

I hereby give notice that an ordinary meeting of the Papakura Local Board will be held on:

Date: Wednesday, 16 November 2016
Time: 4.30pm
Meeting Room: Local Board Chambers
Venue: Papakura Service Centre
35 Coles Crescent
Papakura

Papakura Local Board OPEN AGENDA

MEMBERSHIP

Chairperson	Brent Catchpole
Deputy Chairperson	Felicity Auva'a
Members	Hon George Hawkins, QSO Bill McEntee Michael Turner Katrina Winn

(Quorum 3 members)

Trish Wayper
Local Board Democracy Advisor

9 November 2016

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1 Welcome

The meeting will begin with a prayer.

2 Apologies

At the close of the agenda no apologies had been received.

3 Declaration of Interest

Members are reminded of the need to be vigilant to stand aside from decision making when a conflict arises between their role as a member and any private or other external interest they might have.

4 Confirmation of Minutes

That the Papakura Local Board:

- a) confirm the extraordinary minutes of its meeting, held on Thursday, 3 November 2016, as a true and correct record.

5 Leave of Absence

At the close of the agenda no requests for leave of absence had been received.

6 Acknowledgements

At the close of the agenda no requests for acknowledgements had been received.

7 Petitions

At the close of the agenda no requests to present petitions had been received.

8 Deputations

Standing Order 3.20 provides for deputations. Those applying for deputations are required to give seven working days notice of subject matter and applications are approved by the Chairperson of the Papakura Local Board. This means that details relating to deputations can be included in the published agenda. Total speaking time per deputation is ten minutes or as resolved by the meeting.

8.1 Deputaton - Papakura Business Association - Tracy Shackleton and Neil O'Connor

Purpose

1. Tracy Shackleton (Papakura Town Centre Manager) and Neil O'Connor (Chairman, Papakura Business Association) have requested a deputation to present the Papakura Business Association's annual accounts and business plan.

Executive summary

2. N/A

Recommendation/s

That the Papakura Local Board:

- a) thank Tracy Shackleton (Papakura Town Centre Manager) and Neil O'Connor (Chairman, Papakura Business Association) for their presentation on the Papakura Business Association's annual accounts and business plan.

9 Public Forum

A period of time (approximately 30 minutes) is set aside for members of the public to address the meeting on matters within its delegated authority. A maximum of 3 minutes per item is allowed, following which there may be questions from members.

9.1 Public Forum - walkway Ray Small Drive to Prince Edward Park; disabled parking on Railway Street West, Papakura; bus route 377 Pahurehure - Heather Harrison

Purpose

1. Heather Harrison would like to address the board in a public forum speaking slot regarding:
 - i) the walkway between Ray Small Drive to Prince Edward Park
 - ii) disabled parking on Railway Street West, Papakura
 - iii) bus route 377 Pahurehure.

Executive summary

2. A copy of the submission is attached.

Recommendation/s

That the Papakura Local Board:

- a) thank Heather Harrison for her presentation regarding:
 - i) the walkway between Ray Small Drive to Prince Edward Park
 - ii) disabled parking on Railway Street West, Papakura
 - iii) bus route 377 Pahurehure.

10 Extraordinary Business

Section 46A(7) of the Local Government Official Information and Meetings Act 1987 (as amended) states:

“An item that is not on the agenda for a meeting may be dealt with at that meeting if-

- (a) The local authority by resolution so decides; and
- (b) The presiding member explains at the meeting, at a time when it is open to the public,-
 - (i) The reason why the item is not on the agenda; and
 - (ii) The reason why the discussion of the item cannot be delayed until a subsequent meeting.”

Section 46A(7A) of the Local Government Official Information and Meetings Act 1987 (as amended) states:

“Where an item is not on the agenda for a meeting,-

- (a) That item may be discussed at that meeting if-
 - (i) That item is a minor matter relating to the general business of the local authority; and
 - (ii) the presiding member explains at the beginning of the meeting, at a time when it is open to the public, that the item will be discussed at the meeting; but
- (b) no resolution, decision or recommendation may be made in respect of that item except to refer that item to a subsequent meeting of the local authority for further discussion.”

11 Notices of Motion

At the close of the agenda one request for a notice of motion had been received. Please refer to item 12.

Notice of Motion - Funding for the Papakura Business Association - Brent Catchpole

File No.: CP2016/22819

Item 12

Purpose

1. Providing a notice of motion for consideration from the Chairperson, Brent Catchpole. The notice of motion is requesting:
 - i) additional funding for the Papakura Business Association to enable the installation and removal of ANZAC Day flags, and
 - ii) the installation and removal of Christmas decorations in the main street of Papakura Town Centre for Christmas 2016.

Executive summary


2. Please refer to the attached notice of motion for further detail.

Recommendation/s

That the Papakura Local Board:

- a) allocate \$2,000 from the [insert funding envelope] to the Papakura Business Association Inc. as a further contribution to install and remove Anzac Day flags in the Papakura Town Centre for 2017.
- b) allocate \$2,500 from the [insert funding envelope] to the Papakura Business Association Inc. as a further contribution to install and remove Christmas decorations in the main street of the Papakura Town Centre for Christmas 2016.

