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

**Date:** Thursday, 25 October 2018  
**Time:** 9.30am  
**Meeting Room:** Reception Lounge  
**Venue:** Auckland Town Hall  
301-305 Queen Street  
Auckland

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**Tira Kāwana / Governing Body**  
**OPEN AGENDA**

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**MEMBERSHIP**

- **Mayor:** Hon Phil Goff, CNZM, JP  
- **Deputy Mayor:** 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  
  - Cr Paul Young

(Quorum 11 members)

---

**Sarndra O'Toole**  
**Team Leader Governance Advisors**

**18 October 2018**

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

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**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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<td>CONFIDENTIAL: Appointment to the Auckland Council Youth Advisory Panel</td>
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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 Thursday, 27 September 2018 and the extraordinary minutes of its meeting, held on Thursday, 18 October 2018, including the confidential sections, 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.

At the close of the agenda no requests for local board input had been received.
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."
Mayoral Housing Taskforce work programme update (Covering report)

File No.: CP2018/20138

Te take mō te pūrongo / Purpose of the report
1. To update the Governing Body on the Mayoral Housing Taskforce.

Whakarāpopototanga matua / Executive summary
2. This is a late covering report for the above item. The comprehensive agenda report was not available when the agenda went to print and will be provided prior to the 25 October 2018 Governing Body meeting.

Ngā tūtohunga / Recommendation/s
The recommendations will be provided in the comprehensive agenda report.
Te take mō te pūrongo / Purpose of the report

1. To refer the Auckland Council Top Risk Register and risk heat map from the Audit and Risk Committee to Governing Body for noting.

Whakarāpopototanga matua / Executive summary

2. On 13 September 2018, the Audit and Risk Committee resolved to refer Auckland Council’s quarterly Top Risk Register (Attachment A) and risk heat map (Attachment B) to the Governing Body [Resolution AUD/2018/69].

3. The Top Risk Register is reported to the Audit and Risk Committee every quarter for consideration and endorsement as part of a risk update report. As an open agenda item, it is available to all elected members and the public.

4. A risk workshop for Governing Body members was held on 7 June 2018. All Governing Body members, the Independent Maori Statutory Body (IMSB) and independent members of the Audit and Risk Committee were invited. The key objective of the session was to align governance and management views about the key risks facing the council.

5. There was general alignment on the top risks and items raised have been included in the council’s Top Risk Register as part of the August quarterly review.

6. The Audit and Risk Committee will refer the risk register to the Governing Body every quarter with a narrative on changes to the top risks.

7. The Top Risk Register comprises of 11 top risks, of which there are six high and five moderate rated risks.

8. The top risk themes in the current register are:
   a) Health, safety and wellbeing
   b) Cyber security
   c) Climate change readiness and response
   d) Crown reforms
   e) Fit for purpose infrastructure and community assets
   f) Significant internal and external disruptions
   g) Service delivery
   h) Water quality and supply
   i) Programme and project management
   j) Consent processing
   k) Theft, fraud and corruption.

8. The full report to the 13 September 2018 Audit and Risk Committee containing additional commentary and updates about risk matters is available on the Auckland Council website and elected members hub. [CP2018/14057]
Ngā tūtohunga / Recommendation/s

That the Governing Body:

a) note the September 2018 Auckland Council top risk register and top risk heat map contained in Attachment A and Attachment B of the agenda report.

Ngā tāpirihanga / Attachments

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<td>B</td>
<td>Auckland Council Top Risk Heat Map</td>
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Ngā kaihaina / Signatories

<table>
<thead>
<tr>
<th>Authors</th>
<th>Authorisers</th>
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<tr>
<td>Dean Hemens - Senior Risk Advisor</td>
<td>Cecilia Tse - Head of Risk</td>
</tr>
<tr>
<td>Emma Mosely - Strategic Advisor Risk and Compliance</td>
<td>James Hassall - General Counsel</td>
</tr>
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<td></td>
<td>Stephen Town - Chief Executive</td>
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<tr>
<td>Item</td>
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<td>13</td>
<td>Health, Safety and Wellbeing (HSW) management system and tools, to ensure improvements in health and safety at work (HSW). This has been identified by:</td>
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<td>- Development and implementation of a Co-operative Health and Safety (MHS) strategy has been identified by HSW and Health and Safety teams.</td>
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<td>- Improvements in health and safety management framework and tools.</td>
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<td>- Provision of a comprehensive health and safety management system to support the business. There is now a process to identify, assess and control risks to staff and the public.</td>
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</table>

**Control Measures:**
- Action plan for HSW management system and tools, to ensure improvements in health and safety at work (HSW). This has been identified by:
  - Development and implementation of a Co-operative Health and Safety (MHS) strategy has been identified by HSW and Health and Safety teams.
  - Improvements in health and safety management framework and tools.

**Additional Controls Proposed:**
- Draft action plan for HSW management system and tools, to ensure improvements in health and safety at work (HSW). This has been identified by:
  - Development and implementation of a Co-operative Health and Safety (MHS) strategy has been identified by HSW and Health and Safety teams.

**Status:**
- Action plan for HSW management system and tools, to ensure improvements in health and safety at work (HSW). This has been identified by:
  - Development and implementation of a Co-operative Health and Safety (MHS) strategy has been identified by HSW and Health and Safety teams.

**Further Action:**
- Development and implementation of a Co-operative Health and Safety (MHS) strategy has been identified by:
  - HSW and Health and Safety teams.
  - Improvements in health and safety management framework and tools.

**Additional Information:**
- Draft action plan for HSW management system and tools, to ensure improvements in health and safety at work (HSW). This has been identified by:
  - Development and implementation of a Co-operative Health and Safety (MHS) strategy has been identified by HSW and Health and Safety teams.
<table>
<thead>
<tr>
<th>Risk Theme</th>
<th>Risk and Impact Description</th>
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<th>Internal Control</th>
<th>Internal Risk</th>
<th>Control (Rating method)</th>
<th>Control Owner</th>
<th>Potential Consequences</th>
<th>Residual Risk</th>
<th>Risk Rating Scale</th>
<th>Review Date</th>
<th>Open/Close</th>
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<tr>
<td>Cyber Security</td>
<td>Increased cyber attacks which may lead to financial loss, increased costs, data breach, services disruption due to loss of systems, impact on supply chains and financial loss</td>
<td>Chief Financial Officer</td>
<td>Major</td>
<td>High</td>
<td>Possible</td>
<td>Director of ICT</td>
<td>Controls over access to systems</td>
<td>Major</td>
<td>High</td>
<td>30/04/2018</td>
<td>Open</td>
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*Additional Controls Proposed*
- Centralised system access controls ensure security measures are adhered to.
- Regular backup processes to allow for the recovery of critical services.
- Enhanced backup strategies to ensure systems can be restored quickly.
- Regular testing of disaster recovery plans to ensure adequacy.
- Improved staff training on security awareness and phishing attacks.
- Regular audits to identify vulnerabilities and ensure compliance.

*Additional Notes*
- Cyber security threats continue to evolve, requiring ongoing monitoring and adaptation.
- Regular security audits and reviews are conducted to identify and address vulnerabilities.
- Cyber security policies are updated to reflect the latest threats and vulnerabilities.
- Regular cybersecurity training is provided to all staff to enhance awareness.
- Regular backups are conducted to ensure data can be restored in the event of a breach.
- Access controls are regularly reviewed to ensure only necessary access is granted.
- Cybersecurity strategies are reviewed and updated to reflect the latest threats and vulnerabilities.

*Additional Control Measures*
- Implementation of multi-factor authentication for access to critical systems.
- Regular penetration testing to identify potential vulnerabilities.
- Implementation of a comprehensive incident response plan.
- Regular security assessments by external experts.

