback on the Draft Future for Local Government Report to inform the council's draft submission:**
 - Revitalising Citizen-led Democracy**
 - i) **support greater use of deliberative and participatory democracy in local decision-making, noting that**

- A) there is a declining rate of voter turnout in Local Elections. The Board considers that the current system is not only inadequate for today's citizens, but entirely flawed for the voters of tomorrow
 - B) methods of engagement need to be inclusive and resonate with the target audience, in particular, groups who are hard to reach and those who are under-represented in feedback.
 - C) trust in democracy has been eroded for a range of complex reasons, and that Central Government and Local Government must work collaboratively and immediately to improve participation and faith in democracy.
- ii) support the review of the legislative provisions relating to engagement, consultation, and decision-making to ensure they provide a comprehensive, meaningful, and flexible platform for revitalising community participation and engagement, noting that
 - A) change is required in local government consultation and engagement. Councils cannot continue to waste resources on meeting onerous statutory obligations which deliver limited value and contribute to consultation fatigue
 - B) any additional costs to local government because of changes to legislated engagement and consultation requirements should come with increased funding from Central Government
 - C) consultation timeframes set by Central Government on matters which impact local areas need to be of sufficient time to enable councils to provide well considered feedback.
- iii) support a comprehensive review of requirements for engaging with Māori across local government-related legislation, considering opportunities to streamline or align those requirements, noting that
 - A) this needs to be a three-way conversation between Central Government, local government, and Māori to agree what works best.
 - B) different iwi groups have different levels of capacity and budget to undertake engagement with local government, a one-size-fits-all approach may not work.
 - C) the review should identify approaches that are already working and ensure that these are not undermined by any new legislative requirements.
 - D) iwi are best placed to advise the best ways to engage that works for them.
- iv) support investment into internal council systems to manage and promote good quality engagement with Māori
- v) support the following, amongst other methods, to improve participation;
 - A) the implementation of politically impartial civics education in high schools as well as for our migrant communities and new residents at accessible community facilities.
 - B) review the requirement in the electoral act that candidates for Local Government be NZ Citizens, noting many permanent residents are unable to stand for election as their home country disallows dual nationality.

- C) the development of a framework that enables Councils to create Citizen's Assemblies that are a deliberative participatory engagement tool where participation is akin to jury service and seen as a civic duty.
 - D) the creation of secure and trustworthy digital tools that improve civic engagement and participation.
 - E) the need for Local and Central Government to collaborate and improve the legislative provisions relating to engagement, consultation and decision-making to ensure they provide a comprehensive, meaningful and flexible platform that reaches diverse communities, not just those who already participate.
 - F) consultation processes must always include 'closing the loop' so participation is rewarded with an understanding of how outcomes have shifted as a result of public input.
 - G) the application of the IAP2 International Association for Public Participation Spectrum to every local government consultation so that language is commonly used and understood, and the expectation of the participant is clearly articulated at the outset of any consultation.
- vi) note that the creation of different engagement approaches including the utilisation of new digital tools and developing better approaches to accessing our hard-to-reach communities requires appropriate funding

Allocating Roles and Functions in a way that enhances wellbeing

- vii) support a clear allocation of roles and functions between central government and local government and seeks greater clarity on the process envisaged for that allocation noting that
- A) there is a need for more clarity on the respective roles of central and local government
 - B) the underlying principle should be that regulation is allocated locally unless there is good reason to allocate it elsewhere
 - C) regulation legitimately varies between jurisdictions to reflect local preferences; Auckland's unique circumstances need to be taken into account in any nationally set regulation.
 - D) a co designed approach would be preferred
 - E) any newly allocated function to local government should allow for lead-in times to build capacity and capability to deliver.

Local Government as Champion and Activator of Wellbeing

- viii) Expresses concerns that often Local Government planning documents such as Long-Term Plan and Regional Land Transport Plan, do not adequately address the wellbeing of future residents beyond a ten-year horizon. Intergenerational wellbeing should be at the heart of decision making.
- ix) support the practice of regular 'health checks' of both Local Government and Central Government.
- x) recommend onus be placed on intergenerational wellbeing, in addition to the immediate well-beings defined by the LGA 2002 – social, economic, environmental and cultural well-beings

A Stronger Relationship between Central and Local Government

- xi) support a stronger relationship between central and local government, noting
 - A) concern that the relationship between Central Government and Regional Councils is typically strained and described as broken
 - B) maintaining consistent relationships between central and local government when there is a change of Government is a significant barrier. Relationships with elected officials (i.e. ministers) and with public service officials (i.e. departmental or ministerial chief executives and officers) both need to be maintained.
 - C) there needs to be respect from both parties for the other's role. Central Government needs to respect the capacity of local authorities to make decisions and carry them out.
 - D) the need for Councils to work in partnership with Government on an agreed set of priorities for each region. Council must at all times be a decision maker alongside Government on matters that affect their communities.
- xii) expresses deep concern about unfunded mandates being passed down from Government which have resulted in significant implementation costs and a stretched workforce. Effects of this are immediately felt by residents when they are left wanting on usual Council matters, as staff have been deployed elsewhere.

Replenishing and building on representative democracy

- xiii) support giving responsibility for overseeing the administration of local body elections to the Electoral Commission. They have a proven track record for competently running elections and it makes sense to use this expertise for local body elections, noting that
 - A) making the voter experience in local body elections as similar as possible to general elections would help to reduce confusion and encourage greater turnout. Offering in-person voting and having a strongly promoted voting period, including a final 'election day' should be part of this.
- xiv) does not support adopting the Single Transferrable Vote (STV) voting method for local body elections. STV complicates the voter experience and could act as a barrier to some voters.
- xv) support the implementation of a digital voting system in addition to paper voting.
- xvi) support a review of current provisions which prevent those who have reached eligible voting age during an electoral term being unable to vote until the next election. Consideration could be given to allowing those who will turn 18 during the electoral term being eligible
- xvii) support of a referendum be conducted on whether political terms are extended to 4 years.
- xviii) recognises the importance of diverse representational democracy and suggests a limit of 3 terms (if four-year political terms) or 4 terms (if three-year political terms) be placed on elected members to ensure turnover of governance and an infusion of new skills and thinking.