Attachments

No.	Title	Page
A 	Notice of Motion - Funding for the Papakura Business Association - Brent Catchpole	

Signatories

Authors	Lee Manaia - Local Board Democracy Advisor
Authorisers	Rex Hewitt - Relationship Manager

Manurewa-Papakura Ward Councillors' speaking rights at the Papakura Local Board meetings

File No.: CP2016/22763

Item 13

Purpose

1. This report outlines a mechanism to allow the Manurewa-Papakura Ward Councillors speaking rights at the Papakura Local Board meetings.

Executive Summary

2. Standing Order 3.9.14 Governing Body Speaking Rights states:

The Governing Body shall have speaking rights as a deputation when supported by a resolution of the Governing Body or a committee thereof.

Urgent requests for speaking rights by the Governing Body shall follow the same procedures as urgent deputations.

The chairperson may invite ward councillors of the ward within which the Local Board area is situated to speak to reports of the Governing Body.

3. The Papakura Local Board has expressed a desire to continue the practice established during the 2010-2013 and 2013-2016 trienniums of the Ward Councillors sitting at the local board decision making table with speaking rights.

Recommendation/s

That the Papakura Local Board:

- a) reconfirms its decision to give speaking rights to the Manurewa-Papakura Ward Councillors at all meetings of Papakura Local Board for the 2016-2019 triennium in order to facilitate a close working relationship.

Attachments

There are no attachments for this report.

Signatories

Authors	Lee Manaia - Local Board Democracy Advisor
Authorisers	Rex Hewitt - Relationship Manager

Auckland Council's Quarterly Performance Report for Papakura Local Board: Quarter One, 1 July –30 September 2016

File No.: CP2016/22778

Item 14

Purpose

1. To provide the Papakura Local Board members with an integrated quarterly performance report for quarter one 2016/2017, against the Local Board Agreement work programme.

Executive Summary

2. This report is the first in a new format, which provides an integrated view of performance for the Papakura Local Board. It includes key achievements in the quarter; an overview of financial performance; progress against local board key performance indicators; and progress against each operating department work programme, including any risks associated with delayed project delivery.
3. There have been some key achievements for the local board this quarter, including the adoption of a Greenways Local Paths Plan.
4. The Papakura Local Board has an approved 2016/2017 work programme for the following operating departments:
 - Arts, Community and Events, approved on 15 June 2016
 - Community Leases, approved on 15 June 2016
 - Parks, Sport and Recreation, approved on 15 June 2016
 - Libraries and Information, approved on 15 June 2016
 - Community Facilities Renewals, approved on 15 June 2016
 - Local Environment, approved on 20 July 2016
 - Local Economic Development, approved on 20 July 2016
 - Parks, Sport and Recreation renewals, approved on 17 August 2016
5. All operating departments with agreed work programmes have provided a quarterly update against their work programme delivery. Most items have a reported 'green' status (on track); however the following items have a 'red' status (behind delivery, significant risk):

Parks, Sport and Recreation:

 - Airfield subdivision park development, including LDI funding for a concept plan
 - Smiths Avenue reserve concept planning
6. Overall, the financial performance of the board for Quarter 1 FY2016/2017 is on track. Additionally the dashboard summary at **attachment A** indicates that projects in the Papakura Local Board area are generally tracking positively against work programmes.
7. The Key Performance Indicators for the Papakura Local Board are of concern, as only 35% of targets have been achieved or substantially achieved in the year to date.

Recommendation/s

That the Papakura Local Board:

- a) receive the performance report for the financial quarter ending 30 September 2016.

Comments

Item 14

Key Achievements for Quarter One

8. The Papakura Local Board has a number of key achievements to report from the Quarter One period, which include:
- **Adoption of the Papakura Greenways Local Paths Plan** on 21 September 2016
The plan provides a framework for the development of walking and cycling routes across the board area and a set of priority projects for which funding will be sought
 - **Official opening of the covered walkway** from Papakura train station to the town centre on 24 September 2016
This was the main transport capital fund project for the local board electoral term.
 - **Awahi House upgrade** (continuation of 2015/2016 renewals programme)
This community house at Smiths Avenue has been refurbished ready for lease to a local group.
 - **Completion of the Papakura Art Gallery mural** on 12 August
This was the finalisation of a community arts project from the 2015/2016 work programme.
 - **Completion of the Milano reserve playground**
The playground was fully opened in the week commencing 12 September.

