I hereby give notice that an ordinary meeting of the Governing Body will be held on:

Date: Thursday, 26 July 2018
Time: 9.30am
Meeting Room: Reception Lounge
Venue: Auckland Town Hall
301-305 Queen Street
Auckland

Tira Kāwana / Governing Body
OPEN AGENDA

MEMBERSHIP

Mayor
Hon Phil Goff, CNZM, JP

Deputy Mayor
Cr Bill Cashmore

Councillors
Cr Josephine Bartley
Cr Dr Cathy Casey
Cr Ross Clow
Cr Fa’anana Efeso Collins
Cr Linda Cooper, JP
Cr Chris Darby
Cr Alf Filipaina
Cr Hon Christine Fletcher, QSO
Cr Richard Hills

Cr Penny Hulse
Cr Mike Lee
Cr Daniel Newman, JP
Cr Greg Sayers
Cr Desley Simpson, JP
Cr Sharon Stewart, QSM
Cr Sir John Walker, KNZM, CBE
Cr Wayne Walker
Cr John Watson

(Quorum 11 members)

Sarndra O’Toole
Team Leader Governance Advisors

23 July 2018

Contact Telephone: (09) 890 8152
Email sarndra.otoole@aucklandcouncil.govt.nz
Website: www.aucklandcouncil.govt.nz

Note: The reports contained within this agenda are for consideration and should not be construed as Council policy unless and until adopted. Should Members require further information relating to any reports, please contact the relevant manager, Chairperson or Deputy Chairperson.
Terms of Reference

Those powers which cannot legally be delegated:

(a) the power to make a rate
(b) the power to make a bylaw
(c) the power to borrow money, or purchase or dispose of assets, other than in accordance with the long term plan
(d) the power to adopt a long term plan, annual plan, or annual report
(e) the power to appoint a chief executive
(f) the power to adopt policies required to be adopted and consulted on under the Local Government Act 2002 in association with the long-term plan or developed for the purpose of the local governance statement
(g) the power to adopt a remuneration and employment policy.

Additional responsibilities retained by the Governing Body:

(a) approval of long-term plan or annual plan consultation documents, supporting information and consultation process prior to consultation
(b) approval of a draft bylaw prior to consultation
(c) resolutions required to be made by a local authority under the Local Electoral Act 2001, including the appointment of electoral officer
(d) adoption of, and amendment to, the Committee Terms of Reference, Standing Orders and Code of Conduct
(e) relationships with the Independent Māori Statutory Board, including the funding agreement and appointments to committees
(f) approval of the Unitary Plan
(g) overview of the implementation and refresh of the Auckland Plan through setting direction on key strategic projects (e.g. the City Rail Link and the alternative funding mechanisms for transport) and receiving regular reporting on the overall achievement of Auckland Plan priorities and performance measures.
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 Affirmation

His Worship the Mayor will read the affirmation.

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 Governing Body:

a) confirm the ordinary minutes of its meeting, held on Wednesday, 27 June 2018 and the extraordinary minutes of its meeting, held on Thursday, 28 June 2018, including the confidential section, as a true and correct record.

5 Petitions

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

6 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.

7 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.
7.1 Local Board Input: Ōtara-Papatoetoe Local Board - Representation Review

Te take mō te pūrongo / Purpose of the report
1. Ōtara-Papatoetoe Local Board Chair, Lotu Fuli, will speak to the Governing Body regarding the Representation Review.

Ngā tūtohunga / Recommendation/s
That the Governing Body:
   a) thank Ōtara-Papatoetoe Local Board Chair, Lotu Fuli for her input in relation to the Representation Review and for her attendance.

7.2 Local Board Input: Māngere-Ōtāhuhu Local Board - Representation Review

Te take mō te pūrongo / Purpose of the report
1. Māngere-Ōtāhuhu Local Board Chair, Lemauga Lydia Sosene, will speak to the Governing Body regarding the Representation Review.

Ngā tūtohunga / Recommendation/s
That the Governing Body:
   a) thank Māngere-Ōtāhuhu Local Board Chair, Lemauga Lydia Sosene for her input in relation to the Representation Review and for her attendance.

8 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.”
Governing Body Terms of Reference amendments as a result of the disestablishment of Auckland Council Investments Limited

File No.: CP2018/12069

Te take mō te pūrongo / Purpose of the report
1. To amend the Governing Body Terms of Reference as a result of the disestablishment of the council-controlled organisation Auckland Council Investments Limited.

Whakarāpopototanga matua / Executive summary
2. The Governing Body adopted the Long-term Plan 2018-2028 on 28 June 2018. It included the decision to disestablish the council-controlled organisation Auckland Council Investments Limited (ACIL), and to transfer to council parent ACIL’s shares in Ports of Auckland Limited (POAL) and Auckland International Airport Limited.

3. The attached amended Terms of Reference provide appropriate references in the delegations to the Finance and Performance Committee, the Audit and Risk Committee and the Appointments, Performance Review and Value for Money Committee.

4. The amended Terms of Reference also includes a delegation to the POAL Appointments Panel to make appointments to the POAL board. This formality implements the agreement with POAL in the memorandum of understanding, which was adopted by the Governing Body on 31 May 2018 (resolution GB/2018/91).

5. To execute the role of shareholder at the Auckland International Airport Limited Annual General Meeting, a delegation to executives of council is proposed. The executives are Chief Financial Officer (alternates Executive Director: Auckland Investment Office or Treasurer and General Manager: Financial Transactions). The advice of the chair and deputy chair of the Appointments, Performance Review and Value for Money Committee will be sought before voting on these matters.

6. Any relevant Auckland International Airport Limited updates, including matters from the Annual General meeting will be brought to the Appointments, Performance Review and Value for Money Committee.

7. The relevant changes to the Terms of Reference can be found in 3.2 (Finance and Performance Committee), 5.1 (Appointments, Performance Review and Value for Money Committee), and 5.2 (Ports of Auckland Limited Appointments Panel).

Ngā tūtohunga / Recommendation/s
That the Governing Body:

a) adopt the amended Governing Body Terms of Reference in Attachment A of the agenda report

b) delegate to the Chief Financial Officer (alternates Executive Director: Auckland Investment Office or Treasurer and General Manager: Financial Transactions) of Auckland Council, the ability to vote on behalf of Auckland Council at the Annual General Meeting of Auckland International Airport Limited.
Governing Body Terms of Reference amendments as a result of the disestablishment of Auckland Council Investments Limited

Governing Body Terms of Reference
26 July 2018

Ngā tāpirihanga / Attachments

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Ngā kaihaina / Signatories

<table>
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<tbody>
<tr>
<td>Ella Kay - Senior Advisor - CCO Governance &amp; External Partnerships</td>
<td>Warwick McNaughton - Principal Advisor - Democracy Services</td>
</tr>
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<thead>
<tr>
<th>Authorisers</th>
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<tbody>
<tr>
<td>Marguerite Delbet - General Manager Democracy Services</td>
<td>Phil Wilson - Governance Director</td>
</tr>
<tr>
<td>Stephen Town - Chief Executive</td>
<td></td>
</tr>
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Auckland Council

Governing Body

Terms of Reference

Adopted by the Governing Body on 1 November 2016

Minute number GB/2016/237

Amended 26/07/2018 (see page 2)
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<tr>
<td>8 / 11 / 2016</td>
<td>Cr Filipaina added.</td>
<td>Community Development &amp; Safety; Strategic Procurement.</td>
<td>Mayor (Email Fran Mold 7/11/16).</td>
</tr>
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<td>8 / 11 / 2016</td>
<td>IMSB members added.</td>
<td>All appropriate committees.</td>
<td>IMSB (Email Brandi Hudson 3/11/2016).</td>
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<td>2 / 12 / 2016</td>
<td>IMSB members amended.</td>
<td>Regulatory Committee.</td>
<td>IMSB (Email Brandi Hudson 2/12/2016).</td>
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<tr>
<td>10 / 12 / 2016</td>
<td>Responsibility for exercising powers of shareholder etc added.</td>
<td>Finance and Performance Committee.</td>
<td>Mayor (Email Fran Mold 7/12/16: amendments reported to GB 15/12/2016).</td>
</tr>
<tr>
<td>10 / 05 / 2017</td>
<td>Under “Decision-making powers” changed: “The committee has no decision making powers.” to: “The committee has no decision making powers other than those in these terms of reference”. Under “External Audit” changed “…the nature and scope of the external audit” to: “the nature, scope and fees of the external audit”.</td>
<td>Audit and Risk Committee.</td>
<td>Changes were made for clarification. The first change clarifies that the committee undertakes decision-making within its own responsibilities. Fees for the external audit are implicitly dependent on the nature and scope of the audit. The second change makes that explicit.</td>
</tr>
<tr>
<td>22 / 06 / 2017</td>
<td>Updated Advisory Panels membership lists.</td>
<td></td>
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<tr>
<td>22 / 02 / 2018</td>
<td>Added Cr Josephine Bartley</td>
<td>Committees of the whole</td>
<td>Declared elected 21/2/2018 and sworn in at council meeting 22/2/2018</td>
</tr>
<tr>
<td>15 / 03 / 2018</td>
<td>Removed Cr Desley Simpson</td>
<td>Community Development and Safety Committee</td>
<td>Was missed from the changes approved on 14 December 2017</td>
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<td>22 / 03 / 2018</td>
<td>Changed the Terms of Reference</td>
<td>Finance and Performance Committee and Appointments and Performance Review Committee</td>
<td>Governing Body 22 March 2018, GB/2018/57</td>
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<td>Date</td>
<td>Action Description</td>
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<td>22 / 03 / 2018</td>
<td>Removed Cr Greg Sayers</td>
<td>Audit and Risk Committee, Strategic Procurement Committee</td>
<td>Governing Body 22 March 2018, GB/2018/57</td>
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<tr>
<td>22 / 03 / 2018</td>
<td>Added Cr Ross Clow, Made Deputy Mayor Bill Cashmore, deputy chair</td>
<td>Audit and Risk Committee</td>
<td>Governing Body 22 March 2018, GB/2018/57</td>
</tr>
<tr>
<td>22 / 03 / 2018</td>
<td>Removed Cr Sharon Stewart, and added Cr Josephine Bartley</td>
<td>Disability Advisory Panel</td>
<td>Governing Body 22 March 2018, GB/2018/57</td>
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<tr>
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<td>Youth Advisory Panel</td>
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<td>Changed the frequency of meetings, Removed Cr Mike Lee, Added Cr Greg Sayers</td>
<td>Community Development and Safety Committee</td>
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<td>22 / 03 / 2018</td>
<td>Added Cr Ross Clow</td>
<td>Appointments, Performance Review and Value for Money Committee</td>
<td>Governing Body 22 March 2018, GB/2018/57</td>
</tr>
<tr>
<td>22 / 03 / 2018</td>
<td>Added Cr Josephine Bartley, Added Cr Mike Lee</td>
<td>Te Tiriti o Waitangi / Treaty of Waitangi Settlement Working Party</td>
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<tr>
<td>28 / 06 / 2018</td>
<td>Removed Cr Dick Quax from all positions following his passing</td>
<td></td>
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</tr>
<tr>
<td>26 / 07 / 2018</td>
<td>Amended delegations to reflect the disestablishment of Auckland Council Investments Limited</td>
<td>Finance and Performance Committee, Appointments, Performance Review and Value for Money Committee, Audit and Risk Committee</td>
<td></td>
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<tr>
<td>26 / 07 / 2018</td>
<td>Added Ports of Auckland Appointments Panel</td>
<td>Ports of Auckland Appointments Panel</td>
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1 INTRODUCTION

1.1 GENERAL PRINCIPLES OF DELEGATION

This document sets out the terms of reference for committees of the Governing Body. The mayor is responsible for establishing committees and appointing chairpersons. The Governing Body, through this document and subject to section 1.4, delegates to committees those powers necessary for them to carry out their responsibilities as set out in this document.

Section 2 sets out those matters which the Governing Body cannot legally delegate under the Local Government Act 2002 or has elected not to delegate.

The business to be transacted by the Governing Body and its committees is large and wide-ranging, dealing with the details of many Acts and Regulations, the council’s plans, bylaws, and a range of Governing Body activities and services. The terms of reference and delegations in this document are intended to reflect the principles of subsidiarity to allow the Governing Body to delegate its powers and functions to the most efficient and effective levels.

The committee to which powers are delegated will usually exercise the delegated power, but is not obliged to do so. The most common circumstances where the committee with the delegation might choose not to exercise it are when the matter has become a matter of public notoriety, or the issues are contentious and finely balanced.

A decision made by a committee under delegation from the Governing Body has the same effect as if it were made by the Governing Body itself.

1.2 ESTABLISHMENT OF COMMITTEES

In accordance with section (9)(3) of the Local Government (Auckland Council) Act 2009, the mayor has the power to establish the committees of the governing body and appoint the chairperson of each committee of the governing body.

Committee includes, in relation to the Governing Body:

(a) a committee comprising all the members of the Governing Body
(b) a standing committee appointed by the Governing Body
(c) a standing committee appointed by the mayor
(d) a joint committee appointed under clause 30 of Schedule 7 of the Local Government Act 2002
(e) any subcommittee, or reporting committee, of a committee described in items (a) (b), (c) or (d) of this definition.

Independent Māori Statutory Board: Promotes issues of significance for mana whenua groups and mataawaka of Tāmaki Makaurau and ensures council compliance with statutory provisions relating to the Treaty of Waitangi. Appointees represent the Board on various committees and are included in the quorum at a committee meeting.

Ex officio member: ‘By virtue of the office held’. An ex officio member of a committee is a member because of the office held. An ex officio member may either have full voting rights or voting rights for some of the responsibilities of the committee, as stated in the Terms of Reference. The Local Government
(Auckland Council) Act 2009 states that the mayor is an ex officio member of all committees and Standing Order 4.1.1 states that both the mayor and deputy mayor are members of all committees.

Panels: The role of a panel is to inform and advise the council. They have no decision-making role.

Quorum: Unless otherwise specified, a quorum is defined as a half, if the total number of members is even, or a majority, if the total number of members is odd.

- Ex officio members are not included in calculating the quorum but are counted towards the quorum when present; this reflects the expectation that ex officio members will not always be able to attend all committees and forums but have full voting rights when present (unless specified otherwise).

- Appointed members are included in calculating the quorum and are counted towards the quorum when present; this reflects the expectation that appointed members will attend those committees to which they are appointed.

- Vacancies are not included in calculating the quorum.

- Any member attending a meeting by way of audio link or audio-visual link and who is not physically present at the meeting is not to be counted as present for the purpose of the quorum.

1.3 AMBIGUITY AND CONFLICT

In the event of ambiguity or conflict between the provisions of the Terms of Reference, which results in uncertainty or dispute as to which committee has delegated authority to act in respect of a particular matter, the chief executive will prepare a written report and submit it to the mayor (or the deputy mayor in the absence of the mayor) for consideration and determination. The decision of the mayor (or deputy mayor) will be final and binding.

If neither the mayor nor the deputy mayor is available, the decision of the chief executive will be final and binding.

1.4 CALLING IN A MATTER FOR GOVERNING BODY CONSIDERATION

The mayor may require any matter that would otherwise be reported to a committee, to be reported to the Governing Body. If that matter is already on a published agenda for a committee meeting, that meeting will not consider that matter unless invited by the mayor to make a recommendation to the Governing Body.
2 GOVERNING BODY

Terms of Reference

Those powers which cannot legally be delegated:

(a) the power to make a rate
(b) the power to make a bylaw
(c) the power to borrow money, or purchase or dispose of assets, other than in accordance with the Long Term Plan
(d) the power to adopt a long term plan, annual plan, or annual report
(e) the power to appoint a chief executive
(f) the power to adopt policies required to be adopted and consulted on under the Local Government Act 2002 in association with the long-term plan or developed for the purpose of the local governance statement
(g) the power to adopt a remuneration and employment policy.

Additional responsibilities retained by the Governing Body:

(a) approval of long-term plan or annual plan consultation documents, supporting information and consultation process prior to consultation
(b) approval of a draft bylaw prior to consultation
(c) resolutions required to be made by a local authority under the Local Electoral Act 2001, including the appointment of electoral officer
(d) adoption of, and amendment to, the Committee Terms of Reference, Standing Orders and Code of Conduct
(e) relationships with the Independent Māori Statutory Board, including the funding agreement and appointments to committees
(f) approval of the Unitary Plan
(g) overview of the implementation and refresh of the Auckland Plan and receiving regular reporting on the overall achievement of Auckland Plan priorities and performance measures.

Quorum: 11

Frequency of meetings: Monthly
3 COMMITTEES OF THE WHOLE OF THE GOVERNING BODY

3.1 PLANNING COMMITTEE

Terms of Reference (Delegations)

Responsibilities

This committee guides the physical development and growth of Auckland through a focus on land use planning, housing and the appropriate provision of infrastructure and strategic projects associated with these activities. Key responsibilities include:

- Relevant regional strategy and policy
- Infrastructure strategy and policy
- Unitary Plan
- Spatial plans
- Plan changes to operative plans
- Housing policy and projects
- Special Housing Areas
- City centre development
- Tamaki regeneration
- Built heritage
- Urban design
- Environmental matters relating to the committee’s responsibilities
- Acquisition of property relating to the committee’s responsibilities and within approved annual budgets
- Initiatives of the following CCOs that have a significant impact upon implementation of the Auckland Plan and other relevant plans, policies and strategies:
  - Panuku Development Auckland
  - Auckland Transport
  - Watercare Services Limited
  - Regional Facilities Auckland (stadia)

Powers

(i) All powers necessary to perform the committee’s responsibilities, including:
   (a) approval of a submission to an external body
   (b) establishment of working parties or steering groups.

(ii) The committee has the powers to perform the responsibilities of another committee, where it is necessary to make a decision prior to the next meeting of that other committee.

(iii) The committee does not have:
   (a) the power to establish subcommittees
   (b) powers that the Governing Body cannot delegate or has retained to itself (section 2).
Membership:

Chairperson: Cr Chris Darby
Deputy chairperson: Cr Richard Hills

Members: Mayor Phil Goff
Cr Penny Hulse
Deputy Mayor Bill Cashmore
Cr Mike Lee
Cr Josephine Bartley
Cr Daniel Newman
Cr Cathy Casey
Cr Greg Sayers
Cr Ross Clow
Cr Desley Simpson
Cr Fa’anana Efeso Collins
Cr Sharon Stewart
Cr Linda Cooper
Cr Sir John Walker
Cr Ali Filkaia
Cr Wayne Walker
Cr Christine Fletcher
Cr John Watson

IMSB appointees (s 85 (1)): Tau Henare
Liane Ngamane

Quorum: 11

Frequency of meetings: Monthly
3.2 FINANCE AND PERFORMANCE COMMITTEE

Terms of Reference (Delegations)

Responsibilities
The purpose of the Committee is to:

a) advise and support the mayor on the development of the Long Term Plan (LTP) and Annual Plan (AP)

b) monitor the overall financial management and performance of the council parent organisation and Auckland Council group

c) make financial decisions required outside of the annual budgeting processes

Key responsibilities include:

- Advising and supporting the mayor on the development of the LTP and AP for consideration by the Governing Body including:
  - local board agreements
  - financial policy related to the LTP and AP
  - setting of rates
  - preparation of the consultation documentation and supporting information, and the consultation process, for the LTP and AP

- Monitoring the operational and capital expenditure of the council parent organisation and Auckland Council Group, and inquiring into any material discrepancies from planned expenditure

- Monitoring the financial and non-financial performance targets, key performance indicators, and other measures of the council parent organisation, and each Council Controlled Organisation (CCO) and the council organisation Ports of Auckland Limited to inform the Committee’s judgement about the performance of each organisation

- Advising the mayor on the content of the annual Letters of Expectations (LoE) to CCOs and Ports of Auckland Limited

- Exercising relevant powers under Schedule 8 of the Local Government Act 2002, which relate to the Statements of Intent of CCOs

- Exercising relevant powers under Part 1 of the Port Companies Act 1988, which relate to the Statements of Corporate Intent for port companies

- Exercising Auckland Council’s powers as a shareholder or given under a trust deed, including but not limited to modification of constitutions and/or trust deeds, granting shareholder approval of major transactions where required, exempting CCOs, and approving policies relating to CCO and CO governance

- Approving the financial policy of the council parent organisation

- Approving group-wide policies that apply to the council parent organisation, and CCOs and Ports of Auckland Limited (where applicable)

- Establishing and managing a structured approach to the approval of non-budgeted expenditure (including grants, loans or guarantees) that reinforces value for money and an expectation of tight expenditure control

- Write-offs

- Acquisition and disposal of property, in accordance with the LTP

- Recommending the Annual Report to the Governing Body
Powers

(i) All powers necessary to perform the committee’s responsibilities, including:
   (a) approval of a submission to an external body
   (b) establishment of working parties or steering groups.

(ii) The committee has the powers to perform the responsibilities of another committee, where it is
     necessary to make a decision prior to the next meeting of that other committee.

(iii) The committee does not have:
     (a) the power to establish subcommittees
     (b) powers that the Governing Body cannot delegate or has retained to itself (section 2).

Reporting committees (refer Section 4 for details)

- Strategic Procurement Committee
- Audit and Risk Committee.

Membership:

Chairperson: Cr Ross Clow  
Deputy chairperson: Cr Desley Simpson

Members:
Mayor Phil Goff  
Deputy Mayor Bill Cashmore  
Cr Josephine Bartley  
Cr Cathy Casey  
Cr Fai’anana Elesa Collins  
Cr Linda Cooper  
Cr Chris Darby  
Cr Alf Filipaina  
Cr Christine Fletcher  
Cr Richard Hills  
Cr Penny Hulse  
Cr Mike Lee  
Cr Daniel Newman  
Cr Greg Sayers  
Cr Sharon Stewart  
Cr Sir John Walker  
Cr Wayne Walker  
Cr John Watson

IMSB appointees (s 85 (1)): Terence Hohnke  
David Taipari

Quorum: 11

Frequency of meetings: Monthly, with additional meetings for the purposes of key decisions and performance reporting.
3.3 ENVIRONMENT AND COMMUNITY COMMITTEE

Terms of reference (Delegations)

Responsibilities
This committee deals with all strategy and policy decision-making that is not the responsibility of another committee or the Governing Body. Key responsibilities include:

- Development and monitoring of strategy, policy and action plans associated with environmental, social, economic and cultural activities
- Natural heritage
- Parks and reserves
- Economic development
- Protection and restoration of Auckland’s ecological health
- Climate change
- The Southern Initiative
- Waste minimisation
- Libraries
- Acquisition of property relating to the committee’s responsibilities and within approved annual budgets
- Performing the delegations made by the Governing Body to the former Parks, Recreation and Heritage Forum and Regional Development and Operations Committee, under resolution GB/2012/157 in relation to dogs
- Initiatives of the following CCOs that have a significant impact upon implementation of the Auckland Plan and other relevant plans, policies and strategies:
  - ATEED
  - Regional Facilities Auckland (art gallery, zoo and cultural institutions).

Powers
(i) All powers necessary to perform the committee’s responsibilities, including:
   (a) approval of a submission to an external body
   (b) establishment of working parties or steering groups.
(ii) The committee has the powers to perform the responsibilities of another committee, where it is necessary to make a decision prior to the next meeting of that other committee.
(iii) The committee does not have:
   (a) the power to establish subcommittees
   (b) powers that the Governing Body cannot delegate or has retained to itself (section 2).

Reporting committees (refer Section 4 for details)
- Community Development and Safety Committee
### Membership:

<table>
<thead>
<tr>
<th>Role</th>
<th>Name</th>
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<tbody>
<tr>
<td>Chairperson:</td>
<td>Cr Penny Hulse</td>
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<td>Deputy chairperson:</td>
<td>Cr Alf Filipaina</td>
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<td>Members:</td>
<td>Mayor Phil Goff</td>
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<td>Cr Christine Fletcher</td>
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<td>Cr John Watson</td>
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IMSIB appointees (s 85 (1)): James Brown, Glenn Wilcox

### Quorum:

11

### Frequency of meetings:

Monthly
4 REPORTING COMMITTEES

4.1 AUDIT AND RISK COMMITTEE

Terms of Reference (Delegations)

Parent committee: Finance and Performance Committee

Purpose

The purpose of the Audit and Risk Committee is to assist and advise the Governing Body in discharging its responsibility and ownership of governance, risk management, and internal control.

The committee will review the effectiveness of the following aspects of governance, risk management and internal control:

- enterprise risk management (ERM) across the Auckland Council group
- internal and external audit and assurance
- integrity and investigations
- monitoring of compliance with laws and regulations
- significant projects and programmes of work focussing on the appropriate management of risk
- oversight of preparation of the LTP, Annual Report, and other external financial reports required by statute.

The scope of the committee includes the oversight of risk management and assurance across council’s CCOs and the council organisations Ports of Auckland Limited and Auckland International Airport Limited with respect to risk that is significant to the Auckland Council group.

To perform his or her role effectively, each committee member must develop and maintain his or her skills and knowledge, including an understanding of the committee’s responsibilities, and of the council’s business, operations and risks.

Decision-Making Powers

The committee has no decision making powers other than those in these terms of reference.

The committee may request expert advice through the chief executive where necessary.

The committee may make recommendations to the Governing Body and / or chief executive.

Tenure

External members will be appointed for an initial period not exceeding three years, after which they will be eligible for extension or re-appointment, after a formal review of their performance, and have not already served two terms on the committee. Councillors appointed to the committee will automatically cease to hold office at the time of the local authority triennial elections. They may be eligible for re-appointment post those elections if they are returned to office and have not already served two terms on the committee.

The chief executive, and the senior management team members will not be members of the committee.

The members, taken collectively, will have a broad range of skills and experience relevant to the operations of the council. At least one member of the committee should have accounting or related financial management experience, with an understanding of accounting and auditing standards in a public sector environment.
Committee's responsibilities

The committee’s responsibilities are detailed below.

Forward Work Programme

The committee will agree and approve annually a forward work programme – which will consist of in depth briefings and reviews of specific significant risks and assurance strategies, as contained in the ERM “Top Risks” or Auckland Council’s work plan.

Risk management

- Review, approve and monitor the implementation of the ERM policy, framework and strategy (including risks pertaining to CCOs that are significant to the Auckland Council group).
- Review and approve the council’s “risk appetite” statement.
- Review the effectiveness of risk management and internal control systems including all material financial, operational, compliance and other material controls. This includes legislative compliance (including Health and Safety), significant projects and programmes of work, and significant procurement.
- Review risk management reports identifying new and / or emerging risks, and any subsequent changes to the ERM “Top Risk” register.

Internal Audit

- Review annually the Internal Audit Charter – which confirms the authority, independence and scope of the function.
- Review and approve annually and monitor the implementation of the 3-year Internal Audit Strategy and 12 month detailed Internal Audit Plan.
- Review the co-ordination between the risk and internal audit functions – including the integration of the council’s ERM risk profile with the Internal Audit programme. This includes assurance over all material financial, operational, compliance and other material controls. This includes legislative compliance (including Health and Safety), significant projects and programmes of work, and significant procurement.
- Review the reports of the Internal Audit functions dealing with findings, conclusions and recommendations (including assurance over risks pertaining to CCOs that are significant to the Auckland Council group)
- Review and monitor management’s responsiveness to the findings and recommendations – enquiring into the reasons that any recommendation is not acted upon.

Fraud and Integrity

- Review and approve annually, and monitor the implementation of, the Fraud and Integrity Strategy, including detailed work programme.
- Review annually the whistleblowing procedures and ensure that arrangements are in place by which staff, may, in confidence, raise concerns about possible improprieties in matters of financial reporting, financial control or any other matters, and that there is proportionate and independent investigation of such matters and appropriate follow-up action.
- Review the procedures in relation to the prevention, detection, reporting and investigation of bribery and fraud.
- Review and monitor policy and process to manage conflicts of interest amongst elected members, local board members, management, staff, consultants and contractors.
• Review reports from the Risk, Internal Audit, Integrity and Investigations, external audit and management related to whistle blower, ethics, bribery and fraud related incidents.

**Statutory Reporting**

Review and monitor the integrity of the interim and annual report including statutory financial statements and any other formal announcements relating to the council’s financial performance, focusing particularly on:

• compliance with, and the appropriate application of, relevant accounting policies, practices and accounting standards

• compliance with applicable legal requirements relevant to statutory reporting

• the consistency of application of accounting policies, across reporting periods, and the Auckland Council group

• changes to accounting policies and practices that may affect the way that accounts are presented

• any decisions involving significant judgement, estimation or uncertainty

• the extent to which financial statements are affected by any unusual transactions and the manner in which they are disclosed

• the disclosure of contingent liabilities and contingent assets

• the clarity of disclosures generally

• the basis for the adoption of the going concern assumption

• significant adjustments resulting from the audit.

**External Audit**

• Discuss with the external auditor before the audit commences:
  - the nature, scope and fees of the external audit
  - areas of audit focus
  - error and materiality levels.

• Review with the external auditors representations required by elected members and senior management, including representations as to the fraud and integrity control environment.

• Review the external auditors management letter and management responses, and inquire into reasons for any recommendations not acted upon.

• Where required, the chair may ask a senior representative of the Office of the Auditor General to attend the committee meetings to discuss the office’s plans, findings and other matters of mutual interest.

**Interaction with Council Controlled Organisations**

Other committees dealing with CCO matters may refer matters to the Audit and Risk Committee for review and advice.

This committee will enquire to ensure adequate processes at a governance level exist to identify and manage risks within a CCO. Where an identified risk may impact on Auckland Council or the wider group, the committee will also ensure that all affected entities are aware of and appropriately managing the risk.

The Head of Risk and Head of Internal Audit are responsible for the provision of quality risk, assurance, insurance and ethics and integrity services for all CCOs except Auckland Transport and Watercare (with the exception of insurance services which are provided to Auckland Transport). Auckland Transport and Watercare have their own risk and assurance functions. The Head of Risk and Head of Internal Audit are responsible for monitoring CCO risk and internal audit strategies with respect to risks that are significant to the Auckland Council group.
Annual Report on the work of the committee

The chair of the committee will submit a written review of the performance of the committee to the chief executive on an annual basis. The review will summarise the activities of the committee and how it has contributed to the council’s governance and strategic objectives. The chief executive will place the report on the next available agenda of the governing body.

Membership:

Chairperson (independent): Sue Sheldon
Deputy chairperson: Deputy Mayor Bill Cashmore

Governing Body members (2): Cr Ross Clow, Cr Richard Hills
Independent members (2): Paul Condor, Bruce Robertson

Ex officio: Mayor
IMSB Chair (or nominee)*

* expected to attend for matters that are relevant to the IMSB

Quorum: 3 (which must include 2 Governing Body members)

Frequency of Meetings: Quarterly
4.2 COMMUNITY DEVELOPMENT AND SAFETY COMMITTEE

Terms of Reference (Delegations)

Parent committee: Environment and Community Committee

Responsibilities and key projects

The committee is responsible for regional community development and safety, including:

- grants for regional events, arts and cultural organisations
- arts, culture and heritage
- alcohol harm reduction strategy (recommendation to Environment and Community Committee)
- homelessness plan (recommendation to Environment and Community Committee).

Powers

All powers necessary to perform the committee’s responsibilities.

Except:

(a) powers that the Governing Body cannot delegate or has retained to itself (section 2)
(b) where the committee’s responsibility is limited to making a recommendation only
(c) where a matter is the responsibility of another committee
(d) the approval of expenditure that is not contained within approved budgets
(e) the approval of expenditure of more than $2 million
(f) the approval of final policy
(g) deciding significant matters for which there is high public interest and which are controversial
(h) the commissioning of reports on new policy where that policy programme of work has not been approved by the Environment and Community Committee
(i) the power to establish sub-committees.
Membership:

Chairperson: Cr Cathy Casey
Deputy chairperson: Cr Fa’ânana Efeso Collins

Members (9):
- Cr Josephine Bartley
- Cr Alf Filipaina
- Cr Richard Hills
- Cr Daniel Newman
- Cr Greg Sayers
- Cr Sir John Walker
- Cr Wayne Walker
- Cr John Watson

Ex officio:
- Mayor
- Deputy mayor

IMSB appointees (2):
- Tony Kake
- Dennis Kirkwood

Quorum: 6

Frequency of meetings: Four-weekly
4.3 STRATEGIC PROCUREMENT COMMITTEE

Terms of Reference (Delegations)

Parent committee: Finance and Performance Committee

Responsibilities

The committee is established to assist the chief executive to undertake the management procedure of ensuring sound procurement processes are followed in relation to procurement of goods and services necessary to deliver on the work programme and operations outlined in the council’s adopted Annual plan.

It will ensure that reasonable purchasing procedures have been followed in awarding contracts and will provide an efficient mechanism for documenting the approvals for those contracts.

Within a framework where contracts are an operational matter delegated to the chief executive, this committee will consider all contracts beyond the chief executive’s financial delegations. The chief executive may refer contracts within his financial delegations which are sensitive or may impact on the reputation of the council.

The chief executive has power to award contracts up to $20 million alone and the power to award contracts up to $22.5 million jointly with the mayor and Finance and Performance Committee chair.

The committee will have responsibility for:
- awarding of contracts of $22.5 million or greater
- awarding of contracts less than $22.5 million which are sensitive or may impact on the reputation of the council if the chief executive refers the matter to the committee
- oversight over the procurement processes and procedures.

From time to time the committee may advise the chief executive and council on changes to the procurement and contracts probity procedures.

Powers

All powers necessary to perform the committee’s responsibilities.

Except:

(a) powers that the Governing Body cannot delegate or has retained to itself (section 2)
(b) where the committee’s responsibility is limited to making a recommendation only
(c) power to establish sub-committees.
Membership:

Chairperson: Deputy Mayor Bill Cashmore
Deputy chairperson: Cr Ross Clow

Members (5): Cr Cathy Casey Cr Penny Hulse
Cr Linda Cooper Cr Daniel Newman
Cr Alf Filipaina

Ex officio: Mayor

Quorum: 4

Frequency of meetings: Monthly.
5 OTHER COMMITTEES

5.1 APPOINTMENTS, PERFORMANCE REVIEW AND VALUE FOR MONEY COMMITTEE

Terms of Reference (Delegations)

Responsibilities

The Council Appointments, Performance Review and Value for Money Committee is established to:

1. Review the chief executive’s performance and to recommend to the Governing Body the terms and conditions of the CE’s employment including any performance agreement measures and annual remuneration

2. Make appointments to Council-Controlled Organisations (CCOs), Council Organisations (COs) and exempt CCOs and COs, with the exception of Ports of Auckland Limited and Auckland International Airport Limited

3. Receive updates on appointments to the council organisations Ports of Auckland Limited and Auckland International Airport Limited, as well as any relevant updates on shareholder voting undertaken at Auckland International Airport Limited annual general meetings

3.4. Approve policies relating to the appointment of directors and trustees to CCOs and COs

4.5. Monitor and report to the Governing Body on the implementation of service delivery reviews required under s17A of the Local Government Act 2002, and the recommendations arising from those reviews

5.6. Approve the scheduling of the forward s17A work programme, and recommend to the Governing Body the terms of reference for individual reviews

6.7. Request reports on Auckland Council parent and CCO value for money, savings and effectiveness-focused initiatives that are beyond the scope of s17A reviews, and make recommendations on these reports to the Governing Body.