*Additional Mitigation Strategies*
- Investment in advanced cybersecurity technologies.
- Regular training for staff on security best practices.
- Regular updates to security policies and procedures.
- Regular monitoring of network traffic for abnormal activity.
- Regular testing of firewall and intrusion detection systems.
- Regular updates to operating systems and software to address known vulnerabilities.
- Regular security audits to identify and address vulnerabilities.
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| Risk Theme | Risk and Impact (description) | Risk Category | Risk Owner | Internal Control | Cause and Effect (Likelihood) | Chief Operating Officer (Responsibility) | Chief Operating Officer (Control) | Governance (Initiation, monitoring, review, and evaluation) | Attention to Risk

**Governing Body**

25 October 2018

Auckland Council Top Risk Register - 13 September 2018

**Attachment A**

**Item 10**
### Item 10

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<th>Risk Category</th>
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<td>Loss of significant cash due to fraud or theft</td>
<td>Financial</td>
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<td>Operations</td>
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<td>Loss of significant cash due to technical failures</td>
</tr>
</tbody>
</table>

#### Attachment A

**Item 10**

In the context of Auckland Council and its role in providing services to the community, significant risks include:

- Operational risks: Errors in service delivery.
- Technical risks: System failures.

For each category, strategies are outlined to mitigate these risks, including risk assessment, contingency planning, and monitoring.

---

**Governing Body**

25 October 2018

Auckland Council Top Risk Register - 13 September 2018

---

**Attachment A**

Item 10
## Auckland Council Top Risk Register

### Attachment A

#### Item 10

<table>
<thead>
<tr>
<th>Risk Identifier</th>
<th>Risk Theme</th>
<th>Risk Impact Description</th>
<th>Risk Category</th>
<th>Risk Owner</th>
<th>Additional Information</th>
<th>Controls (Existing and Additional Controls / Support)</th>
<th>Control Owner</th>
<th>Resulted Likelihood</th>
<th>Resulted Consequence</th>
<th>Resulted Risk</th>
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<tr>
<td>R10</td>
<td>Auckland City / Auckland CBD</td>
<td>Major risk arising from the closure of multiple Auckland CBD activities, including the closure of the Auckland Viaducts</td>
<td>Major Impact</td>
<td>Auckland City</td>
<td>Auckland Viaduct Closure Project</td>
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</table>

#### Auckland City / Auckland CBD

**Auckland City / Auckland CBD**

**Risk Theme:**
- Multiple Auckland CBD activities
- Auckland Viaducts

**Risk Impact Characteristics:**
- Major impact on Auckland City / Auckland CBD
- Major impact on Auckland Viaducts

**Risk Category:**
- Major

**Risk Owner:**
- Auckland City

**Additional Information:**
- Auckland Viaduct Closure Project

**Controls (Existing and Additional Controls / Support):**
- None

**Control Owner:**
- None

**Resulted Likelihood:**
- High

**Resulted Consequence:**
- Major

**Resulted Risk:**
- High

**Risk Status:**
- Open

**Description:**

1. Auckland Viaduct Closure Project: Auckland City / Auckland CBD has identified a major risk arising from the closure of multiple Auckland CBD activities, including the closure of the Auckland Viaducts. This risk could result in significant disruption to Auckland City / Auckland CBD activities and Auckland Viaducts. The risk is considered to be high in terms of likelihood and consequence, resulting in a high level of risk.

1. Additional Controls Needed:
   - Performance Framework should be developed and implemented.

1. Additional Controls Suggested:
   - Performance Frameworks are to be developed and implemented.

1. Open

**Open:**

- The Auckland Viaduct Closure Project is currently in progress, with the aim of preventing future risks associated with the Auckland Viaducts.

Although we have controls in place to reduce the likelihood of such an event, the potential impact is significant due to the nature of the risk.

**Resulted Risk:**

- High

**Risk Status:**

- Open

**Open:**

- Comprehensive Auckland Viaducts strategy will be developed to mitigate the impact of such an event. The strategy will be implemented following consultation with all relevant stakeholders, including Auckland City / Auckland CBD, to ensure its effectiveness.
<table>
<thead>
<tr>
<th>Item 10</th>
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</table>

<table>
<thead>
<tr>
<th>Risk Theme</th>
<th>Risk Impact Description</th>
<th>Risk Category</th>
<th>Risk Owner</th>
<th>Internal Controls</th>
<th>External Risk</th>
<th>Controls (Existing and Additional Controls Proposed)</th>
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<th>Resolution Date</th>
<th>Open Date</th>
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<tr>
<td>Programme and Project Management</td>
<td>Project Management: Ensuring the management of investments is in alignment with Auckland Council’s strategic direction, avoiding cost overruns, project delays, unmet community benefits and avoid increasing risk in the project delivery of major projects.</td>
<td>Low</td>
<td>Chief Operating Officer</td>
<td>Internal</td>
<td>1. Establish procurement policies and procedures to ensure alignment with Auckland Council’s strategic direction. 2. Establish clear and measurable project performance indicators.</td>
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<tr>
<td>Risk Theme</td>
<td>Risk Impact Description</td>
<td>Risk Owners/Endorsing and Financial Causer</td>
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<td>Risk Owner</td>
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<td>Relevant Compendium</td>
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<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Theft, Fraud and Internal Controls</td>
<td>Possible major financial loss due to manipulation and theft of funds</td>
<td>Auckland Council</td>
<td>Operational</td>
<td>Governance Director</td>
<td>Financial Risk</td>
<td>Compliance Policy</td>
<td></td>
<td></td>
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<td></td>
</tr>
</tbody>
</table>

**Governance Director**

- Fraud and corruption is embedded in the organisational culture.
- Internal audit does not monitor and detect potential fraud risks.
- Fiduciary responsibilities.
- Integrity and corruption risks are not effectively managed.

**Financial Risk**

- Inadequate segregation of duties and inadequate staff supervision.
- Fiduciary responsibilities.
- Integrity and corruption risks are not effectively managed.

**Key Controls**

- Segregation of duties (e.g., accounts payable and accounts receivable).
- Adequate staff supervision and adequate staff supervision.
- Integrity and corruption risks are not effectively managed.

**Additional Controls Proposed**

- Additional controls to be implemented.
- Suggest the creation of a task force to ensure proper controls are in place.

**Risk Rating**

- Possible: Low
- Major: Medium
- High: High

**Review Date**

- 30/04/2019
Auckland Council Top Risk Heat Map - 13 September 2018

<table>
<thead>
<tr>
<th>ID</th>
<th>Risk Item</th>
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<tr>
<td>1</td>
<td>Health, Safety and Wellbeing</td>
<td>High</td>
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<tr>
<td>2</td>
<td>Cyber Risk</td>
<td>High</td>
</tr>
<tr>
<td>3</td>
<td>Climate change readiness and response</td>
<td>Moderate</td>
</tr>
<tr>
<td>4</td>
<td>Crown reforms</td>
<td>Moderate</td>
</tr>
<tr>
<td>5</td>
<td>Fit for purpose infrastructure and community as</td>
<td>Moderate</td>
</tr>
<tr>
<td>6</td>
<td>Significant internal and external disruptions</td>
<td>High</td>
</tr>
<tr>
<td>7</td>
<td>Service delivery</td>
<td>Moderate</td>
</tr>
<tr>
<td>8</td>
<td>Water quality and supply</td>
<td>High</td>
</tr>
<tr>
<td>9</td>
<td>Programme and Project Management</td>
<td>Moderate</td>
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<tr>
<td>10</td>
<td>Consent Processing</td>
<td>High</td>
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<tr>
<td>11</td>
<td>Theft, Fraud and Corruption</td>
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</table>

Arrows on a Risk Dot indicate the Trend of the risk (i.e. increasing or decreasing)
Hearings Panel report on the Proposal to Revoke Legacy On-site Wastewater Bylaws

File No.: CP2018/19338

Te take mō te pūrongo / Purpose of the report
1. To receive the Hearings Panel report and determine whether to revoke the legacy on-site wastewater bylaws.

