

## Upper Harbour Local Board

# OPEN MINUTES

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Minutes of a meeting of the Upper Harbour Local Board held in the Upper Harbour Local Board Office, 30 Kell Drive, Albany, Auckland 0632, and via Microsoft teams on Thursday, 23 February 2023 at 9:31am.

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### TE HUNGA KUA TAE MAI | PRESENT

<b>Chairperson</b>	Anna Atkinson
<b>Deputy Chairperson</b>	Uzra Casuri Balouch, JP
<b>Members</b>	John Mclean Kyle Parker Sylvia Yang

### TE HUNGA KĀORE I TAE MAI | ABSENT

<b>Member</b>	Callum Blair
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## 1 Nau mai | Welcome

The Chairperson A Atkinson led the meeting in a Karakia.

## 2 Ngā Tamōtanga | Apologies

Resolution number UH/2023/5

MOVED by Chairperson A Atkinson, seconded by Member J Mclean:

**That the Upper Harbour Local Board:**

- a) accept the apology from Member C Blair.

**CARRIED**

## 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 UH/2023/6

MOVED by Member S Yang, seconded by Deputy Chairperson U Casuri Balouch:

**That the Upper Harbour Local Board:**

- a) confirm the ordinary minutes of its meeting, held on Thursday, 9 February 2023, as a true and correct record.

**CARRIED**

## 5 He Tamōtanga Motuhake | Leave of Absence

There were no leaves of absence.

## 6 Te Mihi | Acknowledgements

### 6.1 Response to Cyclone Gabrielle

Resolution number UH/2023/7

MOVED by Chairperson A Atkinson, seconded by Deputy Chairperson U Casuri Balouch:

**That the Upper Harbour Local Board:**

- a) acknowledge the recent devastating floods and damage caused by Cyclone Gabrielle and offer our deepest thanks to all responders including community groups, council, individuals, families and everyone who stepped up in this time of need.

- b) **observe a minutes silence in acknowledgment of the lives lost during Cyclone Gabrielle.**

**CARRIED**

## 7 Ngā Petihana | Petitions

There were no petitions.

## 8 Ngā Tono Whakaaturanga | Deputations

### 8.1 AUT Millennium - Update on Upper Harbour Regional Marine Centre, North Harbour Rowing Centre and AUT Millennium

Resolution number UH/2023/8

MOVED by Member S Yang, seconded by Chairperson A Atkinson:

**That the Upper Harbour Local Board:**

- a) **receive the deputation from Mike Stanley, Chief Executive Officer AUT Millennium, on behalf of AUT Millennium and thank him for his attendance and presentation.**

**CARRIED**

### 8.2 Hobsonville Community Trust - Update

Resolution number UH/2023/9

MOVED by Member J Mclean, seconded by Member S Yang:

**That the Upper Harbour Local Board:**

- a) **receive the deputation from Gavin Gunston, Organisation Leader and Venues Manager, and Ian Dalziel, Chairperson of the Hobsonville Community Trust on behalf of The Hobsonville Community Trust and thank them for their attendance and presentation.**

**CARRIED**

### 8.3 Meadowood Community House annual update

Resolution number UH/2023/10

MOVED by Chairperson A Atkinson, seconded by Member S Yang:

**That the Upper Harbour Local Board:**

- a) **receive the deputation from Leona Page, House Manager, and Sara Visser on behalf of Meadowood Community House and thank them for their attendance and presentation.**

**CARRIED**

## 9 Te Matapaki Tūmatanui | Public Forum

There was no public forum.

## 10 Ngā Pakihi Autaia | Extraordinary Business

There was no extraordinary business.

## 11 Naming of the new reserve at Joshua Carder Drive, Hobsonville Point

The Parks and Places Specialist, John McKellar, was in attendance to support the item.

MOVED by Chairperson A Atkinson, seconded by Member K Parker:

That the Upper Harbour Local Board:

- a) approve the name 'Te Kori Scott Point' for the new reserve at Joshua Carder Drive, Hobsonville Point. 'Te Kori' was gifted by Te Kawarau a Maki and supported by Ngā Maunga Whakahii o Kaipara.
- b) thank Te Kawarau a Maki for the gifted name and the support of Ngā Maunga Whakahii o Kaipara.
- c) acknowledge there are overlapping mana whenua interests at this site and that the name does not negate these overlapping interests, and that this name has been supported by Ngāti Whātua o Kaipara.
- d) confirm that Te Kawarau a Maki will be the kaitiaki (guardian) for the name 'Te Kori' and acknowledge that Auckland Council is committed to upholding the correct use of the name and to use it only for purposes that have a community outreach or educational purpose (non-commercial use).
- e) request that signage is erected that describes the meaning of the name 'Te Kori' as soon as practically possible.