Powers

All powers necessary to perform the committee’s responsibilities.

Except:

(a) powers that the Governing Body cannot delegate or has retained to itself (section 2)

(b) where the committee’s responsibility is limited to making a recommendation only

(c) the power to establish sub-committees.
Membership:

Chairperson: Mayor Phil Goff
Deputy chairperson: Cr Christine Fletcher

Members (6):
Cr Josephine Bartley
Cr Ross Clow
Cr Chris Darby
Cr Richard Hills
Cr Penny Hulse
Cr Deesley Simpson

Ex officio:
Deputy mayor
Chair of the IMSB for responsibilities 2 to 6 above

Quorum: 4
Frequency of meetings: Monthly

8.405.2 PORTS OF AUCKLAND LIMITED APPOINTMENTS PANEL

Terms of Reference (Delegations)

Responsibilities
1. Make appointments to the board of Ports of Auckland Limited.

2. Report any appointments or reappointments made by POALAP will be provided to the Appointments, Performance Review and Value for Money Committee.

Powers
All powers necessary to perform the panel committee’s responsibilities.

The panel is not a committee and does not make decisions by majority vote. A decision is made if it is approved by all members of the panel.

Membership:
(As agreed with Ports of Auckland Limited in the memorandum of understanding adopted on 31 May 2018 – minute number GB/2018/91)

Chairperson: Mayor Phil Goff

Members: Chair of Board of Ports of Auckland Limited
Chief Executive of Auckland Council (or representative)

Frequency of meetings As required to make appointments

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5.25.3 CIVIL DEFENCE EMERGENCY MANAGEMENT GROUP COMMITTEE

Terms of reference (Delegations)

Responsibilities and powers

The Civil Defence Emergency Management Group Committee is a statutory committee required under S12(1) of the Civil Defence and Emergency Management Act 2002 (CDEM Act) and is responsible for:

- being Auckland’s strategic forum for civil defence and emergency management planning and policy
- establishing an emergency management structure for the Auckland region
- developing, approving, implementing and monitoring the Auckland Civil Defence Emergency Management Group Plan
- developing, approving, implementing and monitoring other relevant strategies and policies relevant to the powers and functions of the Civil Defence and Emergency Management Group as identified in the CDEM Act
- performing the statutory functions of a civil defence emergency management group
- representing Auckland in the development of national emergency management policy including approving relevant policy and legislative submissions to external bodies
- engaging with Local Boards and local board portfolio holders on civil defence and emergency management issues.

The Civil Defence Emergency Management Group Committee will exercise the statutory powers outlined in the Civil Defence Emergency Management Act 2002 and the Auckland Civil Defence Emergency Management Group Plan. The Civil Defence Emergency Management Group Committee is authorised to approve use of the established emergency funding facility provided for emergency management.

Relevant legislation includes but is not limited to:


Membership:

Chairperson: Cr Sharon Stewart
Deputy chairperson: Cr John Watson

Members (5):
Cr Josephine Bartley
Cr Ross Clow
Cr Fa’anana Efeso Collins
Cr Sir John Walker

Ex officio: Mayor
All other councillors without voting rights

IMSB appointees (s 85 (1)):
Dennis Kirkwood
Tau Henare

Quorum: 3
Frequency of meetings: Quarterly

5.35.4 REGULATORY COMMITTEE

Terms of Reference (Delegations)

Responsibilities

The committee is responsible for regulatory hearings (required by relevant legislation) on behalf of the council. The committee is responsible for appointing independent commissioners to carry out the council’s functions or delegating the appointment power (as set out in the committee’s policy). The committee is responsible for regulatory policy and bylaws. Where the committee’s powers are recommendatory, the committee or the appointee will provide recommendations to the relevant decision-maker.

The committee’s key responsibilities include:

- Decision-making (including through a hearings process) under the Resource Management Act 1991 and related legislation
- hearing and determining objections under the Dog Control Act 1996
- decision-making under the Sale and Supply of Alcohol Act 2012
- hearing and determining matters regarding drainage and works on private land under the Local Government Act 1974 and Local Government Act 2002 (this cannot be sub-delegated)
- hearing and determining matters arising under bylaws
- receiving recommendations from officers and appointing independent hearings commissioners to a pool of commissioners who will be available to make decisions on matters as directed by the Regulatory Committee
- receiving recommendations from officers and deciding who should make a decision on any particular matter including who should sit as hearings commissioners in any particular hearing
- monitoring the performance of regulatory decision-making
- where decisions are appealed or where the committee decides that the council itself should appeal a decision, directing the conduct of any such appeals
- considering and making recommendations to the Governing Body regarding the regulatory and bylaw delegations (including to Local Boards)
- regulatory fees and charges
- recommend bylaws to Governing Body for consultation and adoption
- appointing hearings panels for bylaw matters
- review local board and Auckland water organisation proposed bylaws and recommend to Governing Body
- set regulatory policy and controls, including performing the delegations made by the Governing Body to the former Regulatory and Bylaws Committee, under resolution GB/2012/157 in relation to dogs and GB/2014/121 in relation to alcohol.
- engage with local boards on bylaw development and review
- adopting or amending a policy or policies and making any necessary sub-delegations relating to any of the above areas of responsibility to provide guidance and transparency to those involved.

Not all decisions under the Resource Management Act 1991 and other enactments require a hearing to be held and the term “decision-making” is used to encompass a range of decision-making processes including through a hearing. “Decision-making” includes, but is not limited to, decisions in relation to applications for
Governing Body Terms of Reference amendments as a result of the disestablishment of Auckland Council Investments Limited

26 July 2018

resource consent, plan changes, notices of requirement, objections, existing use right certificates and certificates of compliance and also includes all necessary related decision-making.

In adopting a policy or policies and making any sub-delegations, the committee must ensure that it retains oversight of decision-making under the Resource Management Act 1991 and that it provides for councillors to be involved in decision-making in appropriate circumstances.

For the avoidance of doubt, these delegations confirm the existing delegations (contained in the chief executive’s Delegations Register) to hearings commissioners and staff relating to decision-making under the RMA and other enactments mentioned below but limits those delegations by requiring them to be exercised as directed by the Regulatory Committee.

Relevant legislation includes but is not limited to:

All Bylaws
Biosecurity Act 1993
Building Act 2004
Dog Control Act 1996
Fencing of Swimming Pools Act 1987
Gambling Act 2003
Health Act 1956
Land Transport Act 1998
Local Government Act 1974
Local Government Act 2002
Local Government (Auckland Council Act) 2009
Maritime Transport Act 1994
Resource Management Act 1991
Sale and Supply of Alcohol Act 2012
Waste Minimisation Act 2008

Related Regulations

Powers

(i) All powers necessary to perform the committee’s responsibilities.

   Except:

   (a) powers that the Governing Body cannot delegate or has retained to itself (section 2)

   (b) where the committee’s responsibility is limited to making a recommendation only.

(ii) Power to establish subcommittees.

Membership:

Chairperson: Cr Linda Cooper
Deputy chairperson: Deputy Mayor Bill Cashmore

Members (8):
Cr Josephine Bartley
Cr Fa’anana Efeso Collins
Cr Richard Hills
Cr Daniel Newman
Cr John Watson
Cr Wayne Walker

Ex officio: Mayor

IMSB appointees (s 85 (1)):
David Taipari
Glenn Wilcox
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<td>Frequency of meetings:</td>
<td>Monthly</td>
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6  JOINT COMMITTEES

6.1 AUCKLAND DOMAIN COMMITTEE

Terms of Reference

Background

The Auckland Domain is an important regional park and also has areas within it managed by the Waitemata Local Board. This committee is set up jointly by the Governing Body and Waitemata Local Board to co-ordinate decisions relating to the Domain.

Responsibilities

Decision-making responsibility for parks, recreation and community services and activities in Auckland Domain including those anticipated in the Auckland Domain Act 1987, which are the responsibility of the Governing Body or the Waitemata Local Board.

Powers

All powers of the Governing Body and Waitemata Local Board necessary to perform the committee’s responsibilities including those powers conferred on Auckland Council pursuant to the Auckland Domain Act 1987.

Except:

(a) powers that the Governing Body cannot delegate or has retained to itself (section 2)
(b) where a matter is the responsibility of another committee or local board
(c) the approval of expenditure that is not contained within approved budgets
(d) the approval of expenditure of more than $2 million
(e) the approval of final policy
(f) deciding significant matters for which there is high public interest and which are controversial.

Membership:

Chairperson: Cr Mike Lee
(Appointed by Governing Body)

Deputy chairperson: Pippa Coom
(Appointed by Waitemata Local Board)

Members:
Governing Body (2) Cr Linda Cooper Cr Desley Simpson
Waitemata Local Board (2) Shale Chambers Vemon Tava

Ex officio: Mayor
Deputy mayor

IMSB appointees (s 85 (1)):
Renata Blair Terence Hohnack

Quorum: Half or majority (see 1.2 Quorum)

Frequency of meetings: Quarterly or as determined by the committee
6.2 HAURAKI GULF FORUM

Terms of Reference

The Hauraki Gulf Forum is established under the Hauraki Gulf Marine Park Act 2000 with the following purpose, functions, powers and membership.

Purpose (Hauraki Gulf Marine Park Act 2000, s 15)

- Integrate the management and, where appropriate, to promote the conservation and management in a sustainable manner, of the natural, historic and physical resources of the Hauraki Gulf, its islands, and catchments, for the benefit and enjoyment of the people and communities of the Gulf and New Zealand.
- Facilitate communication, cooperation, and coordination on matters relating to the statutory functions of the constituent parties in relation of the Hauraki Gulf, its islands and catchments and the forum.
- Recognise the historic, traditional, cultural and spiritual relationship of tangata whenua with the Hauraki Gulf, its islands, and where appropriate, its catchments.

Functions (Hauraki Gulf Marine Park Act 2000, s 17)

- Prepare a list of strategic issues, determine a priority for action on each issue, and regularly review that list.
- Facilitate and encourage co-ordinated financial planning, where possible, by the constituent parties.
- Obtain, share, and monitor information on the state of the natural and physical resources.
- Receive reports on the completion and implementation of deeds of recognition.
- Require and receive reports from constituent parties on the development and implementation of policies and strategies to address the issues identified under paragraph (a).
- Receive reports from the tangata whenua of the Hauraki Gulf on the development and implementation of iwi management or development plans.
- Prepare and publish, once every 3 years, a report on the state of the environment in the Hauraki Gulf, including information on progress towards integrated management and responses to the issues identified in accordance with paragraph (a).
- Promote and advocate the integrated management and, where appropriate, the sustainable management of the Hauraki Gulf, its islands, and catchments.
- Encourage, share, co-ordinate where appropriate, and disseminate educational and promotional material.
- Liaise with, and receive reports from, persons and groups having an interest in the Hauraki Gulf and business and community interests to promote an interest in the purposes of the forum.
- Commission research into matters relating to the functions of the forum.

When carrying out its functions, the forum must have particular regard to the historic, traditional, cultural, and spiritual relationship of tangata whenua with the natural, historic, and physical resources of the Hauraki Gulf, its islands, and catchments.

Powers (Hauraki Gulf Marine Park Act 2000, s 18):

- consider issues related to its purpose
- receive reports from constituent parties
- make recommendations to constituent parties
- advise any person who requests the forum’s advice
- commission or undertake those activities that are necessary to achieve its purpose.

The forum must not:
(a) appear before a court or tribunal other than as a witness if called by a party to proceedings
(b) take part in a decision-making process under any enactment other than to advise when requested to do so.

**Joint committee** (Hauraki Gulf Marine Park Act 2000, s 16)

“(2) The forum consists of the following representatives:

(a) 1 representative appointed by the Minister of Conservation:
(b) 1 representative appointed by the Minister of Fisheries:
(c) 1 representative appointed by the Minister of Maori Affairs:
(c) 7 representatives appointed by the Auckland Council:
(d) 1 representative appointed by each of the following local authorities:
   (iv) Hauraki District Council:
   (vi) Matamata-Piako District Council:
   (ix) Thames-Coromandel District Council:
   (x) Waikato District Council:
   (xi) Waikato Regional Council:
(e) 6 representatives of the tangata whenua of the Hauraki Gulf and its islands appointed by the Minister, after consultation with the tangata whenua and the Minister of Maori Affairs.

(2A) The representatives appointed in accordance with subsection (2)(ca) must—

(a) be members of —
   (i) the Auckland Council; or
   (ii) a local board of the Auckland Council elected in accordance with the Local Electoral Act 2001 and
(b) include 1 member of each of the Great Barrier Island and Waiheke Island local board”

**Auckland Council representatives (5 + 1 alternate):**

**Members:**
- Cr Christine Fletcher
- Cr Richard Hills
- Cr Mike Lee
- Cr Wayne Walker
- Cr John Watson

**Alternate:**
- Cr Desley Simpson

**Quorum:**
Half or majority (see 1.2 Quorum)

**Frequency of meetings**
Quarterly or as determined by the forum
7 WORKING PARTIES

7.1 JOINT GOVERNANCE WORKING PARTY

Context
The governance of Auckland Council comprises the mayor and councillors together with twenty-one local boards.

Purpose
The Joint Governance Working Party meets as necessary to consider governance matters of mutual interest to the Governing Body and local boards and to report its findings.

Powers
The working party does not have delegated decision-making powers but reports its findings to local boards and the Governing Body for final decisions.

The Working Party will generally determine its findings by consensus, but where there is division of opinion, this will be noted in its findings and it will be acceptable to record minority views.

Matters are referred to the Working Party by resolution of the Governing Body, or, if the matter is urgent, by the chairperson together with the Chief Executive (or nominee).

Members and meeting procedure
The Joint Governance Working Party has an equal number of governing body and local board members who are appointed by the mayor after calling expressions of interest.

The Working Party may co-opt, or liaise, as it deems necessary on an issue basis. For example, if it is dealing with a rural issue and does not have rural representation, it may invite a rural elected member to participate in order to provide advice.

Meetings will not generally be advertised or open to the public. All elected members who are not members of the working party have the right to attend and listen. They may participate if invited to by the chairperson.

It may liaise with representatives of CCCs and co-governance entities.

Chair and deputy chair
The chairperson and deputy chairperson will be appointed by the mayor. They will not both be governing body members nor both local board members. If both the chairperson and deputy chairperson are absent for a meeting, the meeting will appoint a chairperson for that meeting.
Membership:

Chairperson: Richard Northey
Deputy chairperson: Cr Linda Cooper

Members (3+3):
Cr Cathy Casey  Cr Daniel Newman  Cr Wayne Walker
Angela Dalton  Phelan Pirie  Shane Henderson

All other elected members: May attend and listen. May participate at the invitation of the chairperson.

Quorum:
If the total membership is even, one-half of Governing Body members and one-half of local board members otherwise a majority of each.

Frequency of meetings:
As required in order to conduct its business.
7.2 TE TIRITI O WAITANGI / TREATY OF WAITANGI SETTLEMENT WORKING PARTY

Reporting

The Te Tiriti o Waitangi / Treaty of Waitangi Settlement Working Party is accountable to the Governing Body and reports its findings to the Governing Body.

Purpose

The Crown negotiates settlements with iwi on a confidential basis and from time to time invites Council to express its views.

The Te Tiriti o Waitangi / Treaty of Waitangi Settlement Working Party will:

- Consider and make recommendations on the Council’s position in relation to Te Tiriti o Waitangi / Treaty of Waitangi settlements and related matters
- Consider and make recommendations on matters relating to the establishment and on-going implementation of co-managements and other governance arrangements
- Liaise with local boards in whose areas Te Tiriti o Waitangi / Treaty of Waitangi settlement arrangements are being implemented, or being considered
- Liaise with Mana Whenua representatives
- Liaise with the Independent Maori Statutory Board
- Liaise with CCOs on Te Tiriti o Waitangi / Treaty of Waitangi settlement matters
- Liaise with relevant Mana Whenua and Iwi Authorities affected by each Treaty settlement

The Te Tiriti o Waitangi / Treaty of Waitangi Settlement Working Party will have the discretion to invite Ward Councillors, CCO representatives and Local Board representatives of affected areas to participate in its deliberations.

Membership:

Chairperson:

Deputy chairperson:

Members:  
Cr Josephine Bartley  Cr Daniel Newman  
Cr Linda Cooper  Cr John Watson  
Cr Mike Lee

Ex officio:  
Mayor  Deputy mayor

Quorum:  
3

Frequency of meetings:  
Bi-monthly (on the understanding a meeting will be cancelled if not needed and additional meetings will be called if required)
8 ADVISORY PANELS

Chief liaison councillor: Cr Cathy Casey

8.1 DISABILITY ADVISORY PANEL

Membership:

Chairperson: Philip Patston
Deputy chairperson: Dan Buckingham

Members:
Colleen Brown
Jade Farrar
Mary Schnackenberg

Gemma Stewart
Ursula Thynne
Rachael Peterson

Councillor liaison: Cr Josephine Bartley

8.2 ETHNIC PEOPLES ADVISORY PANEL

Membership:

Chairperson: Sunil Kaushal
Deputy chairperson: Jade Tang-Taylor

Members:
Bill Guan
Naoe Hashimoto
Anita Keestra
Jessica Phuang

Ljubica Mamula-Seadon
Anukool Sathu
Dave Tomu

Councillor liaison: Cr Alf Filipaina
8.3 PACIFIC PEOPLES ADVISORY PANEL

Membership:

Chairperson: Ralph Etika  
Deputy chairperson: Caroline Ligi Harris

Members: Afa‘ese Kibona Manoa  Pat Masina  
Cedric Eddie Tuavii  Sefita Alofi Hao’uli  
Helen Tau’au-Filisi  Tammy Kingi  
Jordan Knightley

Councillor liaison: Cr Alf Filipaina

8.4 RAINBOW COMMUNITIES ADVISORY PANEL

Membership:

Co-chairperson: Julie Radford-Poupard  
Co-chairperson: John Kingi

Members: Aram Wu  Diana Rands  
Moira Clunie  Bruce Kilmister  
Mark Fisher  Audrey Hutcheson  
Lexie Matheson  Dave Hati  
Julie Watson

Councillor liaison: Cr Richard Hills

8.5 SENIORS ADVISORY PANEL

Membership:

Chairperson: Janet Clews  
Deputy chairperson: David Wong

Members: Judy Blakey  Sonny Manuel Niha  
Roger Fowler  Joan Lardner-Rivlin  
Mihorei Roberta Te Huia  Mary Tunks

Councillor liaison: Cr Daniel Newman
8.6 YOUTH ADVISORY PANEL

Membership:

Chairperson: Veinia Maka
Deputy chairperson: Damian Pilua

Members:

Stella Andrews
Na’or Tal Alfassi Berman
Archer Bussink
Julia Caufield
Michael Chushing
Bryce Collin
Jack Downs
Shehara Farik
Kramer Helflich
Amy Irvine

Luke Johnson
Dayeon Lee
Elja Murphy
Ogonna Nweke
Soul O’Reilly
Jacqueline Paul
Lucy Pearson
Tremayne Reid
Star Rawiri

Councillor liaison: Cr Fa’anana Efeso Collins
8.7 RURAL ADVISORY PANEL

Purpose:

To identify and communicate to the council the interest and preferences of the rural based industries and rural communities of Auckland in relation to:

- the content of the strategies, policies, plans, and bylaws of the council
- any matter that the panel considers to be of particular interest or concern to the rural based industries and rural communities of Auckland.

To advise the mayor and the council's Governing Body and local boards of the council processes and mechanisms for engagement with the rural-based industries and communities in Auckland.

To deliver recommendations for accelerating the social, economic, environmental and cultural performance of the rural part of the Auckland Council region.

Scope:

To provide a forum for consideration of issues affecting the rural part of the Auckland Council area and recommendations to the council including (but not limited to):

- driving economic growth
- food and fibre production and associated food and beverage processing (value adding) and equine based activities
- research and development support
- environmental resource issues including quarrying and aggregate production
- ecological, landscape and coastal values
- service delivery
- rural infrastructure, including transport
- biosecurity
- amenities and open space
- transport
- rating.

Membership:

Membership includes one councillor as chair of the panel.

The mayor may appoint the members of the panel in consultation with the chair and lead officer of the panel.

The total number of panel members must be no more than 21. The panel may have a maximum of five elected members to act as conduits to the governing body and local boards.

The membership criteria include expertise in a wide range of the rural sector. Rural Advisory Panel members must be the representatives of rural industries and organisations in Auckland. The members must be Auckland-based with required regional knowledge.

The new panel’s term should end one month prior to the next local government elections in 2019. The membership of the panel may be rolled over for more than one electoral term of three years.
Membership:

Chairperson: Deputy Mayor Bill Cashmore
Deputy chairperson: Cr Greg Sayers

Members: 21 members from rural sector

Frequency of meetings Two-monthly
8.8 AUCKLAND CITY CENTRE ADVISORY BOARD

Terms of reference

(Excerpt – full terms of reference available as a separate document)

1. These terms of reference set out the roles, responsibilities and working arrangements for the Auckland City Centre Advisory Board.

2. The board is a key advisory body, with no decision-making or autonomous budgetary authority.

3. The board will assist the Auckland Council, specifically the Governing Body and the Waitamata Local Board and Auckland Council Controlled Organisations to oversee and be a key advisor to the Auckland Council on achieving the vision and strategic outcomes of the Auckland Plan, the City Centre Masterplan, the expenditure of the city centre targeted rate and city centre issues.

Membership:

Includes one councillor and one local board member.

The board should include members who can provide expert advice on many areas including transport, landscape, environment and youth sectors. The membership includes a position for Mana Whenua. Representatives from CCOs may be board members without voting rights. The number of the board members should be between 16 and 21 at any time.

The new panel’s term should end one month prior to the next local government elections in 2019. The membership of the panel may be rolled over for more than one electoral term of three years.

Governing Body members: Mayor Phil Goff
Alternate: Cr Mike Lee

Cr Chris Darby

Frequency of meetings: Monthly
8.9 HERITAGE ADVISORY PANEL

Purpose

- Provide advice to the council in relation to:
  - the direction and content of strategies, policies and initiatives
  - any matter that the panel considers to be of particular interest or concern to the historic heritage of Auckland.
- To deliver advice for improving the promotion and management of historic heritage of the Auckland region.
- Advise Auckland Council on council processes and mechanisms for engagement with the historic heritage community, including owners of heritage buildings in Auckland.
- To recommend historic heritage expert membership and provide advice to the Auckland Urban Design Panel.

Scope

To provide a forum for the consideration of issues affecting historic heritage of the Auckland region and provide advice to the council.

Priorities

The priorities for the panel include:

- Historic Heritage Plan
- Issues relating to the Unitary Plan
- Council processes
- Input into the Auckland Urban Design Panel.

Membership:

Membership includes one councillor as chair of the panel.

The mayor will appoint the members in consultation with the chair and the lead officer of the panel. The total number of panel members must be no more than 16. The membership criteria include expertise in a wide range of the heritage sector. The members must be Auckland-based or reside in Auckland.

The new panel’s term should end one month prior to the next local government elections in 2019. The membership of the panel may be rolled over for more than one electoral term of three years.

Chairperson: Cr Mike Lee
Deputy chairperson: 

Members: 15 members from the heritage sector

Frequency of meetings Quarterly
Review of Auckland Council’s representation arrangements for the 2019 elections

File No.: CP2018/12159

Te take mō te pūrongo / Purpose of the report

1. To resolve the council’s initial proposal for its representation arrangements at the 2019 elections, as required by section 19H of the Local Electoral Act 2001 (Act).

Whakarāpopototanga matua / Executive summary

2. Auckland Council’s representation arrangements must be reviewed this year. The outcome will apply at the 2019 elections and the 2022 elections (unless the council chooses to conduct another review for the 2022 elections).

3. The process in the Act requires the council to make its initial proposal, by resolution, which is then publicly notified for submissions. After considering submissions, the council resolves its final proposal which is also publicly notified, with any appeals, objections and proposals that do not comply with the 10 per cent rule, being forwarded to the Local Government Commission to make the final decision. If there are no appeals or objections and if the council’s proposals all comply with the 10 per cent rule, the council’s final proposal is implemented for the 2019 elections.

4. Auckland Council has the most complex arrangements in New Zealand, with one governing body and twenty-one local boards. The Governing Body finalised the process for conducting the review in December 2017, following consultation with local boards. The Joint Governance Working Party (“Working Party”) has developed an initial proposal for consideration by the Governing Body. In doing this, all local boards were asked for their feedback and this is attached in Attachment A. The Working Party also received a report by the councillor for the Waitematā and Gulf ward, which is attached as Attachment B.

5. The council has six weeks following the close of submissions to publicly notify its final proposal. Within those six weeks, the Working Party must hear submitters, consider submissions and report its recommendations to the Governing Body, for the Governing Body to resolve its final proposal. Each local board has authorised a person, usually the board’s chairperson, to represent it if further feedback is required during the submission process.

Ngā tūtohunga / Recommendation/s

That the Governing Body, as part of the review of the Auckland Council’s representation arrangements:

a) receive the recommendations of the Joint Governance Working Party as contained in this report, including the feedback from local boards and the report of the councillor for the Waitematā and Gulf Ward.

b) note that the Governing Body has taken into account:

   i) the requirement for fair representation across all governing body wards and, within each local board, across all subdivisions

   ii) the requirement for effective representation of communities of interest

   iii) the requirement for ward boundaries to coincide with local board boundaries as far as is practicable

   iv) that local board boundaries cannot be changed as part of the review

   v) the existing communities of interest identified by the Local Government Commission in 2010.
c) propose that, for the Waitematā and Gulf ward to comply with the fair representation requirements, its boundaries, and those of adjacent wards, are changed as shown in the map in Attachment C with the result that:

i) the communities of Parnell and Newmarket become part of the Ōrākei ward

ii) the communities in Westmere and west of Surrey Crescent become part of the Albert-Eden-Roskill ward

iii) the community in Eden Terrace, south of the motorway, become part of the Albert-Eden-Roskill ward

and that, as a consequence of these changes:

iv) parts of Ellerslie and St Johns, currently in the Ōrākei ward, become part of the Maungakiekie-Tāmaki ward

v) part of Mt Roskill currently in the Albert-Eden-Roskill ward become part of the Whau ward

vi) part of an area close to Royal Oak and Onehunga, currently in the Maungakiekie-Tāmaki ward become part of the Albert-Eden-Roskill ward

noting that the Governing Body has particularly taken into account:

vii) the requirement for ward boundaries to coincide with local board boundaries as far as is practicable, and that this proposal will lead to the boundaries of the affected wards not being fully aligned with local board boundaries

viii) local board boundaries cannot be changed as part of the review

ix) that there is minor under-representation in the Ōrākei and Maungakiekie-Tāmaki wards but that, due to the Rodney ward having non-complying over-representation it is reasonable to allow small under-representation in other parts of Auckland.

d) propose that the Manukau ward be split into two separate wards with boundaries that align with the Māngere-Ōtāhuhu and Ōtara-Papatoetoe Local Board areas, named the Māngere-Ōtāhuhu ward and the Ōtara-Papatoetoe ward, noting that the Governing Body has particularly taken into account:

i) the existing communities of interest as recognised by the Local Government Commission in 2010, particularly in terms of current local board boundaries

ii) that the Manukau ward is the only double-member ward that can be split into single-member wards along local board boundaries and comply with the fair representation requirements

iii) at the local level the communities of Papatoetoe and Ōtara have guaranteed representation through the subdivision arrangements of the respective local boards

iv) creating two single-member wards based on the existing boundaries of the Māngere-Ōtāhuhu Local Board and the Ōtara-Papatoetoe Local Board will allow more effective representation of those communities with each ward member having a smaller constituency to support and only one local board to liaise with.

e) propose that the boundaries of the Manurewa-Papakura ward are not changed, noting that this needs confirmation by the Local Government Commission as it is a non-complying decision, and that the Governing Body has particularly taken into account:

i) the existing communities of interest as recognised by the Local Government Commission in terms of current ward and local board boundaries set by the Commission in 2010
Item 10

ii) the requirement for ward boundaries to coincide with local board boundaries as far as is practicable

iii) local board boundaries cannot be changed as part of the review

iv) the non-compliance is very minor and it is preferable to maintain alignment with local board boundaries to avoid confusing residents and to avoid creating complexities in the administration of elections.

f) propose that the Rodney ward boundaries are not changed, noting that this needs confirmation by the Local Government Commission as it is a non-complying decision and that the Governing Body has particularly taken into account:

i) the existing communities of interest as recognised by the Local Government Commission in 2010 in terms of current ward and local board boundaries set by the Commission in 2010

ii) options for increasing the population of the Rodney ward result in splitting communities of interest or joining disparate communities of interest

iii) the requirement for ward boundaries to coincide with local board boundaries as far as is practicable

iv) local board boundaries cannot be changed as part of the review.

g) propose that the subdivision boundaries of the Rodney Local Board are changed as shown by the map in Attachment D to better recognise communities of interest and to improve compliance with the requirement for fairness by:

i) extending the Wellsford subdivision boundary south to meet the Kumeu subdivision boundary at Makarau

ii) moving the boundary between Warkworth and Wellsford north to include a small area north of Matakana Road in the Warkworth subdivision;

noting that the Governing Body has taken into account:

iii) the requirement for fair representation across all subdivisions of the Rodney Local Board

iv) the requirement for effective representation of communities of interest within the Rodney Local Board area

h) propose that the boundaries of the subdivisions in the Howick Local Board area are not changed noting that this needs confirmation by the Local Government Commission as it is a non-complying decision and that the Governing Body has taken into account:

i) the existing communities of interest as recognised by the Local Government Commission in 2010 in terms of current ward and local board boundaries

ii) the northern boundary of the Botany subdivision is close to the Botany Town Centre and that any options for moving the northern boundary of the Botany subdivision southwards will result in splitting communities which have more of an interest in the Botany area than in the Howick or Pakuranga area

iii) the population in the Botany subdivision is continuing to grow and once the non-compliance is more substantial, a future review should investigate all options, including an additional subdivision or additional board members.

i) propose that the name of the Great Barrier Local Board is changed to Aotea Great Barrier Local Board to acknowledge the intended re-naming of Great Barrier Island as a result of the settlement with Ngāti Rehua - Ngātiwai ki Aotea.

j) propose that all other representation arrangements that were in place for the 2016 elections remain unchanged.
k) hold an additional meeting on Thursday 18 October 2018 at 9.30 am to consider the report of the Joint Governance Working Party on submissions and to make the council’s final proposal for public notification.

l) delegate to the Joint Governance Working Party the responsibility and power under section 19M (3) of the Local Electoral Act 2001 to hear and consider submissions and to report recommendations to the Governing Body to take into account when making its final proposal.

Horopaki / Context

There are statutory deadlines

6. The Act requires all councils to review their representation arrangements at least every six years. The Local Government (Auckland Council) Act 2009 requires Auckland Council to conduct a review of its representation arrangements no earlier than the 2013 elections and no later than September 2018.

7. The Act requires the following timeline and process:
   - public notice of the council’s proposals within 14 days of the council’s resolution and by 8 September 2018 at the latest
   - consideration of submissions
   - public notice of the council’s final proposals within six weeks of the closing date for submissions.
   - if there are no objections or appeals, and the council’s decisions include proposals that comply with the 10 per cent rule, the council’s proposals stand and are implemented
   - if there are objections or appeals, they are forwarded to the Local Government Commission for a decision.

Role of the Joint Governance Working Party and the process for developing the Auckland Council proposal

8. In 2017 the Governing Body endorsed a process for the review of Auckland Council’s representation arrangements for the 2019 elections that was then recommended to local boards. Local board feedback, which was generally supportive of the proposed process, was reported back to the Governing Body in December 2017.

9. The Governing Body, after considering local board feedback, made the following decision:

   “That the Governing Body:
   a) receive the feedback from local boards.
   b) note the mayor’s appointments to the Joint Governance Working Party as follows:
      Cr Cathy Casey (Central), Cr Linda Cooper (West), Cr Daniel Newman (South), Cr Wayne Walker (North), Angela Dalton (South), Phelan Pirrie (Rural North), Richard Northey (Central) and Shane Henderson (West).
   c) approve the draft terms of reference for the Joint Governance Working Party for inclusion in the Auckland Council Committee Terms of Reference.
   d) approve the following process for conducting the review of representation arrangements:
      i) the Joint Governance Working Party will develop Auckland Council’s initial review of representation arrangements and present it to local boards and the Governing Body for comments before the Governing Body makes the statutory resolution for public notification for submissions.
ii) the Joint Governance Working Party will conduct the hearing of submissions and report its findings to local boards and the Governing Body before the Governing Body makes the final statutory resolution on any representation changes, which will then be publicly notified for objections and appeals.

iii) the Governing Body will review the process for hearing submissions under (ii) at the time the initial proposals for change are known.”

10. The process for hearing submissions is considered later in this report under ‘Next steps’.

Representation arrangements that may be reviewed

11. For Governing Body representation, it is possible to review (for members other than the mayor):
   • whether members are elected by ward or at-large or by a mixture
   • if by ward, the number of wards, names, boundaries and number of members for each ward.

12. For the representation of each local board it is possible to review:
   • the number of members for the local board
   • whether members are elected by subdivision or at-large or by a mixture
   • if by subdivision, the number of subdivisions, names, boundaries and number of members for each subdivision
   • the name of the local board.

Matters the council must take into account

13. The Act requires the council to take into account:
   • the effective representation of communities of interest
   • fairness of representation.

14. Other provisions in the Act include:
   • that ward boundaries should align with local board boundaries as far as is practicable
   • that boundaries must align with mesh-block boundaries
   • when the council gives public notice of its proposal it needs to give reasons for any changes from the 2016 elections.