Equitable Funding and Finance

- xix) supports the inclusion of regulatory impact statement assessments in all Central Government policy in a way that adequately reflects the impacts on local government. In addition an assessment of regulation currently in force

which is likely to have significant funding impact for local government, should be undertaken, noting that

- A) central government agencies need to understand the regulatory impact of changes before they are proposed and should consult meaningfully with local government before policies are enacted. There needs to be acknowledgement of funding gaps from proposed legislation.
- B) funding and financing of infrastructure gaps need continued support from Government. Many areas within Auckland have seen significant intensification occur through private plan changes across future urban-zoned areas as a result of recent national policies such as the National Policy Statement – Urban Development and requirements for Medium Density Residential Standards (MDRS). This rezoning has been implemented without any mechanism to fund the necessary infrastructure and services or upgrades to existing infrastructure and services to support the additional growth. Rezoning of land without aligned funding raises developers' and communities' expectations of local government's ability to provide infrastructure and services for the additional growth, leading to poor urban outcomes. The current financing and funding tools available to local government limit the public funding available for infrastructure development and upgrades

System Design

- xx) support the establishment of a central government intergenerational fund for climate change, with the application of the fund requiring appropriate regional and local decision-making input noting that
 - A) central government funding is crucial and must have a long-term focus. There is a need to clearly define roles and responsibilities, including the sharing of costs between levels of government.
- xxi) note that process for allocating central government funding to meet community priorities should have councils at the decision-making table and not simply the recipients of funds noting that,
 - A) local government is best placed to understand and deliver on community priorities and must be at the decision-making table and not simply the recipients of funds.
- xxii) support central government agencies paying local government rates and charges on all properties.
- xxiii) support the implementation of a mandatory professional development programme for all elected members and Council staff that includes cultural competency, understanding of Te Tiriti and te ao māori values.
- xxiv) recommend that local board members receive market value remuneration for full time positions. Part time positions are unrealistic for the number of hours that local board members commit to the role. This could attract a more diverse range of candidates, not only those who can afford to receive part-time remuneration.

CARRIED

Note: Pursuant to Standing Order 1.8.6, Member G Wood and Member G Busch requested that their dissenting vote be recorded.

18 Auckland Council's Performance Report: Devonport-Takapuna Local Board for quarter two 2022/2023

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

Resolution number DT/2023/27

MOVED by Chairperson T van Tonder, seconded by Deputy Chairperson T Harpur:

That the Devonport-Takapuna Local Board:

- a) receive the performance report for quarter two ending 31 December 2022.
- 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 2022/2023 are released to the New Zealand Exchange (NZX), which are expected to be made public on 28 February 2023.
- c) receive the memo tabled by Maureen Buchanan, Senior Local Board Advisor, regarding \$5,883 filming permit revenue received in 2021/2022
- d) approve the allocation of \$5,883 of filming permit revenue to contestable grants budget to be dispersed this financial year 2022/2023
- e) thank operational staff for their hard work and for the reporting to the Local Board

CARRIED

Attachments

- A 21 February 2023 - Devonport-Takapuna Local Board Business Meeting - Item 18: Auckland Council's Performance Report: Devonport-Takapuna Local Board for quarter two 2022/2023 - Allocation of Filming Permit Revenue Memo

19 Chairpersons' Report

Resolution number DT/2023/28

MOVED by Chairperson T van Tonder, seconded by Member M Powell:

That the Devonport-Takapuna Local Board:

- a) receive and thank Chairperson van Tonder for her report.

CARRIED

20 Elected Members' Reports

Documents were tabled. Copies have been placed on the official minutes and are available on the Auckland Council website as a minutes attachment.

Resolution number DT/2023/29

MOVED by Chairperson T van Tonder, seconded by Member P Allen:

That the Devonport-Takapuna Local Board:

- a) receive and thank member Peter Allen for their written report.
- b) receive and thank member Melissa Powell for their written report.
- c) receive and thank member George Wood for their written report.
- d) receive and thank member Gavin Busch for their tabled report.
- e) receive and thank member Terence Harpur for their tabled report.

CARRIED

Attachments

- A 21 February 2023 - Devonport-Takapuna Local Board Business Meeting - Item 20: Elected Members Reports - Gavin Busch Member Report February 2023
- B 21 February 2023 - Devonport-Takapuna Local Board Business Meeting - Item 20: Elected Members Reports - Terence Harpur Member Report February 2023

21 Resolutions Pending Action report

Resolution number DT/2023/30

MOVED by Chairperson T van Tonder, seconded by Deputy Chairperson T Harpur:

That the Devonport-Takapuna Local Board:

- a) note the Devonport-Takapuna Local Board resolutions pending action report as at 21 February 2023.

CARRIED

22 Hōtaka Kaupapa - Policy Schedule

Resolution number DT/2023/31

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

That the Devonport-Takapuna Local Board:

- a) note the Devonport-Takapuna Local Board Hōtaka Kaupapa – Policy Schedule for February 2023 as set out in Attachment A of this agenda report.

CARRIED

23 Te Whakaaro ki ngā Take Pūtea e Autaia ana | Consideration of Extraordinary Items

There was no consideration of extraordinary items.

12.41 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:.....