
Waitematā Local Board

OPEN MINUTES

Minutes of an extraordinary meeting of the Waitematā Local Board held in the Auckland Town Hall,, Council Chambers Ground floor, Queen Street, Auckland on Tuesday, 3 November 2020 at 2.00pm.

PRESENT

Chairperson	Richard Northey, (ONZM)	
Deputy Chairperson	Kerrin Leoni	
Members	Adriana Avendano Christie Alexandra Bonham Graeme Gunthorp Julie Sandilands Sarah Trotman, (ONZM)	Until 7.30pm

1 Welcome

Chair Richard Northey opened the meeting with a karakia and welcomed all those present.

2 Apologies

There were no apologies.

3 Declaration of Interest

There were no declarations of interest.

4 Leave of Absence

There were no leaves of absence.

5 Acknowledgements

There were no acknowledgements.

6 Petitions

There were no petitions.

7 Deputations

7.1 Deputation - Wendy Gray - Western Springs Forest

A presentation was provided and a copy will be placed in the official minutes and is available on the Auckland Council website as a minute attachment.
Resolution number WTM/2020/255

MOVED by Chairperson R Northey, seconded by Member G Gunthorp:

That the Waitematā Local Board:

- a) receive the presentation and thank Wendy Gray for her attendance.

CARRIED

Attachments

- A 3 November 2020, Waitematā Local Board: Item 7.1 Deputation - Wendy Gray - Western Springs Forest, presentation

7.2 Deputation - Deborah Manning and Janeen Collings - Friends of Western Springs Forest

A presentation was provided and a copy will be placed in the official minutes and is available on the Auckland Council website as a minute attachment.

MOVED by Chairperson R Northey, seconded by Member A Avendano Christie:

That the Waitematā Local Board:

- a) receive the presentation and thank Deborah Manning and Janeen Collings, Friends of Western Springs Forest for their attendance.

MOVED by Member A Bonham, seconded by Member ST Trotman: moved an amendment to add item b).

That the Waitematā Local Board:

- b) acknowledge the work and hours put in by Deborah Manning in this matter and express our deep regrets that Council has caused her distress.

CARRIED

The substantive motion was put:

Resolution number WTM/2020/256

MOVED by Chairperson R Northey, seconded by Member A Avendano Christie:

That the Waitematā Local Board:

- a) **receive the presentation and thank Deborah Manning and the Friends of Western Springs Forest, and Janeen Collings for her attendance.**
- b) **acknowledge the work and hours put in by Deborah Manning in this matter and express our deep regrets that Council has caused her distress.**

CARRIED

Attachments

- A 3 November 2020, Waitematā Local Board: Item 7.2 Deputation - Deborah Manning Friends of Western Springs Forest, key points presentation

7.3 Deputation - Steve Abel, Secretary of the Society for the Protection of Western Springs Forest

Resolution number WTM/2020/257

MOVED by Chairperson R Northey, seconded by Member A Bonham:

That the Waitematā Local Board:

- a) **receive the presentation and thank Steve Abel, Secretary of the Society for the Protection of Western Springs Forest for his attendance.**

CARRIED

7.4 Deputation - Sarah Hillary - Western Springs Forest

Resolution number WTM/2020/258

MOVED by Chairperson R Northey, seconded by Member J Sandilands:

That the Waitematā Local Board:

- a) **receive the presentation and thank Sarah Hillary for her attendance.**

CARRIED

7.5 Deputation - Gael Baldock, appellant to the Environment Court - Western Springs Forest

A presentation was provided and a copy will be placed in the official minutes and is available on the Auckland Council website as a minute attachment.

Resolution number WTM/2020/259

MOVED by Chairperson R Northey, seconded by Member ST Trotman:

That the Waitematā Local Board:

- a) **receive the presentation and thank Gael Baldock, appellant to the Environment Court for her attendance.**
- b) **acknowledge the unpaid work Gael and community experts have done.**

CARRIED

Attachments

- A 3 November 2020, Waitematā Local Board: Item 7.5 - Deputation - Gael Baldock, appellant to the Environment Court - Western Springs Forest, presentation

8 Public Forum

8.1 Public Forum - Lisa Prager - Western Springs Forest

A presentation was provided and a copy will be placed in the official minutes and is available on the Auckland Council website as a minute attachment.

Resolution number WTM/2020/260

MOVED by Chairperson R Northey, seconded by Member G Gunthorp:

That the Waitematā Local Board:

- a) **receive Lisa Prager's presentation.**

CARRIED

Attachments

- A 3 November 2020, Waitematā Local Board: Item 8.1 - Public Forum - Lisa Prager - Western Springs Forest, presentation

8.2 Public Forum - Soala Wilson - Western Springs Forest

A presentation was provided and a copy will be placed in the official minutes and is available on the Auckland Council website as a minute attachment.