15. The concept of effective representation of communities of interest includes the division of a total area into smaller wards (for territorial local authorities), subdivisions (for local boards), constituencies (for regional councils) or electorates (for parliament), to achieve a spread of representation through the area which ensures the various communities of interest are effectively represented.

16. There is no definition of ‘community of interest’ in the Act. The Local Government Commission, in its guidelines, identifies three dimensions for recognising communities of interest:
   • perceptual: a sense of belonging to an area or locality
   • functional: the ability to meet the community’s requirements for services
   • political: the ability to represent the interests and reconcile conflicts of the community.
17. The concept of fairness means that the ratio of population to elected member for wards, in the case of the governing body, and subdivisions, in the case of local boards, should not vary significantly across the region or local board area respectively. The legislation allows for a variance of up to 10 per cent. This is referred to in this report as the ‘10 per cent rule’. The legislation further allows the council to not comply if compliance would result in splitting communities of interest or joining disparate communities of interest. The final decision on a proposal to not comply is made by the Local Government Commission.

18. A practical consideration is the distribution of voting documents. Each voter receives a pack of voting documents which is relevant to that voter (the pack contains voting papers for the governing body positions and local board positions relevant to that voter). Misalignment of boundaries can create additional combinations of governing body and local board positions. This leads to additional cost in terms of voting documents. This reinforces the legal requirement for ward and local board boundaries to align as far as is practicable.

Tātaritanga me ngā tohutohu / Analysis and advice
Review of Governing Body representation arrangements

19. For Governing Body arrangements, the Working Party has reviewed:
   (i) whether any Governing Body members should be elected at large
   (ii) whether wards should be larger in size
   (iii) conversely, whether any double-member wards should become single-members wards
   (iv) whether any wards which do not comply with the 10 per cent rule should have their boundaries amended so that they comply. The wards which do not comply with the 10 per cent rule are:
      • Waitematā and Gulf ward
      • Ōrākei ward
      • Rodney ward
      • Manurewa-Papakura ward.

Whether any Governing Body members should be elected at large

20. The Royal Commission in 2009 proposed a total of 23 councillors with ten elected at-large, eight elected in four double-member urban wards, two single rural ward councillors, two elected by those on the Māori roll, one appointed by mana whenua.


22. Parliament’s Select Committee, The Auckland Governance Legislation Committee, reported there was significant opposition to electing councillors at-large and felt that retaining the at-large councillors could reduce voter participation. The majority of members believed that replacing the at-large councillors with ward councillors would provide for better representation of the communities of interest in Auckland.

23. The Local Government Commission determined the current arrangements in 2010. There was considerable public interest and the Commission’s final determination followed 736 submissions on its first proposal.

24. The Working Party noted that this issue had been discussed as part of the Governance Framework Review and that the Governing Body had resolved against any members being elected at-large. Nevertheless, the Working Party looked into whether to propose that any councillor positions should be elected at-large. It considered a scenario of three councillors elected at-large. That would have the effect that each of the remaining 17 ward councillors would represent populations of 97,000, which are very large populations. The Rodney ward is already over-represented and this would get worse, though the under representation in the
Waitematā and Gulf ward would be improved. A related issue with at-large positions is the cost of by-elections if a vacancy occurs. The Working Party confirmed the Governing Body’s position that all councillors should be elected by ward.

**Whether wards should be larger**

25. The Working Party considered whether wards should be larger than they are currently. It considered a scenario where the three south Auckland urban wards were combined into one ward for the purpose of electing six members. It noted:

   i) the total ward population would be 468,000
   
   ii) there is higher voter turnout in the Howick area than in the other areas currently represented by separate wards and so Howick would have the potential to drive election results with the effect that there might not be a spread of representation over all south Auckland communities
   
   iii) voters would need to choose six candidates from a long list of candidates, making the election process more complicated
   
   iv) a vacancy would cause a costly by-election
   
   v) the cap on election expenses would increase.

26. The Working Party is not recommending that any wards are increased in size to elect a greater number of members.

**Whether any double-member wards should be single-member wards**

27. The following table shows current single and double-member wards:

<table>
<thead>
<tr>
<th>Single-member</th>
<th>Double-member</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rodney</td>
<td>Albany</td>
</tr>
<tr>
<td>Waitematā</td>
<td>North Shore</td>
</tr>
<tr>
<td>Órākei</td>
<td>Albert-Eden-Roskill</td>
</tr>
<tr>
<td>Whau</td>
<td>Waitākere</td>
</tr>
<tr>
<td>Maungakiekie-Tāmaki</td>
<td>Howick</td>
</tr>
<tr>
<td>Franklin</td>
<td>Manukau</td>
</tr>
<tr>
<td></td>
<td>Manurewa-Papakura</td>
</tr>
</tbody>
</table>

28. The Working Party considered whether any double-member wards should be split into single-member wards. It noted that wards and local boards should both be based on communities of interest and if double-member wards are split, the split should align with local board boundaries.

29. The only double-member ward which can be split in this way is the Manukau ward. Splitting the other double-member wards results in single-member wards which do not comply with the 10 per cent rule.

30. The relevant matters to consider include the effective representation of communities of interest. Auckland Council wards are very large compared to wards of other councils, having a population on average of 82,860 per councillor. A double-member ward has approximately 160,000 population.

31. One advantage of creating single-member wards is more effective representation and engagement with the community in each ward because each councillor has a smaller area as a constituency. This needs to be balanced against any negative effects on communities of interest.

32. Splitting the Manukau ward would create a Māngere-Ótāhuhu ward and an Ótara-Papatoetoe ward. Both wards are already deemed to be communities of interest in terms of their respective local boards.
33. Within the combined Ōtara -Papatoetoe area the communities of Papatoetoe and Ōtara share many similarities but also have some differences. For example, Papatoetoe has a different ethnic composition to Ōtara and is larger in population. Both communities are lower socio-economic communities, but Ōtara has more population in the top deprivation index category, and in this respect is more like parts of Māngere than Papatoetoe.

34. The Working Party considered splitting the Manukau ward on two occasions – initially the majority of members agreed to recommend no change, but the Working Party reconsidered its position following the Governing Body workshop. The Working Party recommends that the Manukau ward is split. This will provide more effective representation with each councillor having a smaller area of focus. The smaller areas within the Ōtara-Papatoetoe ward have guaranteed representation at the local level through local board subdivisions.

Wards that do not comply with the 10 per cent rule

35. Based on statistics provided by the Local Government Commission (being a 2017 estimate) the following table displays population ratios. The Waitematā and Gulf ward, Ōrākei Ward, Rodney ward and Manurewa-Papakura ward do not comply with the 10 per cent rule.

<table>
<thead>
<tr>
<th>Ward</th>
<th>Population</th>
<th>Members</th>
<th>Population per member</th>
<th>Difference from quota</th>
<th>Per cent difference from quota</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rodney Ward</td>
<td>64,300</td>
<td>1</td>
<td>64,300</td>
<td>-18,560</td>
<td>-22.40</td>
</tr>
<tr>
<td>Albany Ward</td>
<td>169,800</td>
<td>2</td>
<td>84,900</td>
<td>2,040</td>
<td>2.46</td>
</tr>
<tr>
<td>North Shore Ward</td>
<td>156,800</td>
<td>2</td>
<td>78,400</td>
<td>-4,460</td>
<td>-5.38</td>
</tr>
<tr>
<td>Waitākere Ward</td>
<td>176,500</td>
<td>2</td>
<td>88,250</td>
<td>5,390</td>
<td>6.50</td>
</tr>
<tr>
<td>Waitematā and Gulf Ward</td>
<td>119,100</td>
<td>1</td>
<td>119,100</td>
<td>36,240</td>
<td>43.74</td>
</tr>
<tr>
<td>Whau Ward</td>
<td>84,700</td>
<td>1</td>
<td>84,700</td>
<td>1,840</td>
<td>2.22</td>
</tr>
<tr>
<td>Albert-Eden-Roskill Ward</td>
<td>172,200</td>
<td>2</td>
<td>86,100</td>
<td>3,240</td>
<td>3.91</td>
</tr>
<tr>
<td>Ōrākei Ward</td>
<td>91,500</td>
<td>1</td>
<td>91,500</td>
<td>8,640</td>
<td>10.43</td>
</tr>
<tr>
<td>Maungakiekie-Tāmaki Ward</td>
<td>79,700</td>
<td>1</td>
<td>79,700</td>
<td>-3,160</td>
<td>-3.81</td>
</tr>
<tr>
<td>Howick Ward</td>
<td>150,200</td>
<td>2</td>
<td>75,100</td>
<td>-7,760</td>
<td>-9.37</td>
</tr>
<tr>
<td>Manukau Ward</td>
<td>168,900</td>
<td>2</td>
<td>84,450</td>
<td>1,590</td>
<td>1.92</td>
</tr>
<tr>
<td>Manurewa-Papakura Ward</td>
<td>148,900</td>
<td>2</td>
<td>74,450</td>
<td>-8,410</td>
<td>-10.15</td>
</tr>
<tr>
<td>Franklin Ward</td>
<td>74,600</td>
<td>1</td>
<td>74,600</td>
<td>-8,260</td>
<td>-9.97</td>
</tr>
<tr>
<td>Total</td>
<td>1,657,200</td>
<td>20</td>
<td>82,860</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Waitematā and Gulf ward

36. The Waitematā and Gulf ward varies from the average population to member ratio (the “quota”) by 43.74 per cent. To comply with the 10 per cent rule, the ward needs to lose population. The Working Party considered three options (Attachment E):

i) Option 1: the boundaries on both the east and west of the ward move inwards

ii) Option 2: the boundary on the east (with the Ōrākei ward) does not change and there is a greater change to the western boundary

iii) Option 3: the boundary on the west (with the Albert-Eden-Roskill ward) does not change and there is a greater change in the boundary on the east (with more of Waitematā and Gulf ward being transferred to the Ōrākei ward).
37. The Working Party is recommending option 1. The other options have greater flow-on effects to neighbouring wards. Option 1 affects the following communities:
   - the communities of Parnell and Newmarket will become part of the Ōrākei ward
   - the communities in Westmere and west of Surrey Crescent will become part of the Albert-Eden-Roskill ward
   - the community in Eden Terrace, south of the motorway, will become part of the Albert-Eden-Roskill ward.

38. These changes will have consequential effects in neighbouring wards for those wards to comply with the 10 per cent rule:
   - parts of Ellerslie and St Johns, currently in the Ōrākei ward, will become part of the Maungakiekie-Tāmaki ward
   - part of Mt Roskill currently in the Albert-Eden-Roskill ward will become part of the Whau ward
   - part of an area close to Royal Oak and Onehunga, currently in the Maungakiekie-Tāmaki ward will become part of the Albert-Eden-Roskill ward.

39. There are no effects on local board boundaries as these cannot be changed under the process for the review of representation arrangements.

40. The following table shows the effect of this option on populations in terms of the 10 per cent rule:

<table>
<thead>
<tr>
<th>Ward</th>
<th>Per cent difference from quota</th>
</tr>
</thead>
<tbody>
<tr>
<td>Waitematā and Gulf Ward</td>
<td>9.22</td>
</tr>
<tr>
<td>Whau Ward</td>
<td>9.58</td>
</tr>
<tr>
<td>Albert-Eden-Roskill Ward</td>
<td>10.07</td>
</tr>
<tr>
<td>Ōrākei Ward</td>
<td>10.91</td>
</tr>
<tr>
<td>Maungakiekie-Tāmaki Ward</td>
<td>10.43</td>
</tr>
</tbody>
</table>

41. The Working Party considered formal feedback from local boards and a written report by the member for the Waitematā and Gulf ward, Councillor Mike Lee.

42. The Ōrākei Local Board has made proposals that modify the option supported by the Working Party. Parnell becomes part of Ōrākei. The board notes that Parnell shares a common boundary with Hobson Bay. However, it believes that Newmarket should stay within the Waitematā and Gulf ward because it shares characteristics with Grafton and the CBD. Further, it states that the areas of St Johns and Colin Maiden Park that are proposed to become part of the Maungakiekie-Tāmaki ward, have more of a community of interest with Ōrākei than Maungakiekie-Tāmaki.

43. Other local boards located within the areas of the affected wards supported Option 1:
   - Waitematā Local Board
   - Albert-Eden Local Board
   - Maungakiekie-Tāmaki Local Board

44. The Puketāpapa Local Board did not comment on the option.

45. Councillor Mike Lee has recommended the status quo:
   i) He notes the requirement for fair representation in the Act, which refers to ensuring “...that the electors of the ward or constituency or subdivision receive fair representation, having regard to the population…” Councillor Lee points out that the ratio of electors to population in the Waitematā and Gulf ward is very low (if not the lowest in the country) and if fairness of representation is in respect to electors, then basing fairness on population in the Waitematā and Gulf ward is not appropriate.
ii) He also refers to various aspects of Auckland’s governance arrangements that make Auckland Council unique and that the arrangements that were set in place by the Local Government Commission for the establishment of Auckland Council in 2010 should not be interfered with.

iii) He notes that changing the ward boundaries will lead to a misalignment with local board boundaries and consequential additional election costs through having to publish different versions of voting documents

iv) Councillor Lee also notes the ability under the Act to not comply with the 10 per cent rule if compliance would lead to splitting communities of interest. He maintains that the Working Party’s recommendation would lead to splitting communities of interest.

46. The variance of the ward from the quota is 43.74 per cent and this will continue to grow as population increases. Although the legislation provides the ability to not comply with the 10 per cent rule, it is not likely that the Local Government Commission would accept this degree of non-compliance – though this is their discretion.

47. We reviewed several previous determinations of the Commission. The highest variance that has been accepted by the Commission appears to be -61.47 per cent in Christchurch for Banks Peninsula. In that case, it was clear that Banks Peninsula did not form a community of interest with any of the urban wards in Christchurch. A variance of -55.48 per cent was accepted for Fiordland in the Southland Regional Council area for similar reasons. However, other variances that have been accepted have been 20 per cent or less.

48. The Working Party considered the views of the local boards and Councillor Lee and confirmed its preference for Option 1.

Rodney ward

49. The Rodney ward is over-represented by -22.40 per cent and to comply it needs to expand its boundaries.

50. The Working Party considered options for increasing the population of the ward by expanding its boundaries.

51. An option that would provide sufficient population moves the area that includes Orewa to Waiwera into the Rodney ward and out of the Albany ward. The Working Party has rejected that option on the basis that it would split the community of interest that those places have with the Hibiscus Coast.

52. Another option is to move the southern boundary of the Rodney ward southwards. However, this option moves communities into Rodney which are south-facing rather than north-facing. These communities would tend to go south for work and retail shopping purposes rather than go north.

53. The Working Party noted:

- compliance with the 10 per cent rule would split communities of interest or join disparate communities of interest
- a variance of -22 per cent is likely to be acceptable to the Commission, and it is gradually improving over time as population in Rodney increases
- there is a legislative requirement for ward boundaries and local board boundaries to align as far as is practicable
- the current Rodney ward boundaries were established by the Local Government Commission.

54. The Working Party recommends the council propose the status quo for the Rodney ward.
Manurewa-Papakura ward

55. The Manurewa-Papakura ward is over-represented by -10.15 per cent and to comply it needs to expand its boundaries.

56. The ward cannot be expanded southwards as this would take population from the Franklin ward.

57. The Working Party considered two options for expanding the northern boundary. One option moves the boundary on the western side of the motorway northwards from SH20 to Cavendish Drive in the Manukau City Centre.

58. The other option moves the northern boundary on the eastern side of the motorway, currently along the Redoubt Road ridge, northwards.

59. The Working Party noted:
   - the variance is only marginally over 10 per cent
   - the communities north of Redoubt Road do not have a community of interest with Manurewa-Papakura
   - the Ōtara-Papatoetoe Local Board has provided feedback that it considers SH20 to be the obvious northern boundary on the western side of the motorway
   - there is a legislative requirement for ward boundaries and local board boundaries to align as far as is practicable.

60. The Working Party recommends the council propose the status quo for the Manurewa-Papakura ward.

Wards for the 2019 elections

61. The table below summarises the arrangements for wards for the 2019 election with the above proposals:

<table>
<thead>
<tr>
<th>Ward</th>
<th>Population (2017 Est.)</th>
<th>Members</th>
<th>Population per member</th>
<th>Difference from quota</th>
<th>Per cent difference from quota</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rodney Ward</td>
<td>64,300</td>
<td>1</td>
<td>64,300</td>
<td>-18,560</td>
<td>-22.40</td>
</tr>
<tr>
<td>Albany Ward</td>
<td>169,800</td>
<td>2</td>
<td>84,900</td>
<td>2,040</td>
<td>2.46</td>
</tr>
<tr>
<td>North Shore Ward</td>
<td>156,800</td>
<td>2</td>
<td>78,400</td>
<td>-4,460</td>
<td>-5.38</td>
</tr>
<tr>
<td>Waitākere Ward</td>
<td>176,500</td>
<td>2</td>
<td>88,250</td>
<td>5,390</td>
<td>6.50</td>
</tr>
<tr>
<td>Waitematā and Gulf Ward</td>
<td>90,500</td>
<td>1</td>
<td>90,500</td>
<td>7,640</td>
<td>8.45</td>
</tr>
<tr>
<td>Whau Ward</td>
<td>90,800</td>
<td>1</td>
<td>90,800</td>
<td>7,940</td>
<td>8.81</td>
</tr>
<tr>
<td>Albert-Eden-Roskill Ward</td>
<td>182,400</td>
<td>2</td>
<td>91,200</td>
<td>8,340</td>
<td>9.02</td>
</tr>
<tr>
<td>Ōrākei Ward</td>
<td>91,900</td>
<td>1</td>
<td>91,900</td>
<td>9,040</td>
<td>10.01</td>
</tr>
<tr>
<td>Maungakiekie-Tāmaki Ward</td>
<td>91,500</td>
<td>1</td>
<td>91,500</td>
<td>8,640</td>
<td>10.34</td>
</tr>
<tr>
<td>Howick Ward</td>
<td>150,200</td>
<td>2</td>
<td>75,100</td>
<td>-7,760</td>
<td>-9.37</td>
</tr>
<tr>
<td>Māngere-Ōtāhuhu Ward</td>
<td>81,100</td>
<td>1</td>
<td>81,100</td>
<td>-1,760</td>
<td>-2.12</td>
</tr>
<tr>
<td>Ōtara-Papatoetoe Ward</td>
<td>87,800</td>
<td>1</td>
<td>87,800</td>
<td>4,940</td>
<td>5.69</td>
</tr>
<tr>
<td>Manurewa-Papakura Ward</td>
<td>148,900</td>
<td>2</td>
<td>74,450</td>
<td>-4,940</td>
<td>-6.73</td>
</tr>
<tr>
<td>Franklin Ward</td>
<td>74,600</td>
<td>1</td>
<td>74,600</td>
<td>-2,660</td>
<td>-3.58</td>
</tr>
<tr>
<td><strong>Total Auckland</strong></td>
<td><strong>1,657,200</strong></td>
<td><strong>20</strong></td>
<td><strong>82,860</strong></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Review of local board representation arrangements

62. A presentation on the review was discussed at local board workshops. Following this, all local boards considered a formal report, which described representation issues for both the Governing Body and local boards and resolved their formal feedback (Attachment A). The Working Party received the local board feedback which has guided their recommendations on local board issues.
Number of members on local boards

63. The following table provides the population for each local board and the number of board members:

<table>
<thead>
<tr>
<th>Board</th>
<th>Population</th>
<th>Members</th>
<th>Population per member</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rodney</td>
<td>64,300</td>
<td>9</td>
<td>7,144</td>
</tr>
<tr>
<td>Hibiscus and Bays</td>
<td>104,500</td>
<td>8</td>
<td>13,063</td>
</tr>
<tr>
<td>Upper Harbour</td>
<td>65,300</td>
<td>6</td>
<td>10,883</td>
</tr>
<tr>
<td>Kaipātiki</td>
<td>94,000</td>
<td>8</td>
<td>11,750</td>
</tr>
<tr>
<td>Devonport-Takapuna</td>
<td>62,800</td>
<td>6</td>
<td>10,467</td>
</tr>
<tr>
<td>Henderson-Massey</td>
<td>122,300</td>
<td>8</td>
<td>15,288</td>
</tr>
<tr>
<td>Waitākere Ranges</td>
<td>54,200</td>
<td>6</td>
<td>9,033</td>
</tr>
<tr>
<td>Great Barrier</td>
<td>1,000</td>
<td>5</td>
<td>200</td>
</tr>
<tr>
<td>Waiheke</td>
<td>9,630</td>
<td>5</td>
<td>1,926</td>
</tr>
<tr>
<td>Waitemata</td>
<td>108,500</td>
<td>7</td>
<td>15,500</td>
</tr>
<tr>
<td>Whau</td>
<td>84,700</td>
<td>7</td>
<td>12,100</td>
</tr>
<tr>
<td>Albert-Eden</td>
<td>109,200</td>
<td>8</td>
<td>13,650</td>
</tr>
<tr>
<td>Puketāpapa</td>
<td>63,000</td>
<td>6</td>
<td>10,500</td>
</tr>
<tr>
<td>Ōrākei</td>
<td>91,500</td>
<td>7</td>
<td>13,071</td>
</tr>
<tr>
<td>Maungakiekie-Tāmaki</td>
<td>79,700</td>
<td>7</td>
<td>11,386</td>
</tr>
<tr>
<td>Howick</td>
<td>150,200</td>
<td>9</td>
<td>16,689</td>
</tr>
<tr>
<td>Māngere-Ōtāhuhu</td>
<td>81,100</td>
<td>7</td>
<td>11,586</td>
</tr>
<tr>
<td>Ōtara-Papatoetoe</td>
<td>87,800</td>
<td>7</td>
<td>12,543</td>
</tr>
<tr>
<td>Manurewa</td>
<td>94,500</td>
<td>8</td>
<td>11,813</td>
</tr>
<tr>
<td>Papakura</td>
<td>54,500</td>
<td>6</td>
<td>9,083</td>
</tr>
<tr>
<td>Franklin</td>
<td>74,600</td>
<td>9</td>
<td>8,289</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>1,657,330</strong></td>
<td><strong>64</strong></td>
<td></td>
</tr>
</tbody>
</table>

64. There is no legal requirement that the number of members should be proportional to the size of population, but clearly, the more populous areas have more members than those with less population.

65. There are no recommendations to change the number of local board members on any local board.

Names of local boards

66. The Great Barrier Local Board has proposed that its name changes to Aotea Great Barrier Local Board. The change of name reflects the intended re-naming of Great Barrier Island after the settlement with Ngāti Rehua - Ngātiwai ki Aotea.

67. This is supported by the Working Party. There are no other proposals for name changes.
Local board subdivisions that do not comply with the 10 per cent rule

68. The following boards do not have subdivisions:

- Upper Harbour
- Kaipātaki
- Devonport-Takapuna
- Henderson
- Waitakere Ranges
- Waitematā
- Ōrākei
- Whau
- Puketāpapa
- Māngere-Ōtāhuhu
- Manurewa
- Papakura
- Great Barrier
- Waiheke

69. For those boards with subdivisions, the following shows population in relation to the 10 per cent rule:

<table>
<thead>
<tr>
<th>Local board</th>
<th>Population</th>
<th>Members</th>
<th>Pop per member</th>
<th>Difference from quota</th>
<th>% Diff from quota</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Rodney Local Board</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Wellsford Subdivision</td>
<td>6,380</td>
<td>1</td>
<td>6,380</td>
<td>-763</td>
<td>-10.69</td>
</tr>
<tr>
<td>Warkworth Subdivision</td>
<td>20,700</td>
<td>3</td>
<td>6,900</td>
<td>-243</td>
<td>-3.41</td>
</tr>
<tr>
<td>Kumeu Subdivision</td>
<td>29,700</td>
<td>4</td>
<td>7,425</td>
<td>282</td>
<td>3.94</td>
</tr>
<tr>
<td>Dairy Flat Subdivision</td>
<td>7,510</td>
<td>1</td>
<td>7,510</td>
<td>367</td>
<td>5.13</td>
</tr>
<tr>
<td>Total</td>
<td>64,290</td>
<td>9</td>
<td>7,143</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Hibiscus and Bays Local Board</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hibiscus Coast Subdivision</td>
<td>53,300</td>
<td>4</td>
<td>13,325</td>
<td>263</td>
<td>2.01</td>
</tr>
<tr>
<td>East Coast Bays Subdivision</td>
<td>51,200</td>
<td>4</td>
<td>12,800</td>
<td>-263</td>
<td>-2.01</td>
</tr>
<tr>
<td>Total</td>
<td>104,500</td>
<td>8</td>
<td>13,063</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Albert-Eden Local Board</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ōwairaka Subdivision</td>
<td>53,800</td>
<td>4</td>
<td>13,450</td>
<td>-200</td>
<td>-1.47</td>
</tr>
<tr>
<td>Maungawhau Subdivision</td>
<td>55,400</td>
<td>4</td>
<td>13,850</td>
<td>200</td>
<td>1.47</td>
</tr>
<tr>
<td>Total</td>
<td>109,200</td>
<td>8</td>
<td>13,650</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Maungakiekie-Tāmaki Local Board</strong></td>
<td></td>
<td></td>
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<tr>
<td>Maungakiekie Subdivision</td>
<td>31,200</td>
<td>3</td>
<td>10,400</td>
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<td>4</td>
<td>12,100</td>
<td>729</td>
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</tr>
<tr>
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<td>79,600</td>
<td>7</td>
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<td>Local board</td>
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<td>Members</td>
<td>Pop per member</td>
<td>Difference from quota</td>
<td>% Diff from quota</td>
</tr>
<tr>
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<td>------------</td>
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<td>Pakuranga Subdivision</td>
<td>45,800</td>
<td>3</td>
<td>15,267</td>
<td>-1,422</td>
<td>-8.52</td>
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<td>Howick Subdivision</td>
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<td>3</td>
<td>15,300</td>
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<td>Botany Subdivision</td>
<td>58,500</td>
<td>3</td>
<td>19,500</td>
<td>2,811</td>
<td>16.84</td>
</tr>
<tr>
<td>Total</td>
<td>150,200</td>
<td>9</td>
<td>16,689</td>
<td></td>
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<td>Ōtara-Papatoetoe Local Board</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Papatoetoe Subdivision</td>
<td>51,600</td>
<td>4</td>
<td>12,900</td>
<td>343</td>
<td>2.73</td>
</tr>
<tr>
<td>Ōtara Subdivision</td>
<td>36,300</td>
<td>3</td>
<td>12,100</td>
<td>-457</td>
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</tr>
<tr>
<td>Total</td>
<td>87,900</td>
<td>7</td>
<td>12,557</td>
<td></td>
<td></td>
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<td>Franklin Local Board</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>Waiuku Subdivision</td>
<td>15,350</td>
<td>2</td>
<td>7,675</td>
<td>-619</td>
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<tr>
<td>Pukekohe Subdivision</td>
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<td>9</td>
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</table>

Note: any discrepancies between local board totals in this table and the previous table are due to rounding protocols being different when analysing populations under 10,000 (where rounding is to the nearest ten rather than the nearest one hundred).

70. There are two subdivisions that do not comply:
   - Botany subdivision of the Howick Local Board (at 16.84 per cent, which needs to lose population)
   - Wellsford subdivision of the Rodney Local Board (at -10.69 per cent, which is addressed in response to a suggestion to change the Warkworth subdivision boundaries).

**Botany subdivision of the Howick Local Board**

71. The Botany subdivision needs to lose population to comply. This requires the boundaries of the Pakuranga and/or Howick subdivisions to move southwards. The southern boundary of the Howick subdivision is already close to the Botany Town Centre. Moving it further south encompasses communities who would likely pursue their retail activities at Botany Town Centre rather than at the Howick town centre and who would likely identify more with Botany than Howick.

72. An option considered by the Howick Local Board was to move the Golflands areas into the Howick subdivision and the Burswood area into the Pakuranga subdivision, but the Burswood area is physically separated from Pakuranga by the Pakuranga Creek.

73. The Howick Local Board has recommended that the council should propose the status quo, noting there is continuing growth in the Botany area, and that the council should consider all options for Howick Local Board representation arrangements at a future review.

74. The Working Party supports this recommendation.

**Subdivisions of the Rodney Local Board**

75. A submission has been received from a resident, Mr Grant Kirby, living near the Kaipara Harbour, pointing out that the Warkworth subdivision extends from coast to coast. Mr Kirby was a former chair of the Local Government Commission. The submission states that the area alongside the Kaipara Harbour does not share a community of interest with Warkworth and suggests extending the Kumeu subdivision boundary northwards, to follow the Helensville electorate boundary.

76. Maps showing current subdivisions, the option of extending the Kumeu subdivision northwards and an option of extending the Wellsford subdivision southwards, are contained in Attachment F. Both options result in subdivisions that comply with the 10 per cent rule.
77. The Rodney Local Board has recommended extending the Wellsford subdivision south on the Kaipara side as well as a boundary adjustment at Matakana Road.

78. The subdivision populations comply with the 10 per cent rule, as follows:

<table>
<thead>
<tr>
<th>Subdivision</th>
<th>Population (2017 Est.)</th>
<th>Members</th>
<th>Population per member</th>
<th>Difference from quota</th>
<th>Per cent difference from quota</th>
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</thead>
<tbody>
<tr>
<td>Dairy Flat Subdivision</td>
<td>7,510</td>
<td>1</td>
<td>7,510</td>
<td>367</td>
<td>5.13</td>
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<tr>
<td>Kumeu Subdivision</td>
<td>29,700</td>
<td>4</td>
<td>7,425</td>
<td>282</td>
<td>3.94</td>
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<tr>
<td>Warkworth Subdivision</td>
<td>20,200</td>
<td>3</td>
<td>6,733</td>
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<td>-5.74</td>
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<tr>
<td>Wellsford Subdivision</td>
<td>6,870</td>
<td>1</td>
<td>6,870</td>
<td>-273</td>
<td>-3.83</td>
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<tr>
<td><strong>Rodney Local Board Total</strong></td>
<td><strong>64,290</strong></td>
<td><strong>9</strong></td>
<td><strong>7,143</strong></td>
<td></td>
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</tr>
</tbody>
</table>

79. The Working Party supports these recommendations.

Other subdivision suggestions

80. The Waitematā Local Board, which does not currently have subdivisions, was invited to comment on a proposal for a central Waitematā subdivision. The local board has stated that it represents the various communities within its area well and subdivisions for the Waitematā Local Board are not required to ensure effective representation of communities of interest.

81. The Upper Harbour Local Board, which does not currently have subdivisions, was invited to comment on a proposal that it should have subdivisions to ensure a spread of representation. The current spread of population in the local board area does not permit subdivision boundaries along recognisable community or physical lines. Staff provided an option with three subdivisions which complied with the 10 per cent rule using the current number of board members for consideration by the board. The board resolved that consideration of establishing subdivisions is deferred to the next review when the population in the western part of the local board area will have increased.

Ngā whakaaweawe ā-rohe me ngā tirohanga a te poari ā-rohe / Local impacts and local board views

82. Local boards have supported a process where the Working Party develops the Auckland Council proposal for presentation to the Governing Body. The Working Party has joint local board and Governing Body representation. The Governing Body makes the Auckland Council resolution required by the legislation which will be notified for public submissions.

83. All local boards have had workshops on the review, received a formal report and made formal resolutions providing their feedback.

84. Following the closing date for submissions the Governing Body must make the final statutory resolution within six weeks. The Working Party will consider submissions. For the Working Party to liaise effectively with local boards, the local boards have delegated authority to the chair or another member to represent the board’s views on the review should the Working Party seek further engagement with and/or feedback from the board prior during the consideration of submissions following public notification.

Tauākī whakaaweawe Māori / Māori impact statement

85. The Act provides for councils to establish Māori wards for electing governing body members.

86. The Auckland Council Governing Body has previously considered this aspect of its representation arrangements. A resolution to establish a Māori ward was required by 23 November 2017. The Governing Body supported the creation of a Māori ward in principle but decided not to proceed further until it could increase the number of Governing Body members.

87. There is no similar provision for local board elections. The process for electing local board members is the same for all.
Ngā ritenga ā-pūtea / Financial implications
88. The review process is supported in-house. There will be costs associated with public notices and a payment to the Local Government Commission for preparing plans of boundaries and having them certified by the Surveyor-General. These costs will be met from existing budgets.

Ngā raru tūpono / Risks
89. The legislation requires deadline dates for certain decisions and public notification. Auckland Council has the greatest number of governance entities in the country (one governing body and twenty-one local boards). The biggest risk to the review is not meeting the statutory deadlines due to the need to involve all entities in the review.

Ngā koringa ā-muri / Next steps
90. The Working Party will hear and consider submissions after submissions have closed and develop final proposals for consideration by the Governing Body at its October meeting, when it will make its final statutory resolution for public notification.
91. The legislation requires public notification of council’s final proposal within six weeks of the date that submissions close. Within those six weeks, staff will analyse submissions for the Working Party. Submitters who request to be heard will be able to attend a hearing conducted by the Working Party. A report will then be written up for presentation to the Governing Body.
92. Some submissions may affect local boards. Each local board has authorised a person, usually the chairperson, to represent the board’s views. Every endeavour will be made to place relevant submissions before local board workshops for local board feedback or to get feedback from those who have been authorised by local boards, to report to the Working Party.
93. To meet the legislatively required timeline, the Governing Body will need to hold an extraordinary meeting to resolve its final proposal.