Key Project updates from the 2016/2017 Work Programme

9. All operating departments with approved 2016/2017 Work Programmes have provided performance report updates via SharePoint for quarter one (see **attachment B**). The following are progress updates against key projects:
- Successful Youth Connections initiatives including YouthFULL digital destination and attendance at JobFest
 - Youthtown has been appointed as the new provider to oversee Papakura Youth Council, from 28 September 2016
 - Community events – the fireworks event has been cancelled due to athletics track renewal at Massey Park and the alternative venue of Prince Edward Park not being available due to remedial ground work being required. Additionally, the community volunteer awards have been postponed until quarter four.

Risks identified in the 2016/2017 Work Programme

10. The following are risks that have been identified by operating departments where the progress and performance indicator has been set to 'red' – significantly behind budget/time or achievement of outcomes.

Parks, Sport and Recreation

- a. Airfield subdivision park development, including growth funding for provision and locally driven initiative (LDI) funding for a concept plan. There is a delivery risk because the land for the proposed park has not yet been identified within the sub-division.

Negotiations are underway with the developers to agree the land to be made available and vest it with the council.

- b. Smiths Avenue reserve concept planning. There is a delivery risk because the local board re-allocated funding from this project to the community arts programme.

Financial Performance

11. Capital asset renewals are generally on schedule and design work is ready to commence on renewing the major upgrade of the Bruce Pulman car park. The majority of the locally driven initiative capex funding is still to be allocated by the local board this year and projects will need to be factored into the work programmes going forward. There were some undelivered projects from last year and the locally driven initiative operating funds for these have been moved into this year's budgets. These delayed projects will be monitored along with other work programme items.
12. Contracts supporting safety in the town centre and the community are a large investment from the locally driven initiative fund. Through collaboration between businesses, community groups and police, the local board aims to foster a safer environment and develop business opportunities and a significant portion of their locally driven initiative funding is directed into this process.
13. The financial summary for Papakura Local Board is attached to this report (**attachment C**).

Key Performance Indicators (KPIs)

14. The performance measure results show that three out of the four parks, sports and recreation measures are unlikely to be achieved. Most community services measures are tracking below target and are not expected to be achieved at year end. This includes measures for perception of town centre safety and off-peak use of community facilities.
15. Full KPI data for quarter one is detailed in **attachment D** to this report

Consideration

Local Board views and implications

16. This report informs the Papakura Local Board of performance to date for the period ending 30 September 2016.

Māori impact statement





17. Funding was allocated from the youth initiatives budget for a rangatahi induction and leadership programme, which is helping succession planning for the Papakura Marae Māori Wardens. The Māori Wardens are also funded by the local board as part of a joined up approach to addressing community safety issues.
18. Pukekiwiri Paa Joint Management Committee has met during the quarter and discussed outstanding requirements to be addressed prior to the submission of a heritage consent application for management works at the site.

Implementation

19. The Senior Advisor Papakura Local Board will continue to facilitate performance updates to the local board.

Item 14

Attachments

No.	Title	Page
A 	Papakura Local Board Quarter One 2016/2017 dashboard summary	
B 	Papakura Local Board Quarter One 2016/2017 Work Programmes SharePoint updates	
C 	Papakura Local Board Quarter One 2016/2017 financial summary	
D 	Papakura Local Board Quarter One 2016/2017 key performance indicator data	

Signatories

Authors	Karen Gadomski - Senior Local Board Advisor Papakura
Authorisers	Rex Hewitt - Relationship Manager

Papakura Local Board Quick Response Round Two 2016/2017 Grants

File No.: CP2016/22514

Purpose

The purpose of this report is to present applications received for Papakura Quick Response Round Two, 2016/2017 grant round. The local board is required to fund, part-fund or decline these applications.

Executive summary

1. The Papakura Local Board has set a total community grants budget of \$127,000 for the 2016/2017 financial year. There is \$92,270 remaining to be allocated across three quick response and one local grant round.
2. Seven applications were received for the quick response round two requesting a total of \$9,721, see Attachment B.

Recommendation/s

That the Papakura Local Board:

- a) Consider the applications listed in Table One and agree to fund, part-fund or decline each application in this round.

Table One: Papakura Quick Response Round Two Applications:

Application No.	Organisation Name	Project	Total Requested	Eligible/ineligible
QR1714-201	Tuahine Trust	Towards a two-day summit for Whakatohea young people, specifically the costs of venue, catering, and printing of resources.	\$2,000	Eligible
QR1714-204	Rosehill Intermediate	Towards building and planting a raised vegetable garden to produce food for the school's food technology room and café.	\$821	Eligible
QR1714-206	Southside	Towards the course delivery cost of supporting young people through a process of culminating a professional production, specifically the cost of hiring the Off Broadway Theatre for the final performance.	\$1,300	Eligible
QR1714-207	Action Education Inc.	Towards the cost of running seven spoken word poetry workshops held at secondary schools in the Papakura Local Board area.	\$1,400	Eligible
QR1714-208	Kiwanis Club of Drury	Towards the cost of running the "Terrific Kids Programme" in four local schools, specifically for the costs for book vouchers	\$700	Eligible

		to be awarded to winning students.		
QR1714-209	Te Whanau Hapori Charitable Trust	Towards the Papakura Christmas Parade, specifically for the cost of a shared luncheon and gifts for the tamariki and whanau in need.	\$1,500	Eligible
QR1714-212	Auckland Urban Mission	Towards mobile caring for the homeless and high need members of the Papakura community, specifically for the cost of provisions and van maintenance.	\$2,000	Eligible
		Total Requested	\$9,721.00	