Whakarāpopototanga matua / Executive summary
2. On 24 September 2018, the Hearings panel deliberated in public and agreed on the proposal to revoke the legacy on-site wastewater bylaws.
3. The Hearings Panel recommended that the Governing Body revoke the legacy bylaws as:
   i) they are redundant to the unitary plan rules
   ii) the proposal introduces no new rules and retains status quo
   iii) there are no cost implications associated with revoking the bylaws.
4. The original Hearings Panel report is appended as Attachment A.

Ngā tūtohunga / Recommendation/s
That the Governing Body:

a) accept the Hearings Panel report on the Proposal to Revoke Legacy On-site Wastewater Bylaws in Attachment A of the agenda report
b) revoke the following legacy on-site wastewater bylaws with effect from 1 November 2018:
   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

c) note the collaborative support provided by Healthy Waters, Plans and Places, Engineering and Technical Services and Licensing and Regulatory Compliance
d) direct staff to utilise opportunities created by the notification of this decision and to raise public awareness of the Auckland Unitary Plan’s rules for on-site wastewater systems through the Healthy Waters on-site wastewater management project.
Ngā tāpirihanga / Attachments

<table>
<thead>
<tr>
<th>No.</th>
<th>Title</th>
<th>Page</th>
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Ngā kaihaina / Signatories

<table>
<thead>
<tr>
<th>Author</th>
<th>Cr Cathy Casey, Hearings Panel Chairperson</th>
</tr>
</thead>
</table>
Hearings Panel report on the Proposal to Revoke Legacy On-site Wastewater Bylaws

File No.: <<leave blank – Infocouncil will insert this when the report is saved in HPRM>>

Te take mō te pūrongo / Purpose of the report
1. To determine whether to revoke the legacy on-site wastewater bylaws, as recommended by the Hearings Panel.

Whakarāpopototanga matua / Executive summary
2. Auckland Council currently has four legacy on-site wastewater bylaws:
   - North Shore City Bylaw 2000
   - Rodney District Council 1998
   - Waiheke Wastewater 2008
   - Papakura District Council Wastewater Bylaw 2008
3. Council completed a statutory review of the bylaws in June 2018 finding that:
   - failing on-site wastewater systems contribute to water pollution and require management
   - the Auckland Unitary Plan and existing legislation already regulate on-site wastewater systems, and the legacy bylaws provide no additional regulation
   - the legacy bylaws are no longer needed to address wastewater pollution problems.
4. On 26 July 2018 the Governing Body adopted a statement of proposal to revoke the bylaws and seek public consultation.
5. The council appointed a Hearings Panel to attend Have Your Say events, deliberate on submissions and make recommendations to the Governing Body on the proposal.
6. Aucklanders were able to make a submission on the proposal from 1 August to 31 August and submissions could be made either online, by post or in person at Have Your Say events.
7. On 24 September 2018 the Hearings Panel deliberated in public and agreed on the proposal to revoke the legacy on-site wastewater bylaws.
8. The Hearings Panel recommends the Governing Body revoke the legacy bylaws as:
   - they are redundant to the unitary plan rules
   - the proposal introduces no new rules and retains status quo
   - there are no cost implications associated with revoking the bylaws.

Ngā tūtohunga / Recommendations
That the Governing Body:

a) revoke the following legacy on-site wastewater bylaws with effect 1 November 2018:
   i) all clauses of the Auckland City Council Bylaw: 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 the collaborative support provided by Healthy Waters, Plans & Places, Engineering & Technical Services and Licensing & Regulatory Compliance.

c) direct staff to utilise opportunities created by the notification of this decision and to raise public awareness of the Auckland Unitary Plan’s rules for on-site wastewater systems through the Healthy Waters on-site wastewater management project.

Horopaki / Context

The legacy bylaws were intended to be replaced by the Auckland Unitary Plan

9. In October 2015 the Governing Body confirmed the following legacy bylaws to preserve their requirements until the relevant provisions of the then Proposed Auckland Unitary Plan became operative:
   - North Shore City Bylaw 2000
   - Waiheke Wastewater 2008
   - Rodney District Council 1998
   - Papakura District Council Wastewater Bylaw 2008

10. The legacy bylaw provisions were developed by former councils to ensure that septic tanks and domestic wastewater treatment systems are properly installed and maintained to prevent system failure and pollution.

Statement of Proposal

11. As part of the Local Government Act 2002 requirements, staff completed a statutory review of the legacy bylaws in June 2018 with the conclusion that:
   - failing on-site wastewater systems contribute to water pollution and require management
   - the Auckland Unitary Plan and existing legislation already regulate on-site wastewater systems, and the legacy bylaws provide no additional regulation
   - the legacy bylaws are no longer needed to address wastewater pollution problems.

12. Following the review, the Regulatory Committee instructed staff to prepare a statement of proposal to revoke the bylaws which was then adopted for public consultation by the Governing Body on 26 July 2018. The proposal is provided in Attachment A.

Hearings Panel and public notifications

13. On 12 July 2018, the Hearings Panel was appointed to attend Have Your Say events, deliberate and make recommendations to the Governing Body on the proposal.

14. The proposal was publicly notified in late July 2018 and the public submission period ran for one month from 1 August to 31 August 2018. The council placed public notices in the Barrier Bulletin, Franklin County News, Gulf News, Papakura Courier, Rodney Times, Western Leader, OurAuckland and in various service centres, local board offices and libraries across the region.

15. Council staff directly notified:
   - over 12,000 properties identified as having on-site wastewater systems across the region
   - over 60 external stakeholders including wastewater management contractors, consultants and service providers
   - 20 Auckland iwi and hapū, including three Infrastructure and Environmental Services hui
   - all 21 local boards.

---

1 Resolution number GB/2015/112
2 “Review of On-site Wastewater Bylaws: Findings Report April 2018”
3 Resolution number GB/2018/121
16. The submission form asked respondents if they had an on-site wastewater system; if they were aware of the unitary plan rules; if they thought the bylaws should be revoked, and to explain why.

17. Aucklanders were able to make submissions either online, by post, or in person at four Have Your Say events across the region.

18. The council received 141 submissions as well as feedback from 76 attendees at Have Your Say events, 14 iwi and four local boards.

19. On 24 September 2018 the Hearings Panel deliberated in public and agreed on the proposal to revoke the legacy on-site wastewater bylaws. A full summary of submissions is included in the background report to the Hearings Panel in Attachment B.

**Tātaritanga me ngā tohutohu / Analysis and advice**

**Feedback and deliberations**

20. The Hearings Panel considered four topics at public deliberations which are listed in Table 1.

<table>
<thead>
<tr>
<th>Deliberation topics</th>
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</thead>
<tbody>
<tr>
<td>Topic A</td>
<td>Auckland Unitary Plan</td>
</tr>
<tr>
<td>Topic B</td>
<td>Cost implications of decision</td>
</tr>
<tr>
<td>Topic C</td>
<td>Retaining status quo</td>
</tr>
<tr>
<td>Topic D</td>
<td>Education and awareness</td>
</tr>
</tbody>
</table>

The following section provides submission insights and panel comments on the topics.