Ngā tāpirihanga / Attachments

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<th>Title</th>
<th>Page</th>
</tr>
</thead>
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<td>Report from the member for the Waitakere and Gulf ward</td>
<td>87</td>
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<td>Proposed boundaries for the Waitakere &amp; Gulf, Ōrākei, Maungakiekie- Tāmaki and Whau wards</td>
<td>95</td>
</tr>
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<td>D</td>
<td>Proposed boundaries for Rodney Local Board subdivisions</td>
<td>97</td>
</tr>
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<td>E</td>
<td>Options for Waitakere &amp; Gulf ward</td>
<td>99</td>
</tr>
<tr>
<td>F</td>
<td>Options for Rodney Local Board subdivisions</td>
<td>101</td>
</tr>
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</table>

Ngā kaihaina / Signatories

<table>
<thead>
<tr>
<th>Author</th>
<th>Warwick McNaughton - Principal Advisor - Democracy Services</th>
</tr>
</thead>
<tbody>
<tr>
<td>Authorisers</td>
<td>Marguerite Delbet - General Manager Democracy Services</td>
</tr>
<tr>
<td></td>
<td>Phil Wilson - Governance Director</td>
</tr>
<tr>
<td></td>
<td>Stephen Town - Chief Executive</td>
</tr>
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</table>

Review of Auckland Council’s representation arrangements for the 2019 elections
Local Board feedback on proposals for the review of representation arrangements

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That the Albert-Eden Local Board:

a) Believes that local government legislation should be changed to remove the 20 member cap on the number of Auckland Councillors, to simplify the process of creating Māori Wards and to enable minor changes to local board boundaries to better comply with communities of interest and to align with ward boundaries where appropriate; otherwise the Waitematā and Gulf ward non-complying variance (population per member) should be addressed by reducing the size of the isthmus part of the ward on both the east and the west of the ward as in ‘Option 1’, with the resulting changes for neighbouring wards as set out in that option.

b) Endorses the general approach to the review of Auckland Council’s representation arrangements for the 2019 elections, which is to make changes on an issue-by-issue basis and to not seek significant change.

c) Endorses the Joint Governance Working Party’s position in respect to the review of Auckland Council’s representation arrangements for the 2019 elections that all Governing Body members are to continue to be elected by ward as decided by the Governing Body.

d) Delegates authority to the Chairperson to represent the board’s views on the review of Auckland Council’s representation arrangements for the 2019 elections should the Joint Governance Working Party seek further engagement with and/or feedback from the board prior to reporting to the Governing Body with a proposal in July 2018, or during the consideration of submissions following public notification.

That the Devonport-Takapuna Local Board:

a) recommends retaining status quo for the Devonport-Takapuna Local Board and North Shore ward representation arrangements.

b) delegates authority to the Chairperson and Deputy Chairperson to represent the board’s views on the review of Auckland Council’s representation arrangements for the 2019 elections should the Joint Governance Working Party seek further engagement with and/or feedback from the board prior to reporting to the Governing Body with a proposal in July 2018, or during the consideration of submissions following public notification.

That the Great Barrier Local Board:

a) delegate the Chairperson in discussion with other board members to provide its formal written feedback after the board’s representation review workshop scheduled on 29 May.

b) recommend adding ‘Aotea’ to its name to acknowledge the Treaty of Waitangi settlement with Ngāti Rehua - Ngātiwai ki Aotea.
That the Henderson-Massey Local Board:

a) endorse the general approach to the review of Auckland Council’s representation arrangements for the 2019 elections, which is to make changes on an issue-by-issue basis and to not seek significant change.

b) endorse the Joint Governance Working Party’s position on the following matters with respect to the review of Auckland Council’s representation arrangements for the 2019 elections:
   i. that all Governing Body members are to continue to be elected by ward as decided by the Governing Body
   ii. that the current number of members in each ward is retained
   iii. that the Waitamata and Gulf ward non-complying variance (population per member) should be addressed by reducing the size of the isthmus part of the ward on both the east and the west of the ward as in ‘Option 1’, with the resulting changes for neighbouring wards as set out in that option
   iv. that the Rodney ward non-complying variance (population per member) should be retained on the basis that compliance would result in splitting communities of interest or joining disparate communities of interest
   v. that the area alongside the Kaipara Harbour does not have a community of interest with Warkworth, and that the Rodney Local Board is invited to provide feedback on the alternative options for subdivision arrangements.

c) endorse the following recommendations with respect to the review of Auckland Council’s representation arrangements for the 2019 elections, noting that they have yet to be considered by the Joint Governance Working Party:
   i. that the Botany subdivision non-complying variance (population per member) should be addressed by moving the southern boundary of the Howick ward southwards and that the Howick Local Board is invited to provide feedback on the two alternative options
   ii. that the Manurewa-Papakura ward non-complying variance (population per member) should be retained on the basis that compliance would result in splitting communities of interest or joining disparate communities of interest
   iii. that the Waitamata Local Board consider whether subdivisions within the board area are appropriate
   iv. that the Upper Harbour Local Board consider whether subdivisions within the Board area are appropriate.

d) provide any other feedback on the review of Auckland Council’s representation arrangements for the 2019 elections.

e) delegate authority to the Chairperson to represent the board’s views on the review of Auckland Council’s representation arrangements for the 2019 elections should the Joint Governance Working Party seek further engagement with and/or feedback from the board prior to reporting to the Governing Body with a proposal in July 2018, or during the consideration of submissions following public notification.
That the Hibiscus and Bays Local Board:

a) endorse the general approach to the review of Auckland Council’s representation arrangements for the 2019 elections, which is to make changes on an issue-by-issue basis and to not seek significant change.

b) endorse the Joint Governance Working Party’s position on the following matters with respect to the review of Auckland Council’s representation arrangements for the 2019 elections:

   i) That all Governing Body members are to continue to be elected by ward as decided by the Governing Body

   ii) That the current number of Governing Body members in each ward is retained

   iii) That the Rodney ward non-complying variance (population per member) should be retained on the basis that compliance would result in splitting communities of interest or joining disparate communities of interest

c) delegate authority to the chairperson to represent the local board’s views on the review of Auckland Council’s representation arrangements for the 2019 elections should the Joint Governance Working Party seek further engagement with and/or feedback from the local board prior to reporting to the Governing Body with a proposal in July 2018, or during the consideration of submissions following public notification.

That the Howick Local Board:

a) endorse the general approach to the review of Auckland Council’s representation arrangements for the 2019 elections, which is to make changes on an issue-by-issue basis and to not seek significant change.

b) in response to the Botany subdivision non-complying variance (population per member), recommend any response is deferred due to imminent population growth in Botany. The local board believes that communities of interest would be better served by reviewing realignment of subdivision boundaries at a future representation review to account for population growth in the Botany subdivision and to more accurately gauge representation requirements.

If deferment is not possible, then the Howick Local Board recommend a subdivision boundary realignment as detailed in option 3 (as tabled), that is, broadly, the Burswood area be transferred to the Pakuranga subdivision, and the Golflands area be transferred to the Howick subdivision. These areas have more of a community of interest historically with the Pakuranga and Howick subdivisions respectively.

If deferment is not possible the Howick Local Board does not endorse either option 1 or option 2 as detailed in the report as this would detrimental to the associated communities of interest.

c) delegate authority to the Chairperson to represent the board's views on the review of Auckland Council's representation arrangements for the 2019 elections should the Joint Governance Working Party seek further engagement with and/or feedback from the board prior to reporting to the Governing Body with a proposal in July 2018, or during the consideration of submissions following public notification.
That the Kaipātiki Local Board:

a) endorse the general approach to the review of Auckland Council’s representation arrangements for the 2019 elections, which is to make changes on an issue-by-issue basis and to not seek significant change.

b) endorse the Joint Governance Working Party’s position on the following matters with respect to the review of Auckland Council’s representation arrangements for the 2019 elections:

i. that all Governing Body members are to continue to be elected by ward as decided by the Governing Body.

ii. that the current number of members in each ward is retained.

c) delegate authority to the Chairperson and Deputy Chairperson to represent the board’s views on the review of Auckland Council’s representation arrangements for the 2019 elections should the Joint Governance Working Party seek further engagement with and/or feedback from the board prior to reporting to the Governing Body with a proposal in July 2018, or during the consideration of submissions following public notification.

That the Māngere-Ōtāhuhu Local Board:

a) endorse the general approach to the review of Auckland Council’s representation arrangements for the 2019 elections, which is to make changes on an issue-by-issue basis and to not seek significant change.

b) endorse the Joint Governance Working Party’s position on the following matters with respect to the review of Auckland Council’s representation arrangements for the 2019 elections:

i. that all Governing Body members are to continue to be elected by ward as decided by the Governing Body

ii. that the current number of members in each ward is retained

iii. that the Waitemātā and Gulf ward non-complying variance (population per member) should be addressed by reducing the size of the isthmus part of the ward on both the east and the west of the ward as in ‘Option 1’, with the resulting changes for neighbouring wards as set out in that option

iv. that the Rodney ward non-complying variance (population per member) should be retained on the basis that compliance would result in splitting communities of interest or joining disparate communities of interest

v. that the area alongside the Kaipara Harbour does not have a community of interest with Warkworth, and that the Rodney Local Board is invited to provide feedback on the alternative options for subdivision arrangements.

c) endorse the following recommendations with respect to the review of Auckland Council’s representation arrangements for the 2019 elections, noting that they have yet to be considered by the Joint Governance Working Party:

i. that the Botany subdivision non-complying variance (population per member) should be addressed by moving the southern boundary of the Howick ward southwards and that the Howick Local Board is invited to provide feedback on the two alternative options

ii. that the Manurewa-Papakura ward non-complying variance (population per member) should be retained on the basis that compliance would result in
splitting communities of interest or joining disparate communities of interest

iii. that the Waitamata Local Board consider whether subdivisions within the board area are appropriate

iv. that the Upper Harbour Local Board consider whether subdivisions within the Board area are appropriate.

d) provide any other feedback on the review of Auckland Council’s representation arrangements for the 2019 elections.

e) delegate authority to the Chairperson to represent the board’s views on the review of Auckland Council’s representation arrangements for the 2019 elections should the Joint Governance Working Party seek further engagement with and/or feedback from the board prior to reporting to the Governance Board with a proposal in July 2018, or during the consideration of submissions following public notification.

That the Manurewa Local Board:

a) endorse the general approach to the review of Auckland Council’s representation arrangements for the 2019 elections, which is to make changes on an issue-by-issue basis and to not seek significant change

b) endorse the Joint Governance Working Party’s position on the following matters with respect to the review of Auckland Council’s representation arrangements for the 2019 elections:

i) that all Governing Body members are to continue to be elected by ward as decided by the Governing Body

ii) that the current number of members in each ward is retained

c) endorse the following recommendations with respect to the review of Auckland Council’s representation arrangements for the 2019 elections, noting that they have yet to be considered by the Joint Governance Working Party:

i) that the Manurewa-Papakura ward non-complying variance (population per member) should be retained on the basis that compliance would result in splitting communities of interest or joining disparate communities of interest

d) delegate authority to the Chair to represent the board’s views on the review of Auckland Council’s representation arrangements for the 2019 elections should the Joint Governance Working Party seek further engagement with and/or feedback from the board prior to reporting to the Governance Board with a proposal in July 2018, or during the consideration of submissions following public notification.

That the Maungakiekie-Tāmaki Local Board:

a) endorse the general approach to the review of Auckland Council’s representation arrangements for the 2019 elections, which is to make changes on an issue-by-issue basis and to not seek significant change.

b) endorse the Joint Governance Working Party’s position on the following matters with respect to the review of Auckland Council’s representation arrangements for the 2019 elections:
i. that all Governing Body members are to continue to be elected by ward as decided by the Governing Body

ii. that the current number of members in each ward is retained

iii. that the Waitātā and Gulf ward non-complying variance (population per member) should be addressed by reducing the size of the isthmus part of the ward on both the east and the west of the ward as in “Option 1”, with the resulting changes for neighbouring wards as set out in that option

iv. that the Rodney ward non-complying variance (population per member) should be retained on the basis that compliance would result in splitting communities of interest or joining disparate communities of interest

v. that the area alongside the Kaipara Harbour does not have a community of interest with Warkworth, and that the Rodney Local Board is invited to provide feedback on the alternative options for subdivision arrangements.

c) endorse the following recommendations with respect to the review of Auckland Council’s representation arrangements for the 2019 elections, noting that they have yet to be considered by the Joint Governance Working Party:

i. that the Botany subdivision non-complying variance (population per member) should be addressed by moving the southern boundary of the Howick ward southwards and that the Howick Local Board is invited to provide feedback on the two alternative options

ii. that the Manurewa-Papakura ward non-complying variance (population per member) should be retained on the basis that compliance would result in splitting communities of interest or joining disparate communities of interest

iii. that the Waitematā Local Board consider whether subdivisions within the Board area are appropriate

iv. that the Upper Harbour Local Board consider whether subdivisions within the Board area are appropriate.

d) provide any other feedback on the review of Auckland Council’s representation arrangements for the 2019 elections.

e) delegate authority to the Chairperson to represent the board’s views on the review of Auckland Council’s representation arrangements for the 2019 elections should the Joint Governance Working Party seek further engagement with and/or feedback from the board prior to reporting to the Governing Body with a proposal in July 2018, or during the consideration of submissions following public notification.

That the Ōrākei Local Board:

a) provides feedback on the review of Auckland Council’s representation arrangements for the 2019 elections as follows:

i. General feedback

The Board supports the general approach to the review of Auckland Council’s representation arrangements for the 2019 elections for the Governing Body’s ward boundaries, which is to make changes on an issue-by-issue basis and to not seek significant change. However, it is not clear whether the review was intended to include both the Governing Body
arrangements and Local Board boundaries, given that local boards are legislatively part of the Auckland Council and no there has been no specific consultation with each local board on its boundary and membership. Accordingly, it cannot be considered a review of Auckland Council’s representation arrangements. The Board’s feedback is based solely on Governing Body ward boundaries.

The Board does not consider that ward boundaries need to align with local board boundaries at all times and supports the Governing Body seeking legislative change to allow it to review the number of Governing Body members as this would enable the better management of the Fairness of representation requirements in the Local Electoral Act 2001.

ii. Waitemátā and Gulf ward and Órākei ward

The Board’s preferred option to address the variance of 43 per cent for the Waitemátā and Gulf ward is for the Governing Body to seek legislative change to allow it to review the number of Governing Body members as this change would enable the addition of a second Governing Body member to the Waitemátā and Gulf ward which in turn would result in minimal changes to the rest of the isthmus wards.

Should this preferred approach not be successful, the Board supports a variation to Option 2 in the report as follows:

- The addition of Parnell to the Órākei ward because it shares a similar history, character and heritage buildings as other parts of the ward and the residents have a similar socio-economic status. Parnell shares a common boundary with Hobson Bay, so including Parnell will ensure that the planning and development of the Hobson Bay area and Tamaki Drive is integrated. The Parnell boundary should also be extended down to the start of Tamaki Drive in the vicinity of the Port area, not including the Port or the heliport, but including Teal Reserve, as there is a community of interest for this area with Parnell.

- Newmarket should remain with the Waitemátā ward as it shares characteristics with Grafton and the CBD so would best remain with that community of interest.

- There is a stronger community of interest between Stonefields and St Johns than between Glen Innes and St Johns so St Johns should remain with the Órākei ward. In addition Colin Maiden Park should remain within the Órākei ward as most of the users come from the Órākei ward so there is a distinct community of interest for St Johns with the Órākei ward.

- Ellerslie is a community which has been split across two wards since 2010 as it is bisected by the motorway and railway and its school and some places of worship are not within the present Órākei ward. It would be sensible to join up the two parts of Ellerslie into one ward and one local board area and the Board acknowledges that in order to address the Órākei ward variance it may be that Ellerslie has to move to the Maungakiekie-Tāmaki ward. However, if Ellerslie is to move to the Maungakiekie-Tāmaki ward the Grand View Drive side of Ellerslie racecourse and then across to Abbotts Way should be on the Órākei ward side of the boundary. In addition, the Board notes that many residents of the Órākei ward use community facilities in Ellerslie, such as those at Michael’s Ave Reserve, so moving these assets into another Ward will split a community of interest.
b) delegates authority to the Chairperson and the Chairman Emeritus to represent
the Board’s views on the review of Auckland Council’s representation
arrangements for the 2019 elections, should the Joint Governance Working Party
seek further engagement with and/or feedback from the Board, prior to reporting
to the Governing Body with a proposal in July 2018, or during the consideration
of submissions following public notification.

That the Ōtara-Papatoetoe Local Board:
1. endorse the general approach to the review of Auckland Council’s
representation arrangements for the 2019 elections, which is to make changes
on an issue-by-issue basis and to not seek significant change.
2. endorse the Joint Governance Working Party’s position on the following matters
with respect to the review of Auckland Council’s representation arrangements
for the 2019 elections:
   i. that all Governing Body members are to continue to be elected by ward as
decided by the Governing Body
   ii. that the current number of members in each ward is retained
   iii. that the Waitematā and Gulf ward non-complying variance (population per
member) should be addressed by reducing the size of the isthmus part of
the ward on both the east and the west of the ward as in ‘Option 1’, with the
resulting changes for neighbouring wards as set out in that option
   iv. that the Rodney ward non-complying variance (population per member)
should be retained on the basis that compliance would result in splitting
communities of interest or joining disparate communities of interest
   v. that the area alongside the Kaipara Harbour does not have a community of
interest with Warkworth, and that the Rodney Local Board is invited to
provide feedback on the alternative options for subdivision arrangements.
3. endorse the following recommendations with respect to the review of Auckland
Council’s representation arrangements for the 2019 elections, noting that they
have yet to be considered by the Joint Governance Working Party:
   i. that the Botany subdivision non-complying variance (population per
member) should be addressed by moving the southern boundary of the
Howick ward southwards and that the Howick Local Board is invited to
provide feedback on the two alternative options
   ii. that the Manurewa-Papakura ward non-complying variance (population per
member) should be retained on the basis that compliance would result in
splitting communities of interest or joining disparate communities of
interest, and because the variance will soon be corrected by the current
rapid growth in the Manurewa-Papakura ward.
   iii. that the Waitematā Local Board consider whether subdivisions within the
board area are appropriate
   iv. that the Upper Harbour Local Board consider whether subdivisions within
the Board area are appropriate.
4. provide this additional feedback on the review of Auckland Council’s
representation arrangements for the 2019 elections:
5. delegate authority to the Chairperson to represent the board’s views on the review of Auckland Council’s representation arrangements for the 2019 elections should the Joint Governance Working Party seek further engagement with and/or feedback from the board prior to reporting to the Governing Body with a proposal in July 2018, or during the consideration of submissions following public notification.

That the Papakura Local Board:

a) endorse the general approach to the review of Auckland Council’s representation arrangements for the 2019 elections, which is to make changes on an issue-by-issue basis and to not seek significant change.

b) endorse the Joint Governance Working Party’s position on the following matters with respect to the review of Auckland Council’s representation arrangements for the 2019 elections:
   i. that all Governing Body members are to continue to be elected by ward as decided by the Governing Body
   ii. that the current number of members in each ward is retained.

c) endorse the following recommendations with respect to the review of Auckland Council’s representation arrangements for the 2019 elections, noting that they have yet to be considered by the Joint Governance Working Party:
   i. that the Manurewa-Papakura ward non-complying variance (population per member) should be retained on the basis that compliance would result in splitting communities of interest or joining disparate communities of interest.

That the Pukehāpai Local Board:

a) does not endorse the general approach to the review of Auckland Council’s representation arrangements for the 2019 elections as it abandons an opportunity available only every six years to secure fairer representation which aims at the value of each voter’s vote being equal regardless of where they live
b) endorse the Joint Governance Working Party’s position on the following matters with respect to the review of Auckland Council’s representation arrangements for the 2019 elections:
   i) that all Governing Body members are to continue to be elected by ward as decided by the Governing Body

c) advocate that, in order to achieve fairer representation, the governing body in 2019 be elected in 20 one member wards each with a population within 10% of the average population per ward

d) request input into the name of any ward whose boundaries overlap the Puketāpapa Local Board Area

e) delegate authority to the Chairperson to represent the board’s views on the review of Auckland Council’s representation arrangements for the 2019 elections should the Joint Governance Working Party seek further engagement with and/or feedback from the board prior to reporting to the Governing Body with a proposal in July 2018, or during the consideration of submissions following public notification

f) thank Victoria Villaraza for her attendance.

That the Rodney Local Board:

a) endorse the general approach to the review of Auckland Council’s representation arrangements for the 2019 elections, which is to make changes on an issue-by-issue basis and to not seek significant change.

b) endorse the Joint Governance Working Party’s position on the following matters with respect to the review of Auckland Council’s representation arrangements for the 2019 elections:
   i) That all Governing Body members are to continue to be elected by ward as decided by the Governing Body
   ii) That the current number of members in each ward is retained
   iii) That the Rodney ward non-complying variance (population per member) should be retained on the basis that compliance would result in splitting communities of interest or joining disparate communities of interest

That the Joint Governance Working Party note the Joint Governance Working Party’s position that the area alongside the Kaipara Harbour does not have a community of interest with Warkworth, and recommend that the Wellsford subdivision boundary be extended south to meet the Kumeu subdivision boundary at Makarau (Option 1A) and minor changes to the boundaries on Matakania Road and Matakania Valley Road as tabled at the business meeting and which forms part of the minutes attachments.

d) provide the following additional feedback on the review of Auckland Council’s representation arrangements for the 2019 elections:
   i. note that the area immediately to the north of Matakania Road has a lesser community of interest with Wellsford, and recommend that consideration be given to extending the northern border of the Warkworth subdivision at Matakania Road as an option for consultation with those communities.

e) delegate authority to the chairperson to represent the local board’s views on the review of Auckland Council’s representation arrangements for the 2019
elections should the Joint Governance Working Party seek further engagement with and/or feedback from the local board prior to reporting to the Governing Body with a proposal in July 2018, or during the consideration of submissions following public notification.

f) request that officers consult on the representation review with iwi, including Nga Maunga Whakahii o Kaipara, prior to wider community consultation.

That the Upper Harbour Local Board:

a) endorse the general approach to the review of Auckland Council’s representation arrangements for the 2019 elections, which is to make changes on an issue-by-issue basis and to not seek significant change.

b) endorse the Joint Governance Working Party’s position on the following matters with respect to the review of Auckland Council’s representation arrangements for the 2019 elections:

i. that all Governing Body members are to continue to be elected by ward as decided by the Governing Body

ii. that the current number of members in each ward is retained

iii. that the Upper Harbour Local Board support further consideration of the creation of subdivisions within the board area at the next review, as population growth in the western part of the local board area becomes more established.

iv. that the Rodney ward’s non-complying variance (population per member) should be retained on the basis that compliance would result in splitting communities of interest, or joining disparate communities of interest (specifically Paremoremo).

c) decline to comment on matters pertaining to other local board and ward boundaries and representation arrangements, as the board believes the affected local boards are best placed to comment.

d) delegate authority to the chairperson to represent the board’s views on the review of Auckland Council’s representation arrangements for the 2019 elections, should the Joint Governance Working Party seek further engagement with and/or feedback from the board prior to reporting to the Governing Body with a proposal in July 2018, or during the consideration of submissions following public notification.

That the Waiheke Local Board:

a) note the report on the Review of Auckland Council’s representation arrangements for the 2019 elections.

That the Waitakere Ranges Local Board:

a) endorse the general approach to the review of Auckland Council’s representation arrangements for the 2019 elections, which is to make changes on an issue-by-issue basis and to not seek significant change.
b) endorse the Joint Governance Working Party’s position on the following matters with respect to the review of Auckland Council’s representation arrangements for the 2019 elections:
   i) that all Governing Body members are to continue to be elected by ward as decided by the Governing Body
   ii) that the current number of members in each ward is retained
   iii) that the Waitakaruru and Gulf ward non-complying variance (population per member) should be addressed by reducing the size of the isthmus part of the ward on both the east and the west of the ward as in ‘Option 1’, with the resulting changes for neighbouring wards as set out in that option
   iv) that the Rodney ward non-complying variance (population per member) should be retained on the basis that compliance would result in splitting communities of interest or joining disparate communities of interest
   v) that the area alongside the Kaipara Harbour does not have a community of interest with Warkworth, and that the Rodney Local Board is invited to provide feedback on the alternative options for subdivision arrangements.

c) endorse the following recommendations with respect to the review of Auckland Council’s representation arrangements for the 2019 elections, noting that they have yet to be considered by the Joint Governance Working Party:
   i) that the Botany subdivision non-complying variance (population per member) should be addressed by moving the southern boundary of the Howick ward southwards and that the Howick Local Board is invited to provide feedback on the two alternative options
   ii) that the Manurewa-Papakura ward non-complying variance (population per member) should be retained on the basis that compliance would result in splitting communities of interest or joining disparate communities of interest
   iii) that the Waitakaruru Local Board consider whether subdivisions within the board area are appropriate
   iv) that the Upper Harbour Local Board consider whether subdivisions within the Board area are appropriate.

d) delegate authority to the Chairperson to represent the board’s views on the review of Auckland Council’s representation arrangements for the 2019 elections should the Joint Governance Working Party seek further engagement with and/or feedback from the board prior to reporting to the Governing Body with a proposal in July 2018, or during the consideration of submissions following public notification.

The Waitakaruru Local Board:

a) endorse the general approach to the review of Auckland Council’s representation arrangements for the 2019 elections, which is to make changes on an issue-by-issue basis and to not seek significant change.

b) confirm the preferred option for rectifying the non-complying variance of the Waitakaruru and West Ward is to seek legislative change to the Local Government (Auckland Council) Act 2009 (the Act) to allow Auckland Council to determine the number of members on the Governing Body. This would enable the option of much less extensive boundary changes than are currently proposed for the Waitakaruru and West Ward and other isthmus wards and to better meet the
objective of Local Electoral Act 2001 requiring ward and local board boundaries to be aligned as far as is practicable.

c) endorse the Joint Governance Working Party’s position on the following matters with respect to the review of Auckland Council’s representation arrangements for the 2019 elections:

i. that all Governing Body members are to continue to be elected by ward, as already decided by the Governing Body

ii. that the current number of members in each ward is retained

iii. given no change to the Act that the Waitakere and Gulf ward non-complying variance (population per member) should be addressed by reducing the size of the isthmus part of the ward on both the east and the west of the ward as in ‘Option 1’, with the resulting changes for neighbouring wards as set out in that option

iv. that the Rodney ward non-complying variance (population per member) should be retained on the basis that compliance would result in splitting communities of interest or joining disparate communities of interest

v. that the area alongside the Kaipara Harbour does not have a community of interest with Warkworth, and that the Rodney Local Board is invited to provide feedback on the alternative options for subdivision arrangements.

d) endorse the following recommendations with respect to the review of Auckland Council’s representation arrangements for the 2019 elections, noting that they have yet to be considered by the Joint Governance Working Party:

i. that the Botany subdivision non-complying variance (population per member) should be addressed by moving the southern boundary of the Howick ward southwards and that the Howick Local Board is invited to provide feedback on the two alternative options

ii. that the Manurewa-Papakura ward non-complying variance (population per member) should be retained on the basis that compliance would result in splitting communities of interest or joining disparate communities of interest

ii) that the Upper Harbour Local Board consider whether subdivisions within the board area are appropriate.

e) believe that local government legislation should be changed to remove the 20 member cap on the number of Auckland Councillors, to simplify the process of creating Māori Wards and to enable minor changes to local board boundaries to better comply with communities of interest and to align with ward boundaries where appropriate.

f) do not support creating a city centre subdivision within the Waitakere Local Board area as city centre area can be best represented by whole of local board and the board has been responding appropriately to the complex issues of the city centre, suburban areas and town centres.

g) support the Waitakere Local Board remaining as a seven member local board for reasons of the increased cost and resources an extra member would entail even though an additional member could be justified on population, workload and decision-making complexity grounds.

h) support retaining the local board name as Waitakere Local Board as there has been an eight year investment and promotion in the current name, there is not a
known wish for change and the costs of changing signage, letterheads and associated materials to rebrand do not justify a name change.

i) delegate authority to member Richard Northev to represent the board’s views on the review of Auckland Council’s representation arrangements for the 2019 elections should the Joint Governance Working Party seek further engagement with and/or feedback from the board prior to reporting to the Governing Body with a proposal in July 2018, or during the consideration of submissions following public notification.

That the Whau Local Board:

a) endorse the general approach to the review of Auckland Council’s representation arrangements for the 2019 elections, which is to make changes on an issue-by-issue basis and to not seek significant change.

b) endorse the Joint Governance Working Party’s position on the following matters with respect to the review of Auckland Council’s representation arrangements for the 2019 elections:

i. that all Governing Body members are to continue to be elected by ward as decided by the Governing Body

ii. that the current number of members in each ward is retained

iii. that the Waitemata and Gulf ward non-complying variance (population per member) should be addressed by reducing the size of the isthmus part of the ward on both the east and the west of the ward as in ‘Option 1’, with the resulting changes for neighbouring wards as set out in that option

iv. that the Rodney ward non-complying variance (population per member) should be retained on the basis that compliance would result in splitting communities of interest or joining disparate communities of interest

v. that the area alongside the Kaipara Harbour does not have a community of interest with Warkworth, and that the Rodney Local Board is invited to provide feedback on the alternative options for subdivision arrangements.

c) endorse the following recommendations with respect to the review of Auckland Council’s representation arrangements for the 2019 elections, noting that they have yet to be considered by the Joint Governance Working Party:

i. that the Botany subdivision non-complying variance (population per member) should be addressed by moving the southern boundary of the Howick ward southwards and that the Howick Local Board is invited to provide feedback on the two alternative options

ii. that the Manurewa-Papakura ward non-complying variance (population per member) should be retained on the basis that compliance would result in splitting communities of interest or joining disparate communities of interest

iii. that the Waitemata Local Board consider whether subdivisions within the board area are appropriate

iv. that the Upper Harbour Local Board consider whether subdivisions within the Board area are appropriate.

d) delegate authority to the Chairperson to represent the board’s views on the review of Auckland Council’s representation arrangements for the 2019 elections should the Joint Governance Working Party seek further engagement with and/or feedback from the board prior to reporting to the Governing Body.
with a proposal in July 2018, or during the consideration of submissions following public notification.
Councillors’ Office

25 June 2018

Auckland Council Governing Body Representation Review

Response by Cr Michael Lee

Declaration of interest: I am the elected councillor for the Waitakere & Gulf Ward. I have represented the area since February 1992, initially for the former Auckland Regional Authority/Council electorate of ‘Auckland Central’. I have represented the Waitakere & Gulf Ward since the establishment of the Auckland Council in 2010.

Summary

The preferred option to address a problem of ‘under representation’ in the Waitakere & Gulf Ward proposed by the Representation Review Joint Working Group does not provide a durable solution and will not be in the best interests of Auckland Council or its electors. This is because that due to the special nature of this part of inner Auckland, there is a significant 15% difference (previously undetected) with the rest of Auckland (and New Zealand), in the ratio of electors to population. The proposed changes to the ward boundary will be disruptive and likely to exacerbate this distortion and therefore do more harm than good. An alternative approach enabled within the legislation of retaining the existing ward boundaries and preserving existing communities of interest is recommended along with a request, additional to those the Council has already made, to amend anomalies and inconsistencies in the legislation relating to Auckland Council under the Local Electoral Matters Bill currently before parliament. This is a more pragmatic approach and one much more likely to achieve a durable solution to this unusual problem.

Introduction

Auckland Council has been undertaking a review of its representation arrangements for the 2019 elections. A Council Representation Review Joint Working Group made up of councillors and local board members has identified a number of problems with representation across the region. These are mainly not of a major nature but the Joint Working Group has identified a significant 43.74% differential in respect of councillor/population ratio between the Waitakere & Gulf Ward and the other wards in the region. This is the result of major population growth in the Auckland central subdivision (Waitakere) of the ward and more to the point, the special nature of that growth, resulting in apparent ‘under-representation’.

The difficulty the Council faces in dealing with this problem in the Waitakere & Gulf Ward can be partially traced to misalignment between certain provisions of the generic Local Electoral Act (2001) and the bespoke Local Government Auckland Council Act (2009). This misalignment between legislation designed for the 78 local bodies across New Zealand and the special legislation establishing the Auckland Council lies in the exceptional nature of the ‘Super City’. The other factor is the apparent unusual growth in the non-citizen, non-permanent resident population of inner Auckland.

Neither of the three options examined by the Council’s Representation Review Joint Working Group provide a satisfactory solution to the problem and all are predicated on a narrow, mechanistic interpretation of the Local Electoral Act (2001). The disproportionate focus on the ‘10% rule’ for ‘fair representation’ comes at the expense of the other criteria for ‘effective representation’ i.e. maintaining communities of interest and the coherent alignment of ward and local board boundaries.

All the proposed options have the simplistic objective of simply achieving a more mathematically equal ratio of population-to-elected member by carving off large segments of residential areas and transferring them to neighbouring wards but local board boundaries will stay the same. Therefore, the proposed
Councillors’ Office

alterations will have cascading effects on neighboring wards, extending across the isthmus: O'rei, Tamaki-Maungakiekie, Albert-Eden-Roskill, and Whau. This will have the effect of unravelling the Local Government Commission’s carefully crafted alignment of wards and local board area boundaries, which has worked very successfully since 2010. Furthermore, the changes will be costly to implement and will be confusing to electors. Finally, none of the proposed options provide anything more than a temporary solution to a problem - which upon closer examination is actually more apparent rather than real.

The legislative framework – key provisions

There are three key pieces of legislation which deal with the special nature of representation and decision-making within the Auckland Council and this report will highlight key aspects of them.

1. Local Government (Auckland Council) Act 2009

s7. Decision-making of Council shared between governing body and local boards

a) The Auckland council has a two-tier governance structure comprising the governing body and the local boards; and

b) The decision-making responsibilities of the Auckland Council are shared between the governing body and the local boards in accordance with sections 14 to 23 of this Act.

s34. Local Government Commission to determine boundaries of local board areas and wards.

s34 (2). (f) So far as practicable, local board area boundaries coincide with ward boundaries; and

(g) a local board area is constituted for the Waiheke Island community; and

(h) a local board area is constituted for the Great Barrier Island community.

2. The Local Electoral Act 2001

s4. Principles

(1) The principles that this Act is designed to implement are the following:

(a) fair and effective representation for individuals and communities:

(b) all qualified persons have a reasonable and equal opportunity to: [Interalia] (i) cast an informed vote.

The Local Electoral Act places particular emphasis on the determining role in all electoral matters of those qualified persons called ‘the electors’. Please see Part 1, s19ZB, & s 19ZF and Part 2, s20, s21, s22 s23, 24A, s24B, s24C, s24D, s24E.

Noting especially ‘Requirement for effective representation and other factors in determination of membership and basis of election territorial authorities and local boards’.

s19T (1) (a) “that the election of members of the territorial authority…will provide effective representation of communities of interest with the district…”

However, in addition to ‘effective representation’ the Act also addresses ‘fair representation’. Section 19V (below) seemingly equating ‘electors’ with ‘population’ (though elsewhere the Act makes very clear they are not the same).

s19V(1) In determining the number of members to be elected by the electors of any ward or constituency or subdivision, the territorial authority or regional council and, where appropriate, the Commission must ensure that the electors of the ward or constituency or subdivision receive fair representation, having regard to the population of every district or subdivision within the district or region or local board area
Councillors’ Office

or community and every ward or constituency or subdivision with the district or region or local board area or community.

s19V (2). For the purpose of giving effect to subsection (1) the territorial authority or regional council and, where appropriate, the Commission must ensure that the population of each ward or constituency or subdivision produces a figure no more than 10% greater or smaller than the population of the district or region or local board area or community divided by the total number of elected members (other than members elected by the electors of a territorial authority as a whole, if any, and the mayor, if any)...