Comments

3. The Auckland Council Community Grants Policy supports each local board to adopt a grants programme (see Attachment A).
4. The local board grants programme sets out:
 - Local board priorities
 - Lower priorities for funding
 - Exclusions
 - Grant types, the number of grant rounds and when these will open and close
 - Any additional accountability requirements.
5. The Papakura Local Board will operate four quick response and two local grants rounds for this financial year.
6. The community grant programmes have been extensively advertised through the council grants webpage, local board webpages, local board e-newsletters, Facebook pages, council publications, radio, and community networks.
7. For the 2016/2017 financial year, the Papakura Local Board set a total community grants budget of \$127,000. It is recommended that the board consider allocating up to 12 per cent of the budget for this grant round.
8. To date, the Papakura Local Board has allocated \$34,730 through round one of the local grant and quick response grants. There is \$92,270 remaining, to be allocated across three quick response and one local grant round.
9. Seven applications were received for the Papakura Quick Response Round Two requesting a total of \$9,721, see Attachment B.

Consideration

Local board views and implications

10. Local boards are responsible for the decision-making and allocation of local board community grants. The Papakura Local Board is required to fund, part-fund or deadline these grant applications against the local board priorities identified in the local board grant programme.

11. The board is requested to note that section 50 of the Community Grants Policy states “We will also provide feedback to unsuccessful grant applicants about why they have been declined, so they will know what they can do to increase their chances of success next time.”
12. A summary of each application is attached, see Attachment B.



Māori impact statement

13. The provision of community grants provides opportunities for all Aucklanders to undertake projects, programmes, activities that benefit a wider range of individuals and groups, including Maori. As a guide for decision-making, in the allocation of community grants, the new community grants policy supports the principle of delivering positive outcomes for Maori.

Implementation

14. The allocation of grants to community groups is within the adopted Long Term Plan 2015-2025 and local board agreements.
15. Following the Papakura Local Board allocating funding for round two quick response, commercial and finance staff will notify the applicants of the local board’s decision.

Attachments

No.	Title	Page
A 	Papakura Local Board Grant Programme 2016/2017	
B 	Papakura Quick Response Round Two 2016/2017 application summaries	

Signatories

Authors	Sara Chin - Community Grants Coordinator
Authorisers	Marion Davies - Community Grants Operations Manager Jennifer Rose - Operations Support Manager Rex Hewitt - Relationship Manager

Papakura Local Board urgent decision-making process for the 2016-2019 triennium

File No.: CP2016/22718

Purpose

1. The purpose of this report is to seek the Papakura Local Board's agreement to use the urgent decision-making process when appropriate.

Executive summary

2. The urgent decision-making process enables the board to make decisions without calling the full board together and meeting the requirement of a quorum. By agreeing to this process, the board delegates decision-making authority to the chair and deputy chair, or any person acting in these roles.
3. At times, such as during the Christmas and New Year period, it is not practical to call the full board together and meet the requirements of a quorum. This is an example of when the urgent decision-making process would be used.

Recommendation/s

That the Papakura Local Board:

- a) adopt the urgent decision-making process for matters that require a decision where it is not practical to call the full board together and meet the requirement of a quorum.
- b) delegate authority to the chair and deputy chair, or any person acting in these roles, to make urgent decisions on behalf of the local board.
- c) agree that the relationship manager, chair and deputy chair (or any person/s acting in these roles) will authorise the urgent decision-making process by signing off the authorisation memo.
- d) note that all urgent decisions will be reported to the next ordinary meeting of the local board.

Comments

What an urgent decision is

4. The urgent decision-making process enables the chair and deputy chair, or any person acting in these roles, to make urgent decisions on behalf of the local board when it is not practical to call the full board together and meet the requirement of a quorum. Examples include during the Christmas and New Year period or for participating in a council submission process.
5. The Local Government Act 2002¹ provides for local boards to delegate to committees, sub-committees, members of the local board or Auckland Council staff, any of its responsibilities, duties and powers, with some specific exceptions. This legislation enables the urgent decision-making process.
6. The urgent decision-making process provides an alternative decision-making mechanism to an extraordinary meeting. An extraordinary meeting is called when an urgent decision is

¹ Part 1A, Schedule 7, 36D Local Government Act 2002

required on matters that cannot wait until the next scheduled business meeting of the local board.

7. Urgent decisions are different from emergency decisions, which are only made if there is a risk to public health and safety.