**Topic A – Auckland Unitary Plan**

**Submission insights**

21. 41 submissions specifically mentioned the on-site wastewater rules in the unitary plan.

22. 21 submissions reflected a desire to keep the legacy bylaws instead of using the unitary plan rules. Although consultation communications explained that the unitary plan rules are already legislated, there are persistent misperceptions the proposal introduces the unitary plan as new rules.

23. The key concerns submitters had with the unitary plan rules were that:
   - the rules are too stringent, impractical and arbitrary, especially:
     - inspections three yearly for primary systems and six monthly for advanced
     - requiring pump out when the tank is 50 per cent full.
   - “suitably qualified person” for maintenance inspections needs defining
   - the rules are a big stick with no incentives
   - there was no consultation on the on-site wastewater unitary plan rules
   - the “new” rules are not needed as people are responsible.

24. 12 submission agreed with revoking the bylaws and relying on the unitary plan regulations. The reasons were:
   - a need for one standard for systems regionwide
   - a desire to consolidate and simplify regulations
   - the unitary plan covers all regulations in the bylaws.
**Panel comments**

25. The proposal introduces no new rules or regulations. Three yearly inspections for primary systems, six monthly inspections for advanced systems and 50 per cent pump out requirements for tanks are all unitary plan regulations and were legislated in 2016.

26. Whether or not the bylaws are revoked, the unitary plan regulations apply to the whole region and can be enforced. Retaining the current bylaws does not absolve residents of their requirements to comply with the unitary plan rules.

**Topic B – Cost implications of decision**

**Submission insights**

27. 17 submissions commented on the cost burdens of revoking the bylaws. Respondents remarked on the “new” maintenance requirements in the unitary plan as too costly and another “money-grabbing scheme” from council.

28. There were also concerns that council’s initiative to create a regionwide database of systems would be too expensive, and that the current consultation was a “fait accompli” and a waste of money as nothing is changing.

**Panel comments**

29. As the proposal is not introducing any new regulation, there are no cost implications of revoking the bylaws. Creating a regionwide database is an initiative of the on-site wastewater compliance programme currently being rolled out by Healthy Waters and is funded by the water quality targeted rate.

30. Although the unitary plan rules are already in place and removing the bylaws does not change the regulatory framework, the Local Government Act 2002 s156 requires a special consultative procedure when proposing to revoke bylaws of significant interest to the public.

**Topic C – Retaining status quo**

**Submission insights**

31. 22 submissions wanted to retain the bylaws since the current regulatory framework works well. 12 comments specifically mentioned that council “shouldn’t fix what’s not broken”.

32. There was also support for retaining the legacy bylaws as there is a perception that revoking the bylaws would remove all regulation for on-site wastewater systems and cause “chaos”.

33. Comments also reflected eagerness to keep the Waitākere pump-out scheme and a dedicated on-site wastewater compliance officer on Waiheke. There are concerns that revoking the bylaws will remove both.

**Panel comments**

34. The unitary plan provisions have been in place since 2016 and revoking the bylaws does not change the regulatory framework. As the unitary plan rules are not being changed through this process, regulations will retain status quo.

35. The Waitākere pump-out, funded by a targeted rate, currently operates in an area without legacy bylaws and will not be affected if the bylaws are revoked.

36. The legacy Waiheke bylaw does not mention or give power to a dedicated compliance officer. Whether or not the bylaw is revoked will not affect council’s ability to have an officer on Waiheke. It is council’s intent to maintain a compliance officer on Waiheke to help facilitate Healthy Waters’ on-site wastewater compliance programme.
Topic D – Education and awareness

Submission insights

37. 14 submissions mentioned a need for more education and increased awareness of maintaining on-site wastewater systems.

38. A proactive reporting mechanism was seen as important for creating and maintaining a central database and reminding users of their obligations. Comments mentioned how council needs to take a role in regularly requesting records as users will not maintain records on their own.

Panel comments

39. The unitary plan requires that all maintenance action must be retained and made available on the site for inspection. This unitary plan rule is currently being used to request records from on-site system users in Piha where there is no legacy on-site wastewater bylaw.

40. The consultation produced opportunity to profile and clarify current on-site wastewater rules and regulations. There is further opportunity to increase public awareness and understanding of regulations through public notification of this decision and in collaboration with messaging from Healthy Waters’ on-site wastewater management project.

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

41. On 7 December 2017, staff presented to the Local Board Chairs Forum. All interested boards were offered a workshop as part of the bylaw review. Workshops were subsequently conducted with Rodney, Great Barrier, Waitākere Ranges, Franklin and Upper Harbour local boards in February and March 2018.

42. Through consultation on the proposal, local boards were invited to provide written feedback, attend Have Your Say events and participate in a local board workshop with council officers and the Hearings Panel on 28 August 2018. Representatives of Papakura, Māngere-Ōtāhuhu, Albert-Eden, and Hibiscus and Bays local boards attended the workshop.

43. Waiheke and Papakura local boards also provided written feedback on the proposal. Local board feedback from the workshops and submissions were considered during deliberations.

Tauākī whakaaweawe Māori / Māori impact statement

44. The Schedule of Issues of Significance to Māori in Tāmaki Makaurau highlights the principle of kaitiakitanga, the exercise of guardianship in relation to nature and environmental assets in Auckland.

45. As part of consultation on the proposal, staff sent direct letters to representatives of 20 Auckland iwi and hapū and met with mana whenua at three Infrastructure and Environmental Services hui. Feedback from the hui included:

- the legacy on-site wastewater bylaws should be revoked
- the Waiheke compliance scheme should be continued and rolled out regionally
- point-of-sale disclosures should include on-site wastewater system awareness
- better oversight is needed to monitor on-site wastewater systems regionally.

Ngā ritenga ā-pūtea / Financial implications

46. There are no costs associated with revoking the bylaws.

47. The consultation did highlight possible cost implications with increasing awareness and compliance with the unitary plan, but these are unaffected by the decision to revoke the bylaws.
Ngā raru tūpono / Risks

48. Lack of public awareness on the on-site wastewater unitary plans was identified as a risk before consultation. The misperception still exists that council is proposing to introduce “new” rules through the unitary plan.

49. The notification of this decision and communications from Healthy Waters’ on-site wastewater management project will increase awareness of user obligations under the unitary plan.

Ngā koringa ā-muri / Next steps

50. If the bylaws are revoked, this will take effect on 1 November 2018.

51. Staff will notify the decision to Aucklanders and develop communications in collaboration with Healthy Waters’ for increasing awareness of the Auckland Unitary Plan rules for on-site wastewater.

Ngā tāpirihanga / Attachments

<table>
<thead>
<tr>
<th>No.</th>
<th>Title</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>Legacy On-site Wastewater Bylaws Statement of Proposal</td>
<td>Infocouncil inserts in agenda</td>
</tr>
<tr>
<td>B</td>
<td>Background Report for the Hearing Deliberations on the Proposal to Revoke Legacy On-site Wastewater Bylaws</td>
<td>Infocouncil inserts in agenda</td>
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Ngā kaihaina / Signatories

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<tr>
<th>Authors</th>
<th>Councillour Dr Cathy Casey</th>
</tr>
</thead>
<tbody>
<tr>
<td>Authorisers</td>
<td>Stephen Town – Chief Executive</td>
</tr>
</tbody>
</table>
ATTACHMENT A

LEGACY ON-SITE WASTEWATER BYLAWS
STATEMENT OF PROPOSAL
Revoking redundant legacy bylaws:

On-site wastewater legacy bylaws

Statement of Proposal
1 Have your say

What do the legacy on-site wastewater bylaws do?
The legacy on-site wastewater bylaws were developed by former district councils to ensure that septic tanks and domestic wastewater treatments systems are properly installed and maintained to prevent system failure and pollution.
The bylaws cover the former council areas of:

- North Shore City
- Waiheke
- Rodney District Council
- Papakura District Council

Why are these bylaws redundant?
Now that the Auckland Unitary Plan has become operative, it regulates on-site wastewater systems for the whole Auckland region.
The legacy on-site wastewater bylaws provide no additional regulation and are no longer required. Existing legislation also provides stronger enforcement powers than the legacy bylaws.