Moved Member U Casuri Balouch seconded Member S Yang an amendment by way of replacement to clause a).

That the Upper Harbour Local Board:

- a) approve the dual name 'Te Kori Scott Point Park' for the new reserve at Joshua Carder Drive, Hobsonville Point. 'Te Kori' was gifted by Te Kawarau a Maki and supported by Ngā Maunga Whakahii o Kaipara.

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

<b><u>For</u></b>	<b><u>Against</u></b>	<b><u>Abstained</u></b>
Deputy Chairperson U Casuri Balouch	Chairperson A Atkinson Member J Mclean	Member K Parker Member S Yang

The motion was declared LOST by 1 vote to 2.

The substantive motion was put  
Resolution number UH/2023/11

MOVED by Chairperson A Atkinson, seconded by Member K Parker:

**That the Upper Harbour Local Board:**

- a) approve the name 'Te Kori Scott Point' for the new reserve at Joshua Carder Drive, Hobsonville Point. 'Te Kori' was gifted by Te Kawarau a Maki and supported by Ngā Maunga Whakahii o Kaipara.
- b) thank Te Kawarau a Maki for the gifted name and the support of Ngā Maunga Whakahii o Kaipara.
- c) acknowledge there are overlapping mana whenua interests at this site and that the name does not negate these overlapping interests, and that this name has been supported by Ngāti Whātua o Kaipara.
- d) confirm that Te Kawarau a Maki will be the kaitiaki (guardian) for the name 'Te Kori' and acknowledge that Auckland Council is committed to upholding the correct use of the name and to use it only for purposes that have a community outreach or educational purpose (non-commercial use).
- e) request that signage is erected that describes the meaning of the name 'Te Kori' as soon as practically possible.

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

<u>For</u>	<u>Against</u>	<u>Abstained</u>
Chairperson A Atkinson		Deputy Chairperson U
Member J Mclean		Casuri Balouch
Member K Parker		Member S Yang

The motion was declared CARRIED by 3 votes to 0.

**CARRIED**

The meeting was adjourned 11:16am

The meeting was reconvened 11:28am

## 12 Private Plan Change 86 (41-43 Brigham Creek Road) - Local Board Views

Resolution number UH/2023/12

MOVED by Chairperson A Atkinson, seconded by Member K Parker:

**That the Upper Harbour Local Board:**

- a) provide the following local board views on private plan change 86 applied for by Taste Business Investments Trust Limited for 41-43 Brigham Creek Road, Whenuapai:
  - i) recommend the decline of plan change 86 for the following reasons:
    - A) express serious concerns about out of sequence development and the need for supporting infrastructure and to avoid any potential adverse effects on the environment as the proposal is out of sequence with the Future Urban Land Supply Strategy 2017
    - B) note there is currently no provision for funding the full costs of transport and other infrastructure required and stage 2 of the Whenuapai Structure Plan 2017 is not anticipated to be delivered until at least 2028.
    - C) endorse and share the concerns raised by Auckland Transport and Waka Kotahi the New Zealand Transport Agency that:
      - 1) there is no immediate funding solution to respond to the cumulative effects of increased traffic on the wider north western transport system