The urgent decision-making process

8. All requests for an urgent decision will be supported by a memo stating the nature of the issue, reason for urgency and what decisions or resolutions are required.
9. The local board relationship manager will use the information in this memo to determine whether or not to authorise the urgent-decision making process.
10. A number of factors will be considered by the relationship manager before approval to use the urgent decision-making process is given, such as:
- the timing of the next scheduled meeting
 - confirmation that the local board has the delegation to make the decision
 - consideration of the rationale for the urgency
 - the significance of the decision and whether the urgent decision-making process is appropriate.
11. Once the relationship manager authorises the use of the urgent decision-making process, the chair and deputy chair (or any person/s acting in these roles) also need to consider the use of the urgent decision-making process by signing the same memo.
12. Once the authorisation memo and report has been considered, the chair and deputy chair will refer to the substantive report for advice and staff recommendations to inform their decision. This report will meet Auckland Council quality advice standards and adhere to the report authorisation processes.
13. Any decision made using the urgent decision-making process will be reported as an information item to the next ordinary meeting of the local board and the signed approval memo will be attached.

Consideration

Local board views and implications

14. This report outlines the local board urgent decision-making process, and seeks the local board's agreement to adopt this process.

Māori impact statement

15. There is no specific impact for Māori arising from this report.

Implementation

16. This report outlines how the local board relationship manager and elected members will execute the urgent decision-making process when the need arises. Paragraph four outlines the implications of this for local boards.
17. The local board relationship managers can provide advice as to what might constitute an urgent decision.

Attachments

There are no attachments for this report.

Signatories

Authors	Felicity Prance - Policy Advisor
Authorisers	Karen Lyons - General Manager Local Board Services Rex Hewitt - Relationship Manager

Adoption of the Papakura Local Board business meeting schedule

File No.: CP2016/22721

Purpose

- To seek the adoption of the local board meeting schedule for the 2016-2019 electoral term.

Executive summary

- A draft meeting schedule for the 2016-2019 electoral term has been developed and is included for adoption by the local board.
- The specific times and dates for meetings, public engagement and any hearings, which may be required for matters such as local board plans and local board agreements, are yet to be finalised. Local board meeting schedules may therefore be updated once these details are confirmed.

Recommendation/s

That the Papakura Local Board:

- adopt the meeting schedule outlined below for the 2016-2019 electoral term.

Year	Date	Location
2016	14 December	Local Board Chambers Papakura Service Centre 35 Coles Crescent Papakura
2017	25 January	Local Board Chambers Papakura Service Centre 35 Coles Crescent Papakura
	22 February	
	22 March	
	26 April	
	24 May	
	28 June	
	26 July	
	23 August	
	27 September	
	25 October	
	22 November	
13 December		
2018	24 January	Local Board Chambers Papakura Service Centre 35 Coles Crescent Papakura
	28 February	
	28 March	
	18 April (3 rd Wed as 4 th Wed is ANZAC Day)	
	23 May	
	27 June	
	25 July	
	22 August	
	26 September	
	24 October	
	28 November	
12 December		

2019	23 January	Local Board Chambers Papakura Service Centre 35 Coles Crescent Papakura
	27 February	
	27 March	
	24 April	
	22 May	
	26 June	
	24 July	
	28 August	
	25 September	

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- b) agree to commence business meetings at 4.30pm. Public forum and deputations will be scheduled in the early part of the business meeting, to enable the democratic process.
- c) note that dates and times for meetings, public engagement and any hearings and deliberations for local board plans and local board agreements are yet to be finalised.

Comments

4. The Local Government Act 2002 (LGA) and the Local Government Official Information and Meetings Act 1987 (LGOIMA) have requirements regarding local board meeting schedules.
5. In summary, adopting a meeting schedule helps meet the requirements of:
 - clause 19, Schedule 7 of the LGA on general provisions for meetings, which requires the chief executive to give notice in writing to each local board member of the time and place of meetings. Such notification may be provided by the adoption of a schedule of business meetings.
 - sections 46, 46(A) and 47 in Part 7 of the LGOIMA, which requires that meetings are publicly notified, agendas and reports are available at least two working days before a meeting and that local board meetings are open to the public.
6. Adopting a business meeting schedule also allows for a planned approach to workloads and ensures that local board members have clarity about their commitments.
7. Commencing the business meeting during business hours will enable meetings to be productive and ensures best use of resources.
8. There are some instances for which the local board may need to have meetings in addition to this schedule. For example, the local board plans (developed every three years) and local board agreements (developed annually). The specific times and dates for those meetings, public engagement and any hearings process for these matters are yet to be finalised and are therefore not included in the schedule above.