The population is defined as the ‘ordinary resident population as defined by the Government Statistician. The qualification of ‘electors’ is defined in a third Act of Parliament:

3. The Electoral Act 1993

s74 Qualification of electors

(1) Subject to the provisions of this Act, every adult person is qualified to be registered as an elector of an electoral district if—

(a) that person is—

(i) a New Zealand citizen; or

(ii) a permanent resident of New Zealand; and

(b) that person has at some time resided continuously in New Zealand for a period of not less than 1 year; and

(c) that electoral district—

(i) is the last in which that person has continuously resided for a period equaling or exceeding 1 month; or

(ii) where that person has never resided continuously in any one electoral district for a period equaling or exceeding 1 month, is the electoral district in which that person resides or has last resided.”

Therefore, there are two important categories in the legislation, ‘electors’ and ‘population’ which appear to be considered equivalent. Population assessed from time to time by census has been the preferred tool in determining democratic representation across the country. But under the same legislation participation in elections and in all matters of representation it is electors not population that is the determining element. This does not normally present any difficulties because the proportion of adult population qualified to vote is around 70% across the country, however because of abnormal factors peculiar to central Auckland and the special legislation relating to Auckland Council we are now presented with what appears to be problem.

Special nature of Auckland Council representation.

A standard population-to-elected member ratio plus or minus 10% applies to Auckland Council but unlike the 77 other councils across New Zealand, the Auckland Council is prevented, under the Local Government (Auckland Council) Act (2009), from increasing the number of elected councillors in line with growing population. It is also legally unable to change the boundaries of its local board areas though it can change the boundaries of its wards. These restrictions are due to the special nature of the governance arrangements of the Auckland Council as set out in the same Act. However, in the Auckland Council, unlike most other councils, the exercise of “functions, responsibilities and duties and executing its powers” unlike all other councils, are not the sole prerogative of elected councillors.
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Co-governance

Auckland Council is a unitary authority with two-tiers of governance – a Governing Body of the mayor and 20 elected councillors and 21 elected Local Boards - a form of representation exceptional to Auckland.

Local Board members of which there are 140, therefore share decision-making with Governing Body members (mayor and councillors). This unique form of shared governance operated during the preparation of the 'Auckland Plan', (first and second versions), the Unitary Plan and the Annual and Long Term Plans, and also in numerous working parties and the City Centre Advisory Board. The council committee I chair is an interesting example. The Auckland Domain Committee is made up of 8 voting members, 3 councillors, 3 local board members and 2 members of the Independent Māori Statutory Board. The Joint Governance Review Working Party is another example, made up of 4 councillors and 4 local board members and chaired by a local board member.

In addition to the role of local boards, there are other governance features unique to Auckland Council. While outside of what normally considered representative government and therefore this discussion, they do underscore the unusual nature of this Council,

Council Controlled Organisations

In the Auckland Council, traditional local government responsibilities, considered core business by other territorial authorities and regional councils e.g. transport, have been devolved to the boards of CCOs which comprise some 25 decision-making board directors.

Independent Māori Statutory Board (IMSB)

IMSB members are represented on all Council committees (albeit not the Governing Body), i.e., all committees-of-the-whole, all sub-committees and all working parties. The two votes of these members are often critical to decision-making outcomes of the important Council committees-of-the-whole, including the Finance and Performance Committee. This is a form of representation unique to Auckland and unlike any other in local government, including in those councils that have elected Māori Wards. The presence on the Council of 9 voting, members of the IMSB has of course not been factored into the standard plus or minus 10% councillor-to-population ratio but it does underscore that this 10% rule based on just 20 councillors is not completely sensible in relation to the reality of Auckland Council

Clearly, in terms of representation and in carrying out “functions, responsibilities and duties and executing its powers”, the Auckland Council is very much a special case.

Rather than just 20 councillors there are actually 160 elected members of the council, plus the mayor, plus 9 x IMSB members and 25 x CCO directors, all having an active role more or less, in “functions, responsibilities and duties and executing its powers”.

The special case of Waitematā & Gulf

In terms of population and representation an examination of population and registered electors reveals the Waitematā & Gulf Ward to be strikingly different from any other ward – not only in Auckland but across New Zealand.

The Ward has three local board areas. In terms of population while Great Barrier Island and Waiheke Island are significantly over-represented, urban mainland Waitematā (inner city Auckland) is under represented. While the unique nature of these island subdivisions is specifically catered for in the legislation (see above), the unusual nature of the inner city subdivision, which has become apparent only in recent years, is not recognized at all.
Councillors’ Office

Waitematā – ‘City Centre’ & ‘CBD of New Zealand’

Inner city or central Auckland is no longer just the ‘Central Business District’, it is now defined by the City Centre Master Plan (2012) to be the ‘City Centre’ closely bounded by the ‘City Fringe’ all within the Waitematā & Gulf Ward and the Waitematā Local Board Area. The City Centre has become a primary residential zone and the principal focus of the Auckland Council’s strategy of population intensification. The urban subdivision of the ward contains by far the highest number of non-citizen residents in New Zealand, with a high concentration international students, long-staying visitor and temporary work permit holders. The total population of the ward is now 119,100 people. However, in terms of representation for Auckland Council it is important to bear in mind the number of electors in the ward.

The total number of electors in the Waitematā & Gulf ward is 60,685. This is just over half the total population – 51% of the Ward’s population. By comparison the total population of Auckland is 1,657,200. The total number of electors in Auckland is 1,085,520. Therefore, the ratio of electors to population Auckland-wide is nearly 66%.

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<td>Gulf Ward</td>
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Table 1.

Source notes: Prep Estr: data extracted on 06 Feb 2018 20:48 UTC (GMT) from NZ.Stat

Information and data by Bron Osborne & Warwick McNaughton. The population estimates in the NZ.Stat source are rounded to the nearest hundred.

The disparity is even greater when you subtract the population and the electors of Waitematā & Gulf from the Auckland-wide totals: Auckland-wide population (without W&G) 1,538,100. Auckland-wide electors (without W&G) 1,024,835 which increases the Auckland-wide ratio of electors to population to 67%, underscoring how different Waitematā & Gulf is from the norm. While Auckland has been a magnet for high levels of immigration in recent years the Auckland-wide ratio of electors-to-population (without W&G) is only 1.5% below the national norm of 68.5%. See Table 1 below.

This significant disparity between electors and population is unique to the Waitematā & Gulf Ward. It is also reflected in the parliamentary constituency of Auckland Central where despite recently shedding of ‘City Fringe’ residential areas it has almost exactly the same unusual low ratio of electors to population:

Auckland Central population 76,240. Auckland Central registered electors 37,709. Ratio 51.11%

<table>
<thead>
<tr>
<th>Ward</th>
<th>Electors</th>
<th>No. mbrs</th>
<th>Electors per mbr</th>
<th>Ppn/mbr</th>
<th>Electors/ppn</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rodney</td>
<td>46,394</td>
<td>1</td>
<td>46,394</td>
<td>64,300</td>
<td>72%</td>
</tr>
</tbody>
</table>

Table 2. Ratio of electors per member, population per member and electors to population
### Councillors’ Office

<table>
<thead>
<tr>
<th>Ward</th>
<th>Electors</th>
<th>1st Impressions</th>
<th>2nd Impressions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Albany</td>
<td>118,571</td>
<td>59,286</td>
<td>84,900</td>
</tr>
<tr>
<td>North Shore</td>
<td>106,471</td>
<td>53,236</td>
<td>78,400</td>
</tr>
<tr>
<td>Waitakere</td>
<td>115,514</td>
<td>57,757</td>
<td>88,250</td>
</tr>
<tr>
<td>Waitematā &amp; Gulf</td>
<td>60,685</td>
<td>60,685</td>
<td>119,100</td>
</tr>
<tr>
<td>Whau</td>
<td>54,892</td>
<td>54,892</td>
<td>84,700</td>
</tr>
<tr>
<td>Albert-Eden</td>
<td>114,303</td>
<td>57,152</td>
<td>86,100</td>
</tr>
<tr>
<td>Roskill</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Orakei</td>
<td>65,339</td>
<td>65,339</td>
<td>91,500</td>
</tr>
<tr>
<td>Maungakiekie</td>
<td>51,504</td>
<td>51,504</td>
<td>79,700</td>
</tr>
<tr>
<td>Tamaki</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Howick</td>
<td>101,848</td>
<td>50,924</td>
<td>75,100</td>
</tr>
<tr>
<td>Manukau</td>
<td>105,847</td>
<td>52,924</td>
<td>84,450</td>
</tr>
<tr>
<td>Manurewa-</td>
<td>94,553</td>
<td>47,277</td>
<td>74,450</td>
</tr>
<tr>
<td>Papakura</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Franklin</td>
<td>51,921</td>
<td>51,921</td>
<td>74,600</td>
</tr>
</tbody>
</table>

Numbers courtesy Electoral Commission.

Note: in terms of electors per member Waitematā & Gulf has a lower ratio than the Orakei and just above Albany (each highlighted). However the Representation Review Joint Working Party recommendation is to remove meshblocks of electors from Waitematā & Gulf and add them to Orakei.

In 2010 the Waitematā & Gulf Ward population was 79,300 and the number of electors 45,785. The ratio of electors to population was 58%. Since then the population has increased by 40,000 residents but the number of registered electors has increased only by 14,900, therefore the ratio of electors to population has fallen to 51%.
Councillors’ Office

While we do not have precise information on the reason for this significant disparity, we can surmise that as with other international-scale cities the city centre has a very large and rapidly growing non-citizen, non-permanent resident and likely transient population.

Political representation and voter participation.

However, despite theoretical ‘over’ representation on the islands and ‘under’ representation in the city, the Waitamata & Gulf Ward has a lively political culture with relatively high voter turnout at elections. At the 2016 local elections Great Barrier had 71% voter participation, Waiheke had 60% and the urban subdivision had 43%. The community is sophisticated and politically aware. Election contests for the Council tend to draw prominent media coverage.

Waitamata Community of Interest

The urban subdivision of the ward comprises the central and most historic parts of Auckland. Like the islands, it is very much a maritime ward – almost a semi-island. Projecting into the Waitamata Harbour, bounded to the east by Hobson Bay and to the west by the Meola inlet, with three sides backstopped largely by the Western Motorway, and the North Auckland (rail) Line, the ward forms a geographically and socially coherent entity.

The City Centre is flanked to the west by what the City Centre Master Plan calls the ‘urban villages’ of Ponsonby, Grey Lynn, Western Bays and Westmere and to the east by the ‘urban village’ of Parnell, to the south Newmarket, Newton and Arch Hill. Reinforced by the identical boundaries of the Waitamata Local Board Area and the Waitamata & Gulf Ward, a strong community of interest based on a common historical and geographic identity and has built up, especially over the last 8 years.

However, the option preferred by the Joint Working Group will slice through all this – on both eastern and western sides. This will disrupt rather than preserve long-standing communities of interest with meshblocks of electors to be moved about like pieces on a board.

What appears to have been overlooked by the Joint Working Group is that stripping away these historical suburbs where registered elector presence is relatively high (in line with the rest of Auckland), but leaving the CBD untouched, is that the consequence is likely to exacerbate the very low ratio between ‘population’ and ‘electors’. As a result the ratio of electors to population in what is left of the ward is almost certain to fall even lower – well below 50%.

Impacts of proposed boundary changes on the logistics and costs of managing the 2019 local body elections

In order to hold local body elections, the Auckland Council through Election Services presently is required to produce 130 different combinations of voting papers. This to ensure that accurate voting papers are delivered to electors with the correct Wards, Local Board Areas, District Health Boards, and Licensing Trusts. The proposed change to the Waitamata & Gulf boundary will dislocate the common ward and local board boundaries and cause knock-on effects to surrounding wards Orakei, Tamaki-Maungakiekie, Albert-Eden-Roskill, and Whau. This will significantly increase the number and level of complexity of required voting paper combinations. This in turn will generate extra costs to the Council. Election Services predict these boundary changes will generate a significant number of extra enquiries and complaints during the election period. The resulting confusion caused by a bewildering mish-mash of counter-intuitive ward and local board boundary changes is likely to be a turn-off for voters and not likely to improve voter participation. These affects will be ongoing as the proposed changes are not likely to be sustainable for more than six-year review period.

Conclusion
Councillors’ Office

Changing the Ward boundaries to achieve what appears to be in the case of Waitematā & Gulf ward to be a less than meaningful mathematical formula will not provide a robust nor sustainable solution to a problem not foreseen by the drafters of the legislation. Nor will it achieve more effective or fair representation by any dictionary meaning of those words. In fact, in terms of cost benefit it will do more harm than good.

Therefore, it is recommended that the Council advises the Local Government Commission that it is unconvinced of the merits of dismantling the carefully balanced structures erected by the Commission itself in 2010. Instead citing 19V (3) (a) of the Local Electoral Act, and that compliance with the 10% formula in this situation would actually reduce effective representation by dividing communities of interests between wards and local boards and drive the proportion of electors to population even lower.

Instead the Council should offer to work with the Commission to review those parts of the legislation that are not currently fit-for-purpose with the objective of formulating a more durable solution, taking into account central Auckland’s non-permanent resident population. This should also be considered in terms Council’s current applications to the government for minor changes in the Local Electoral Matters Bill presently before parliament.
Proposed boundaries: Waitematā & Gulf ward, Ōrākei ward, Maungakiekie-Tāmaki ward, Albert-Eden Roskill ward and Whau ward

Red lines show current (2017) ward boundaries; colours denote Option 1 Amended (Reference A20) boundaries
Grey lines show current census area unit boundaries
Map recreated 15/6/2018
Proposed boundaries: Rodney Local Board subdivisions

Solid red lines indicate current subdivision boundaries. The coloured areas represent the proposed subdivisions.
Option 1

Option 2

Option 3
Rodney Local Board subdivisions

Option 1: move Wellsford subdivision southwards along Kaipara Harbour

Option 2: move Kumeu subdivision northwards along Kaipara Harbour aligning with Helensville electorate
Referred from the Audit and Risk Committee - Quarterly Health and Safety Performance Report

File No.: CP2018/12485

Te take mō te pūrongo / Purpose of the report
1. To receive the Quarterly Health and Safety Performance Report referred by the Audit and Risk Committee.

Whakarāpopototanga matua / Executive summary
2. At a meeting of the Audit and Risk Committee on 25 June 2018, it was resolved as follows:

Resolution number AUD/2018/39
MOVED by Member B Robertson, seconded by Mayor P Goff:
That the Audit and Risk Committee:

a) receive the quarter three report on the council’s health and safety performance.

b) refer this report to the Governing Body and draw elected members attention to the need to fulfil their duties under the Health and Safety at Work Act 2015.

3. Clause b) of the above resolution refers the report to the Governing Body, in its role as the person or organisation conducting a business or undertaking and is in line with duties outlined in the Health and Safety at Work Act 2015.

4. The quarterly Health, Safety & Wellbeing Report is appended at Attachment A.

Ngā tūtohunga / Recommendation
That the Governing Body:

a) receive the Health, Safety and Wellbeing Performance report

b) note its duties under the Health and Safety at Work Act 2015

c) note that the report will be referred to all local boards for their information.

Ngā tāpirihanga / Attachments

<table>
<thead>
<tr>
<th>No.</th>
<th>Title</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>25 June 2018 Original Quarterly Health and Safety Performance Report</td>
<td>105</td>
</tr>
</tbody>
</table>

Ngā kaihaina / Signatories

<table>
<thead>
<tr>
<th>Author</th>
<th>Sarndra O'Toole - Team Leader Governance Advisors</th>
</tr>
</thead>
<tbody>
<tr>
<td>Authoriser</td>
<td>Stephen Town - Chief Executive</td>
</tr>
</tbody>
</table>
Quarterly health and safety performance report

File No.: CP2018/09719

Te take mō te pūrongo / Purpose of the report
1. To receive the quarter three report on Auckland Council’s health and safety performance and to update the committee on the new Health and Safety Policy Statement and Health and Safety Framework.

Whakarāpopototanga matua / Executive summary
2. Auckland Council’s strategic health and safety vision is ‘to become a leading organisation for health and safety by 2020’.
3. Over quarter three, most of our key health and safety metrics continue to track in the right direction.

Ngā tūtohunga / Recommendation/s
That the Audit and Risk Committee:
   a) receive the quarter three report on the council’s health and safety performance.
   b) refer this report to the Governing Body so that elected members can fulfil their duties under the Health and Safety at Work Act 2015.

Horopaki / Context
4. Under the Health and Safety at Work Act 2015, all elected members are deemed ‘officers’ and must exercise a duty of due diligence in relation to health and safety. These quarterly reports provide information which assists elected members to carry out their role under the legislation.

Tātaritanga me ngā tohutohu / Analysis and advice

Key metrics
5. The council’s key safety indicators include four key metrics: Lost Time Injury Frequency Rate (LTIFR); near misses; unsafe conditions; and corrective actions/critical risks. The quarter three performance for each of those metrics is set out below.

Lost time Injury Frequency Rate
6. In 2015 the council set an aspirational LTIFR of <2.25. This measures the number of lost time injuries per one million hours worked. For quarter three this target continues to trend downwards which means the council is performing well. Refer to Table 1 below.
7. In quarter three we introduced the Total Recordable Injury Frequency Rate (TRiFR) measure. This measures the number of all Lost Time Injuries and Medically Treated Injuries standardized over a period of 1,000,000 working hours. The reason we have introduced this additional measure is because:
   - this is the preferred measure among organisations with mature health and safety cultures
• using this measure, which has a wider scope, tends to lead to more detailed reporting on incidents and emerging risks. It can also provide greater insight into causal factors and identify ‘hot spots’ within an organisation.

• It is considered a more accurate reflection of an organisation’s risk profile and approach to injury prevention.

6. We will track and publish TRIFR as well as LTIFR. While we have not yet set a target for TRIFR, it is expected that we will see it continue its downward trend.

<table>
<thead>
<tr>
<th>Summary of lost injury trends</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
</tr>
<tr>
<td>Rolling LTIFR (indicative)</td>
</tr>
<tr>
<td>Rolling TRIFR (NEW)</td>
</tr>
<tr>
<td>Number of Lost Time Injuries</td>
</tr>
<tr>
<td>Number of all injuries inclusive of first aid, medical treatment and lost time</td>
</tr>
</tbody>
</table>

Near misses and unsafe conditions

9. The Risk Manager System continues to be developed to improve reporting on near misses and unsafe conditions. During quarter three, compared to the previous quarter, the number of reported:

• unsafe conditions decreased by five per cent

• near misses decreased by 19 per cent.

Corrective actions/critical risks

10. The Risk Manager System also allows us to identify and categorise our ‘critical risks’ (hazards present in the business which if they occurred have the potential for a critical outcome, e.g. fatality, permanent disability, or significant loss of plant/equipment) and track corrective actions. This is vital to drive improvement and reduce risk.

11. In quarter three, 45 per cent of corrective actions were completed. This is not a welcome trend – it indicates that people leaders are not completing actions allocated to mitigate risks.

12. At the same time, however, we have seen our incident response rates increase, which indicates that our people leaders are responding to the system and notifications sent to them. This is an improvement on previous months.

13. The charts below show the critical risks that have been identified within the council and the trends. Violence remains the highest critical risk.
Governing Body
26 July 2018

Audit and Risk Committee
25 June 2018

Rolling year trend - critical risks

<table>
<thead>
<tr>
<th>Risk</th>
<th>Quarterly Trend</th>
<th>Q 3</th>
<th>Q 2</th>
<th>Q 1</th>
</tr>
</thead>
<tbody>
<tr>
<td>Violence</td>
<td></td>
<td>24%</td>
<td>39%</td>
<td>31%</td>
</tr>
<tr>
<td>Mental health</td>
<td></td>
<td>7%</td>
<td>1%</td>
<td>2%</td>
</tr>
<tr>
<td>Lone Working</td>
<td></td>
<td>-</td>
<td>1%</td>
<td>1%</td>
</tr>
<tr>
<td>Items falling from height</td>
<td></td>
<td>11%</td>
<td>2%</td>
<td>7%</td>
</tr>
<tr>
<td>Fatigue</td>
<td></td>
<td>7%</td>
<td>8%</td>
<td>8%</td>
</tr>
<tr>
<td>Explosive atmosphere</td>
<td></td>
<td>-</td>
<td>0%</td>
<td>0%</td>
</tr>
<tr>
<td>Driving</td>
<td></td>
<td>22%</td>
<td>16%</td>
<td>22%</td>
</tr>
<tr>
<td>Control of substance hazardous to health (COSHH)</td>
<td>3%</td>
<td>1%</td>
<td>3%</td>
<td></td>
</tr>
<tr>
<td>Confined space</td>
<td></td>
<td>2%</td>
<td>1%</td>
<td>1%</td>
</tr>
<tr>
<td>Mains plant and equipment</td>
<td></td>
<td>1%</td>
<td>1%</td>
<td>0%</td>
</tr>
<tr>
<td>Water safety</td>
<td></td>
<td>23%</td>
<td>31%</td>
<td>18%</td>
</tr>
<tr>
<td>Working at height</td>
<td></td>
<td>1%</td>
<td>0%</td>
<td>0%</td>
</tr>
<tr>
<td>Lifting operations, lifting equipment</td>
<td></td>
<td>0%</td>
<td>0%</td>
<td>0%</td>
</tr>
</tbody>
</table>

Our Charter

14. In April 2018 the council launched Our Charter. One of its themes is health, safety and wellbeing. It sets the following expectations across the council:

- we put the health and safety of our people and the people of Auckland first
- we empower all people working at the council group to stop work and speak out if they see unsafe work practices so we can build a safer workplace
- we recognise the importance of maintaining a work-life balance that supports our people to be their best
- we know what to do to meet health and safety requirements
- we speak up and stop work in order to prevent harm to ourselves or others
- we make sure we have the right training, knowledge and experience for the work we do
- we’re mentally and physically fit to do the job
- we take care of ourselves and ask for help when needed.
15. The bottom line in Our Charter is that our people will not compromise health, safety and wellbeing at work. The council will not tolerate any behaviours that cause others harm or bring the council group into disrepute, and disciplinary action or dismissing an employee may occur if they have not met the principles of Our Charter, supporting standards, guidelines and procedures.

16. The chief executive and the mayor recently signed the new Health and Safety Policy Statement. See Attachment B.

17. The statement is supported by the new Health and Safety Framework. See Attachment C.

**Due diligence duties**

18. As officers, elected members have the duties set out in the table below. This also shows measures underway to support those duties.

<table>
<thead>
<tr>
<th>Duty</th>
<th>Support provided</th>
</tr>
</thead>
<tbody>
<tr>
<td>Duty 1 - Acquire and keep up-to-date with health and safety knowledge and matters</td>
<td>To ensure elected members and senior management are well informed and up to date on health and safety matters, training has been ongoing. A refresher session is being arranged for the Governing Body this year.</td>
</tr>
<tr>
<td>Duty 2 - Understand council’s operations and associated hazards/risks</td>
<td>A health and safety site visit plan for the chief executive, executive lead team members and elected members is in place. The Health Safety and Wellbeing Committee under the new framework has been realigned to the executive lead team. This will create better visibility and understanding of council operations and the health and safety risks in their parts of the organisation.</td>
</tr>
<tr>
<td>Duty 3 - Ensure the council has appropriate resourcing and processes to eliminate/minimise risks</td>
<td>A key focus of the current strategy is to build capability within the organisation and to prioritise high risk business areas. A corporate training programme has now been agreed mandating all people leaders to complete a one day Managing Safely course. This course has been developed from the Institute of Occupational Safety and Health’s own Managing Safely course, a well-respected and known international standard. We have trained 120 managers to date and have set a target of 400 by the end of the year. We have prioritised high risk departments for this training first.</td>
</tr>
<tr>
<td>Duty 4 - Ensure the council has appropriate processes for receiving and considering information regarding incidents, hazards and risks and for responding in a timely way to that information</td>
<td>A management framework is now in place. It is designed to ensure robust safety governance, processes, guidance and positive behaviours around health and safety. Risk Manager is also working effectively as our reporting tool for unsafe conditions, incidents and near misses.</td>
</tr>
<tr>
<td>Duty 5 - Ensure the council has, and implements, processes for complying with any duty or obligation</td>
<td>The chief executive and mayor have recently signed the Health and Safety Policy Statement and this has been implemented alongside the new Health and Safety Framework. It focuses on developing the right behaviours across the whole organization, including our CCOs. In short being open, honest, working with others, embracing safety, communicating clearly and trusting your instincts. The new framework sets the rules for how safety is expected to be managed.</td>
</tr>
</tbody>
</table>
Duty 6 - Take reasonable steps to verify the provision and use of resources and processes through reviews and audits

Workplace Safety Management Practice audits no longer operate. The council has identified the Worksafe replacement, SafePlus scheme, as an appropriate replacement for external validation of its safety management systems. Staff are developing an assurance framework for use within the council.

Ngā whakaaweawe ā-rohe me ngā tirohanga a te poari ā-rohe / Local impacts and local board views

19. Briefings for elected members, including local boards, have been provided from February 2018. To date ten local board sessions were delivered to 61 elected members with the remaining ten local board sessions to be delivered in 2018 through the elected member development programme, Kura Kawana. The Great Barrier Local Board did not want to undertake this training at this time.

20. This report will be provided to all local boards and a briefing on this report.

Tauākī whakaaweawe Māori / Māori impact statement

21. Council staff are working with the Independent Māori Statutory Board and the council’s co-governance entities, such as the Tūpuna Maunga Authority, Te Pōari o Kaipātiki ki Kaipara, the Ngāti Whāitu Ōrākei Reserves Board and Te Motu a Hiaroa (Puketūtū Island) Trust to ensure they have information and support to comply with their duties under the legislation.

Ngā ritenga ā-pūtea / Financial implications

22. There are no financial implications.

Ngā raru tūpono / Risks

23. The risk of non-compliance with health and safety is recorded in the council’s top risk register. As set out above, controls are in place to monitor and respond to critical risks through Risk Manager.

Ngā koringa ā-muri / Next steps

24. Staff will continue with the implementation of the Health and Safety Strategy, embedding the new Health and Safety Framework, and complete the council’s Wellbeing Strategy by the end of the fourth quarter of the 2017/2018 financial year.

Ngā tāpirihanga / Attachments

<table>
<thead>
<tr>
<th>No.</th>
<th>Title</th>
<th>Page</th>
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</thead>
<tbody>
<tr>
<td>A</td>
<td>Appendix A - Graphs and Charts</td>
<td>19</td>
</tr>
<tr>
<td>B</td>
<td>Health and Safety Policy Statement</td>
<td>23</td>
</tr>
<tr>
<td>C</td>
<td>Health and Safety Framework</td>
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</table>

Ngā kaihaina / Signatories

<table>
<thead>
<tr>
<th>Author</th>
<th>Oliver Sanandres - Head of Health, Safety and Wellbeing</th>
</tr>
</thead>
<tbody>
<tr>
<td>Authorisers</td>
<td>Patricia Reade - Director People and Performance</td>
</tr>
<tr>
<td></td>
<td>Phil Wilson - Governance Director</td>
</tr>
</tbody>
</table>

Quarterly health and safety performance report
Graphs and Charts

Quarterly Health & Safety Report

Graph 1 – Showing trend information for LTIFR (Lost Time Injury Frequency Rate)

Note: Downward trend in injury rate.
Graph 2 – Showing trend information for TRIFR (Total Recordable Injury Frequency Rate)

Bar Chart 1 – Number of reported incidents: Incidents, Unsafe Conditions and Near Misses.

Quarterly health and safety performance report
Bar Chart 2 – Status of Actions

<table>
<thead>
<tr>
<th></th>
<th>Nov-17</th>
<th>Dec-17</th>
<th>Jan-18</th>
<th>Feb-18</th>
<th>Mar-18</th>
<th>Apr-18</th>
</tr>
</thead>
<tbody>
<tr>
<td>Underway</td>
<td>9</td>
<td>11</td>
<td>11</td>
<td>8</td>
<td>14</td>
<td>24</td>
</tr>
<tr>
<td>Completed</td>
<td>47</td>
<td>31</td>
<td>29</td>
<td>24</td>
<td>48</td>
<td>20</td>
</tr>
<tr>
<td>Percent Completion</td>
<td>83.9%</td>
<td>73.8%</td>
<td>72.5%</td>
<td>75.0%</td>
<td>77.4%</td>
<td>45.5%</td>
</tr>
</tbody>
</table>
Putting health and safety at the heart of what we do doesn’t mean putting obstacles in the way. It’s about our behaviour when we’re carrying out our responsibilities.

Being open and honest
We all have a duty to report on health and safety, and to share experiences and learning. It’s as important to record close calls or near misses, as it is to record accidents and injuries. This enables us to learn, prevent future accidents, and get better at what we do. Let’s understand what went wrong, why it went wrong, and how we can improve.

Working with others
As Mayor and Chief Executive we maintain ultimate responsibility as Officers, but some duties are delegated to our directors to ensure:

- they have their own departmental safe operating procedures
- they demonstrate and have detailed their commitment to safety, risk-profiled their services, and implemented local arrangements
- they undertake monitoring to gauge their safety performance.

We’re a council whanau, and alongside your personal responsibility, those who have a critical role to play in delivering safety are:

- our health and safety representatives
- the trade unions
- external partners such as contractors

Embracing safety
It’s easy to see safety measures as getting in the way and slowing us down. The truth is, working safely improves productivity and efficiency and often delivers substantial savings. Preventing unnecessary waste aligns with our key business objective: better value for ratepayers and residents.

Communicating clearly
As a complex organisation we need to make sure our people understand what to do to stay well and safe. Our processes and basic rules are much more likely to be remembered and adhered to if they’re clear and simple.

Trusting your instincts
We’re committed to a no blame culture in the reporting of near misses and incidents. See something, Say something, Do something. If something doesn’t feel safe, the chances are it’s not. Don’t do it. Stop the job. Speak up. If you see others doing something dangerous, stop them. Don’t take shortcuts because that’s when accidents tend to happen.

To build a positive safety culture and better serve Auckland, we must collaborate and take responsibility and pride in working safely.
Auckland Council Safety Management Framework (SMF)
Foreword by Head of Corporate Health and Safety

The 'Plan, do, check, act' (PDCA) approach

Auckland Council has moved away from using the legacy elements-style model of managing health and safety to a 'Plan, Do, Check, Act' (PDCA) model. The move to PDCA achieves a critical balance between the procedural and behavioural aspects of management.

The PDCA model treats health and safety management as an integral part of good management in general, rather than as a stand-alone. A summary of the actions involved in delivering effective arrangements and how they are frequently described is given within the Framework.

The Framework aims to:

- set out how health and safety is managed at Auckland Council
- support you in the identification and development of local arrangements into your departments.

Applying this framework proactively at all levels of management will provide a robust platform from which to achieve our health and safety goals and protect our most vital resource, our people - key to achieving our organisational vision for making Auckland a world class city.

Keep safe, keep well

Oli Sanandres
Head of Corporate Health and Safety & Wellbeing
Introduction

Auckland Council is a PCBU (person conducting a business or undertaking) and has the primary duty of care to look after:

- the people it employs or engages
- those workers it influences or directs, including volunteers and contractors.

We must exercise our duty so far as is reasonably practicable. This document has been prepared so Auckland Council can meet its legal requirements under the Health and Safety at Work Act 2015.

Principles

Principle 1: Sensible risk management

Risk management is about taking practical steps to protect people from real harm and suffering. It should not be bureaucratic. Taking a sensible approach to risk management involves:

- ensuring that workers and the public are properly protected
- enabling innovation and learning
- ensuring that those who create risks manage them responsibly and understand that failure to manage significant risks responsibly is likely to lead to robust action
- providing overall benefit to society by balancing benefits and risks, with a focus on reducing significant risks - both those which arise more often and those with serious consequences
- enabling individuals to understand that as well as the right to protection, they also have to exercise responsibility.

Principle 2: Reasonably practicable

‘Reasonably practicable’ means ‘what is possible in your circumstances to ensure health and safety, considered against what is reasonable to do in your circumstances’. This takes into account all relevant factors, including:

- the likelihood of the risk or hazard occurring

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- the degree of harm that would result
- what the person knows or should know about the risk or hazard and ways to eliminate or minimise it
- the availability and suitability of ways to eliminate or minimise it
- as a last step: an assessment of the cost of ways to eliminate or minimise the risk or hazard, including whether costs are grossly disproportionate.

We must also ensure, as far as is reasonably practicable:

- Auckland Council’s work environment does not pose risks to health and safety
- safe plant, structures and systems of work are provided and maintained
- the safe use, handling and storage of plant, substances and structures
- there are adequate facilities for our people’s welfare while at work
- all council workers receive the appropriate information, training, instructions and supervision necessary to protect them from health and safety risks
- The health of council workers and the conditions at the workplace are monitored to prevent workers’ injury or illness.

**Principle 3: Risk assessment**

A risk assessment is a careful examination of what could cause harm to people in the area of your responsibility, so that you can evaluate whether you have taken enough precautions or should do more to prevent harm.

Auckland Council, as a PCBU, is required to carry out risk assessments to identify the risks that staff are exposed to while at work, to meet our duty under the Health and Safety at Work 2015 (HSWA) and the HSWA (General Risk and Workplace Management) Regulations 2016.

However, risk assessment goes beyond simply complying with the law. Risk assessment is an excellent planning tool, which improves staff awareness and understanding of hazards and the risks they carry. It helps identify methods for controlling risks in the work environment, to prevent injury and minimise costs associated with accidents. Carrying out risk assessment as part of our operational activities ensures that we keep our people safe from harm and allow the organisation to run efficiently.

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Principle 4: Continuous improvement

Our SMF will follow The Deming Cycle or ‘PDCA Cycle’ model. This is a continuous improvement model consisting of a logical sequence of four repetitive steps for continuous improvement and learning: Plan, Do, Check and Act. At the heart of the system is a fundamental commitment to manage health and safety risks proactively, so that accidents and ill health are reduced (effectiveness) and the system achieves the desired aims by using fewer resources (efficiency).