Resolution number WTM/2020/261

MOVED by Chairperson R Northey, seconded by Member G Gunthorp:

That the Waitematā Local Board:

- a) **thank Soala Wilson for her presentation and attendance at the meeting.**

CARRIED

Attachments

- A 3 November 2020, Waitematā Local Board: Item 8.2 - Public Forum - Soala Wilson - Western Springs Forest, presentation

8.3 Public Forum - Suzanne Kendrick

Resolution number WTM/2020/262

MOVED by Chairperson R Northey, seconded by Member A Avendano Christie:

That the Waitematā Local Board:

- c) **thank Suzanne Kendrick for her presentation and attendance at the meeting.**

CARRIED

At 4.01pm it was resolved that:

Resolution number WTM/2020/263

MOVED by Chairperson R Northey, seconded by Member J Sandilands:

That the Waitematā Local Board:

- a) **agree to an extension of time for Public Forum items 8.4, 8.5, 8.6 and 8.7 to be completed.**

CARRIED

8.4 Public Forum - Mark McNeill

Resolution number WTM/2020/264

MOVED by Chairperson R Northey, seconded by Member A Avendano Christie:

That the Waitematā Local Board:

- a) **thank Mark McNeill for his presentation and attendance at the meeting.**

CARRIED

8.5 Public Forum - Allan Matson - Waitematā Local Board Plan

Resolution number WTM/2020/265

MOVED by Chairperson R Northey, seconded by Member G Gunthorp:

That the Waitematā Local Board:

- a) **thank Allan Matson for his presentation and attendance at the meeting.**

CARRIED

8.6 Public Forum - Bill Gruar

Resolution number WTM/2020/266

MOVED by Chairperson R Northey, seconded by Member A Avendano Christie:

That the Waitematā Local Board:

- a) **thank Bill Gruar for his presentation and attendance at the meeting.**

CARRIED

The meeting adjourned at 4.31pm and reconvened at 4.36pm.

8.7 Public Forum - Adrienne Grace

Resolution number WTM/2020/267

MOVED by Chairperson R Northey, seconded by Member G Gunthorp:

That the Waitematā Local Board:

- a) **thank Adrienne Grace for her presentation and attendance at the meeting.**

CARRIED

9 Extraordinary Business

There was no extraordinary business.

10 Western Springs Lakeside Te Wai Ōrea - pine tree removal and native forest restoration

Claudia Wyss - Director Customer & Community Services, Rod Sheridan - General Manager Community Facilities, Emma Mosely - Chief Risk Officer, Christian Brown - Manager Regulatory & Enforcement and Rue Statham - Senior Ecologist were in attendance to speak to the report.

MOVED by Chairperson R Northey, seconded by Member J Sandilands:

That the Waitematā Local Board:

- a) receive and consider this report;
- b) confirm that the Board's objectives for the Western Spring's Forest are: to protect the existing and regenerating ecology; to enable public access to the forest; and to ensure the health and safety of forest users and workers;
- c) note that staff do not recommend options two and four and the Board agree with that recommendation;
- d) note that, based on the summary risk rating, staff recommend option one;
- e) note that Ngāti Whātua o Ōrākei prefer option one;
- f) approve option one, to proceed with the consented works to remove all pine trees in the stand using the lower impact technology methods identified by Professor Visser to the extent legally possible within the existing resource consent, because overall it best meets the Board's objectives for the forest;
- g) request consideration of whether an advisory body be established including stakeholders, Council and community representatives to advise on the restoration of the forest long-term;
- h) request consideration of whether it would be practicable, appropriate and useful for a University to undertake a study of the forest restoration project;
- i) receive regular reports and engagement to ensure the forest restoration has adequate staff and budget resources, has volunteers contributing effectively, and that any emerging challenges are effectively addressed; and

- j) thank staff, contractors and Western Springs community members for their work, knowledge and commitment to a good future for the forest.

MOVED by Member A Bonham, seconded by Member A Avendano Christie: an amendment to substitute items d) to j) for:

That the Waitematā Local Board:

- d) approve option three, to remove the pine trees in the stand that are of unacceptable, not tolerable and tolerable risk because overall it best meets the Board's objectives for the forest and budget;
- e) note that the existing resource consent was sought based on an assumption that all trees were of high risk. The recent tree risk assessment marks just over quarter of trees to be of tolerable, intolerable or unacceptable risk. Council can, and does, use the regional consent to manage any tree in irrevocable decline.
- f) note that the felling of all the trees is exceedingly expensive at \$760,000, which is an unnecessary cost on the taxpayer. Cutting fewer trees down would cost less, even if a resource consent is for some reason required. The budgets for option seem 3 are not properly costed.
- g) note that the restoration costs for option one at \$80,000 seem low, which have been estimated at \$20psm by other ecologists.
- h) note that Ngāti Whātua o Ōrakei acknowledged they had an interest and took care to draw off their general policies in giving advice. They recommended option one if there were sufficient resources for restoration available. They did not believe \$80,000 was sufficient. They noted that for a successful regeneration project the support of the community was very important.
- i) note that the community are highly engaged and would be willing to volunteer their time and resources free of charge and have done so for years. They prefer option 3.
- j) recommend that the community plays a role in pest control, watering (if necessary), and weeding. They have the resource of arborists, ecologists, and are on site. Each tree is visibly numbered enabling community members to report trees that may become of particular concern to the working group.
- k) recommend that mana whenua also be invited to play a role in the restoration of the forest.
- l) note that Forest and Bird did not support the existing resource consent to remove the whole pine stand as likely to damage the ecology of the forest. They have given no indication they have changed their mind.
- m) note that urban forest restoration is a new and developing science in NZ, in part led by the University of Waikato, and we support further research in this area, particularly as climate change and increasing droughts may demand evolution in best practice.
- n) recommend that all weeding in the park is chemical free
- o) recommend in the ongoing management of all trees in Waitematā to follow an industry recognized tree risk assessment standard and photograph, record and report each failing tree before undertaking arboricultural works.

- p) request consideration of whether a working group be established including mana whenua, stakeholders, Council and community representatives to work together to ensure the restoration of the forest long-term;
- q) request consideration of whether it would be practicable, appropriate and useful for a tertiary institution, perhaps Auckland University of Technology or University of Waikato to undertake a study of the forest restoration project starting with a baseline study;
- r) receive regular reports and engagement to ensure the forest restoration has adequate staff and budget resources, has volunteers contributing effectively, and that any emerging challenges are effectively addressed; and
- s) thank staff, contractors and Western Springs community members for their work, knowledge and commitment to a good future for the forest.

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

<u>For</u>	<u>Against</u>	<u>Abstained</u>
Member A Avendano Christie	Member G Gunthorp Deputy Chairperson K Leoni	
Member A Bonham Member ST Trotman	Chairperson R Northey Member J Sandilands	

The motion was declared **LOST** by 3 votes to 4.

Resolution number WTM/2020/268

MOVED by Chairperson R Northey, seconded by Member J Sandilands:

That the Waitematā Local Board:

- a) receive and consider this report;
- b) confirm that the Board's objectives for the Western Spring's Forest are: to protect the existing and regenerating ecology; to enable public access to the forest; and to ensure the health and safety of forest users and workers;
- c) note that staff do not recommend options two and four and the Board agree with that recommendation;
- d) note that, based on the summary risk rating, staff recommend option one;
- e) note that Ngāti Whātua o Ōrākei prefer option one;
- f) **approve option one, to proceed with the consented works to remove all pine trees in the stand using the lower impact technology methods identified by Professor Visser to the extent legally possible within the existing resource consent, because overall it best meets the Board's objectives for the forest;**
- g) request consideration of whether an advisory body be established including stakeholders, Council and community representatives to advise on the restoration of the forest long-term;
- h) request consideration of whether it would be practicable, appropriate and useful for a University to undertake a study of the forest restoration project;
- i) receive regular reports and engagement to ensure the forest restoration has adequate staff and budget resources, has volunteers contributing effectively, and that any emerging challenges are effectively addressed;
- j) thank staff, contractors and Western Springs community members for their work, knowledge and commitment to a good future for the forest.

- k) refer the points below for favorable consideration and report by staff:
- i) recommend that the community plays a role in pest control, watering (if necessary), and weeding. They have the resource of arborists, ecologists, and are on site. Each tree is visibly numbered enabling community members to report trees that may become of particular concern to the working group.
 - ii) recommend that mana whenua also be invited to play a role in the restoration of the forest.
 - iii) note that urban forest restoration is a new and developing science in NZ, in part led by the University of Waikato, and we support further research in this area, particularly as climate change and increasing droughts may demand evolution in best practice.
 - iv) **recommend that all weeding in the park is chemical free**
 - v) recommend in the ongoing management of all trees in Waitematā to follow an industry recognized tree risk assessment standard and photograph, record and report each failing tree before undertaking arboricultural works.

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

<u>For</u>	<u>Against</u>	<u>Abstained</u>
Member G Gunthorp	Member A Avendano	
Deputy Chairperson K Leoni	Christie	
Chairperson R Northey	Member A Bonham	
Member J Sandilands	Member ST Trotman	

The motion was declared CARRIED by 4 votes to 3.

CARRIED

Pursuant to Standing Order 1.8.2, member A Bonham requested that her objection to comments made by Chair Northey who referred to her amendment as being “factually incorrect” be recorded. The Chair granted approval for her objection to be noted in the minutes.