Are on-site wastewater systems a pollution problem?
Council has identified that on-site wastewater system failure contributes to the pollution of the region’s waterways. The resulting contamination poses significant public health risks and negatively impacts on the ecological health of waterbodies and aquatic life in affected areas.
Council will use the full range of tools available to it to proactively manage this issue. To find out more about what council is doing to address this, check online by searching ‘on-site wastewater bylaws’ at www.aucklandcouncil.govt.nz

What is Auckland Council’s proposal?
Auckland Council is proposing to revoke the legacy on-site wastewater bylaws. These bylaws have been made redundant by the now operative Auckland Unitary Plan and are no longer required.

We want to know what you think
We want to know what you think about our proposal to revoke the legacy on-site wastewater bylaws. Visit www.aucklandcouncil.govt.nz/haveyoursay to find more information, give your feedback and find out where you can drop into a ‘have your say’ event.
2 How we got here

Decisions leading to the proposed changes

The Local Government Act 2002 requires council to periodically review its bylaws to determine whether they are still needed, effective and efficient.

The council reviewed the legacy on-site wastewater bylaws and reported its findings in May 2018. Key findings from the review included:

- the Auckland Unitary Plan and existing legislation already regulate on-site wastewater systems, and the legacy bylaws provide no additional regulation
- existing legislation has stronger enforcement powers than the legacy bylaws
- on-site wastewater systems are still polluting waterways, but the legacy bylaws are not required to address this issue.

In May 2018 Auckland Council made a decision that the legacy on-site wastewater bylaws are no longer needed.

This statement of proposal was approved for public consultation by the Governing Body in July 2018 to commence the process to revoke the legacy on-site wastewater bylaws.

Go to www.aucklandcouncil.govt.nz/haveyoursay for a copy of the above decision.
### What would replace the bylaws?

The Auckland Unitary Plan and existing legislation already provide for the rules and regulations stated in the legacy on-site wastewater bylaws.

As a general standard, the Auckland Unitary Plan requires all on-site wastewater systems in the region to have no significant adverse effects on public health, environmental health, water quality or sites significant to mana whenua.

See the table below for an overview of how the Auckland Unitary Plan and existing legislation match the requirements in the bylaws. For a complete breakdown and description see the “Findings Report: Review of On-site Wastewater Bylaws” on www.aucklandcouncil.govt.nz/haveyoursay

<table>
<thead>
<tr>
<th>Legacy on-site wastewater bylaw rules</th>
<th>Auckland Unitary Plan and existing legislation rules</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Design/Installation</strong></td>
<td><strong>Design/Installation</strong></td>
</tr>
<tr>
<td>• All wastewater generated on a site without access to the public sewer system must be disposed on that site</td>
<td>• All dwellings must have suitable means for the disposal of wastewater. If no sewer access is available, there must be an adequate on-site system for the storage, treatment, and disposal of wastewater</td>
</tr>
<tr>
<td>• Owners must get building consent to install an on-site wastewater system</td>
<td>• Owners must get building consent to install an on-site wastewater system</td>
</tr>
<tr>
<td>• Only certified drainlayers can install, alter or repair on-site wastewater systems</td>
<td>• Drainlaying is a restricted building work and must be carried out by licensed practitioners</td>
</tr>
<tr>
<td><strong>Maintenance</strong></td>
<td><strong>Maintenance</strong></td>
</tr>
<tr>
<td>• Access to the tank and disposal field must be readily available for cleaning and maintaining</td>
<td>• The tank and disposal field must be constructed to provide access for maintenance and clearing blockages</td>
</tr>
<tr>
<td>• Pump out of the septic tanks must occur at least once every three years</td>
<td>• Pump out is required when sludge and scum levels occupy 50 per cent or more of the tank volume</td>
</tr>
<tr>
<td>Legacy on-site wastewater bylaw rules</td>
<td>Auckland Unitary Plan and existing legislation rules</td>
</tr>
<tr>
<td>--------------------------------------</td>
<td>---------------------------------------------------</td>
</tr>
<tr>
<td><strong>Maintenance continued</strong></td>
<td><strong>Maintenance continued</strong></td>
</tr>
<tr>
<td>- The system must be maintained and operated in accordance to Technical Publication 58 On-site Wastewater Systems</td>
<td>- Site investigation procedures, design, installation and operation of the on-site wastewater system must be undertaken in accordance with Technical Publication 58 On-site Wastewater Systems</td>
</tr>
<tr>
<td></td>
<td>- If the system was permitted before the Auckland Unitary Plan became operative, the system must be maintained in accordance to Technical Publication 58 On-site Wastewater Systems, the manufacturer’s recommendations or a suitably qualified on-site wastewater service provider’s recommendations</td>
</tr>
<tr>
<td><strong>Inspection</strong></td>
<td><strong>Inspection</strong></td>
</tr>
<tr>
<td>- Records of each pump out must be supplied to council</td>
<td>- Records of each maintenance action must be retained and made available on the site for inspection by council</td>
</tr>
<tr>
<td>- After pump out, enforcement officers may inspect the condition of the system to determine the removal of solids has occurred in a satisfactory manner</td>
<td>- Primary treatment (septic tank) and disposal field systems must be inspected at least every three years</td>
</tr>
<tr>
<td></td>
<td>- Secondary/tertiary treatment and disposal field systems must be serviced every six months</td>
</tr>
<tr>
<td></td>
<td>- An enforcement officer may inspect a property to determine rules in the Auckland Unitary Plan are being met</td>
</tr>
<tr>
<td><strong>Malfunctioning systems</strong></td>
<td><strong>Malfunctioning systems</strong></td>
</tr>
<tr>
<td>- If an on-site wastewater system is found to be malfunctioning, the owner may be required to clean and repair the system at cost to the owner</td>
<td>- If an on-site wastewater system is found to be malfunctioning, the owner may be required to cease activity and repair and fix any resulting compliance issues at cost to the owner</td>
</tr>
</tbody>
</table>
4 We want your input

You now have an opportunity to tell us your views.

We want to know what you think about the proposal to revoke the legacy on-site wastewater bylaws.

We are really interested to know whether:

- you agree with the proposal to revoke
- or why you think we should keep the bylaws

Give us your feedback

Starting on 1 August 2018 through to 31 August 2018 we will be seeking feedback on the proposal to revoke the legacy on-site wastewater bylaws.

You can give your feedback:

- in person at one of our ‘have your say’ events – visit our website for details
- online at our website www.aucklandcouncil.govt.nz/haveyoursay

Online services are available at our libraries.

Your name and feedback will be available to the public in our reports and online. All other personal details will remain private.
ATTACHMENT B

BACKGROUND REPORT FOR THE
HEARING DELIBERATIONS ON THE
PROPOSAL TO REVOKE LEGACY
ON-SITE WASTEWATER BYLAWS
Background Report for the Hearing Deliberations on the Proposal to Revoke Legacy On-site Wastewater Bylaws

Te take mō te pūrongo / Purpose of the report
1. To assist the Hearings Panel on deliberations by providing background information and a summary of the submissions and feedback received during public consultation on the proposal to revoke legacy on-site wastewater bylaws.

