

I hereby give notice that an ordinary meeting of the Environment and Community Committee's Sub-committee to Make Appointments to the Wiri Prison Social Impact Fund Allocation Committee will be held on:

Date: Monday, 6 November 2017
Time: 6.00pm
Meeting Room: Woodside Room, Level 1,
Venue: Manukau Civic Building,
31-33 Wiri Station Road, Manukau

Environment and Community Committee's Sub-committee to Make Appointments to the Wiri Prison Social Impact Fund Allocation Committee

OPEN AGENDA

MEMBERSHIP

Chairperson To be appointed

Members Cr Alf Filipaina
Cr Daniel Newman, JP
Glenn Wilcox - Independent Māori Statutory Board
Tony Kake – Independent Māori Statutory Board
Lemaunga Lydia Sosene - Chairperson Māngere-Ōtāhuhu Local Board
Angela Dalton - Chairperson Manurewa Local Board
Lotu Fuli - Chairperson Ōtara-Papatoetoe Local Board
Brent Catchpole - Chairperson Papakura Local Board

Alternate Members Togatolu Walter Togiamua – Deputy Chair Māngere-Ōtāhuhu Local Board
Rangi McLean – Deputy Chair Manurewa Local Board
Ross Robertson – Deputy Chair Ōtara-Papatoetoe Local Board
Felicity Auva'a – Deputy Chair Papakura Local Board

(Quorum 11 members)

Lee Manaia
Papakura Local Board Advisor

30 October 2017

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Terms of Reference

At the Environment and Community Committee meeting held on 18 July 2017 it was resolved as follows (resolution no. ENV/2017/96):

That the Environment and Community Committee:

- a) delegate making the appointment of two members to the Social Impact Fund Allocations Committee to an ad-hoc sub-committee comprising the chair, or deputy chair, of each of the Manurewa, Papakura, Māngere-Ōtāhuhu and Ōtara-Papatoetoe Local Boards and up to two councillors from the southern wards.
- b) refer to the sub-committee as the “Environment and Community Committee’s Sub-committee to Make Appointments to the Wiri Prison Social Impact Fund Allocation Committee”.
- c) appoint Cr A Filipaina and Cr D Newman from the southern wards to the Environment and Community Committee’s Sub-committee to Make Appointments to the Wiri Prison Social Impact Fund Allocation Committee.
- d) note that the Independent Māori Statutory Board will have the right to make two appointments to the Environment and Community Committee’s Sub-committee to Make Appointments to the Wiri Prison Social Impact Fund Allocation Committee.

Exclusion of the public – who needs to leave the meeting

Members of the public

All members of the public must leave the meeting when the public are excluded unless a resolution is passed permitting a person to remain because their knowledge will assist the meeting.

Those who are not members of the public

General principles

- Access to confidential information is managed on a “need to know” basis where access to the information is required in order for a person to perform their role.
- Those who are not members of the meeting (see list below) must leave unless it is necessary for them to remain and hear the debate in order to perform their role.
- Those who need to be present for one confidential item can remain only for that item and must leave the room for any other confidential items.
- In any case of doubt, the ruling of the chairperson is final.

Members of the meeting

- The members of the meeting remain (all Governing Body members if the meeting is a Governing Body meeting; all members of the committee if the meeting is a committee meeting).
- However, standing orders require that a councillor who has a pecuniary conflict of interest leave the room.
- All councillors have the right to attend any meeting of a committee and councillors who are not members of a committee may remain, subject to any limitations in standing orders.

Independent Māori Statutory Board

- Members of the Independent Māori Statutory Board who are appointed members of the committee remain.
- Independent Māori Statutory Board members and staff remain if this is necessary in order for them to perform their role.

Staff

- All staff supporting the meeting (administrative, senior management) remain.
- Other staff who need to because of their role may remain.

Local Board members

- Local Board members who need to hear the matter being discussed in order to perform their role may remain. This will usually be if the matter affects, or is relevant to, a particular Local Board area.

Council Controlled Organisations

- Representatives of a Council Controlled Organisation can remain only if required to for discussion of a matter relevant to the Council Controlled Organisation

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1 Apologies

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

2 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.

3 Election of Chairperson

The members of the Environment and Community Committee's Sub-committee to Make Appointments to the Wiri Prison Social Impact Fund Allocation Committee will need to elect a chairperson for the sub-committee pursuant to Schedule 7, clause 25 of the Local Government Act.

