

Date: Tuesday 18 June 2024
Time: 10:00 am
Meeting Room: Devonport-Takapuna Local Board Office
Venue: 1-7 The Strand
Takapuna

Devonport-Takapuna Local Board OPEN MINUTE ITEM ATTACHMENTS

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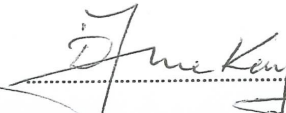
Statutory Declaration


I, Donald Fleming McKay of Takapuna, Retired Surveyor, solemnly and sincerely declare that:


1. During the period 1992-1998 I was an elected North Shore City Councillor and Takapuna Community Board Member.
2. I was involved with Board in development discussions with the owners (Manson Developments) of the old Mon Desir property fronting Hurstmere and The Promenade and extending to Takapuna Beach.
3. In particular, I personally negotiated with the managing Director, Ted Manson, the extent of the foreshore esplanade reserve which was eventually reflected in the approved resource consent and exceeded the statutory requirements.
4. At a later time during the period Council Officers were desirous that the large pohutukawa tree at the south east corner of the property and part of the Sacred Grove be included in the foreshore reserve.
5. At this time I was Chair of the Takapuna Community Board Planning Committee and as such and because of my previous experience requested to discuss the matter with Ted Manson.
6. I met Robert Andrews, the Board's Council planning advisor, on site and together we staked an amended boundary to include the tree and no doubt drew a plan.
7. By this time Mansons had fenced the originally agreed boundary.
8. Ted Manson agreed to the vesting of the additional reserve without any legal or other obligation to do so, subject to the fence staying on the original agreed line.
9. This was agreed as the only reason for the boundary change was to enable Council to have control of the pohutukawa tree.
10. Mansons subsequently carried out the necessary survey which is now recorded on Deposited Plan 310793 comprising an area of 231 square metres.
11. The current Devenport/Takapuna Community Board is therefore estopped from altering the existing fence which is effectively in place by virtue of a fencing agreement.

And I make this solemn declaration conscientiously believing the same to be true and by virtue of the Oaths and Declarations Act 1957.

Declared at Takapuna

this 17th day of June 2024.  D.F. McKay

Before me 
Justice of the Peace


A.R. McLeod, JP
#12117
AUCKLAND
Justice of the Peace for New Zealand