9. The proposed meeting dates for the 2016-2019 triennium are as follows:

Year	Date	Location
2016	14 December	Local Board Chambers Papakura Service Centre 35 Coles Crescent Papakura
2017	25 January	Local Board Chambers Papakura Service Centre 35 Coles Crescent Papakura
	22 February	
	22 March	
	26 April	
	24 May	
	28 June	
	26 July	
	23 August	
	27 September	
	25 October	
	22 November	
	13 December	
2018	24 January	Local Board Chambers Papakura Service Centre 35 Coles Crescent Papakura
	28 February	
	28 March	
	18 April (3 rd Wed as 4 th Wed is ANZAC Day)	
	23 May	
	27 June	
	25 July	
	22 August	
	26 September	
	24 October	
	28 November	
	12 December	
2019	23 January	Local Board Chambers Papakura Service Centre 35 Coles Crescent Papakura
	27 February	
	27 March	
	24 April	
	22 May	
	26 June	
	24 July	
	28 August	
	25 September	

Consideration

Local board views and implications

10. The implication of this report is to ensure that the local board meets its legislative responsibility, as outlined in paragraph five.

Māori impact statement

11. There is no specific impact for Māori arising from this report. Local boards work with Māori on projects and initiatives of shared interest.

Implementation

12. If there is any need to depart from the resolved dates, Auckland Council will publically notify the updated details. Local Board Services Department staff support local board business meetings.

Attachments

There are no attachments for this report.

Signatories

Authors	Lee Manaia - Local Board Democracy Advisor
Authorisers	Karen Lyons - General Manager Local Board Services Rex Hewitt - Relationship Manager

Swimming Pool Fencing Exemption Applications - Papakura Local Board

File No.: CP2016/22733

Item 18

Purpose

1. The purpose of this report is for the Papakura Local Board to establish an agreed approach for how swimming pool fencing exemption applications are going to be resolved upon during the 2016-2019 political term.

Executive summary

2. Under section 6 of the Fencing of Swimming Pools Act 1987 (the Act), territorial authorities may grant exemptions from the requirements in the Act for particular swimming pools if satisfied that it “would not significantly increase danger to young children”.
3. The decision-making responsibility for swimming pool fencing exemptions has been delegated to the local boards by the governing body (Resolution GB/2011/163).
4. It is recommended that the local board assesses and considers these applications at a general business meeting.
5. The local board could resolve to nominate a sub-group of local board members to make site visits when required and make recommendations to the full board to be formally resolved upon at a business meeting.

Recommendation/s

That the Papakura Local Board:

- a) agree to assess swimming pool fencing exemption applications as part of business meetings during the 2016-2019 political term as the need arises.

Comments

6. The purpose of the Fencing of Swimming Pools Act 1987 is to promote the safety of young children by requiring the fencing of certain swimming pools. The Act places an obligation on territorial authorities to ensure that pool owners comply with the Act, both at the time when the pool is built, and subsequently by occasional inspections of pools to ensure ongoing compliance.
7. Under section 6 of the Act, territorial authorities may grant exemptions from the requirements in the Act for particular pools. Territorial authorities can also impose special conditions on a property and a pool. A territorial authority can only grant an exemption, or impose a special condition, if, after having regard to the characteristics of the pool and the property, it is satisfied that it “would not significantly increase danger to young children”. No exemption is required for a new pool fence, or an alteration to an existing fence, if the new or altered fence is at least as safe as one built in accordance with the standard in the schedule of the Act.
8. The governing body has delegated decision-making responsibility for swimming pool fencing exemptions to local boards (Resolution GB/2011/163).
9. To administer this delegation, staff recommend that applications are determined as part of a local board business meeting as this is the most efficient and effective decision-making mechanism.

10. Assessing and determining swimming pool exemption applications at a business meeting has a number of benefits, including:
 - consistent and streamlined approach for applications to be considered
 - business meetings are the primary formal decision-making mechanism of the local board
 - appropriate level of administrative support can be provided.
11. There is a risk with this approach that applications will not be given due consideration amongst congested local board business meeting agendas, however this can be mitigated by a sub-group of local board members visiting pools as required, to inform the boards' decisions.
12. A sub-group of local board members could nominate themselves to conduct site visits, on an as-needed-basis, and make recommendations to the full local board for consideration and adoption at a regular business meeting.
13. If the local board resolves to nominate a sub-group to conduct site visits, staff recommend that no more than four board members participate in the sub-group. Sub-group participants should be agreed by resolution.
14. If an application includes sensitive information, the local board may, by resolution, exclude the public from the whole or any part of the proceedings of the meeting if one or more of the grounds set out in the legislation under the Local Government Official Information and Meetings Act 1987 (LGOIMA) and in the Standing Orders for the Local Boards are met.

Consideration

Local board views and implications

15. The recommendations within this report fall within the local board's delegated authority.

Māori impact statement

16. This report does not specifically impact on Māori.

Implementation

17. Costs associated with a small number of elected members meeting to consider the applications, in advance of putting forward recommendations to the full board at a business meeting, will be met within internal operating budgets.
18. The decision of the local board following an exemption hearing is open to challenge by a judicial review process. Local board members will be briefed by Legal Services and Building Control staff regarding the requirements of the Fencing of Swimming Pools Act 1987, the Building Act and the appropriate considerations to take into account when determining an application by a hearings process.
19. The Building (Pools) Amendment Bill was introduced to New Zealand Parliament on 9 September 2015. Once adopted, this may impact on the role of the local boards in assessing swimming pool fencing exemption applications. Staff will provide more information on this as it becomes available².