- 2) there is no likelihood of being able to agree on funding amounts, until the work by the Supporting Growth Alliance in the North West is completed
  - 3) protection of future local road upgrades needs to be planned for
- D) endorse Watercare’s concerns that there is currently no way to service the private plan change 86 area until infrastructure upgrades are completed
- E) consider the financial concerns identified in paragraphs 34 and 35 of the Private Plan Change 86 (41-43 Brigham Creek Road) – Local Board views report:
- 1) *plan change 86 could have a financial implication for the local board. The applicant has proposed to fund infrastructure to mitigate the immediate local effects (particularly traffic) of the proposed development that would be enabled by plan change 86. The council does not have enough information to accurately assign a fair proportion of future transport costs to the proposed development.*
  - 2) *full costs of the infrastructure for the wider network are unable to be determined at this time and are likely to take some time to be calculated. The shortfall in funding of the infrastructure costs is not provided for in the Long-Term Plan 2021-2031. Therefore, the council is unable to recover the costs of future infrastructure via either the Development Contributions Policy or by having another funding mechanism in place. Should the development go ahead without these matters being resolved, this could put pressure on funding identified for other development areas. Impacts on infrastructure arising from plan change 86, including any financing and funding issues, will be addressed in the hearing report.*
- F) consider that the connections in The Upper Harbour Greenway Plan 2019 should be provided prior to or during development and approval of plan change 86 . The Upper Harbour Greenway Plan 2019 shows Brigham Creek Road as a “Key Route” and Mamari Road as a “Key Connector”
- G) note this proposal will add even more pressure on an area already underserved for play and recreation spaces. The Upper Harbour Strategic Play Provision Assessment 2018 states in the Whenuapai section “As more of the Future Urban Areas are developed, community playspaces with provision for informal recreation, fitness and teen play should be included. More neighbourhood play spaces focused on younger age groups, for new families in the area, should also be provided for.” These play and recreation spaces have not been provided or created and this proposal would further exacerbate the problem of high density living with a lack of recreation spaces. Local residents in Whenuapai regularly request more play and recreation areas than the local board are able to provide
- H) note the Upper Harbour Local Board Plan 2020 identifies Whenuapai as a key gap in our network of sports and play provisions and this out of sequence plan change would allow more people to live in an area with significant shortfalls of sports and recreation provision
- I) express concern regarding the discharge of stormwater into Sinton Stream, as it may not give effect to Te Mana o te Wai (the first priority

- must be to ensure the life-supporting capacity of freshwater), and request that any discharges improves the current state of the stream.
- J) express concern that this development may result in the removal of mature trees as the adopted Urban Ngahere 10 year action plan shows that Whenuapai currently has less than 10% tree cover, whereas the goal for each local board area is 30%.
  - K) express concern that the poor bus service experienced by local residents in Whenuapai and lack of cycle lanes would mean residents of the new development are more likely to drive. The 114 bus currently has only 4 buses between and including 7:06 am and 9:06 am and during the day the buses are hourly
- ii) request that if consent is given the following amendments to plan change 86 are required:
- A) address the concerns of Auckland Council (including Auckland Transport, Watercare and the local board)
  - B) address the following concerns raised by Waka Kotahi - New Zealand Transport Agency:
    - 1) request the Supporting Growth Work and development of Brigham Creek Road and Mamari Road occurs without significant re-work
    - 2) if the plan change 86 is to progress, amend the plan change to include specific planning provisions (including objectives, policies and rules) to require the Brigham Road frontage to be upgraded to an urban standard with separated walking and cycling facilities in conjunction with subdivision and development of the site. The design and location of these works should be future-proofed to avoid the future unnecessary rework
  - C) improve tree cover to 30% through planting, including with large street trees
  - D) request riparian planting around affected waterways and streams
  - E) request that in light of recent flood events the stormwater design is re-assessed
  - F) require rainwater detention tanks for every dwelling.
- b) request Infrastructure and Environmental Services staff identify the streams and rivers within Whenuapai that would qualify as water bodies with esplanade reserves/strips for environmental and recreational benefits and request staff report back to the local board.
- c) appoint Chairperson A Atkinson to speak to the local board views at a hearing on private plan change 86.
- d) delegate authority to the Chairperson of the Upper Harbour Local Board to make a replacement appointment in the event the local board member appointed in resolution c) is unable to attend the private plan change hearing.

**CARRIED**



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

Resolution number UH/2023/13

MOVED by Deputy Chairperson U Casuri Balouch, seconded by Chairperson A Atkinson:

**That the Upper Harbour Local Board:**

- a) **provides the following feedback on the Review into the Future for Local Government draft report dated October 2022:**
- i) **agree transformational change is needed to enable local government to respond to the challenges of climate change, bio-diversity loss, pandemics and social and economic inequity, which are causing our communities to lose trust in democratic institutions and to disengage**
  - ii) **agree central government reform is creating further uncertainty in our communities**
  - iii) **support undertaking this review, on the basis that any additional costs to local government as a result of changes to legislated engagement and consultation requirements should come with increased funding from central government**
  - iv) **support including the concept of subsidiarity as a core principle and request that any devolution of roles or functions to local government needs to be accompanied by appropriate funding allocations**
  - v) **support some use of deliberative and participatory democracy practices including genuine representative democracy practices to revitalise democracy and rebuild trust**
  - vi) **expresses concern over the ability of participatory and deliberative practices, on their own, to effectively represent a cross-section of a community affected by a decision. Lengthy processes will always favour those who have time and other resources**
  - vii) **agree building capacity and capability is vital for councils to facilitate citizen led democracy and both local and central government need to invest in this**
  - viii) **supports and seeks transformational change from statutory, time-bound consultation and engagement practices that are onerous, provide limited value and contribute to consultation fatigue**
  - ix) **accept that in the Auckland context the relationship between council-controlled organisations and 'council' can be further evolved with even further emphasis on well-beings, community outcomes and communication**
  - x) **support the implementation of the two recommended improvements to the council-controlled organisation model: providing clearer strategic direction to the council-controlled organisations and providing guidance on how to strike a balance between commercial and public interests which will lead to improvement in the wellbeing of the communities through the services that these council-controlled organisations provide**
  - xi) **endorse the current model which ensures that all members sitting around the decision making table are democratically elected representatives of their communities and do not support selected appointees supplementing elected members**
  - xii) **express concern about local government being expected to play an enhanced well-being role without increased investment and improved**

partnership models and mechanisms with central government that would provide clarity of role and function

- xiii) agree that the well-being challenges are too big for central government or local government alone, and that there needs to be greater collaboration with the business sector and community groups including iwi/Māori organisations
- xiv) note that in their current form, the funding tools available to council i.e. charges on land, rates and development contributions are no longer appropriate for the demands and decisions council is responsible for or the scale of growth. Open and transparent discussions between central and local government are required on the cost of infrastructure to support growth and how that will be financed and funded
- xv) note that the dilution of the council's role, as is currently occurring, will exacerbate piecemeal planning and infrastructure provision, making it harder to ensure we have pipes and roads in the right places at the right time. The cumulative impact of these reforms will fragment decision making, planning and the provision of infrastructure for Auckland and this needs to be addressed
- xvi) note that the Upper Harbour Local Board area has seen significant intensification occur through private plan changes across future urban zoned areas as a result of recent government policies such as the National Policy Statement on 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 to support the additional growth and will lead to a dysfunctional urban environment. This funding gap needs central government support
- xvii) note with concern that as a set of recommendations, in the Review into the Future for Local Government draft report, they do not necessarily describe the pathway to transformational change or to new local governance arrangements
- xviii) express concern that the failure to identify the pathway may result in cherry-picking or short-term investment in a number of areas, rather than adhering to a long-term, strategic plan to make the shifts needed
- xix) endorse the introduction of civics and citizenship education becoming compulsory as a part of the curriculum in schools which should include components on both local and central government
- xx) endorse the introduction of consistent approaches, systems and tools supporting the capacity building, effective relationships, and engagement with Māori, provided that any funding needed to support this is provided by central government
- xxi) support central and local government, in conjunction with the Remuneration Authority, reviewing the criteria for setting elected member remuneration to recognise the increasing complexity of the role and enable a more diverse range of people to consider standing for election
- xxii) support the introduction of a four-year electoral term for local government
- xxiii) support a mandatory professional development and support programme for elected members
- xxiv) request the Review Panel to consider what a future model would look like where local government is an equal partner of central government and funded long term by it to deliver on the infrastructure challenges being

faced by councils and their communities. Currently, local government does not have a formally recognised constitutional status and is a creature of statute.

**CARRIED**

#### **14 Draft Contributions Policy 2022, Variation A**

The Lead Financial Advisor, Hao Chen, was in attendance to support the item.

Resolution number UH/2023/14

MOVED by Chairperson A Atkinson, seconded by Member S Yang:

**That the Upper Harbour Local Board:**

- a) **restates resolution number UH/2021/147 from the 18 November 2021 business meeting as follows:**
  - a) ***provide feedback on the Contributions Policy 2021:***
    - i) ***support the overall intent of the policy update***
    - ii) ***note the definition of Northwest includes Whenuapai***
    - iii) ***support inclusion of projects beyond 10-years: the inclusion of strategic projects over a longer period of time (over 10 years) ensures all developers contribute equitably to the infrastructure and amenity required as a result of growth***
    - iv) ***support requiring developers to pay their contributions earlier: with the ability to negotiate staging the payment timing of contributions for small scale developments***
  - b) **request that the draft Contributions Policy 2022, Variation A is expanded as fast as possible to all areas noted in the Investment Priority Areas as not extending this policy will lead to perverse and unfair outcomes if areas get developed without enough development contributions collected.**
  - c) **note that Whenuapai is rapidly changing from Future Urban to Urban and is the subject of many private plan changes so we need to ensure enough development contributions are collected.**
  - d) **request that consideration be given to reviewing the development contribution policy to areas outside the Investment Priority Areas.**
  - e) **note large-scale development is happening all around our city and there is a need that the development contributions received cover all associated growth-related capital expenditure. Many of these new developments are very intensified so residents both need and expect access to well developed parks and open spaces, roading, active transport modes and stormwater.**
  - f) **note that development contributions allow for an equitable and proportionate share of the total cost of growth-related capital expenditure to be recovered from the development community.**
  - g) **request a review of Development Contributions in Special Housing Areas to ensure developers pay for growth-related capital expenditure.**
  - h) **note the Special Housing Area of Scott Point, Auckland Council is paying for playgrounds and sportsfields not developers.**

- i) request that stormwater planning gets added as a priority to all development contribution calculations (the report notes stormwater will be added when info becomes available).
- j) request that stormwater and infrastructure planning is appropriate to deal with the more frequent flooding events we are having.

**CARRIED**

**Public Excluded**

Resolution number UH/2023/15

MOVED by Deputy Chairperson U Casuri Balouch, seconded by Member S Yang:

**That the Upper Harbour Local Board:**

- a) exclude 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:

- 15 **Auckland Council’s Performance Report: Upper Harbour Local Board for quarter two 2022/2023 - Attachment B - Upper Harbour Local Board Financial Report to 31 December 2022**

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.	Code: s7(2)(j) – The withholding of the information is necessary to prevent the disclosure or use of official information for improper gain or improper advantage.  In particular, the report contains detailed financial information related to the financial results of the Auckland Council group that requires release to the New Zealand Stock Exchange.  Review Date: 28/02/2023	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.

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**

The public was excluded 12:07pm

The public was readmitted 12:18pm

Restatement

No resolutions were made in closed meeting.

**15 Auckland Council's Performance Report: Upper Harbour Local Board for quarter two 2022/2023**

The Local Area Manager, Lesley Jenkins, and the Local Board Advisor, Robert Marshall, were in attendance to support the item.

Resolution number UH/2023/16

MOVED by Chairperson A Atkinson, seconded by Deputy Chairperson U Casuri Balouch:

**That the Upper Harbour 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) request that staff ensure that public and user input is incorporated into the design of scope for the wharf replacement at Attwood Road (activity ID 37395).

**CARRIED**

**16 Hōtaka Kaupapa / Governance forward work calendar**

Resolution number UH/2023/17

MOVED by Member J Mclean, seconded by Member S Yang:

**That the Upper Harbour Local Board:**

- a) receive the Upper Harbour Local Board Hōtaka Kaupapa / governance forward work calendar for February 2023 – April 2023.

**CARRIED**

**17 Workshop records**

Resolution number UH/2023/18

MOVED by Member J Mclean, seconded by Member S Yang:

**That the Upper Harbour Local Board:**

- a) receive the records of the Upper Harbour Local Board workshops held on Thursday 1 and 8 December 2022, and 2 February 2023 (refer to attachments A, B and C).

**CARRIED**

**18 Auckland Transport - West Hub Bulletin**

Resolution number UH/2023/19

MOVED by Deputy Chairperson U Casuri Balouch, seconded by Chairperson A Atkinson:

**That the Upper Harbour Local Board:**

- a) receive the Auckland Transport West Hub Bulletin for February 2023.
- b) request an update on the Kyle Road footpath project.

**CARRIED**

**19 Local Board Members' Reports - February 2023**

Resolution number UH/2023/20

MOVED by Member J Mclean, seconded by Member S Yang:

**That the Upper Harbour Local Board:**

- a) receive the verbal and written local board members reports.

**CARRIED**

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

There was no consideration of extraordinary items.

12.44 pm

The Chairperson thanked Members for their attendance and attention to business and closed the meeting with a Karakia.

CONFIRMED AS A TRUE AND CORRECT RECORD  
AT A MEETING OF THE UPPER HARBOUR LOCAL  
BOARD HELD ON

**DATE:**.....

**CHAIRPERSON:**.....