Whakarāpopotanga matua / Executive summary
2. On 26 July 2018, the Governing Body adopted the “Legacy On-site Wastewater Bylaws Statement of Proposal” (the proposal) for public consultation.
3. On 12 July 2018, the Regulatory Committee appointed a Hearings Panel (the panel) to attend Have Your Say events, deliberate and make recommendations to the Governing Body on the proposal.
4. The proposal recommends revoking the legacy on-site wastewater bylaws as they have been made redundant by the on-site wastewater provisions in the Auckland Unitary Plan and other legislation.
5. The proposal is not introducing any new measures or regulations.
6. The proposal was publicly notified at the end of July 2018 and the submission period ran from 1 August to 31 August 2018.
7. At the close of the submission period, council had received 141 written submissions and verbal feedback from 76 Have Your Say event attendees. In addition, four local boards and 14 iwi also provided written and oral feedback.
8. One late submission was received on 1 September 2018.
9. Submissions focussed on the Auckland Unitary Plan, keeping current regulations, cost concerns, education, awareness, focussing regulation at a local level and enforcement.
10. Matters raised in submissions have been categorised into seven themes. For each of these themes this report summarises the matters raised by submitters and provides, where appropriate, brief staff comments for the Hearings Panel to consider. Staff comments are not intended to represent any position of the Hearings Panel.

Ngā tūtohunga / Recommendations
That the Hearings Panel:

a) receive the background report for the hearing deliberations on the proposal to revoke legacy on-site wastewater bylaws
b) consider the 141 written submissions on the proposal to revoke legacy on-site wastewater bylaws
c) consider verbal and written feedback from four Have Your Say events, three Infrastructure and Environmental Services huis, and a local board workshop on the proposal to revoke legacy on-site wastewater bylaws
d) accept one late submission received on 1 September 2018
e) make recommendations to the Governing Body on the proposal to revoke the legacy on-site wastewater bylaws.
Horopaki / Context

Statement of proposal to revoke legacy on-site wastewater bylaws

11. On 26 July 2018, Governing Body adopted the “Legacy On-site Wastewater Bylaws Statement of Proposal” (the proposal) for public consultation to confirm the revocation of the legacy on-site wastewater bylaws.

12. The legacy bylaw provisions were developed by former councils to ensure that septic tanks and domestic wastewater treatment systems are properly installed and maintained to prevent system failure and pollution. The legacy bylaws are:
   - North Shore City Bylaw 2000
   - Rodney District Council 1998
   - Waiheke Wastewater 2008
   - Papakura District Council Wastewater Bylaw 2008

13. The statement of proposal addresses the findings of the bylaw review that:
   - failing on-site wastewater systems contribute to water pollution and require management
   - the Auckland Unitary Plan and existing legislation already regulate on-site wastewater systems, and the legacy bylaws provide no additional regulation
   - the legacy bylaws are no longer needed to address wastewater pollution problems.

Role of Hearings Panel

14. On 12 July 2018, the Hearings Panel was appointed to attend Have Your Say events, deliberate and make recommendations to the Governing Body on the proposal to revoke the legacy on-site wastewater bylaws.

15. Sections 82 and 83 of the Local Government Act 2002 provide the following:
   - affected and interested persons should be given an opportunity to present their views to the council, and to receive relevant information
   - the council must receive the views from submitters with an open mind and give them due consideration
   - the council can consider or request comment or advice from staff or any other person to assist them in making a decision
   - submitters should receive information on the decisions made and reasons
   - meetings to hear and deliberate on submissions are to be public except as provided by Part VII of Local Government Official Information and Meetings Act 1987.

16. In addition to the specific criteria noted above, the Hearings Panel must ensure that it complies with the general principles of decision making pursuant to section 76 of the Local Government Act 2002 and the decision-making requirements set out in the rest of that subpart of the Local Government Act 2002. These requirements cover:
   - identifying and assessing options
   - considering the views and preferences of affected or interested people
   - identifying and explaining any decisions inconsistent with any council policy or plan
   - providing Māori with the opportunity to contribute
   - ensuring compliance with the principles of consultation
   - the nature and significance of the decision.

---

1 GB/2018/121
2 “Review of On-site Wastewater Bylaws: Findings Report April 2018”
3 REG/2018/52
Special consultative procedure

17. The proposal was identified as having significant interest to the public and following statutory requirements, the special consultative procedure was implemented.

18. The public was notified of the proposal with a submission period of one month from 1 August to 31 August 2018.

19. Public notification of the proposal included:
   - emails to over 12,000 properties identified as having on-site wastewater systems across the region
   - emails to 60 external stakeholders including wastewater management contractors, consultants and service providers across Auckland
   - a public notice in the Barrier Bulletin, Franklin County News, Gulf News, Papakura Courier, Rodney Times and Western Leader
   - a memo to all local boards
   - letters to 60 Auckland iwi
   - a notice in OurAuckland’s online and printed publication
   - a presentation at the Community of Practice - On-site Wastewater Management event at Auckland Town Hall on 17 August 2018
   - posters and flyers advertising the consultation in various service centres, local board offices and libraries across the region.

Have Your Say events

20. Aucklanders were able to make a submission either online, by post, or in-person at Have Your Say events.

21. Have Your Say events were drop-in opportunities for the public to learn more about the proposal, ask questions of council officers, provide feedback to the panel, and make in-person submissions. Events were held at:
   - Waiheke Surfdale Hall, Saturday 11 August
   - Warkworth Masonic Hall, Saturday 18 August
   - Pukekohe Town Hall, Thursday 23 August
   - Piha Barnett Hall, Saturday 25 August

22. See Appendix 2 for a breakdown of feedback received from Have Your Say events.

Māori engagement

23. Māori were notified of the proposal with direct letters to 60 Auckland iwi as well as engagement with the Infrastructure and Environmental Services Forum which represents 14 iwi across Auckland.

24. Engagement at the Infrastructure and Environmental Service huis included:
   - Presentation and introduction to the proposal (Friday, 13 July)
   - Full consultation and feedback session (Friday, 10 August)
   - Focus group feedback session (Wednesday, 22 August)
   - Follow-up one-on-one meetings with those unable to attend the huis.

4 Local Government Act 2002 s66 and s156
25. See Appendix 3 for a breakdown of feedback received from the Infrastructure and Environmental Services Forum.

Local Board engagement

26. All local boards were consulted in February and March 2018 as part of completing the "Review of On-site Wastewater Bylaws: Findings Report April 2018" which contributed to the proposal.

27. In addition to being invited to the Have Your Say events, all local boards were invited to further consultation at a local board workshop with council officers and the panel at Auckland Town Hall on 28 August.

28. See Appendix 4 for a breakdown of feedback received from local boards.

Tātaritanga me ngā tohutohu / Analysis and advice

Consultation reach

29. The consultation aimed to hear from a mixture of areas with and without legacy on-site wastewater bylaws, as well as from areas with a high prevalence of on-site wastewater systems (Rodney, Waitākere Ranges, Waiheke, Franklin, Great Barrier).

30. Council received 141 written submissions during the consultation period. 134 were submitted via council’s online portal, three were posted, and four were emailed directly to the onsitewastewater inbox.

31. The Have Your Say events provided verbal feedback from 76 attendees. 23 attendees came to events in areas without legacy on-site wastewater bylaws (Pukekohe and Piha) while 53 came to events in areas with legacy bylaws (Warkworth and Waiheke).

32. Of the combined written submissions and verbal feedback from Have Your Say events, the majority came from areas currently with legacy on-site wastewater bylaws as well as areas with higher prevalence of on-site wastewater systems, achieving the reach objective. Figures 1 and 2 show these results.