Attachments

There are no attachments for this report.

² Once the outcome of the Building (Pools) Amendment Bill is known, more work will be carried out, if necessary, based on a review of the governance framework undertaken in 2016 and the option to move responsibility for granting swimming pool fencing exemptions to the governing body.

Signatories

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Appointment of Papakura Local Board members to external community organisations and representatives for various council initiatives

File No.: CP2016/22734

Item 19

Purpose

1. To appoint board members to external community organisations and council initiatives relevant to the local board area.

Executive Summary

2. Elected members participate as representatives of the local board on a number of external community and national organisations.
3. The beginning of the new electoral term generates the need for new appointments. This report provides details of the external organisations relevant to the local board and requests that the local board nominates a lead and alternate member to represent the board on those external organisations for the 2016-2019 triennium.
4. In addition, there are a small number of appointments due to legislation or the terms in a deed are the responsibility of the governing body, but because the relationship between the council and the organisation is local, the governing body has delegated its responsibility to nominate an elected member to the relevant local board.

Recommendation/s

That the Papakura Local Board:

- a) appoint or nominate the following board members to the external community organisations and council initiatives listed below::

External organisation	Lead	Alternate
Kohuora Auckland South Corrections Facility Social Impact Fund Allocation Committee		
Kohuora Auckland South Corrections Facility Community Impact Forum		
Ardmore Airport Noise Consultative Committee (AANCC)		
Merton Trust - nomination		
Papakura Business Association(BID)		
The Southern Initiative Joint Steering Group (1 representative)		

- b) note that the Pukekiwiriki Paa Joint Management Committee comprises all six Papakura Local Board members and six Mana Whenua representatives (under Resolution number PPK/2014/1).

Comments

5. A number of external organisations provide for the formal participation of Auckland Council elected members in their affairs. Elected member appointees will have a variety of duties and liabilities depending on the individual organisation.
6. At the commencement of each triennium, the governing body and local boards recommend appointments to external organisations.
7. As local board representatives, the nominated members represent the board, not in a personal capacity. Board members will provide updates at local board meetings to keep the board regularly informed of discussions and decisions made of their activities unless good reasons exist for confidentiality, these updates are in the form of business meeting reports which maintain public transparency.
8. The reasons for elected member participation in external organisations can be described in a number of ways:
 - a trust deed, that requires the Auckland Council to make an appointment to an organisation
 - an organisation of interest to the local board is inviting elected member representation at its meetings
 - associations entered into by the council which provide for elected member representation
 - organisation governance, or project or programme oversight, such as regional or local parks management groups
 - a statutory or regulatory provision (for example a regulation providing for a community liaison committee) or
 - a resource consent requiring the formation of a committee or hearing panel
9. In making decisions about these appointments, it is suggested that local boards are mindful of:
 - the elected members availability
 - any conflict of interests, including whether the local board provides funding to the entity
 - relevance
 - historical relationship with the organisation and the Auckland Council
10. Members are delegated in their capacity as elected local board members. Should they no longer be a local board member, their nominations would be automatically repealed.
11. Board members may be part of any organisation in their private capacity and personal interests and are encouraged to disclose memberships to external organisations in the conflict of interest register.

External community organisations

Kohuora Auckland South Corrections Facility Social Impact Fund Allocation Committee

12. The Social Impact Fund Allocation Committee is administered by the Department of Corrections. Its purpose is to allocate, review and oversee the social impact fund. The

- Minister of Corrections makes \$250,000 available annually to avoid, remedy or mitigate identified social and cultural effects directly attributable to the Kohuora Auckland South Corrections Facility (ASCF) and Auckland Region Women's Corrections Facility (ARWCF). Any unused allocation accumulates to a maximum of \$500,000.
13. Refer to attachments A and B for more information about the Social Impact Fund Allocation Committee's membership and purpose.
 14. Each triennium Auckland Council must appoint two representatives to the Kohuora Auckland South Corrections Facility Social Impact Fund Allocation Committee.
 15. In the past the governing body delegated the appointment of the two Auckland Council representatives to a subcommittee comprising of the chairperson (or deputy chairs) of the Manurewa, Papakura, Ōtara-Papatoetoe and Māngere-Ōtāhuhu Local Boards, the three ward councillors and an Independent Māori Statutory Board member.
 16. The four local boards were asked to put forward their preferred candidate for consideration by the subcommittee. The candidate is required to provide a one page brief outline of what they bring to the role and why they should be considered.
 17. The previous local board representatives were Stuart Britnell and Lotu Fuli.
 18. The Corrections Minister appointed Simeon Brown as Chairman of the Community Impact Forum and the Social Impact Fund Allocation Committee.
 19. The next meeting of the Social Impact Fund Allocation Committee has not been set by the Department of Corrections.
 20. The board is being asked to nominate its preferred candidate for consideration for the two Auckland Council representative roles on the Social Impact Fund Allocation Committee.