The Deming Cycle was chosen because it’s a very simple model that aligns itself to business by virtue of its simplicity. The chosen model is a system that relies heavily on outputs and visible improvement on the ground. Our SMF has been designed to align with the organisation’s general operation.

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OUR CHARTER
Principle 5: All our people have a role to play in the identification and management of risk

While clear responsibility is placed upon Auckland Council as an organisation to manage its risks, our people also have a duty to ensure their own safety and the safety of others. We must develop genuine partnerships between management and employees based on mutual trust, respect and cooperation.

Each one of us must put safety at the heart of what we do in delivering our excellent services. If we do this together, we can keep Auckland Council working safely for our workforce, including volunteers, and our visitors. The behaviours we want to see adopted are: openness and honesty, collaboration, embracing safety, communication and trusting our instincts.

To bring about a meaningful and sustainable improvement in our health and safety performance, we need everyone working together towards a common set of goals set in our strategy. For this to become our cultural norm, all stakeholders within our Safety Management Framework:

- must understand their role and accountability
- will be competent, through a combination of training and practice
- will be risk aware and will act to eliminate or mitigate risk as identified through personal leadership. This will be surfaced as the 'See, Say, Do' programme.
Roles and responsibilities

All staff have a role to play in applying the principles in their everyday work.

Governing Body, local boards, committees

Council’s Governing Body carries ultimate responsibility for the health and safety of all members of staff, visitors and other individuals while on council premises and in other places where they might be affected by council’s operations.

Members and other nominated parties acting on committees play a crucial strategic role for Auckland Council. As Officers under the Act they must ensure governance for health and safety is in place, and govern in order to meet their own due diligence duties under the HSWA.

It is important to:

- demonstrate leadership and commitment to improving health and safety performance
- demonstrate effective health and safety governance (crucial).

Elected Members of Auckland Council are expected to ensure that health and safety is adequately considered when making decisions at a strategic level and demonstrate clear, visible leadership and accountability for the health and safety aspects of their decisions, services and activities covered by their committees.

The Governing Body itself is required to:

- satisfy itself that it has an appropriate written statement(s) of policy on Health and Safety, along with effective arrangements to implement them.
- ensure that an effective mechanism by which staff are able to be consulted on and engaged on health and safety is provided.
- ensure that a health and safety committee is set up and meets regularly.
- ensure that procedures for staff to appoint health and safety representatives are provided, and enable them to discharge their responsibilities.
- Receive regular performance briefings and update reports from the head of Health and Safety
- Be notified of any incidents carrying a major risk to health and safety, any enforcement action taken against the organisation and any response taken in relation to these.

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In discharging these responsibilities, the Governing Body is advised in particular by the chief executive; the director of People and Performance and the head of Health and Safety.

**Chief executive**

The chief executive is ultimately accountable for ensuring the implementation of this framework across Auckland Council.

The chief executive will:

- provide leadership to ensure good standards of health and safety performance
- ensure the provision of competent health and safety advice
- ensure adequate resources are available for health and safety (such as the delivery of training, provision of systems and procedures)
- ensure that the organisation and arrangements for meeting our health and safety responsibilities are in place
- determine and periodically review council-wide targets in respect of health and safety
- Chair a strategic Corporate Health and Safety Committee whose specific responsibility is to lead, deliver and coordinate our vision for a safe, secure and healthy workforce.

**Executive Lead Team (ELT)**

- Endorse the belief that protecting the health and safety of our people is non-negotiable.
- Support a corporate culture in which health and safety is given an equal priority to other business objectives and lead this through the Health and Safety Committee
- Ensure safety is applied through the application of an integrated management system which is supportive, consistent, recognisable and output-driven.
- Support people leaders in setting the corporate conditions to nurture a best in class approach so that a positive safety culture flourishes.
- Acknowledge that good health and safety is good for business at all levels.
Directors

Directors are ultimately accountable for ensuring the implementation of corporate and departmental policies within their divisions and directorates.

They will:

- foster positive attitudes - through leadership and personal example - towards health and safety throughout their operational areas, so that our beliefs and commitment to health and safety become the shared values of all our people
- ensure they have suitable and sufficient local arrangements in place, being implemented and reviewed regularly to allow them to meet the Safety Management Framework:
  - local management teams know and fulfil their individual responsibilities regarding health and safety
  - local managers receive information and training so they are competent to carry out the health and safety tasks assigned to them
- direct health and safety performance in their areas through the creation of health and safety improvement plans. Measure performance through the development of appropriate key performance indicators (KPIs).
- ensure that risk assessments are being carried out and that appropriate staff and managers are nominated, trained and resourced to be able to complete them
- make each general manager (GM) accountable for the safety performance of their department and is implementing safety into their operational life cycles.
- ensure they are fulfilling their role by making safety one of their objectives, and monitoring it as part of their performance management
- ensure that operational health and safety matters are regularly discussed and addressed within each of their management teams, ensuring the director and their senior leadership team (SLT) carry out appropriate numbers of safety observations
- form an appropriate health and safety improvement group for the discussion of specific departmental issues on safety, to enable representation and escalation into the strategic Corporate Health & Safety Committee.
- implement an appropriate inspection and audit programme for the proactive monitoring of safety systems and control measures, to enable the annual assurance process. The result of the annual audit will be summarised into an annual certificate of assurance, which will be provided to the Legal and Risk team as part of the end of year assurance programme.
identify and direct clear responsibilities for building management issues i.e. fire risk assessment, first aid provision, etc, where:
  o a building is occupied by more than one department
  o services are received from other directors
  o the department is spread over various sites.

General managers

General managers are accountable for ensuring safe operations and the safety performance of their department. They will:

  o assure their director, through local auditing, that systems are in place and are effective to manage health and safety
  o ensure the Local Arrangements are in place, applied, reviewed and integrated into the operations of the department
  o organise and make available resources in order to support health and safety management
  o implement health and safety plans locally and regularly review performance against them
  o ensure suitably trained safety coordinators are in place to support the directorate or divisional lead with any required system implementation, or to cascade and maintain safety information
  o ensure that operational health and safety matters are regularly discussed and addressed within each of their management teams
  o carry out safety observations in order to support and strengthen our health and safety culture.

People leaders

In practice, to ensure effective management of health and safety within their remit, general managers delegate the implementation of the following day-to-day tasks to people leaders.

All people leaders within departments are responsible for ensuring that activities carried out under their control are carried out safely and in accordance with relevant safety legislation, safety standards, codes of practice and their local procedures.
People leaders will:

- Attend Managing Safety at Auckland Council - Tupu Link as part of their Health & Safety Induction
- ensure that risk assessments in their area are carried out
- ensure that identified control measures are implemented and continue to be effective
- ensure that the risk assessment is recorded in Risk Manager, regularly reviewed, updated and shared with those of their people to whom it is relevant. If the people, processes or activities involved change, or if an accident (including ill-health), incident (including near misses) or nonconformity occurs, the risk assessment should be reviewed immediately
- ensure that staff within their remit receive induction, training, resource (including time), advice and support, and are supervised until deemed competent
- raise any issues of non-compliance through their line management structure
- apply and implement our health and safety standards and local arrangements
- ensure that where the need for health surveillance is identified in a risk assessment, staff within their remit are referred to the occupational health provider and, where required, attend appointments
- ensure that all staff have the appropriate personal protective equipment (PPE) and wear or use it
- investigate accidents and ensure agreed actions are completed
- empower and collaborate with their staff on the development of any safety measures
- ensure health and safety is regularly and meaningfully discussed as part of any team meeting and to allow for the escalation of issues up through the departmental governance structures i.e. Health and Safety Improvement Groups.

Head of Corporate Health and Safety

- Leads and is responsible for the development and implementation of the SMF.
- Designs and implements an assurance framework programme.
- Acts and leads on strategic health and safety matters for the council group as head of profession.

Corporate Health and Safety Team

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The Corporate Health and Safety Team constitutes a competent safety advisory resource for Auckland Council. The team will:

- provide impartial advice on health and safety across all levels of the organisation
- provide the auditing and monitoring function in order to provide assurance to the chief executive and ELT on safety management
- reports on compliance and monitor performance across the council, through the use of safety performance indicators
- Leads the development of a positive health and safety culture.

Authorised Corporate Health and Safety advisors within the health and safety section will:

- have access to all areas and carry out planned and unannounced inspections and audits within any area or operation of Auckland Council. They will be afforded the maximum cooperation by all managers
- have the appropriate authority to make safe or stop any works being carried out by, for or on behalf of Auckland Council, until such risks are adequately controlled, where a serious danger or risk is identified or suspected
- produce health and safety performance reports for the ELT, Corporate Safety Committee and others
- act, with the Legal team, as principal liaison with WorkSafe NZ, New Zealand Police, Fire and Emergency New Zealand and other appropriate enforcement authorities, in relation to health and safety-related matters occurring in corporate buildings.

**Occupational Health and Wellbeing Team**

The Occupational Health and Wellbeing Team are part of the Corporate Health and Safety Team. Their role, in conjunction with their Health and Safety colleagues, is to provide advice on prevention and rehabilitation to ensure people are fit for work. This includes the provision of health surveillance programmes identified by management’s risk assessments.

The service provides:

- information and advice to assist managers in meeting requirements laid down by health and safety legislation specific to health risk management

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- confidential and impartial advice to employees, management and the People and Performance Team on matters of health that may affect their ability to carry out some or all of their tasks.
- advice to managers on return to work plans and injury management.

**Corporate Property and Community Facilities Teams**

The Corporate Property Team is accountable for corporate office and local board facilities. The Community Facilities team is accountable for community service facilities.

**Responsibilities in the context of Auckland Council buildings**

- Monitor and assess the safe condition of the fabric and structure of buildings. Where necessary, seek specialist advice from other Auckland Council departments or specialist contractors, and take remedial action.
- Ensure, for buildings in multiple occupancy, that appropriate consultation is carried out with users on health and safety issues affecting all aspects of use of the building, including changes to the structure, occupancy and fabric of the building.
- Draw up and revise as necessary, specifically risk assessments for common areas in the building. Co-ordinate the assessment of other hazards that impact on health, safety or security of the building or occupants.
- Hold and maintain an up to date and appropriate premises health and safety file which may include:
  - copies of risk assessments
  - asbestos registers
  - appropriate evidence of monitoring and inspections, e.g. water temperature checks to support Legionella control, electrical installation certificates etc.
- Coordinate arrangements in the building for dealing with emergencies, including fire and mass evacuations, in order to safeguard occupants and others who could be harmed.
- Bring to the attention of any person that may carry out work on the fabric or fixture and fittings of the building any known hazards. For example:
  - the provision of an asbestos management plan
  - any other controls in place for potentially hazardous work areas, such as Permits to Work
  - controls in place for high risk processes such as Hot Works Permits.
Bring to the attention of the appropriate senior manager matters outside their control or competence but which have implication for the continuing safety and integrity of the building or its use.

All staff

All employees have a legal obligation to take reasonable care for their own health and safety and for that of others (e.g. contractors, volunteers and visitors) and to cooperate with respect to health and safety matters. In addition, all employees must:

- work safely and efficiently without endangering their own health and safety, and that of their colleagues and any other person who may be affected by their acts and omissions
- stop work where it is felt a serious and imminent risk of harm is present in a task due to an uncontrolled hazard
- ensure that they understand the safety rules and procedures that apply to their work and that they follow any safety instructions issued by their supervisor, team leader or manager
- adhere to local health and safety standard operating procedures
- not recklessly interfere with or misuse any equipment or systems intended for ensuring health and safety
- attend health and safety training, and actively put it into practice
- advise their line manager of any additional or unmet training needs, deficiencies in safe working systems, faults or hazards in their working environment
- report to a manager any accidents, incidents, near misses or hazardous situations - including violence and aggression - as soon as possible after the incident
- fully cooperate as required in any investigation and provide all facts as necessary to the investigating officer
- ensure they have authorisation to bring into the workplace any tool, substance or piece of equipment of their own which is potentially hazardous to their health and safety and that of others
- be aware of the emergency evacuation procedures, positions of fire alarms, equipment and exits and know who the local fire marshall and first aider are for the area where they are working, and who to contact in an emergency.
Framework

A corporate policy statement & charter is in place.

This Auckland Council Safety Management Framework determines how health and safety will be managed.

A policy statement and charter has been made and signed by the mayor and the chief executive. It sets out expectation for the behavioural approach to health and safety required by our people and our leaders.

The framework will provide high level direction and set minimum requirements through, corporate standards and KSRs. These will give direction and set parameters for local implementation, to increase consistency of approach and ensure regulation of safety practice.

Overview of the Auckland Council Framework for Health & Safety Management

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While the SMF is flexible and can be adapted to individual departments through local arrangements, there are a number of standards that apply to all of the council. These must be adhered to in order to control critical risk areas and maintain critical corporately-aligned systems such as incident and accident reporting.

Corporate standards (CSTD)

These standards will be created centrally, in collaboration with departments, through the governance process established in Corporate Standard 1: ‘Developing and implementing health and safety documentation.’

Example

No department will create a health and safety policy, nor a hazard-specific policy or standard (e.g. ‘Managing Work-related Violence Policy’) for their own use. Corporate Standard 1, ‘Developing and implementing health and safety documentation’, lays down the procedure should a department require a standard or other safety documentation be created.

Key safety requirements (KSRs)

KSRs will be formulated by considering legal requirements, approved codes of practice and industry best practice. They will give people leaders and our people appropriate information on hazards, in a manner highly tailored to the council. KSRs are created by the Corporate Health and Safety Team. They will only be created by authorised, competent individuals and will be approved in line with CSTD1.

A KSR has been designed specifically to be used with CSTD3 (Risk assessment). The KSR provides the knowledge required by a manager to understand hazard and how hazards can occur, in order to then apply this knowledge using the risk assessment process, within Risk Manager. The outputs or controls from the risk assessment will then be used in any development of any standard operating procedure.
Risk management (risk assessment)

All local tasks and activities must be risk assessed and have controls identified, by applying CSTD3. This allows consistency of approach so that our risk scores can be measured in line with our broader Enterprise risks. The Corporate Enterprise Risk Matrix is used to assess risks.

All risk assessments must be recorded, managed and escalated through the Risk Manager system. They must remain ‘live’ (kept updated alongside the operational lifecycle) until the activity is no longer carried out.

Departments must maintain their risk assessments live through Risk Manager in order to be able to compile and maintain visibility of the organisational risk register. This register is critical for elected members and the ELT to make decisions on safety. It will be regularly reviewed by the Corporate Health and Safety team and Audit and Risk Committees.

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Critical risks

Our critical risks will be identified through correct application of risk assessment at all levels. Critical risks are typically those with the potential to cause death or life-changing injury. It is therefore vital that all departments apply risk assessment consistently and effectively. Once identified by the Corporate Health and Safety Team, critical risks will be proactively managed and a corporate risk assessment will be carried out to ensure consistent controls are applied as a minimum standard throughout the organisation. Further controls can and should be applied locally depending on the specifics of the task carrying the critical risk.

Critical risk management framework reporting (risk register)

The risk registers will be automatically organised and managed through Risk Manager which will allow our top risks to be reviewed, controls audited and their effectiveness reported to the ELT, Corporate Health and Safety Committee, Audit and Risk Committee and the Governing Body to ensure good proactive management. The critical risk register will be reviewed quarterly. New high or extreme risks will be reported immediately to the ELT for review.

Mandatory health and safety training

Given the key strategic importance of empowering our people to understand and apply health and safety, some mandatory health and safety training courses have been identified for all staff and some managers.

- Corporate induction: this must be completed by all new staff, including temporary and contract, by the end of their first week at Auckland Council.
- Managing Safely: all people leaders will attend the Managing Safely course provided by the Corporate Health and Safety Team.
- Risk assessor training: under the HSWA, risk assessment is a key requirement and the foundation on which safety is managed. Anyone carrying out this task must attend the General Risk Assessors Course based on CSTD3. The course is delivered by the Corporate Health and Safety Team internally.

Risk Manager – our health and safety management software

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Auckland Council uses Risk Manager to record and manage our risks. It is also our incident and near miss reporting tool. Use of the system is mandatory across the council.

All local safety outputs, e.g. risk assessment, audits, inspections, investigations, etc., must be input into the appropriate module in Risk Manager to assure compliance, drive vital safety data and, critically, drive our risk registers. The latter ensure that risk profile and our top risks can be reported to the ELT and the Governing Body.

**Guidance**: certain outputs may not be able to be captured in Risk Manager, for example, job safety analysis. However, local inspections, safety tours, safety observations, and Take 5’s, as stipulated in your arrangements and health and safety plans, must be recorded on this central system.

**Tupu**

Tupu is our Learning and Development System. It must be used to record all health and safety training material.

**Health and safety governance framework**

A governance framework comprises of systems to direct and monitor an organisation. Allocating responsibility drives action; in this case, safety management. A governance framework is fundamental to an organisation’s overall risk management function, which is a key responsibility of directors.

**Corporate Health and Safety Committee**

The committee’s function will be:

- to set strategic direction
- to set values and standards, with clear objectives and targets for management which are monitored.

The committee will hold departments to account for performance of safety, and direct on matters relating to the overall management of health and safety throughout the organisation.

The committee will be chaired by the chief executive. The committee allows Auckland Council to establish a meaningful governance framework for decision-making for

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safety. It also allows the council to provide a clear communication and escalation pathway for safety issues, through its alignment to health and safety groups and committees at the operational level. It is particularly important for addressing critical risk issues.

The committee will help to:

- raise the profile of health and safety across Auckland Council and provide corporate visibility, to ensure good standards of health and safety performance in all council activities
- highlight and push out good practice and success stories on health and safety
- ensure that the organisation of arrangements for carrying the council's health and safety framework and other statutory requirements are adequate
- develop and oversee the implementation of health and safety strategy for Auckland Council
- monitor and track any enforcement action by relevant agencies being taken against Auckland Council and ensure corporate lessons are learnt
- review specific health and safety policies for Auckland Council and consider best practice.
- resolve issues that arise within or between departments that it has not been possible to resolve at a local level
- monitor the implementation of any strategy or improvement plans for health and safety within Auckland Council
- monitor key performance information regarding health and safety across Auckland Council and make recommendations for improvement where required
- monitor and make recommendations on the effective use of financial, human, physical and information resources with regard to effective management of health and safety
- determine and periodically review council-wide health and safety targets.

The Corporate Health and Safety Committee constitution and terms of reference can be found on the intranet or through this link

In setting the strategic aims for the business the committee will benefit from a fundamental understanding of the role health and safety plays in the overall performance of Auckland Council. Furthermore, their leadership role and influence in setting clear values and standards to work to, and holding people leaders to account for engaging with our systems, is key to establishing the safety culture within our organisation.

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A diagram of our governance framework showing information flows into and out of the corporate mechanisms to manage health and safety is included overleaf. Note information on the Local Governance mechanisms is found under the Divisional and departmental health and safety arrangements section of this framework, specifically under Health and safety improvement groups – Local Governance
Divisional and departmental health and safety arrangements

Each division is required to ensure appropriate arrangements for managing health and safety are in place. The arrangements will be implemented according to, and shall reflect the complexity of, the Division and its risk profile.

Example

It would be appropriate for each of the three directorates under the Operations Division to have their own arrangements. What’s more, it may also be appropriate for other larger complex departments, like Community Facilities, to implement their own arrangements. By comparison, given its low risk profile, the Governance Division’s systems need not be as complex and can be managed as a single divisional level.

Divisional, directorate and departmental health and safety arrangements will not duplicate existing or proposed corporate policy, corporate standards or KSRs.

Local arrangements will tie into the corporate system through various touch points:

- Health and safety governance framework
- corporate standards and KSRs
- auditing frameworks.

The Health and Safety Governance Framework will inform and shape divisional reporting arrangements; however, these will be applied operationally through their departments. In essence, divisional arrangements simply ensure departments have the means to manage health and safety; the directors will measure this performance accordingly.

Health & Safety Charters

A local charter from each director should be provided, reinforcing each director’s commitment to health and safety. The charter will allow directors to set their own tone, set expectation for managing health and safety and communicate what they want to achieve, e.g. from a culture perspective. It should reinforce the Corporate Policy Statement.
Departmental arrangements

General managers are required to develop and implement their own departmental health and safety arrangements. These should tie back into the wider divisional arrangements for ease of monitoring and control.

In designing departmental arrangements, risk profile and departmental complexity should be used as guiding elements. The Corporate Health and Safety Team can advise in this respect.

Guidance

This key part of the framework will establish a structure for managing health and safety. It will detail what departments are going to do in practice, to achieve the aims set out in the director's charter and how health and safety will be managed within the department. The additional actions departments take to manage health and safety should be set out under this arrangements section. They could include:

- staff training
- local inductions
- health and safety improvement groups
- general rules for risk assessors, strategies and numbers of assessors, etc
- use of safety equipment and personal protective equipment (PPE), including goggles, safety boots or high-visibility clothing
- testing of plant
- health surveillance.

Arrangements will clearly set out who is responsible for specific actions. They must secure ownership and accountability. The arrangements should also highlight the governance and procedural arrangements within the department and how this maps into the division. They must be tailored to meet the needs of the department, taking into consideration the nature of work and associated risks. Local arrangements form a key component of the Auckland Council Safety Management Framework and shall be maintained as a live document.

Departmental Sponsors

Each GM or Head of (in non-operational roles) is accountable for the health and safety of their people to their director. However, it would be beneficial to also nominate a
Departmental lead team member as a safety sponsor. The intent would be for this senior manager to sponsor safety, coordinate safety activity such as the assurance program and support their lead. A critical expectation of the sponsor would be to hold all his peers to account on their safety performance.

Health and safety leads

The generally low risk divisions – CEO, Finance, CPO and Governance do not require a lead and safety should be managed through their people Leaders and coordinated as above by their sponsor as they contain lower risk operations.

However, depending on the individual risk profile of their department, the system can and should flex up.

Example

In the case of RIMU in the CPO, it may be appropriate for them to nominate an additional departmental lead for this area, given its risk profile. Finance may feel the need to do something similar with their property department.

Operations Division – high risk

Complex and high risk departments within Operations and the three directorates must nominate an appropriate person to act as their departmental / directorate health and safety lead.

Example

High Risk areas under Operations like City Parks and Community Facilities, and the three directorates due to their risk profiles and operational complexity, will find benefit in the health and safety lead role being made full time, their competency level should reflect this, i.e. aligning this role to a health and safety professional as appropriate. The health and safety lead must work with the departmental leadership team.

The leads will coordinate health and safety matters for their department. It is not necessarily their job to “do” health and safety for their department - this is the job of all people leaders - but to set the conditions to operationalise safety and monitor performance for the department through the appropriate provision of information.
The leads, through the coordination of local audits, will help assure that their local safety arrangements:

- are embedded into the everyday operation of the department’s work
- are effective and maintained as directed by the director and as required across the organisation.

They will provide a critical conduit and be a key single point of contact between the departments and the Corporate Health and Safety Team, for:

- creation of safety documentation and guidance consultation
- exploit local communication systems
- accident reporting and Investigation
- safety specific training procurement
- local compliance (inspection and auditing)
- health and safety risk management
- end of year assurance process.

They must be competent in accordance with the risk profile of their department. High risk departments’ leads will be expected to be trained to a minimum of NEBOSH Certificate (globally recognised health and safety qualification) standard, or equivalent.

Health and safety leads must attend the Departmental Safety Leaders Forum (DSLF) as detailed in the SMF.

The sponsor would not be expected to attend the Safety Leaders Forum as detailed above.

**Departmental health and safety improvement plans**

Health and safety improvement plans must be produced by each department. Low risk divisions may produce a divisional plan as per the risk parameters discussed above. They are used to outline the top workstreams of a department to help it achieve its safety objectives. Council has facilitated a tool – Safe365 to simplify this gap analysis and visualise performance.

Like business plans, health and safety improvement plans are a key planning and communication tool, both within and between departments, for identifying priorities, tracking performance, peer learning and support.

Progress monitoring shall be regular and at minimum on a quarterly basis.
Health and safety improvement groups – Local Governance for Engagement

At the smallest unit level (e.g. by team), health and safety performance will be discussed as a regular item at meetings. Any issues captured can then be escalated as necessary through the organisational layers until successful resolution.

A health and safety improvement group will be formed at the Divisional Level.

Health and safety improvement groups will be set up to best reflect the operation of their department. For example, some groups may meet regionally.

It is expected the group is chaired by a senior manager of the department or director. Health and safety management, performance and issues should be discussed within this framework. The purpose of this group is to drive the governance processes into each operational business unit.

It is expected these groups will meet as necessary in accordance to the departmental risk profile, but at least twice a year. Agendas for the meeting must be appropriate with regards to the department’s work or risk exposure. Minutes will be published on the intranet and made available to all staff.

Accidents and Incidents statistics will be monitored by this group and reviewed as necessary, to ensure departmental learning and prevention of recurrence.

A health and safety advisor from the Corporate Health and Safety Team will be invited to all meetings and will attend as necessary, to:

- provide central updates and information on health and safety matters
- provide guidance as required
- facilitate information sharing and corporate learning
- monitor the effectiveness of the group and support its work.

A suggested structure for this group and the interaction of any safety sub groups is shown below:
Building committees

All building committees will be aligned as sub groups of the Corporate Health and Safety Committee.

Given the new governance requirement to manage operational safety matters as a departmental function, under GMs the building committees will be refocused to consider and manage the shared coordination throughout all our buildings, of:

- fire
- first aid
- emergency preparedness
- health and safety rep management.

Given the focus of these building committees is building or asset related, Corporate Property and Community Facilities will be major stakeholders at these meetings. It is expected they not only attend but actively manage the work within these groups.
Departmental Health and Safety Leaders Forum (DLSF)

This is a new functional group chaired by the head of Corporate Health and Safety. It will become a community of practice through which best practice can be shared across Auckland Council. The DLSF will be a critical group where many of the operational obstacles and cross-functional issues can be brought back for resolution to the corporate centre, and vice versa, without clogging up the Corporate Health and Safety Committee.

Safety representatives and union representation

In order to comply with HSWA, any worker may notify the PCBU that they wish for one or more health and safety representatives to be elected to represent them. A PCBU may, on its own initiative, initiate the election of one or more health and safety representatives to represent workers. Auckland Council will maintain a network of safety representatives.

The main responsibilities of a safety representative are:

- to collaborate with management to investigate incidents, near misses and unsafe conditions and investigate complaints by any person they represent relating to their health and safety
- to attend health and safety improvement group meetings and building committee meetings to ensure their members are effectively represented.
- to carry out inspections of the workplace at agreed intervals having given reasonable notice to the responsible manager. Where possible, these should be done collaboratively and can be used as part of the First line of defence (local assurance) inspection programme
- to work in conjunction with the Corporate Health and Safety Team and local people leaders, on behalf of employees whose health and safety they represent. To make representations to the appropriate senior manager on health and safety matters where reasonable actions are not being undertaken, exposing people to serious harm. As per the Health and Safety at Work Act 2015 take action as necessary through the use of Improvement or Prohibition notices.

Auckland Council will provide a Corporate Health and Safety Committee that will discuss corporate issues, disseminate information and monitor performance. The Union and the safety representatives may each nominate an attendee. Terms of Reference can be viewed by request to the head of Corporate Health and Safety.

Auckland Council 2018
AC SMF01 – Auckland Council Safety Management Framework
Review date 19/02/2020

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Assurance auditing, monitoring and due diligence

Assurance will be in accordance with the Three Lines of Defence model.

The chief executive is primarily responsible for ensuring the effective implementation of health and safety systems while monitoring health and safety performance and directing action where relevant.

Health and safety awareness and appropriate management is the responsibility of all staff on a day to day level. However external assurance is provided through external independent audits, this is good practice. Undertaking regular external safety auditing will provide Auckland Council with an independent check on how well we are managing managing health and safety. Audit outcomes will be reported to the Health and Safety Committee, chief executive, governing body and Audit & Risk Committee.

First line of defence: local assurance

It will be the responsibility of local managers to monitor their day-to-day performance with regard to health and safety, including:

- regular monitoring of controls
- review of their risk assessments
- investigation of accidents and near misses
- identifying those at risk with regard to health issues
- maintaining records
- reporting to local health and safety improvement groups.

Second line of defence: departmental assurance

It will be the responsibility of directors to provide adequate mechanisms for the proactive monitoring of safety performance, including an inspection programme and annual audit.

The result of the annual audit will be summarised into an annual certificate of assurance, aligned to the current end of year financial compliance process as managed by Legal and Risk. This would provide an assurance to the chief executive that the divisions and their departments have systems in place to manage health and safety.
and that they are effective. All departments will report on compliance, and monitor performance against relevant safety performance indicators.

The assurance process should involve a form of peer review and contain some cross-departmental audits. This is seen as an opportunity to break silos, share best practice and improve consistency of approach: an assurance exercise with a fresh pair of eyes.

Third line of defence: corporate assurance

in order to provide assurance to the chief executive and ELT on our safety management systems and legislative compliance across the organisation, The Corporate Health and Safety Team will provide the auditing and monitoring function. The head of Corporate Health and Safety will ensure that a corporate audit and inspection plan is in place that includes all departments.

The result of the annual audit will be summarised into a report which will be reviewed by the Corporate Health and Safety Committee and ELT.

In order for health and safety to be successfully integrated into our business operations there needs to be an active and reactive monitoring processes in place. This is the ‘check, act’ element of the PDCA management system.

Assurance will be demonstrated by:

- documentation:
  - divisional health and safety management systems
  - departmental health and safety plans
  - risk registers
  - copies of risk assessments
safe working methods
- training records.
These will be produced and kept electronically in Risk Manager or TUPU.
It is essential that working documents such as risk assessments are
easily available to all employees.
- Practice/Inspections - managers will ensure that active monitoring is carried
out in their areas, based on their health and safety plans and standard
operating procedures (SOPs).

Compliance with assurance programme must be discussed as part of individual
performance monitoring within MyTime conversations.

Independent review

Systems and practices will be independently reviewed against our charter and SMF,
corporate standards and local procedures.

Health and safety management will be scrutinised further by the Internal Audit team
who will report to the Audit and Risk Management Committee. Internal Audit and
external auditors may verify our arrangements and compliance with our health and
safety management system from time to time. They may also audit the operation of
the Corporate Health and Safety Team.

WorkSafe New Zealand - as the national enforcement agency - and other external
accreditation bodies may require that parts or all of our systems be audited.

Reporting

KPIs are in place to monitor council-wide safety performance. Indicators are proactive
(lead) and reactive (lag). They will be used to monitor general compliance with health
and safety at team, departmental, divisional, and corporate level and to drive
improvement activity.

Red card for unsafe conditions actions or behaviours

In order to fulfil the expectation of the Auckland Council Health and Safety Policy
Statement / Charter and to empower our people to take ownership over safety, we
will facilitate a red card system. The red card may be produced at any time where one
of our people feels an uncontrolled risk exists that could expose them to serious harm.
The job will be immediately stopped. No blame or repercussion will be taken upon that
staff member for using this mechanism. Once produced the line manager must

Auckland Council 2018
AC SMF01 – Auckland Council Safety Management Framework
Review date 19/02/2020
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Quarterly health and safety performance report
Item 11

immediately review the situation and ensure controls are implemented before the work can restart. The player of the red card is the only person who can sign off on this, apart from an advisor in the Corporate Health and Safety team or local HSW professional.

A red card incident must be reported into Risk Manager under the appropriate category.

Abuse of the red card system for concerns other than safety will be investigated.
Recommendations from the Regulatory Committee - Health and Hygiene Bylaw 2013 Statement of Proposal

File No.: CP2018/12751

Te take mō te pūrongo / Purpose of the report
1. To receive the recommendations from the Regulatory Committee and adopt the Health and Hygiene Bylaw 2013 Statement of Proposal.

Whakarāpopototanga matua / Executive summary
2. At its meeting of 12 July 2018, the Regulatory Committee considered the attached report and resolved as follows:

Resolution number REG/2018/51
MOVED by Chairperson L Cooper, seconded by Cr J Bartley:
That the Regulatory Committee:

a) note that this committee completed the statutory review of the Health and Hygiene Bylaw 2013 and:
   i) determine a bylaw is still the most appropriate way to protect the public from health risks posed by services that contact the body
   ii) determine the current Bylaw is not the most appropriate form of bylaw because it does not properly regulate certain services
   iii) give directions to prepare amendments to the current Bylaw.

b) recommend the Governing Body adopt the statement of proposal in Attachment A of the agenda report for public consultation and confirm that the amended Bylaw contained within this attachment:
   i) is the most appropriate form of bylaw
   ii) does not give rise to any implications and is not inconsistent with the New Zealand Bill of Rights Act 1990.

c) recommend the Governing Body forward the statement of proposal in Attachment A of the agenda report to local boards and advisory panels for their views.

and

g) delegate authority through the Chief Executive to a manager responsible for bylaws to make any amendments to the statement of proposal in Attachment A of the agenda report to correct errors, omissions or to reflect decisions made by the Regulatory Committee or the Governing Body.

3. The original report to the Regulatory Committee is included in Attachment A.

Ngā tūtohunga / Recommendation/s
That the Governing Body:

a) adopt the Health and Hygiene Bylaw 2013 Statement of Proposal in Attachment A of the agenda report
b) confirm that the amended Health and Hygiene Bylaw 2013 contained within Attachment A of the agenda report:
   i) is the most appropriate form of bylaw
   ii) does not give rise to any implications and is not inconsistent with the New Zealand Bill of Rights Act 1990.

c) agree to forward the Health and Hygiene Bylaw 2013 statement of proposal in Attachment A of the agenda report to local boards and advisory panels for their views.

d) note that authority is delegated through the Chief Executive to a manager responsible for bylaws to make any amendments to the Health and Hygiene Bylaw 2013 statement of proposal in Attachment A of the agenda report to correct errors, omissions or to reflect decisions made by the Regulatory Committee or the Governing Body.

Ngā tāpirihanga / Attachments

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<tr>
<td>A0</td>
<td>12 July 2018 Original Health and Hygiene Bylaw 2013 Statement of Proposal report to the Regulatory Committee</td>
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Ngā kaihaina / Signatories

<table>
<thead>
<tr>
<th>Author</th>
<th>Sarndra O'Toole - Team Leader Governance Advisors</th>
</tr>
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<tbody>
<tr>
<td>Authoriser</td>
<td>Stephen Town - Chief Executive</td>
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Link to HTML of report to the Regulatory Committee, 12 July 2018:

Link to PDF of the report to the Regulatory Committee, 12 July 2018:
Recommendations from the Regulatory Committee - Legacy On-site Wastewater Bylaws Statement of Proposal

File No.: CP2018/12752

Te take mō te pūrongo / Purpose of the report
1. To receive the recommendations from the Regulatory Committee and adopt the Legacy On-site Wastewater Bylaws Statement of Proposal.