![Figure 1](attachment:reach_byplaws.png)  
![Figure 2](attachment:reach_systems.png)

Note: Results not exact as the legacy bylaws govern former council areas not aligned with current local board areas.
Written submission demographics

33. Figures 3, 4 and 5 show the age, gender, ethnicity and local board area of those who marked their demographics in the 141 written submissions received.

Figure 3 – Age and gender of respondents

Figure 4 – Ethnicity of respondents

Figure 5 – Respondents by local board area

Note: Local boards listed in order of frequency of responses

“Other” includes one response from:
- Albert-Eden
- Henderson-Massey
- Howick
- Kaipātiki
- Maungakiekie-Tāmaki
- Ōrākei
Unitary plan awareness

34. Respondents were asked if they used an on-site wastewater system as well as if they were aware of the unitary plan rules. Results are shown in Figures 6 and 7 below.

Figure 6 – Respondents who use on-site wastewater

<table>
<thead>
<tr>
<th>Do you currently use an OSWW system?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes: 90%</td>
</tr>
<tr>
<td>No: 9%</td>
</tr>
<tr>
<td>Not sure: 1%</td>
</tr>
</tbody>
</table>

n=134

Figure 7 – Respondents aware of the unitary plan rules

<table>
<thead>
<tr>
<th>Were you aware of the unitary plan rules?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes, but I didn’t know the rules: 17%</td>
</tr>
<tr>
<td>Yes, and I know the rules: 31%</td>
</tr>
<tr>
<td>No, I was unaware: 53%</td>
</tr>
</tbody>
</table>

n=133

35. The results showed that 90 per cent of the respondents use an on-site wastewater system, but only 31 per cent of the respondents were aware of the current on-site wastewater unitary plan regulations legislated in 2016.

To revoke or not

36. Respondents were asked if they thought the legacy bylaws should be revoked and the results were nearly even split. 65 responded to keep the bylaws and 62 responded to revoke them as demonstrated in Figure 8.

Figure 8 – Responses to if the bylaws should be revoked

<table>
<thead>
<tr>
<th>Do you think the legacy bylaws should be revoked?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes: 49%</td>
</tr>
<tr>
<td>No: 51%</td>
</tr>
</tbody>
</table>

n=127

37. There was no significant difference in the response to revoke the bylaws based either on which local board area respondents reside or whether they are in areas with legacy bylaws.

38. However, there was a significant difference in responses to revoke the bylaws based on whether the respondents are aware of the unitary plan rules or not. Of those who are unaware of the unitary plan rules, the majority responded to keep the bylaws while those who are aware of the unitary plan rules responded in the majority to revoke the bylaws. Figures 9 and 10 show this difference.
39. Council also received submissions from several organisations. Although this data has been included in earlier graphs, the below shows their individual responses.

### Revoke
- A Rated Waste Water Services Ltd
- Enviro Water (wastewater services)
- Point Wells Community & Ratepayers Assoc.
- Sandspit Residents & Ratepayers Assoc.

### Do NOT revoke
- CBC Wastewater (Waiheke consulting firm)
- Greenacres Waiheke (wastewater services)
- Waiheke Resources Trust

#### Themes of written submission comments

40. Submitters were given the opportunity to elaborate in an open comment form on why they responded to revoke the bylaws or not. Not all submissions had comments.

41. **Appendix 1** shows a breakdown of the themes and frequency of response.

#### Theme One: Auckland Unitary Plan

42. The majority of submissions, 41 total, had comments regarding the Auckland Unitary Plan.

#### Comments opposed to the unitary plan rules

43. 21 submissions reflected a desire to keep the legacy bylaws instead of using the unitary plan rules. Although consultation communications explained the unitary plan rules are already legislated, the misperception persists that the proposal is introducing the unitary plan as new rules.

44. The key concerns submitters had with the unitary plan rules were that:
   - the rules are too stringent, impractical and arbitrary, especially:
     - inspections three yearly for primary systems and six monthly for advanced
     - requiring pump out when tank 50 per cent full.
   - “suitably qualified person” for maintenance inspections needs defining
   - the rules are a big stick with no incentives
   - there was no consultation on the on-site wastewater unitary plan rules
   - the “new” rules are not needed as people are responsible.
Some submitters suggested that the unitary plan rules should only apply to new systems, and the bylaws should be retained until the unitary plan is updated.

There were also concerns on how the unitary plan will be enforced. Perception exists that there will be rampant on-site inspections by council as well as requiring everyone using on-site systems to connect to public wastewater lines.

Comments favouring the unitary plan rules

12 submission comments agreed with revoking the bylaws and relying on the unitary plan regulations. The reasons were:

- a need for one standard for systems regionwide
- a desire to consolidate and simplify regulations
- the pump out requirement when tank 50 per cent full is better than three yearly
- the unitary plan covers all regulations in the bylaws.

Some in favour of the unitary plan rules over the bylaws wanted to make sure that the prosecution powers of the bylaws were retained in the unitary plan and that on-site inspections be made mandatory.

Staff Comments

The proposal is introducing no new rules or regulations. Three yearly inspections for primary systems, six monthly inspections for advanced systems and 50 per cent pump out requirements for tanks are all unitary plan regulations and were legislated in 2016.

Whether or not the bylaws are revoked, the unitary plan regulations apply to the whole region and can be enforced. As the legacy bylaws and unitary plan on-site wastewater provisions are not contradictory, both can currently be enforced. For example, Waiheke residents are currently obligated to have their tanks pumped out yearly under the bylaw as well as when 50 per cent full under the unitary plan.

It is also important to note the unitary plan provides provisions for how to design, install, and maintain on-site wastewater systems. It does not prohibit on-site wastewater systems.

Theme Two: System works well now, don’t change

22 submissions commented to not revoke the bylaws since the current regulatory framework works well. 12 comments specifically mentioned council shouldn’t fix what’s not broken.

There were also comments to retain the legacy bylaws as there is perception that revoking the bylaws would remove all regulation for on-site wastewater systems and cause chaos. There was also a suggestion to keep the bylaws until everyone is on reticulation.

Comments also reflected eagerness to keep the Waitākere pump-out scheme and a dedicated on-site wastewater compliance officer on Waiheke. There are concerns that revoking the bylaws will remove both.

And there was also concern that if the bylaws are revoked, older systems would no longer be permitted, and users would be required to upgrade their systems.

Staff Comments

The Waitākere pump-out, funded by a targeted rate, currently operates in an area without legacy bylaws and will not be affected if the bylaws are revoked.

The legacy Waiheke bylaw does not mention or give power to a dedicated compliance officer. Whether or not the bylaw is revoked will not affect council’s ability to have an officer on Waiheke. It is council’s intent to maintain a compliance officer on Waiheke to help facilitate the on-site wastewater compliance programme funded by the water quality targeted rate being rolled out by Healthy Waters.
Theme Three: Cost concerns

58. 17 submissions commented on the cost burdens of revoking the bylaws. Respondents remarked on the “new” maintenance requirements in the unitary plan being too costly to comply and another “money grabbing scheme” from council.

59. There were also concerns that creating a central database of systems would be too expensive, and that the current consultation was a “fait accompli” and a waste of money as nothing is changing.

Staff comments

60. As the proposal is not introducing any new regulation, there are no cost effects of revoking the bylaws. Creating a central database is an initiative of the on-site wastewater compliance programme being rolled out by Healthy Waters and funded by the water quality targeted rate.

61. Although the unitary plan rules are already in place and removing the bylaws does not change the regulatory framework, the Local Government Act 2002 s156 requires a special consultative procedure when proposing to revoke bylaws of significant interest to the public.