Election of Chairperson

File No.: CP2017/23040

Item 3

Purpose

1. In accordance with Schedule 7, clause 21(5)(b) of the Local Government Act 2002, the Relationship Manager, on behalf of the Chief Executive, will call for nominations for the Chairperson of the Environment and Community Committee's Sub-committee to Make Appointments to the Wiri Prison Social Impact Fund Allocation Committee.

Executive summary

2. The sub-committee must elect a member to this position in accordance with Schedule 7, clause 25 of the Act, noting that no member has a casting vote.
3. The sub-committee will also need to determine what method they will apply to elect the chairperson.
4. Schedule 7, Part 1, Clause 25 of the Local Government Act 2002 stipulates that:
25 Voting systems for certain appointments
 - (1) This clause applies to -
 - (a) the election or appointment of the chairperson and deputy chairperson of a regional council; and
 - (b) the election or appointment of the deputy mayor; and
 - (c) the election or appointment of the chairperson and deputy chairperson of a committee; and
 - (d) the election or appointment of a representative of a local authority.
 - (2) If this clause applies, a local authority or a committee (if the local authority has so directed) must determine by resolution that a person be elected or appointed by using one of the following systems of voting:
 - (a) the voting system in subclause (3) (**system A**):
 - (b) the voting system in subclause (4) (**system B**).
 - (3) System A -
 - (a) requires that a person is elected or appointed if he or she receives the votes of a majority of the members of the local authority or committee present and voting; and
 - (b) has the following characteristics:
 - (i) there is a first round of voting for all candidates; and
 - (ii) if no candidate is successful in that round there is a second round of voting from which the candidate with the fewest votes in the first round is excluded; and
 - (iii) if no candidate is successful in the second round there is a third, and if necessary subsequent, round of voting from which, each time, the candidate with the fewest votes in the previous round is excluded; and
 - (iv) in any round of voting, if 2 or more candidates tie for the lowest number of votes, the person excluded from the next round is resolved by lot.

- (4) System B -
 - (a) requires that a person is elected or appointed if he or she receives more votes than any other candidate; and
 - (b) has the following characteristics:
 - (i) there is only 1 round of voting; and
 - (ii) if 2 or more candidates tie for the most votes, the tie is resolved by lot.

Recommendation/s

That the Environment and Community Committee's Sub-committee to Make Appointments to the Wiri Prison Social Impact Fund Allocation Committee:

- a) elect a chairperson for the 2016-2019 political term, utilising either System A or System B of Schedule 7, Part 1, Clause 25 of the Local Government Act 2002.

Attachments

There are no attachments for this report.

Signatories

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

4 Public Input

Standing Order 7.7 provides for Public Input. Applications to speak must be made to the Governance Advisor, in writing, no later than **one (1) clear working day** prior to the meeting and must include the subject matter. The meeting Chairperson has the discretion to decline any application that does not meet the requirements of Standing Orders. A maximum of **thirty (30) minutes** is allocated to the period for public input with **five (5) minutes** speaking time for each speaker.

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

5 Local Board Input

Standing Order 6.2 provides for Local Board Input. The Chairperson (or nominee of that Chairperson) is entitled to speak for up to **five (5) minutes** during this time. The Chairperson of the Local Board (or nominee of that Chairperson) shall wherever practical, give **one (1) day's** notice of their wish to speak. The meeting Chairperson has the discretion to decline any application that does not meet the requirements of Standing Orders.

This right is in addition to the right under Standing Order 6.1 to speak to matters on the agenda.

At the close of the agenda no requests for local board input had been received.

6 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.”

7 Notices of Motion

There were no notices of motion.

8 Consideration of Extraordinary Items

At the close of the agenda there we no extraordinary items of business.

9 Exclusion of the Public: Local Government Official Information and Meetings Act 1987

b)

That the Environment and Community Committee:

- 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:

C1 Selection of Representatives for the Social Impact Fund Allocations Committee for the Wiri Men's Prison (Kohuora)

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.	s7(2)(a) - The withholding of the information is necessary to protect the privacy of natural persons, including that of a deceased person. The report is requesting the Environment and Community Committee's Sub-committee to Make Appointments to the Wiri Prison Social Impact Fund Allocation Committee to appoint two Auckland Council representatives to sit on the Department of Corrections Social Impact Fund Allocations Committee for the Wiri Men's Prison known as Kohuora. Any discussion regarding the nominated individuals should be undertaken in the confidential section of the subcommittee meeting.	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.