Whakarāpopototanga matua / Executive summary
2. At its meeting of 12 July 2018, the Regulatory Committee considered the attached report and resolved as follows:

Resolution number REG/2018/52

MOVED by Chairperson L Cooper, seconded by IMSB Chair D Taipari:
That the Regulatory Committee:

a) note that this committee completed the statutory review of the legacy on-site wastewater bylaws and:
   i) endorse the review findings determining that the legacy on-site wastewater bylaws are no longer needed as the Auckland Unitary Plan and existing legislation regulate on-site wastewater systems
   ii) give directions to revoke the legacy on-site wastewater bylaws

b) recommend the Governing Body adopt the statement of proposal in Attachment A, for public consultation to confirm the revocation of the legacy on-site wastewater bylaws including:
   i) all clauses of the Auckland City Council Bylaws: Bylaw No. 29 (Waiheke Wastewater Bylaw 2008) (i.e. the whole legacy bylaw)
   ii) residual clauses of the North Shore City Bylaw 2000: Part 20 Wastewater
   iii) residual clauses of the Rodney District Council General Bylaw 1998: Chapter 20 Wastewater Drainage
   iv) residual clauses of the Papakura District Council Wastewater Bylaw 2008.

and

f) delegate authority through the Chief Executive to a manager responsible for bylaws to make any amendments to the statement of proposal in Attachment A of the agenda report to correct errors, omissions, or to reflect decisions made by the Regulatory Committee or Governing Body.

3. The original report to the 12 July 2018 Regulatory Committee is included in Attachment A.
Ngā tūtohunga / Recommendation/s
That the Governing Body:

a) adopt the Legacy On-site Wastewater Bylaws Statement of Proposal in Attachment A of the agenda report for public consultation to confirm the revocation of the legacy on-site wastewater bylaws including:
   i) all clauses of the Auckland City Council Bylaws: Bylaw No. 29 (Waiheke Wastewater Bylaw 2008) (i.e. the whole legacy bylaw)
   ii) residual clauses of the North Shore City Bylaw 2000: Part 20 Wastewater
   iii) residual clauses of the Rodney District Council General Bylaw 1998: Chapter 20 Wastewater Drainage
   iv) residual clauses of the Papakura District Council Wastewater Bylaw 2008

b) note that authority is delegated through the Chief Executive to a manager responsible for bylaws to make any amendments to the Legacy On-site Wastewater Bylaws statement of proposal in Attachment A of the agenda report to correct errors, omissions, or to reflect decisions made by the Regulatory Committee or Governing Body.

Ngā tāpirihanga / Attachments

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<td>12 July 2018 Original Legacy On-site Wastewater Bylaws Statement of Proposal report to the Regulatory Committee</td>
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Ngā kaihaina / Signatories

<table>
<thead>
<tr>
<th>Author</th>
<th>Sarndra O’Toole - Team Leader Governance Advisors</th>
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<tbody>
<tr>
<td>Authoriser</td>
<td>Stephen Town - Chief Executive</td>
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Link to PDF of report to the Regulatory Committee, 12 July 2018:

Link to HTML of report to the Regulatory Committee, 12 July 2018:
Governing Body's Forward Work Programme

File No.: CP2018/07795

Te take mō te pūrongo / Purpose of the report
1. To approve the Governing Body’s forward work programme.

Whakarāpopototanga matua / Executive summary
2. The forward work programme identifies areas of work on which the Governing Body has to make a decision. It is in line with the forward work programmes of the other committees of the whole.
3. Projects are briefly described and identified as requiring either decision or direction. Where possible, likely timeframes for the projects coming before the Governing Body have also been identified.
4. The forward work programme will be updated and reported monthly for information as part of the summary of information report.
5. Staff recommend that the forward work programme be reviewed in December 2018 and July 2019.

Ngā tūtohunga / Recommendation/s
That the Governing Body:
a) approve the Governing Body’s forward work programme.
b) agree that the Governing Body’s forward work programme be reported monthly for information and reviewed in December 2018 and July 2019.

Ngā tāpirihanga / Attachments

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<tr>
<td>A0</td>
<td>Governing Body's Forward Work Programme</td>
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Ngā kaihaina / Signatories

<table>
<thead>
<tr>
<th>Author</th>
<th>Sarandra O'Toole - Team Leader Governance Advisors</th>
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<tbody>
<tr>
<td>Authorisers</td>
<td>Marguerite Delbet - General Manager Democracy Services</td>
</tr>
<tr>
<td></td>
<td>Phil Wilson - Governance Director</td>
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<td>Stephen Town - Chief Executive</td>
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</table>
The Governing Body deals with strategy and policy decision-making that relates to the environmental, social, economic and cultural activities of Auckland as well as matters that are not the responsibility of another committee. The Mayor may require any matter that would otherwise be reported to a committee, to be reported to the Governing Body. If that matter is already on a published agenda for a committee meeting, that meeting will not consider that matter unless invited by the mayor to make a recommendation to the Governing Body.

<table>
<thead>
<tr>
<th>Lead</th>
<th>Area of work</th>
<th>Reason for work</th>
<th>Governing Body role (decision or direction)</th>
<th>Budget/ Funding</th>
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</table>
| **Chief Financial Office** | **Annual Plan** | The Local Government Act 2002 requires each local authority to consult on and adopt a long term plan every three years. In each intervening year local authorities are required to consult the community on any significant or material changes to the relevant year of the long term plan through the Annual Budget consultation document. Legislation also requires that the council’s consultation document include a summary of key matters from Local Board Agreements and the Draft Tūpuna Maunga Authority Operational Plan for the Annual Plan year. | **Adopt** consultation document and supporting material  
**Approve** Annual Plan | **Q1**  
**Q2**  
**Q3**  
**Q4** (Jun) |
| **Chief Operating Office** | **Americas Cup 2021** | Location, infrastructure and funding | **Approve** preferred location  
**Agree** strategy for progressing resource consent applications  
**Progress to Date:**  
Report considered 14/12/17 and approval of Wynyard Basin option GB/2017/172 and agreed single hearing process through direct referral  
Report and revised decision and approval of Wynyard Hobson proposal 29/3/18 GB/2018/63 | **Q1**  
**Q2**  
**Q3**  
**Q4** |
| **City Rail Link** | Construction of the City Rail Link in the central city | **Approve** City Rail Link Heads of Agreement  
**Note** any matters raised by the Audit and Risk Committee about the project  
**Progress to Date:**  
Heads of Agreement approved 14/9/16 Conf  
Appoint chair of City Rail Link 15/12/16 Conf  
Note sponsors agreement and establishment of new entity City Rail Link Limited 29/8/17 Conf |
<table>
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<tr>
<th>Item 14</th>
<th>Lead</th>
<th>Area of work</th>
<th>Reason for work</th>
<th>Governing Body role (decision or direction)</th>
<th>Budget/ Funding</th>
<th>Expected timeframes</th>
<th>Highlight financial year quarter and state month if known</th>
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<tr>
<td></td>
<td>Chief Financial Office</td>
<td>Annual Report</td>
<td>Statutory requirement</td>
<td><strong>Adopt</strong> Annual Report</td>
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<td><strong>Q1</strong></td>
<td><strong>Q1</strong> <strong>Q2</strong> <strong>Q3</strong> <strong>Q4</strong></td>
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<tr>
<td></td>
<td>Governance</td>
<td>Review of Code of Conduct</td>
<td>The experience of working with the current Code of Conduct indicates that it could be further improved. In particular, it could be clearer about complaint, investigation and resolution processes, as well as available sanctions</td>
<td><strong>Adopt</strong> new Elected Members Code of Conduct</td>
<td></td>
<td><strong>Q1</strong></td>
<td><strong>Q1</strong> <strong>Q2</strong> <strong>Q3</strong> <strong>Q4</strong></td>
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<td></td>
<td>Governance</td>
<td>Representation Review</td>
<td>The Local Electoral Act 2001 requires all local authorities to undertake a review of representation arrangements at least once every six years. Auckland Council is required to undertake a review for the 2019 elections. Council’s decision must be issued no later than 11 April 2019.</td>
<td><strong>Approve</strong> the process for conducting the review of representation arrangements</td>
<td><strong>Approve</strong> final decision</td>
<td><strong>Q1</strong></td>
<td><strong>Q1</strong> <strong>Q2</strong> <strong>Q3</strong> <strong>Q4</strong></td>
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<td></td>
<td>Financial Strategy and Planning</td>
<td>Contributions Policy</td>
<td>The Local Government Act requires Council to review the policy every three years. Consultation and adoption must be done by 1 July 2018</td>
<td><strong>Adopt</strong> policy</td>
<td></td>
<td><strong>Q1</strong></td>
<td><strong>Q1</strong> <strong>Q2</strong> <strong>Q3</strong> <strong>Q4</strong></td>
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| Mayoral Office Governance | Terms of Reference | The Terms of Reference enables the governing Body to delegate to committees those power necessary for them to carry out their responsibilities to the most efficient and effective levels. Any changes to the Terms of Reference must be done by the Governing Body. | Adopt the Terms of Reference  
Adopt changes to Terms of Reference | Q1 | Q2 | Q3 | Q4 |
| Governance | Accountability Review of council-controlled organisations | The accountability review are to increase the accountability and value for money of CCOs by:  
- increasing the transparency of CCO decision-making  
- increasing the responsiveness of CCOs to the public and council  
- improving the recognition of ratepayer funding for CCO activity  
- increasing the ability to align CCOs to the direction set by the council. Reporting on a quarterly basis | Approve objectives as basis of review  
Approve scope and timing | Within timelines and budgets | Q1 | Q2 | Q3 | Q4 |
<p>| Governance | Independent Māori Statutory Board funding | The Local Government (Auckland Council) Act 2009 (LGACA) requires Auckland Council to meet the reasonable costs of the Independent Māori Statutory Board (IMSB) board’s operations, secretariat, the establishment of committees, and seeking and obtaining advice (Schedule 2, clause 20, sub-clause 1, LGACA) | Approve 2019/2020 funding agreement | | Q1 | Q2 | Q3 | Q4 |
| People and Performance | Health, Safety and Wellbeing | The Governing Body has the role of the person or organisation conducting a business or undertaking. | Receive the quarterly Health, Safety and Wellbeing Report | | Q1 | Q2 | Q3 | Q4 |</p>
<table>
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<th>Expected timeframes if known</th>
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<tbody>
<tr>
<td></td>
<td>Social Policy and Bylaws</td>
<td>Public Safety and Nuisance Bylaw Review</td>
<td>Legislative requirement to review bylaw within five years. Committee resolution to “commence the review of the Public Safety and Nuisance Bylaw 2013 at an early date”.</td>
<td>Approve statement of proposal. # Make/Amend/Revoke the bylaw. # Public notification is required for bylaw reviews even if no change to the bylaw is recommended. Length of time required to draft the statement of proposal will depend on the scope of amendments requested following the review findings.</td>
<td>Within current baselines.</td>
<td>Q1 Q2 Q3 Q4</td>
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<td>Social Policy and Bylaws</td>
<td>Dog management Bylaw and Policy on Dogs</td>
<td>Legislative requirement to review the bylaw and policy after five years.</td>
<td>Approve statement of proposal # Make/Amend/Revoke the bylaw. # Public notification is required for bylaw reviews even if no change to the bylaw is recommended.</td>
<td>Within current baselines.</td>
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<td>Health and Hygiene Bylaw</td>
<td>Legislative requirement to review the bylaw and policy after five years.</td>
<td>Approve statement of proposal # Make/Amend/Revoke the bylaw. # Public notification is required for bylaw reviews even if no change to the bylaw is recommended.</td>
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<td>Social Policy and Bylaws</td>
<td>Solid Waste Bylaw Review</td>
<td>Legislative requirement to review the bylaw and policy after five years.</td>
<td>Approve statement of proposal # Make/Amend/Revoke the bylaw. # Public notification is required for bylaw reviews even if no change to the bylaw is recommended.</td>
<td>Within current baselines.</td>
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<td>Social Policy and Bylaws</td>
<td>On-site Wastewater Bylaw</td>
<td>Legislative requirement to review legacy bylaws by 31 October 2020.</td>
<td>Approve statement of proposal # Make/Amend/Revoke the bylaw. # Public notification is required for bylaw reviews even if no change to the bylaw is recommended.</td>
<td>Within current baselines.</td>
<td>Q1 Q2 Q3 Q4</td>
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<td>Social Policy and Bylaws</td>
<td>Signage Bylaw</td>
<td>Legislative requirement to review the bylaw and policy after five years.</td>
<td>Approve statement of proposal # Make/Amend/Revoke the bylaw. # Public notification is required for bylaw reviews even if no change to the bylaw is recommended.</td>
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<tr>
<td>Social Policy and Bylaws</td>
<td>Alcohol Control Bylaw Review</td>
<td>Legislative requirement to review the bylaw and policy after five years.</td>
<td>Approve statement of proposal # Make/Ampend/Revoke the bylaw. *Public notification is required for bylaw reviews even if no change to the bylaw is recommended.</td>
<td>Within current baselines. Q1 Q2 Q3 Q4</td>
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<tr>
<td>Social Policy and Bylaws</td>
<td>Freedom Camping</td>
<td>Explore the need for and options for regulating freedom camping in Auckland. Regulatory response may be required following completion of research and pilot.</td>
<td>If regulatory response required: Approve statement of proposal Make the bylaw.</td>
<td>Review is within current baselines. Funding proposals will be required for any recommendations that require capital or operational upgrades. Q1 Q2 Q3 Q4</td>
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</tr>
<tr>
<td>Mayoral Office</td>
<td>Mayoral Housing Taskforce Steering Group</td>
<td>Oversee the progress and implementation of the June 2017 Mayoral Housing Taskforce report.</td>
<td>Setup, agree and approve membership of group Receive six-monthly updates.</td>
<td>Progress to Date: Taskforce setup 27/7/17 GB/2017/79 Memorandum 9/4/18 to councillors updating progress. Q1 Q2 Q3 Q4</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Governance</td>
<td>Te Tiriti o Waitangi / Treaty of Waitangi</td>
<td>The Crown negotiates settlements with iwi on a confidential basis and from time to time invites Council to express its views. The Te Tiriti o Waitangi / Treaty of Waitangi Settlement Working party is accountable to the Governing Body and reports its findings to the Governing Body.</td>
<td>Approve submissions to the Crown as and when required Approve establishment and on-going implementation of co-management and other governance arrangements.</td>
<td>Q1 Q2 Q3 Q4</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Governance</td>
<td>Advisory Panels</td>
<td>The Governing Body appoints members to advisory panels, as required.</td>
<td>Approve appointments to advisory panels.</td>
<td>Within current baselines. Q1 Q2 Q3 Q4</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Item 14</td>
<td>Attachment A</td>
<td></td>
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<tr>
<td><strong>Governance</strong></td>
<td>2018 Local Government New Zealand Conference and Annual General Meeting</td>
<td></td>
<td></td>
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</tr>
</tbody>
</table>
| The Governing Body sends representatives to the conference and as delegates to the Annual General Meeting | Appoint presiding delegate to Annual General Meeting  
Appoint three other delegates to Annual General Meeting  
Approve councillors to attend conference  
**Progress to Date:**  
Report was considered 22/3/18  
Approved the above GB/2018/47 |
| **People and Performance** | Remuneration Policy |
| The current Remuneration Policy was adopted in 2014. The policy provides high-level guidance for all remuneration decisions made by the council. The policy is also supported by operational guidelines and policies. Under the Local Government Act 2002 (Schedule 7, section 36A) the policy must be reviewed every three years. | Approve the change to the policy.  
**Progress to Date:**  
Report considered 22/3/18  
Approved 22/3/18 GB/2018/42 |
| **Chief Planning Office** | Auckland Plan Refresh |
| The Auckland Plan was approved in 2012 and a commitment made to a refresh within six years. A refresh will ensure that the Auckland Plan remains current and will inform Long-term Plan 2018-2028 prioritisation and budget decisions. | Approve refresh of Auckland Plan  
**Progress to Date:**  
Various workshops throughout 2017/2018  
Adopted summary information 21/2/18 GB/2018/25  
Adopted by Planning Committee 6/5/18 PLA/2018/62 |
| **Chief Financial Office** | Long-term Plan 2018-2028 |
| Statutory Process  
- Consultation process – including hearings for community to be heard and local board engagement meetings (Have Your Say events). Approach to communication of investments in local board areas to be considered  
- Elected members consideration of feedback  
- Decision-making for Long-term Plan 2018-2028  
- Long-term Plan 2018-2028 adoption | Adopt consultation document and supporting material  
Adopt Long Term Plan and set rates  
**Progress to Date:**  
Various workshops throughout 2017/2018  
Adopted consultation document and supporting material 21/2/18 GB/2018/24  
Agree recommendation for adoption 31/5/18 GB/2018/91  
Adoption 28/6/18 GB/2018/
### Chief Financial Office

**Regional Fuel Tax Proposal**

Auckland Council consulted on its 10-year Budget 2018-2028 (LTP), part of which asked if there was support for a Regional Fuel Tax. A report on the consultation undertaken is required by legislation to be submitted to the Ministers of Transport and Finance.

**Approve a Regional Fuel Tax for Auckland**

**Progress to Date:**

Approved 31/5/18 GB/2018/90

| Q3 | Q4 | FY17/18 | Q1 | Q2 |

### Governance

**Advisory Panels**

The Governing Body appoints members to advisory panels, as required.

**Approve appointments to advisory panels**

**Progress to Date:**

Initial appointments to demographic panels 23/3/17 Conf

Appointments to the Youth Advisory Panel 25/5/17 Conf

Replacement members appointed to Youth Advisory Panel 22/3/18 Conf

| Q1 | Q2 | Q3 | Q4 |

### People and Performance

**Chief Executive’s Employment Review Process**

Under the Local Government Act 2002, a local authority Chief Executive is appointed for a five year term. Schedule 7 of the Act gives the option of a two year extension if Council undertakes a formal employment review at least six months before the expiry of the current contract. The Governing Body is responsible for the review.

**Approve performance objectives**

**Agree to the review of the chief executive performance before 30 June 2018**

**Delegate the review if desired**

**Decision on chief executives contract**

**Progress to Date:**

Objectives approved and released 23/11/17 GB/2017/153

Process approved 19/4/18 GB/2018/71

Re-appointment confirmed 27/6/18 GB/2018/103

| Q3 | Q4 | FY17/18 | Q1 | Q2 |

### Governance

**Independent Maori Statutory Board funding**

The Local Government (Auckland Council) Act 2009 (LGACA) requires Auckland Council to meet the reasonable costs of the Independent Maori Statutory Board (IMSB) board’s operations, secretariat, the establishment of committees, and seeking and obtaining advice (Schedule 2, clause 20, sub-clause 1, LGACA)

**Approve 2018/2019 funding agreement**

**Progress to Date:**

Report received 27/6/18 and funding approved GB/2018/94

| Q3 | Q4 | FY17/18 | Q1 | Q2 |

### Governance

**Te Tiriti o Waitangi / Treaty of Waitangi**

The Crown negotiates settlements with iwi on a confidential basis and from time to time invites Council to express its views. The Te Tiriti o Waitangi / Treaty of Waitangi Settlement Working party is accountable to the Governing Body and reports its findings to the Governing Body.

**Approve submissions to the Crown as and when required**

**Approve establishment and on-going implementation of co-management and other governance arrangements**

**Progress to Date:**

Submission on Point England Development Enabling Bill 23/2/17 GB/2017/8

Submission on Ngāti Tamaoho Claims Settlements Bill 27/7/17 GB/2017/85


Submission on Ngāti Tai ki Tāmaki Claims Settlement Bill 22/2/18 GB/2018/36


Open Report Ngāti Paoa – Treaty settlement redress Conf 24/5/18

Open Report on Maungauika – transfer of administration 27/6/18 GB/2018/97

| Q1 | Q2 | Q3 | Q4 |
Summary of Governing Body information memos and briefings - 26 July 2018

File No.: CP2018/00243

Te take mō te pūrongo / Purpose of the report
1. To receive a summary and provide a public record of memos or briefing papers that may have been distributed to Governing Body members.

Whakarāpopototanga matua / Executive summary
2. This is a regular information-only report which aims to provide greater visibility of information circulated to Governing Body members via memo-briefing or other means, where no decisions are required.
3. The following memos/responses were circulated to members:
   - 4/7/18 – Accountability Review of Council-Controlled Organisations
   - Auckland Tripartite Business Delegation to Los Angeles and Visit Report by Deputy Mayor Bill Cashmore, 22 – 25 May 2018
4. This document can be found on the Auckland Council website, at the following link: http://infocouncil.aucklandcouncil.govt.nz/
   o at the top of the page, select meeting “Governing Body” from the drop-down tab and click “View”;
   o under ‘Attachments’, select either the HTML or PDF version of the document entitled ‘Extra Attachments’.
5. Note that, unlike an agenda report, **staff will not be present to answer questions about the items referred to in this summary.** Governing Body members should direct any questions to the authors.

Ngā tūtohunga / Recommendation/s
That the Governing Body:
a) receive the Summary of Governing Body information memos and briefings – 26 July 2018.

Ngā tāpirihanga / Attachments

<table>
<thead>
<tr>
<th>No.</th>
<th>Title</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>A0</td>
<td>Memo - Accountability Review of Council-controlled Organisations</td>
<td>169</td>
</tr>
<tr>
<td>B0</td>
<td>Deputy Mayors Report on Tripartite Business Delegation and Visit Report to Los Angeles, May 2018</td>
<td>185</td>
</tr>
</tbody>
</table>

Ngā kaihaina / Signatories

<table>
<thead>
<tr>
<th>Author</th>
<th>Sarndra O'Toole - Team Leader Governance Advisors</th>
</tr>
</thead>
<tbody>
<tr>
<td>Authoriser</td>
<td>Stephen Town - Chief Executive</td>
</tr>
</tbody>
</table>
Memo

To: Governing Body
cc: Stephen Town, Phil Wilson, Nirupa George, Robert Irvine
From: Alastair Cameron, Manager CCO Governance and External Partnerships

Subject: Update on the accountability review of council-controlled organisations

Purpose

1. To update the Governing Body on progress made on the accountability review of council-controlled organisations (CCOs) since the last memo to the Governing Body (29 March 2018).

Background

2. On 1 February 2017 the Appointments and Performance Review Committee agreed to the objectives and scope of the review. The committee resolved to review 17 accountability mechanisms, plus monitoring practices and resourcing. The relevant resolutions are at Attachment A. This was then confirmed by the Governing Body, as set out in the resolutions at Attachment B. The review programme is at Attachment C.

3. The objectives of the accountability review are to increase the accountability and value for money of CCOs by:
   - increasing the transparency of CCO decision-making
   - increasing the responsiveness of CCOs to the public and council
   - improving the recognition of ratepayer funding for CCO activity
   - increasing the ability to align CCOs to the direction set by the council.

Progress report on accountability workstreams

4. A summary of progress on each of the review’s workstreams is set out in the tables below.

5. Eight workstreams are completed (Table 1). These workstreams have largely focussed on the CCO accountability mechanisms already programmed for review/use.

6. Since the last update, a report on CCO board performance reviews went to the Appointment, Performance Review and Value for Money Committee in April 2018. Staff are working with Auckland Transport on piloting the review and a workshop with the Committee will be scheduled for later in the year. Feedback from ATEED, Panuku and Watercare is that these reviews will take place next year.

7. As part of the long-term plan, new budget books for CCOs have been established and the Accountability Policy has been updated to include greater clarity around council’s expectations of its CCOs in terms of shared governance, and the management of strategic assets and major transactions.
Table 1: Completed Actions

<table>
<thead>
<tr>
<th>Workstream</th>
<th>Reporting</th>
</tr>
</thead>
<tbody>
<tr>
<td>1a) CCO accountability policy – review policy</td>
<td>Governing Body, June 2018</td>
</tr>
<tr>
<td>1c) CCO board appointments – review contract for recruitment services and appointment process</td>
<td>APRVFM Committee 2017</td>
</tr>
<tr>
<td>1d) Appointment of councillors to Auckland Transport board</td>
<td>Completed</td>
</tr>
<tr>
<td>1e) Advice to the Auditor General (OAG) on section 104 of LGACA (to review the service performance of the council and CCOs)</td>
<td>Completed</td>
</tr>
<tr>
<td>1f) Councillor to CCO board workshops – clear protocols for the process</td>
<td>Governing Body memo, March 2018</td>
</tr>
<tr>
<td>1g) Enhanced local decision-making for local boards for CCO Activities</td>
<td>Governing Body, ongoing</td>
</tr>
<tr>
<td>2a) Long-term plan - more detailed level of financial information required of CCOs for budgeting and reporting purposes</td>
<td>Governing Body June 2018</td>
</tr>
<tr>
<td>3c) Independent CCO board performance reviews led by the council as shareholder</td>
<td>APRVFM Committee, May 2018</td>
</tr>
</tbody>
</table>

8. There are seven workstreams still in development (Table 2). Workstream 3d) relating to Watercare is red and, as reported previously, this workstream is unlikely to be completed by the end of the financial year 2017/18. This workstream is part of a wider work programme being undertaken in response to the section 17A value for money review on three waters and the water reform programme recently announced by the government.

9. Workstream 3b) relating to additional accountability mechanisms is amber. The Local Government Act Amendment Bill (No 2) is proposing significant changes to Part 5 of the act, which relates to CCO accountability, in its entirety. As such, it is recommended that no further work is undertaken on workstream 3b) until greater clarity around the bill and its amendments is attained.

Table 2: Work streams in development

<table>
<thead>
<tr>
<th>Workstream</th>
<th>RAG</th>
<th>Detail on progress</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mechanisms already in use</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1b) s 92(2) of Local Government (Auckland Council) Act 2009 (LGACA) – review council policies relevant to CCOs and provide direction to CCOs on those</td>
<td>✔</td>
<td>The use of S 92(2) is closely aligned to and is now being integrated with the strategic direction setting for our CCCs (2d).</td>
</tr>
<tr>
<td>2d) Strategic direction setting and prioritisation – improving how the council specifies the outcomes it wants from CCOs and determines whether CCOs are delivering what the council (representing the public) wants</td>
<td>✔</td>
<td>With the adoption of the Auckland Plan 2050, the CCO Governance and External Partnerships team is working with the Auckland Plan Strategy and Research team to determine whether there are any gaps, and the implications, in strategic direction setting for CCOs in Council’s strategic framework.</td>
</tr>
<tr>
<td>Item 15</td>
<td>2e) CCO Governance Manual</td>
<td>This will be completed by the CCO Governance and External Partnerships to incorporate the outcomes of this review.</td>
</tr>
<tr>
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</tr>
<tr>
<td>New tools</td>
<td>3a) Operating rules for Auckland Transport – consider current AT practices including board meetings, release of information, employment practices and acquisition/disposal practices</td>
<td>Section 49 of LGACA provides that Council may make operating rules for AT. Conversations have commenced with Auckland Transport to consider the issues and options relating to this provision.</td>
</tr>
<tr>
<td></td>
<td>3b) Additional accountability mechanisms under section 91 LGACA</td>
<td>Aspects of this workstream have been initiated, including improvements to the risk information provided by CCOs to the council and the updated CCO Accountability Policy regarding the management of strategic assets. The Local Government Amendment No 2 bill is reviewing the CCO related accountability provisions. It is expected that this bill might be enacted by the end of this calendar year. Decisions to proceed on remainder of this workstream until greater clarity about the bill’s provisions are achieved.</td>
</tr>
<tr>
<td></td>
<td>3d) Watercare's compliance with section 57 of LGACA (cost effectiveness of service delivery)</td>
<td>This workstream is related to the recommendations of the section 17A review on three waters. As recommended by the review, Auckland Council is leading the development of the Auckland’s Waters Strategy which Watercare is playing an active part in, and which will impact on asset management and funding plans. In February 2018, the Finance &amp; Performance Committee agreed that the other workstreams, including economic regulation would begin after the completion of Auckland’s Waters.</td>
</tr>
<tr>
<td></td>
<td>Monitoring and resourcing – review resource required to ensure effectiveness of CCOs</td>
<td>This will be considered at the end of the financial year 2017/18 at the end of the review.</td>
</tr>
</tbody>
</table>

10. Several workstreams are subject to continuous improvement and progress on these is summarised in Table 3.

11. Workstream 2b) SOI review of KPIs is amber. A substantive review of KPIs for each CCO should be undertaken. This requires additional resource and will be addressed in a report to Governing Body on required monitoring and resourcing. For the review of KPIs to be complete it is dependent on the outcomes of the joint workstreams: S92(2) and strategic direction setting.

Table 3: CCO accountability mechanisms that are subject to continuous improvement
### Workstream

<table>
<thead>
<tr>
<th>Item</th>
<th>Description</th>
<th>RAG</th>
<th>Details on progress</th>
</tr>
</thead>
<tbody>
<tr>
<td>1g) Enhanced local decision-making for local boards for CCO activities</td>
<td>✔️</td>
<td>The Governance Framework Review was reported to the Governing Body on November 2017. In March, the Governing Body endorsed Auckland Transport’s initial response to the Governance Framework review and requested that Auckland Transport report back on further progress as part of its fourth quarter report in September 2018, and thereafter annually as part of fourth quarter reporting. The revised Accountability Policy (s 1.1.7) requires CCOs to understand and give effect to Auckland’s shared governance.</td>
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</tr>
<tr>
<td>2b) Statement of intent – Review key performance indicators (KPIs) in the statement of intent for overall consistency, appropriateness and clarity. Review existing targets to ensure they are appropriate.</td>
<td>🚫</td>
<td>The Group Financial Planning team worked with CCOs to review the key performance indicators (KPIs) in the long-term plan. A substantive review of KPIs for each CCO should be undertaken and will be considered as part of the monitoring and resourcing activities of CCOs.</td>
<td></td>
</tr>
<tr>
<td>2c) Quarterly reporting against the statement of intent – improve risk section, support to councilors ahead of meetings for quarterly reports, template</td>
<td>✔️</td>
<td>The Group Financial Planning team is leading work on improvements to the quarterly report template. The introduction of this template will be introduced following the adoption of the Long-term Plan.</td>
<td></td>
</tr>
<tr>
<td>3e) Service delivery reviews of CCO activities under section 17A of LGACA</td>
<td>✔️</td>
<td>The expectation of CCOs to implement the recommendations of section 17A reviews have been set out in the letters of expectation and CCO accountability policy. A series of reviews have been programmed and these will be reported separately to committee. The CCOs are participating in these reviews.</td>
<td></td>
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</table>

### Next steps

12. The next steps are to:
   - work with CCOs and council to improve strategic alignment with the Auckland Plan
   - finalise advice around implementing operating rules for Auckland Transport
   - initiate the work around determining the cost-effectiveness of the existing monitoring regime and the resource that is currently allocated to this function.
   - review the existing LGOIMA guidance for CCOs contained in the CCO Governance Manual.

13. The following workstreams will also be reported separately in 2018:
   - the final CCO Statements of Intent and quarterly reporting will be reported to Finance and Performance Committee in August
• updates to the CCO governance manual will be reported to Governing Body
• further work and progress updates on the 17A value for money reviews will be reported to the Finance and Performance Committee.
Attachment A

Appointments and Performance Review Committee resolutions

11. Accountability of Auckland Council Controlled Organisations

A PowerPoint presentation was provided. A copy has been placed on the official minutes and is available on the Auckland Council website as a minutes attachment.

Resolution number APP/2017/4

MOVED by Mayor P Goff, seconded by Deputy Chairperson C Fletcher:

That the Appointments and Performance Review Committee:

a) recommend to the Governing Body, at its 23 February 2017 meeting, the approval of the following objectives as the basis for the council-controlled organisations accountability review:
   i) to increase the accountability and value for money of council-controlled organisations by:
      • increasing the transparency of council-controlled organisation decision-making
      • increasing the responsiveness of council-controlled organisations to the public and council
      • improving the recognition of ratepayer funding for council-controlled organisation activity
      • increasing the ability to align council-controlled organisations to the direction set by the council.

b) recommend to the Governing Body at its 23 February 2017 meeting, the approval of the scope and timing of option 2 outlined in the agenda report, which recommends that five mechanisms be added to the existing twelve-mechanism work programme within the same timeline and budget.

c) note that the existing work programme of council-controlled organisation accountability mechanisms will review the use of twelve out of twenty available tools and will proceed even if the committee does not agree to the enhanced programme described as option 2 in the agenda report.

d) agree that the progress of the council-controlled organisation accountability review be reported to Governing Body meetings as a programme of work on a quarterly basis.

e) request that as part of the council-controlled organisation accountability review, staff report back on the cost-effectiveness of the existing monitoring regime and the resource that is currently allocated to this function.

CARRIED
Attachment B
Governing Body resolutions

17. Accountability of Auckland Council Controlled Organisations - Recommendations from the Appointments and Performance Review Committee

A PowerPoint presentation was provided. A copy has been placed on the official minutes and is available on the Auckland Council website as a minutes attachment.

Resolution number GB/2017/17

MOVED by Mayor P Goff, seconded by Cr D Simpson:

That the Governing Body:

a) approve the following objectives as the basis for the council-controlled organisations accountability review:

i) to increase the accountability and value for money of council-controlled organisations by:

  • increasing the transparency of council-controlled organisation decision-making
  • increasing the responsiveness of council-controlled organisations to the public and council
  • improving the recognition of ratepayer funding for council-controlled organisation activity
  • increasing the ability to align council-controlled organisations to the direction set by the council.

b) approve the scope and timing of option 2 outlined in the 1 February 2017 Appointments and Performance agenda report, which recommends that five mechanisms be added to the existing twelve-mechanism work programme within the same timeline and budget.

CARRIED
Attachment A: Expanded description of proposed scope, timing and contribution of each CCO accountability mechanism

Table 1: CCO accountability mechanisms already programmed for review/use.