Kohuora Auckland South Corrections Facility Community Impact Forum

21. The purpose of the Community Impact Forum (CIF) is to provide a forum for community and stakeholder involvement through which any issues of community interest or concern can be raised and responded to. The key focus for the CIF is to consider the effects of the Kohuora Auckland South Corrections Facility and Auckland Region Women's Corrections Facility on the community.
22. Refer to attachment C for more information about the CIF's terms of reference and purpose.
23. The previous local board representative was Stuart Britnell.
24. The next Community Impact Forum meeting is scheduled for Wednesday 14 December, 3.30pm – 5.30pm at Auckland South Corrections Facility (Community Building outside the wire), 21 Kiwi Tamaki Rd, Wiri.
25. The local board is asked to appoint one member (and an alternate) to the Community Impact Forum for the Kohuora Auckland South Corrections Facility.

Ardmore Airport Noise Consultative Committee

26. The Ardmore Airport Noise Consultative Committee (AANCC) was established under the Ardmore Airport Authority Noise Management Plan by Ardmore Airport Limited (AAL).
27. The AANCC is a consultative forum to consider the noise issues surrounding the operation of Ardmore Airport.
28. The previous board representative was Brent Catchpole.
29. Meetings are held every three months and are called by AAL.

Merton Trust

30. The Merton Trust was established in 1994 to promote and encourage learning and production of classical music in the Papakura district.
31. The Trust Board includes a position for the Mayor of the Papakura District Council, which has now passed to the Mayor of Auckland.
32. The Mayor of Auckland delegates this position to a member of the Papakura Local Board. The previous local board nominee was Graham Purdy.
33. The Trust holds Annual General Meetings, usually in October, and ordinary meetings are called at the discretion of the Trust's chairperson.

Papakura Business Association (BID)

34. There are 46 Business Improvement District Partnership Programmes operating within the Auckland region. There is one local Business Improvement Districts (BID) covering the Papakura town centre.
35. The local board has a day-to-day relationship with the business associations as a joint partner in the BID Partnership Programme. The local board will work with the business associations to align the direction for the BID programme and local priorities expressed the Local Board Plan. The local board will receive regular reporting on the BID Partnership Programme and review progress against objectives.
36. The business association may invite the appointed member onto the BID Governance Board or Executive Committee. The discretion on whether this member has voting rights will lie with the business association under the rules of their constitution.
37. It is recommended that the local board appoints a local board member and an alternate on the business association to represent the local board regarding all matters relating to the business association.

Council Initiatives

The Southern Initiative Joint Steering Group

38. The Southern Initiative (TSI) is a one of two big place-based initiatives in the Auckland Plan. The purpose of TSI is to plan and deliver a long-term, 30 year programme of coordinated investment and action that transforms and uplifts communities in South Auckland.
39. The purpose of the Southern Initiative Joint Steering Group is to provide strategic oversight and direction to the development and implementation of the TSI work programme. The group also provides strategic advice on TSI to the organization and relevant governing body committee/s.
40. Meetings are held monthly and the board's previous representative was the chairperson.

Pukekiwiriki Paa Joint Management Committee

41. Pukekiwiriki Paa is a significant historical reserve located at the top of Redhill Road in Papakura. It was occupied by Mana Whenua as a fortified paa.
42. Because of its significance, both Mana Whenua and the Papakura Local Board jointly manage the reserve under the Pukekiwiriki Paa Joint Management Committee, a committee of the Papakura Local Board. The purpose of the committee is to implement the Pukekiwiriki Paa Reserve Management Plan in a spirit of partnership and to exercise delegated powers under the Reserves Act 1977.

43. The previous local board resolved that the committee “comprise six Papakura Local Board members and six Mana Whenua representatives.” (Resolution number PPK/2014/1.) In this regard, the whole board is automatically on the committee and new appointments this term are not necessary.
44. A tentative schedule for forthcoming meetings is April, August and November 2017. An additional meeting may be arranged early in the New Year and the future schedule for the joint management committee will be confirmed at that meeting.

Consideration

Local Board views and implications

45. This report seeks the local board’s decision on representatives to external community organisations relevant to the local board area.




Māori impact statement

46. This report has no specific impact on Māori. It covers appointments of local board members to external organisations and community networks to represent the view of local communities, including Māori communities.

Implementation

47. There are no implementation issues as a result of the recommendations in this report.

Attachments

No.	Title	Page
A 	Kohuora Auckland South Corrections Facility Social Impact Fund Allocation Committee membership and purpose	
B 	Kohuora Auckland South Corrections Facility Community Impact Forum and Social Impact Fund Allocation Committee role and position descriptions	
C 	Kohuora Auckland South Corrections Facility Community Impact Forum Terms of Reference and Purpose	

Signatories

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