The Chair granted approval for member S Trotman’s concerns to be noted in the minutes, which she expressed as follows:

*“In my 30 years of professional life, I have never seen such a flawed process as the debacle that has unfolded during the Western Springs Forest debate.
I have never seen such disregard for a key stakeholder, in this case our community.
We, as Board Members are elected to represent this community. Instead it feels like we have been supporting a Council process that is working very hard against our community.
Let me share some thoughts of what, in my view is not OK.
It is not OK to install cameras at WS forest, to place our community under surveillance
It is not OK for me to have to mediate between police, Council staff and our community
It is not OK to willfully disconnect technology during my Skype meeting with constituents
It is not OK to answer a constituents question by sending him 400 pages of information and expecting him to find the three lines of information he needs.
It is not OK to roll out the red carpet for some constituents and make it extremely difficult for others, who have put a huge amount of time into this issue, to engage with us.
It is not OK for Auckland Council’s integrity unit to hold the dual role of integrity and program manager.*

*It is not OK for community to think their house insurance will be invalid if they don't play ball
It is not OK to arrive on our community's doorstep over the 2018 Christmas holidays and announce that 3 households needed to leave their properties while "emergency trees" (which by the way are still standing) were addressed.*

It is not OK to cut down 5 trees in the forest, without mentioning it in any reports to the Board. This I might add, at the same time we place a steel barrier across the entrance to present the community from continuing to manage weeds and pests.

It is not OK for briefs to "experts" to be inadequate.

It is not OK for me to get a phone call from a resident of West View Rd to say the Council has caused them such distress they are considering placing their house on the market. I could go on but you get my gist.

I said at the WSF community meeting on Saturday that, at that point in time, I was against Option one, full stand removal and that I'd like to see Option 3 developed with a view to "management" rather than "felling"

I also thanked the community for their determination to ensure the many flaws in this process (or lack of process actually) were exposed to Elected Members. And that with stronger Local Board leadership we could have saved the community a great deal of distress, time and money.

I said I believed we owed our community an apology.

In closing, I'd like to acknowledge members of our community have done some heavy lifting on behalf of the wider community. I am aware that this issue has taken a personal toll on at least two of you. Dealing with misinformation, short timeframes (in which you have to digest significant amount of information) a lack of process, inadequate community engagement and concerns that not all Local Board Members have taken an interest in this issue - has caused you a great deal of distress.

I have observed, first hand, that we have pushed some of you to breaking point. For that I sincerely apologise and I thank you for your strength of character, deep commitment to this Significant Ecological Area and standing for quality information and due process within Auckland Council

Finally, I'd like to share with you some of the fine words of the newly appointed Chief Executive of Auckland Council. These words he gave in an address to Elected members

*"we operate in a statutory monopoly, that is a privilege not a right,
we have an obligation to meet or exceed Aucklanders' expectations"*

"We must drive to eliminate complexity, making our organisation as simple and as easy to deal with as possible so we can build trust and confidence of our community.

Our reputation will be built on delivery. Complexity is the enemy of effectiveness." "it's very important that we deliver on the promises we've made to Aucklanders"

I emailed our new CEO, on 2nd October, to bring the shambles that is the process of WSF to his attention. I reminded him of his aspirational words and said "I too believe your fine words but you need to get your hands dirty to make them a reality"

I am embarrassed to be part of a process that has caused so much difficulty for our community.

I'm offended that Council officials think I'm stupid enough to think their "zero risk tolerance" equals bringing down every tree in this forest.

I believe the time has come for this matter, regardless of today's outcome to be investigated by the Ombudsman."

Waitematā Local Board, 3 November 2020.

The meeting was adjourned at 7.25pm and reconvened at 7.31pm.

Member S Trotman left the meeting at 7.30pm.

11 Adoption of the Waitematā Local Board Plan 2020

Caroline Teh, Local Board Advisor was in attendance to speak to the report.

Resolution number WTM/2020/269

MOVED by Chairperson R Northey, seconded by Member G Gunthorp:

That the Waitematā Local Board:

- a) **adopt the Waitematā Local Board Plan 2020 as set out in Attachment A of the agenda report with the addition to the Board’s advocacy positions advocating to the Governing Body to reinstate a budget to identify historic heritage.**
- b) **delegate authority to the Chair of the Waitematā Local Board to approve any minor edits that may be necessary to the Waitematā Local Board Plan 2020 prior to publication.**
- c) **thank the Waitematā Local Board staff and the Waitematā Community for their contributions to developing the content of the Waitematā Local Board Plan 2020.**

CARRIED

12 Consideration of Extraordinary Items

There was no consideration of extraordinary items.

7.42 pm

The Chair 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 WAITEMATĀ LOCAL BOARD
HELD ON

DATE:.....

CHAIR:.....