<table>
<thead>
<tr>
<th>Accountability mechanism</th>
<th>Proposed scope and timing of improvement/use</th>
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</table>
| 1a) The Accountability Policy for substantive CCOs – contained in the LTP. The policy must contain: council's expectations on contributions and alignment to council objectives and priorities and any additional reporting and planning requirements (over and above normal legislative requirements). | Current state: Not comprehensively revised since amalgamation (with the exception of Panuku). Because the accountability policy is contained in the LTP, CCOs must give effect to it. Proposed scope of improvements: The expectations council has for individual CCOs should be reviewed to ensure they match current council priorities. Improvement of the transparency of investment decision-making undertaken by CCOs – likely to be in the form of an Investment Policy that will determine when 'business cases'¹ should be approved by the shareholder (council). An investment policy will also contain expectations on how reporting and accountability of business case projects should occur. This work will improve the linkage of budgeted spend to key outcomes set by council. Also propose to clarify the decision-making parameters around the combined wastewater/stormwater network in the strategic assets/major transactions section.
Staff will investigate whether there is any matter that will benefit from additional planning or reporting requirements. Contribution to review objectives: increasing the ability to align CCOs to the direction set by the council. Proposed timing: a revised policy would need to be ready for consultation as part of the LTP process (workshopped September – December 2017). |

1b) Section 92(2) of the Local Government (Auckland Council) Act 2009 (LGACA). Explicit direction to CCOs on council plans and strategies that CCOs 'must act consistently with'.

Current state: This mechanism has been used in a limited way at this point. Council has a comprehensive array of strategies and policies, some of which CCOs lead the implementation of, some which apply to all entities within the council 'group' and some which CCOs contribute to.

Proposed scope of improvements: since this mechanism has been used in a minor way to date, there is a significant opportunity to communicate the relevant aspects of adopted council policies to CCOs. Given that council has many policies, plans and strategies, it is proposed that this work is carried out in several tranches. The first tranche will cover the policies that councillors and

¹ The term 'business case' refers to the council investment decision-making tool that scrutinises investment decisions using five lenses (or cases): the strategic, economic, financial, commercial and management cases.
### Attachment A: CCO accountability review

#### 1a) Appointment of the CCO board of directors (including the appointment of the chair and deputy chair)

- **Current State:** Legislation requires that council has a robust and transparent director appointment policy. The Auckland Council Board Appointment and Remuneration Policy is contained in the Governance Manual for Substantive CCOs (available on council’s website). Council updated and approved this policy in May 2016.

- **Proposed scope of improvements:** An additional update of this policy has been anticipated for the beginning of the new political term to ensure we are attracting the best candidates to apply for board director positions.

- **Procurement process for external recruitment services** will begin shortly and will have Mayoral Office input. Council will make use of the Government Electronic Tendering System and will review the procurement brief to ensure it is attracting the best proposals.

- **Review of appointment process** to ensure that there is sufficient political input.

- **Contribution to review objectives:** increasing the ability to align CCOs to the direction set by the council.

- **Proposed timing:** 4 May 2017 report to Appointment and Remuneration committee which will outline the recruitment programme for 2017; recruitment services will need to be in place by mid-March; potential policy refinements by September 2017.

#### 1d) Appointment of councillors to the board of Auckland Transport (AT)

- **Current state:** On 10 November 2016, council resolved to use a competitive process to determine whether councillors would be directors on the board of AT. This resolution indicated a change from past practices and was made possible by the May 2016 update to the board appointment policy.

- **Proposed scope of improvements:** New process underway as per direction of 19 November 2016 Governing Body meeting.

- **Contribution to review objectives:** increasing the ability to align CCOs to the direction set by the council.

- **Proposed timing:** The Board Appointment and
**Remuneration Policy** will be updated to reflect the decisions of the 10 November meeting once the director appointment process review (above), has been completed.  

**1e) Advice to the Auditor General (OAG) on areas of interest for CCO audits under section 104 of LGACA**  
Current state: At present the OAG canvases council for a range of ideas on things that would be useful to audit. This advice can come from a number of sources in council and are not necessarily well integrated within the wider audit programme.  
Proposed scope of improvements: Integrated advice from both a political and senior executive level should be developed. There is no obligation for the OAG to take this advice.  
Contribution to review objectives: increasing the ability to align CCOs to the direction set by the council.  
Proposed timing: Advice provided by staff by March 2017 for communication to OAG in time to inform their annual planning round.

**1f) Councillor to CCO board workshops**  
Current state: Pilot programme run in 2016. The 2017 programme will run from 15 February to 22 November.  
Proposed scope of improvements: Feedback on the pilot programme was sought in September 2016 and is being incorporated into the 2017 programme. Lessons learned from each workshop will be incorporated into each successive workshop for continuous improvement.  
Contribution to review objectives: increasing the ability to align CCOs to the direction set by the council, increasing the responsiveness of CCOs to the public and council.  
Proposed timing: continuous improvement but with most significant changes in place ahead of 6 April workshop.

**1g) Enhanced local decision-making for local boards for CCO activities**  
Proposed scope of improvements: The Governance Framework Review is likely to explore opportunities for increasing local board decision-making about activities carried out by CCOs, in particular AT. The analysis on this matter will be primarily led by the Governance Framework Review but is likely to require a link through to an accountability mechanism listed in this report (e.g. section 92(2) direction) to ensure that new expectations are communicated to the CCO board.  
Contribution to review objectives: increasing the...
transparency of CCO decision-making, increasing the responsiveness of CCOs to the public and council, improving the recognition of ratepayer funding of CCO activity, increasing the ability to align CCOs to the direction set by the council.

Proposed timing: It is envisaged that the political working party that has been established to oversee the Governance Framework Review will make recommendations in July 2017.

Table 2: CCO accountability mechanisms that are subject to continuous improvement

<table>
<thead>
<tr>
<th>Accountability mechanism</th>
<th>Proposed scope and timing of improvements</th>
</tr>
</thead>
</table>
| **2a) The Long-term plan (LTP) – three year cycle covering a period of ten years.**  
The Annual Plan – annual cycle covering the upcoming financial year (July to June) | Current State: Although primarily a budget setting mechanism, the LTP also contains policies which CCOs must give effect to e.g. financial strategies and the CCO accountability policy.  
Proposed scope of improvements: Work has begun on specifying the more detailed level of financial information required of CCOs for budgeting and reporting purposes. Once these more detailed budget envelopes are developed, work will commence on how best to track and report against these areas.  
Contribution to review objectives: increasing the responsiveness of CCOs to the public and council, improving the recognition of ratepayer funding of CCO activity, increasing the ability to align CCOs to the direction set by the council.  
Proposed timing: Specification of more detailed CCO financial budgeting and reporting will be undertaken as part of the 2017/2018 annual plan process (adoption by June 2017).  
Because the LTP must follow a legislatively prescribed process which includes consulting with the public, any changes to policies affecting CCOs contained in the LTP must be well planned and fit within the time bound LTP process (adoption by June 2018). |
| **2b) The Statement of Intent (SOI) – annual cycle covering a period of three years. Some content of the SOIs is legislatively prescribed and cannot be omitted.** | Current State: The SOI document is developed according to a template set by Council. The template can be amended annually ahead of each SOI cycle.  
Proposed scope of improvements: The number and type of Key Performance Indicators (KPIs) contained in the SOI at present are not consistent across the six CCOs (i.e. some CCOs have measures relating to staff engagement and health and safety, but others do not). The measures are also very difficult to understand so SOIs should include information that improves understanding for the reader. The KPIs will be reviewed by council staff with a view to improving overall consistency, appropriateness and clarity |
of the measures in addition to whether the targets continue to be appropriate.

Contribution to review objectives: increasing the responsiveness of CCOs to the public and council, improving the recognition of ratepayer funding of CCO activity, increasing the ability to align CCOs to the direction set by the council.

Proposed timing: Amendments to the template (and therefore the content and structure of the resulting SOI) need to be finalised by December of any year for the next SOI cycle.

The KPIs will be reviewed in time for the finalisation of the LTP (June 2017).

| 2a) Reporting against the SOI – quarterly reporting covering the previous 3 months, plus annual report covering the previous year. | Current state: The quarterly reports are developed using a template set by council.

The CCO Board and Chief Executive are expected to participate in a discussion with the Finance and Performance Committee of council about CCO performance against their SOI objectives and targets (half year and fourth quarter results only). There is no evidence to suggest that more frequent meetings would be beneficial, however, councillors have indicated that they require further support to carry out their responsibilities at these meetings to ensure that any non-performance of CCOs has been identified.

Proposed scope of improvements: The risk section of the quarterly report template should be updated to improve overall consistency in disclosure across the CCOs. The traffic light indicators (Red, Orange, and Green) for progress towards the achievement of targets should have a specified threshold so that all CCOs reports are consistent (e.g. Red light equals target not met (more than 2.5% below target)). Improve to support for councillors prior to half year and fourth quarter meetings.

Contribution to review objectives: increasing the transparency of CCO decision-making; increasing the responsiveness of CCOs to the public and council, improving the recognition of ratepayer funding of CCO activity, increasing the ability to align CCOs to the direction set by the council.

Proposed timing: If council decided to make amendments to the structure or content of the quarterly report, it would need to update the template approximately two months ahead of the end of the quarterly period. Some content of the reports is legislatively prescribed and cannot be omitted.

| 2d) Strategic direction setting and prioritisation. | Current state: Most council policies are refreshed on a regular basis. Although not necessarily cyclical, these updates take place when there is a significant change to the priorities and goals of council. The Auckland Plan is...
refreshed every six years. The Regional Land Transport Plan (which is approved by NZTA and AT) is revised every three years.

Council must maintain the ability to specify the outcomes it wants from CCOs and also the ability to determine if CCOs are delivering what council (representing the public) want. There have been instances where the strategic capability of council (as the overall direction setter and monitor) has been eclipsed by the technical/strategic capability of CCOs.

Proposed scope of improvements: This is a complex topic and no work has yet been undertaken recently on the relative merits of enhancing council’s strategic/technical capacity with respect to CCO activities. A report will be prepared by end 2017, outlining the current state and issues and options for the future. This work relates to the section on monitoring later in this agenda report and may be combined with that workstream.

Contribution to review objectives: increasing the responsiveness of CCOs to the public and council, improving the recognition of ratepayer funding of CCO activity, increasing the ability to align CCOs to the direction set by the council.

2e) The Governance Manual for Substantive CCOs (the manual). The manual is a document that records all of the enduring expectations of council, including policies and templates.

Current state: The manual was adopted in December 2015. It was envisaged that it would be updated approximately annually.

Proposed scope of improvements: In addition to the mechanisms listed in this report for review which are contained in the manual, there are other policies and expectations which will benefit from revision (e.g. the no surprises protocols)

Contribution to review objectives: increasing the responsiveness of CCOs to the public and council, improving the recognition of ratepayer funding of CCO activity, increasing the ability to align CCOs to the direction set by the council.

Proposed timing: Due to the dependencies with other elements of this accountability review, we propose that the manual is updated twice during the course of the review – once after the director appointment process review has been completed and again at the completion of all elements of this review (June 2018).

Table 3: CCO accountability mechanisms that are not currently in use.

<table>
<thead>
<tr>
<th>Accountability mechanism</th>
<th>Proposed scope and timing for improvement</th>
</tr>
</thead>
<tbody>
<tr>
<td>3a) Operating rules for Auckland Transport - Council may make rules by</td>
<td>Current state: Not used. There is little indication in cabinet papers on the intention behind these legislative provisions. The provisions are broadly worded but do give</td>
</tr>
</tbody>
</table>
which Auckland Transport must operate, including rules in relation to—
- how the governing body of Auckland Transport must operate;
- how Auckland Transport must appoint and employ staff (including its chief executive);
- how Auckland Transport must acquire and dispose of significant assets.

<table>
<thead>
<tr>
<th>Item 15</th>
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<tbody>
<tr>
<td>3b) Section 91 of LGACA provides that council may impose additional accountability requirements on its substantive CCOS including:</td>
<td>Current state: Council already requires first and third quarter reports of its CCOS. Since December of 2015 however, only half yearly and fourth quarter results have been discussed in public with CCO boards, in order to allocate time to forward looking workshops with CCO boards. First and third quarter CCO results are circulated by memo to councillors and consolidated into the council group reporting.</td>
</tr>
<tr>
<td>- the provision of first and third quarter reporting against the SOI (in addition to half year and annual reporting),</td>
<td>Proposed scope: Staff will review all current reporting and planning requirements and the conventions relating to them to ensure they are fit for purpose and consider whether there are any matters requiring additional planning or reporting from CCOS (e.g. use of business case methodology). Staff will also consider whether there is any benefit from additional 10 year planning other the current requirements relating to Asset Management Plans (which are 10 year plans).</td>
</tr>
<tr>
<td>- the provision of a 10 year plan (but not from AT)</td>
<td>Contribution to review objectives: increasing the transparency of CCO decision-making, increasing the responsiveness of CCOs to the public and council, improving the recognition of ratepayer funding of CCO activity, increasing the ability to align CCOs to the direction set by the council.</td>
</tr>
<tr>
<td>- a description of how the CCO will comply with council’s requirements for the management of the assets identified by council as strategic assets and processes for the approval of major transactions in relation to those assets</td>
<td>Proposed timing: Initial analysis provided to council by September 2017</td>
</tr>
<tr>
<td>3c) Shareholder-led independent CCO board performance reviews</td>
<td>Current state: CCO Boards are required to undertake their own reviews of their performance (board-led reviews). Council has no input as to the scope or supplier for these reviews. Council does not undertake its own independent board performance review.</td>
</tr>
<tr>
<td></td>
<td>Proposed scope: Consider the best way of assessing and improving the performance of the CCO boards. Preliminary external advice has been sought to assist with scope.</td>
</tr>
</tbody>
</table>
3d) Requirement for Watercare to report against section 57 of LGACA (cost-effectiveness of service delivery)

Current state: there is no explicit and identifiable public reporting against this legislative requirement nor any agreed conventions or methodology around doing so.

Proposed scope: Requires discussion with Watercare to determine achievable methodology. This is likely to be an additional reporting requirement under s 91 of LGACA (item b) above.

Contribution to review objectives: increasing the transparency of CCO decision-making, increasing the ability to align CCOs to the direction set by the council.

Proposed timing: initial findings reported by end September 2017.

3e) Service Delivery Reviews under section 17 of LGACA

Current state: Council last undertook s17A service delivery reviews of CCO activities as part of the 2014/2015 CCO review.

Proposed scope: A report will be taken to the 23 February 2017 Finance and Performance Committee on s17(A) reviews. The activities that will be subject to these reviews and the timing of them will be considered at that time.

Potential for contribution to review objectives if CCO activities are included: improving the recognition of ratepayer funding of CCO activity, increasing the ability to align CCOs to the direction set by the council.

Proposed timing: not yet determined.

Table 4: CCO accountability mechanisms that are not possible or useful to review

<table>
<thead>
<tr>
<th>Accountability mechanism</th>
<th>Rationale for not reviewing</th>
</tr>
</thead>
<tbody>
<tr>
<td>4a) CCO company constitutions</td>
<td>CCO constitutions were last updated in 2012, to include the ability for council to issue a binding management directive. Due to the nature and purpose of company constitutions it is not likely that any change will contribute to the review objectives.</td>
</tr>
<tr>
<td>4b) Public Audit Act 2001</td>
<td>Council cannot change an Act of parliament. No problems have been identified that would warrant lobbying for change to this Act.</td>
</tr>
<tr>
<td>4c) The Local Government Official Information and Meetings Act 1987 (LGOIMA).</td>
<td>Council cannot change an Act of parliament. No problems have been identified that would warrant lobbying for change to this Act. However, council will consider whether the existing LGOIMA guidance for CCOs contained in the CCO</td>
</tr>
</tbody>
</table>
Attachment C - CCO accountability review

Appointments and Performance Review Committee
01 February 2017

| Governance Manual is working effectively. If not, staff will consider turning this guidance into a policy and including it as a s92 policy (table 1 b). |

Ongoing monitoring to ensure CCO effectiveness

1. In addition to council having assurance that it is making the best use of the available accountability mechanisms, it should give equal consideration to the effectiveness and resourcing levels of its monitoring activities for CCOs.

2. The Office of the Auditor General has noted the importance of both the health of the CCO/council relationship and the appropriate administrative processes for monitoring.

3. In recent years, council has focused on building strong working relationships with its CCOs and, has held resourcing for the monitoring function at a modest level.

4. The effectiveness of the existing ongoing CCO monitoring regime and the resources needed for additional accountability mechanisms should become a separate workstream alongside any option chosen for the CCO accountability review.

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Memo

4 July 2018

To: Mayor Phil Goff and Councillors
cc: Jacques Victor, GM - Auckland Plan Strategy & Research
    Nick McDonnell, Manager Global Partnerships and Strategy Unit (GPS)

From: Bill Cashmore, Deputy Mayor

Subject: Auckland Tripartite Business Delegation to Los Angeles 22-25 May 2018

The purpose of this memo is to provide a brief overview of the key outcomes of the Auckland Tripartite Business Delegation visit to Los Angeles (LA) 22-25 May to attend the 2018 Select LA Investment Summit. I led a delegation of Auckland businesses that was facilitated by Auckland Council’s Global Partnerships and Strategy Unit (GPS) and Auckland Tourism, Events, and Economic Development (ATEED).

Key outcomes

- We demonstrated Auckland’s ongoing political and economic commitment to the Tripartite Economic Alliance between Auckland, Guangzhou and LA. This was the first year of the new format where Tripartite-related activity sought to leverage an established trade/innovation event to facilitate collaboration under the successful Alliance.

- I engaged in a successful trilateral meeting with LA Mayor Eric Garcetti and Guangzhou Executive Vice Mayor CHEN Zhiying where all three parties expressed their support for the Tripartite relationship and agreed the cooperation between the three cities was equivalent to national-level cooperation. Bilateral meetings occurred separately with the Guangzhou delegation and with Ambassador Nina Hachigian, LA’s Deputy Mayor of International Affairs.

- The Tripartite programme in LA opened doors to some of LA’s key decision makers and facilitated connections for all the participants.

- A key success has been a reported $20m investment deal between New Zealand’s HMI Technologies (HMI) and the Sino-Europe Innovation Centre of Heshan Industrial City in Guangdong Province, China. The NBR announced the deal in an article on 18 June which includes an undertaking to set up a vehicle manufacturing facility for HMI’s self-driving electric people mover, Ohmic. HMI has directly attributed the deal to the Tripartite activity in LA.

- Post the LA visit, I also provided a letter of support for ongoing engagement between HMI and the Guangzhou Automobile Group (GAC). ATEED has since confirmed that discussions with GAC are on hold – HMI may revisit these in the future, but the Heshan deal (referred to above) will be their first priority.

- One business delegate secured a potential US investment partner at the Select LA Investment Summit.
I also had the opportunity to meet with the LA County Metropolitan Transportation Authority (LA Metro), and the Department of Public Works' Bureau of Street Services where we discussed best practice and ongoing challenges around costs, contracts, and collaboration.

I undertook a site visit to the Port of LA, the fourth largest in the world, and in the process of implementing full automation of the container terminals. Discussion centred around governance, automation risk profiles, logistics and supporting infrastructure requirements.

We also called on Michael Walbrecht, Vice President Public Affairs, Warner Bros Entertainment Inc to acknowledge Warner’s partnership with the Kumeu Film Studios around the China-Hollywood co-produced film “The Meg.”

Background

The 13-member delegation to LA included representatives from the creative sector, screen, social enterprise, transport, health and education sectors.

The LA visit was timed to align with the 2018 Select LA Investment Summit which had been identified as the trade/innovation event that best supported Tripartite-related activity in 2018.

Strong support was received from the Office of LA Mayor Eric Garcetti, the World Trade Centre LA, the NZ Consulate in LA, and NZTE.

Executive Vice Mayor CHEN Zhiying led a delegation of 40 municipal leaders and business representatives from Guangzhou to LA.

Following the LA visit, GPS and ATEED continue to liaise with Tripartite participants to facilitate further civic/cultural and business outcomes from the Summit.

GPS will report back to the Environment and Community Committee by end-2018 on further survey results from the 2017 Tripartite Summit in Guangzhou. At that time, they will include an update on the 2018 Auckland Tripartite Business Delegation’s visit to LA, and details of proposed Tripartite-related activity in 2019.

Please see attached a further day-by-day account of my visit compiled during my time in Los Angeles for further information.

Bill Cashmore
Deputy Mayor
Auckland Tripartite Business Delegation to Los Angeles 2018

2018 Select Los Angeles Summit
Visit Report – Deputy Mayor Cashmore

Date: 22 May 2018 – 25 May 2018
Venue: Los Angeles, USA

Purpose of Trip

The 2018 Select Los Angeles Investment Summit was identified by Los Angeles, Guangzhou and Auckland as the key event for 2018 Tripartite activity.

Deputy Mayor Cashmore’s attendance signalled to Los Angeles and Guangzhou, Auckland’s continued political commitment to the Alliance; a key element of the Tripartite Economic Alliance. The Deputy Mayor’s presence aided in unlocking the civic benefits of any meetings and opening of doors for Auckland delegates (particularly with the Guangzhou delegation).

The Tripartite plays an important role in deepening Auckland’s connections and visibility with its two most important and dynamic city partners, Guangzhou and Los Angeles, as well as facilitating tangible business outcomes for Auckland businesses.

Overview

14 business delegates flew at their own expense to Los Angeles and meet with more who were already in situ. These businesses mostly all had an existing presence in Los Angeles and were looking at expansion and growth. The delegation included people representing screen production, automated transport technologies, organic hygiene products, trans city legal services, and architecture to mention a sample.

The timing of the delegation’s visit was to align with the Select Los Angeles Investment Summit which was an experience. Guangzhou Vice Mayor Chen led a delegation of 40 municipal leaders and business representatives. The synergies with the Auckland delegation were advantageous with leaders from the city’s Film Industry, Commerce Commission, Television, sanitary ware, automation technologies and financial institutions.

We had strong support from the Mayor of Los Angeles’s office and from the NZ Consulate Office in Los Angeles, NZTE and MFAT. Auckland Council’s Global Partnerships provided solid back ground information and developed the 4-day program. ATEED had staff in assistance who had considerable Los Angeles experience including being an Angelino. The delegation was well informed and prepared as is evidenced by the success of every business on the trip. Partnerships were formed, joint ventures established, real business deals done, and numerous contacts established. Reports from the businesses will follow as part of the Tripartite folio. Networking functions were a big part of the program right from arrival the first night and continues each day.

From an Auckland Council perspective, discussions were had with Los Angeles Metro and the City Roading Management teams on costs, contracts and collaboration. The city of Los Angeles has a $1208 US program underway. Although the numbers are large the problems we face are very similar. The contacts were very forthcoming and sharing. They are also tunnelling 4 miles, rebuilding miles of road annually and investing substantially in light rail.

We expressed interest in their project governance models, procurement techniques, project audit and time lines. Further information will be coming from the Los Angeles city management.
A visit to the Port of Los Angeles was equally a lesson in scale, the fourth largest in the world and in the process of full automation of the container terminals. Discussions included governance, automation risk profiles, logistics and support infrastructure requirements.

The Select Los Angeles Investment Summit was in a word breath taking with speakers on international and Los Angeles real-estate, technological disruptors, biosciences. The key note speaker was Dr. Patrick Soo, Chair of Nant Works which is at the cutting edge of new battery technologies using O2 and a pharmaceutical drug development for the cure of cancer. Stunning presentation.

At the end of this day I meet with Los Angeles Mayor Eric Garcetti, Vice Mayor Chen of Guangzhou in tri-lateral talks. We all expressed our positivity around the Tripartite relationship and productivity and benefits. Discussion was also had concerning the expansion of the arrangement from a sole business focus to include social and cultural aspects going forward. Both Mayor Eric Garcetti and Vice Mayor Chen stated on their openness and willingness to collaborate and share. The relationship was very good and one of mutual respect.

**Meeting Discussions**

**Meeting with Amb Nina Hachigian – 23 May 2018**

Amb Nina Hachigian has not yet had the opportunity to visit NZ so it is hoped she will attend the Tripartite activity in Auckland in 2019.

At the meeting topics that were discussed:

- Large homeless problem – 3 mayoral priorities are ‘tents, trash and traffic’. Optimistic about the housing crisis and Los Angeles is appealing to the State for further funding. State-wide curse is rising house prices – and prison reform pace is quickening thus there is a need to introduce re-entry programmes.
- Complicated bureaucracy but Los Angeles is working more closely with each of the 15 counties to identify emergency homeless shelters –NIMBYism is evident.
- Los Angeles is spending US$140b over the next few decades on transport – revitalizing LAX Airport, autonomous and aerial vehicles.
- They have stringent targets to meet the Paris Climate Change – ‘which we haven’t left’ – 400 cities are supporting – sustainability is second-nature to 99% of the Californian population. Opposition comes from ‘a small vocal group and one happens to be our President’
- Invited Auckland to a Sustainable Transport Summit in Los Angeles on Sept 11, 2018 and Los Angeles Comotion – Nov 18 – an international innovation summit

**Meeting Los Angeles Street Services – 23 May 2018**

At the meeting topics that were discussed:

- Largest municipal street network – 28,000 streets – measures 1.17 times around planet earth.
- Maintaining managing pavements using Micropaver software system
- PCI (Pavement Condition Index) to measure road conditions. Roads are surveyed every 3 years. Deputy Mayor Cashmore was impressed with their use of a semi-automated van which reads roughness of the road to determines its condition.
- Rubberized slurry seal that is used in Los Angeles because it’s an environmentally friendly solution – recycling over 120,000 waste tyres annually – product guaranteed for 7 years
- All aggregate roading that is removed is recycled because if its scarcity
- Further supporting documentation to be exchanged.
Meeting Los Angeles Metro – 23 May 2018

At the meeting topics that were discussed:

- Lessons Learned Programme on tendering/procurement process will be shared
- Los Angeles Metro explained their process via the Metro Master Plan – planning analysis to budget and subsequent approval by Board of Directors which has 2 reps from the Mayor’s Office
- Los Angeles Metro hires consultants/contractors to implement projects
- Solicitation process encompasses the “Design/Build” delivery method to ensure all requirements are met and then Los Angeles Metro Ops Dept run the project thereafter
- Tunnelling – will share costs for light/heavy rail per mile but they vary depending on the project

Trilateral Mayoral meeting – 24 May 2018

At the meeting topics that were discussed:

- Mayor Eric Garcetti was the first US Mayor to appoint a Deputy Mayor of International Affairs
- Los Angeles has similar problems to both Guangzhou and Auckland – public transportation, homelessness – need to be willing to share knowledge (i.e. tunnelling technology)
- Climate change – work around this sector happens at a local government level, but a change of President will see the US remain part of the Paris Accord. Auckland congratulated Mayor Garcetti on his leadership on climate change
- Los Angeles is open for business – New Zealand has a new government – Auckland is a little city and growing – punching above our weight – sheer scale of China is impressive
- Los Angeles values Auckland’s environmental technology - Guangzhou is making changes in air quality, water treatment and rubbish disposal. Next 5 years will see greater focus by Guangzhou on AI, Biotech co-operation, infrastructure – in particular international aviation
- All three parties agreed co-operation among cities is equivalent to national-level co-operation
- Mayor Garcetti was surprised how fruitful his 2016 visit to Auckland was – ‘amazing – wasn’t what I expected’
- Deputy Mayor Cashmore confirmed that Auckland will host Tripartite-related activity in 2019 and invited Mayor Garcetti to come for a return visit. His response … ‘We will plan on that’. Amb Nina Hachigian has not yet had the opportunity to visit NZ so it is hoped she will attend the Tripartite activity in Auckland in 2019.

Guangzhou Bilateral meeting – 24 May 2018

At the meeting topics that were discussed:

- On behalf of Mayor WEN Guohui, EVM Chen Zhiqing thanked Auckland for bringing a large delegation to the Guangzhou Summit and for facilitating the visit of the Modern Maori Quartet
- In response Auckland acknowledged Guangzhou’s generous hosting of the event. Despite differences in size, both cities can learn a lot from each other and Auckland looks forward to collaborating with Guangzhou around the BRI
- Guangzhou see great potential between our two cities and is enthusiastic about future engagement. They will host a Maritime Silk Expo next year on foreign trade and co-operation – initiated by HU Chunhua Vice Premier of the PRC (former Party Secretary of Guangdong) who now heads China’s Economic and Trade Cooperation
- Guangzhou enquired about the progress of setting up warehouses in both Guangzhou and Auckland as logistic centres. This was first raised in 2016 when Australian Food Co-operation (AFC) was purchased by Mr Xia Yang with the idea of private companies establishing warehouses in Guangzhou and Auckland to accommodate consumer goods.

- Auckland spoke of commonality between the two cultures, referencing the Lantern Festival. Guangzhou support Cultural and Education exchanges between the two cities, but are keen to further encourage exchanges in the vocational and tertiary sectors.

- Guangzhou noted the profound connection they have with Auckland and undertook to organise a large, comprehensive delegation to attend Auckland19. This would also include a performing arts/cultural delegation to celebrate the 30th anniversary of the partner city relationship.

**Tripartite Roundtable – 25 May 2018**

At the meeting topics that were discussed:

- Chaired by Ambassador Nina Hachigian who is pleased to be part of the Tripartite mechanism – sharing lessons to become stronger cities and here today to promote Sustainability/Mobility and the Creative sectors.

- Deputy Mayor Cashmore has a ‘book full of dangerously good ideas’ as a result of his visit to Los Angeles.

- Guangzhou acknowledged that Mayor Wen Guohui studied in Los Angeles and they had participated in a tour of the city to learn about the upgrade of Downtown Los Angeles ahead of the 2028 Olympics.

- Sustainability - Matt Petersen, President of LACI acknowledged all cities are confronting climate change which also presents economic opportunities. Ahead of 2028, Los Angeles plans to accelerate their progress via electric airlines carrying 8-10 passengers, facilitating start-up companies via the Governor’s Office and learning how to train a workforce to be part of this technology.

- Deputy Mayor Cashmore spoke about resilience, proud to be part of C40, NZ$1b being spent on removing stormwater from harbours, establishing urban forests, introducing electric buses, waste minimization and spending NZ$2.5b on light rail.

- Guangzhou spoke of China’s open door policy and having strong neighbours such as Shenzhen and Hong Kong as part of the Greater Bay Area economic hub. Over 30,000 foreign companies in Guangzhou, 8,700 hi-tech operations but there is need to recruit international talent.

- Screen – Jasmine Millet, Screen Production Attraction Specialist, ATEED referred to Auckland building relationships with Los Angeles film production companies and the opening of the 67-acre Kumeu Studio site on privately-held land on Auckland’s West coast in conjunction with ATEED and the NZFC. She mentioned the partnership with Warner Bros involving ‘The Meg’. Guangzhou17 provided great exposure for the Auckland Screen sector. Digipost (post-production company) is in talks with Guangzhou companies; there is the intention to introduce a 3-way script exchange programme where each city will set up a fund to finance writers; and separately to establish an Artist in Residence programme.

- Los Angeles noted Entertainment is a traditional industry and they are looking at ways to incorporate innovation and technology into the sector (i.e. reduced costs for film makers using a phone.

- Los Angeles has “The En维尔 Entertainment Fund” offering education/internship opportunities.

- Guangzhou was represented by The Virtual Reality Company who referred to the China/NZ/US involvement in a China-New Zealand Creative Collaboration Village in Huadu District of Guangzhou.
• Mobility – FENG Xingya, China Automobile Group, is keen to work with both Los Angeles and Auckland. Los Angeles noted the city’s need to upgrade their transport grid and said they were exploring PPP to progress drone/eMobility initiatives

• HMI Technologies noted their past focus on autonomous vehicles had now shifted to looking at the entire eco-system (including people and freight) rather than just vehicles. They are keen to identify production partners in both China and Los Angeles

• In closing, Amb Hachigian referred to Los Angeles’s commitment to these three sectors and the significance of holding this meeting at Los Angeles CI

• Deputy Mayor Cashmore welcomed Matt Petersen’s upcoming visit to Auckland and noted that Amb Hachigian was always welcome to visit Auckland.

Port of Los Angeles and TraPac meeting – 25 May 2018

At the meeting topics that were discussed:

• Two port authorities – Los Angeles (1907) and Long Beach (1911) – non-profit reinvesting US$400m annually into the Port. Three focus areas include Business/Environment/Community.

• 9.34m Twenty-foot equivalent units (TEUs) in 2017 – a total of 17m if you include Long Beach.

• Largest trading partner is China/Hong Kong with US$145b per annum followed by Japan with US$36b

• Invested US$510m in TraPac projects – in 2006 implemented a Clean Air Action Plan and plan for all terminal equipment to be emission-free by 2030 – live air quality readings are available on their website

• Introduced a Clean Truck programme – no truck to be older than 2007 – operates 16 hours per day

• Introduction of technology versus retention of labour – employers have the right to influence technology

• US$1m per day invested in infrastructure

Global Partnerships follow-up

Following the visit to to Los Angeles CI, Pamela Jamieson is liaising with ATEED to identify a contact at GridAuckland. The Network for Global Innovation (based at Los Angeles CI) is keen to establish a partnership with Auckland so the NZ flag can fly alongside their other country partners at the La Kretz Innovation Campus.

Global Partnerships will provide an update on outcomes as they are confirmed but will likely include one business delegate securing a potential US investment partner, HMI Technologies possibly relocating production plant to Guangzhou and entering into a partnership with the Guangzhou Automobile Group, 15 new connections made by Whanau Tahi and ofi’s increasing presence in the US.
Images from the Trip

Deputy Mayor Cashmore - Auckland
Amb Nina Hachigian – Los Angeles
23 May 2018

Deputy Mayor Cashmore - Auckland
Mayor Eric Garcetti – Los Angeles
Vice Mayor Chen - Guangzhou Vice Mayor Chen
24 May 2018
Exclusion of the Public: Local Government Official Information and Meetings Act 1987

That the Governing Body:

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 CONFIDENTIAL: City Rail Link: approval for change of project scope to provide additional future capacity (Covering report)

<table>
<thead>
<tr>
<th>Reason for passing this resolution in relation to each matter</th>
<th>Particular interest(s) protected (where applicable)</th>
<th>Ground(s) under section 48(1) for the passing of this resolution</th>
</tr>
</thead>
<tbody>
<tr>
<td>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.</td>
<td>s7(2)(b)(ii) - The withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information. s7(2)(i) - The withholding of the information is necessary to enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations). In particular, the report contains costings and budgets which, if released, could damage City Rail Link Limited's ability to successfully conduct negotiations for the most important and valuable project contracts.</td>
<td>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.</td>
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</table>