Theme Four: Education and awareness

62. 14 submissions had comments mentioning a need for more education and increased awareness of on-site wastewater systems.

63. Having a proactive reporting mechanism was seen as important to creating and maintaining a central database and reminding users of their obligations. Comments mentioned how council needs to take a role in regularly requesting records as users will not maintain records on their own.

64. Comments also suggested that on-site systems should be required on property files (LIM reports) and notified during point of sale to increase awareness.

Staff comments

65. Although the Papakura and Waiheke bylaws require pump out records to be sent to council proactively, the unitary plan requires that all maintenance action must be retained and made available on the site for inspection, not just pump-out records.

66. The proactive reporting scheme and creation of a central database are being executed under the powers of the unitary plan. This compliance programme is currently being trialled in Piha where there is no existing on-site wastewater bylaw.

67. The statutory requirements for a land information memorandum (LIM) are currently detailed in s44A of the Local Government Official Information and Meetings Act 1987. The section includes requirements that “private sewerage drains”, whether the land is supplied with drinking water, and any building consents attached to the property be reported. All on-site wastewater systems are required to have a building consent.

Theme Five: Keep regulation focus local

68. There were five comments that “one size does not fit all” and the bylaws need to be retained as the unitary rules are not representative of all uses, i.e. baches, rural homes. There were a further three comments that the Rodney Local Board area should not be part of the supercity and the unitary plan rules shouldn’t apply to that area.

Staff comments

69. The unitary rule provisions have applied to the entire region since 2016. Whether or not the bylaws are revoked, the unitary plan provisions will still apply to the whole region.
Theme Six: Council should fix other problems first

70. 7 comments reflected how council should be focusing on fixing other problems first such as Watercare’s wastewater network and public roads.

Theme Seven: Enforcement

71. There were 4 comments mentioning that council should focus on enforcing the rules already in place.

Other

72. There was one comment suggesting that the Waitākere pump-out scheme should be reviewed for effectiveness and one comment recommending that electric on-site wastewater systems are banned. These are both out of scope for recommendations on the proposal.

Ngā koringa ā-muri / Next steps

73. Staff will prepare a report from the Hearings Panel to the Governing Body to recommend whether the Governing Body should revoke the legacy on-site wastewater bylaws.

Ngā kaihaina / Signatories

<table>
<thead>
<tr>
<th>Authors</th>
<th>Maclean Grindell – Policy Analyst, Social Policy &amp; Bylaws</th>
</tr>
</thead>
<tbody>
<tr>
<td>Authorisers</td>
<td>Mike Sinclair – Policy Manager, Social Policy &amp; Bylaws</td>
</tr>
<tr>
<td></td>
<td>Debbie Edwards – Senior Policy Manager, Affordable Housing</td>
</tr>
</tbody>
</table>
### Appendix 1 – Themes from written submissions

<table>
<thead>
<tr>
<th>Themes from submissions the bylaws</th>
<th>Frequency</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Auckland Unitary Plan</strong></td>
<td></td>
</tr>
<tr>
<td>➢ One standard needed for systems (5)</td>
<td></td>
</tr>
<tr>
<td>➢ 3 yearly and 6 monthly inspections impractical/arbitrary/too stringent (5)</td>
<td></td>
</tr>
<tr>
<td>➢ “Suitably qualified person” in unitary plan needs defining (4)</td>
<td></td>
</tr>
<tr>
<td>➢ Don’t come in with big stick (unitary plan)/ incentives needed (3)</td>
<td></td>
</tr>
<tr>
<td>➢ Unaware of unitary plan rules/ not consulted on unitary plan (3)</td>
<td></td>
</tr>
<tr>
<td>➢ Requirements for pump out when 50% does not work/ arbitrary (3)</td>
<td></td>
</tr>
<tr>
<td>➢ Don’t need additional rules (unitary plan), people are responsible (2)</td>
<td></td>
</tr>
<tr>
<td>➢ New rules (unitary plan) too stringent (2)</td>
<td></td>
</tr>
<tr>
<td>➢ Too many regulations currently (2)</td>
<td></td>
</tr>
<tr>
<td>➢ New rules (unitary plan) should only apply to new systems (2)</td>
<td></td>
</tr>
<tr>
<td>➢ As long as retains same prosecution powers as bylaws (2)</td>
<td></td>
</tr>
<tr>
<td>➢ Don’t want on-site inspections (2)</td>
<td></td>
</tr>
<tr>
<td>➢ Don’t revoke bylaws until unitary plan updated (1)</td>
<td>41</td>
</tr>
<tr>
<td>➢ 50% full pump out requirement better than 3 yearly pump out (1)</td>
<td></td>
</tr>
<tr>
<td>➢ Unitary plan will force people to connect to sewer lines (1)</td>
<td></td>
</tr>
<tr>
<td>➢ Not clear how unitary plan will be enforced (1)</td>
<td></td>
</tr>
<tr>
<td>➢ Inspections should be mandatory (1)</td>
<td></td>
</tr>
<tr>
<td>➢ Unitary plan covers all bylaw regulations (1)</td>
<td></td>
</tr>
<tr>
<td><strong>System works well now</strong></td>
<td></td>
</tr>
<tr>
<td>➢ Don’t fix what’s not broken (12)</td>
<td></td>
</tr>
<tr>
<td>➢ Don’t force to upgrade to advanced systems (3)</td>
<td>22</td>
</tr>
<tr>
<td>➢ Need Waitākere compliance officer (2)</td>
<td></td>
</tr>
<tr>
<td>➢ Keep regulation or no one will maintain their tanks (2)</td>
<td></td>
</tr>
<tr>
<td>➢ Don’t get rid of Waitākere pump out (2)</td>
<td></td>
</tr>
<tr>
<td>➢ Keep bylaws until everyone on reticulation (1)</td>
<td></td>
</tr>
<tr>
<td><strong>Cost concerns</strong></td>
<td></td>
</tr>
<tr>
<td>➢ Maintenance requirements too costly (8)</td>
<td>17</td>
</tr>
<tr>
<td>➢ Money grabbing scheme from council (7)</td>
<td></td>
</tr>
<tr>
<td>➢ Central database too costly (1)</td>
<td></td>
</tr>
<tr>
<td>➢ Doesn’t change anything/ waste of money (1)</td>
<td></td>
</tr>
<tr>
<td><strong>Education and awareness</strong></td>
<td></td>
</tr>
<tr>
<td>➢ Proactive maintenance reporting required (5)</td>
<td></td>
</tr>
<tr>
<td>➢ System should be required on property file/ LIM/ point of sale (3)</td>
<td>14</td>
</tr>
<tr>
<td>➢ As long as council notifies people of obligations (2)</td>
<td></td>
</tr>
<tr>
<td>➢ Education needed (2)</td>
<td></td>
</tr>
<tr>
<td>➢ Central database needed (2)</td>
<td></td>
</tr>
</tbody>
</table>
### Item 11

<table>
<thead>
<tr>
<th>Keep regulation focus local</th>
<th>8</th>
</tr>
</thead>
<tbody>
<tr>
<td>➢ One size does not fit all (5)</td>
<td></td>
</tr>
<tr>
<td>➢ No supercity/ Rodney should be independent (3)</td>
<td></td>
</tr>
<tr>
<td>Council should fix other problems first</td>
<td>7</td>
</tr>
<tr>
<td>➢ Fix council/ Watercare system first (4)</td>
<td></td>
</tr>
<tr>
<td>➢ Bigger problems to fix (roads) (3)</td>
<td></td>
</tr>
<tr>
<td>Enforcement</td>
<td>4</td>
</tr>
<tr>
<td>➢ Enforcement needed (4)</td>
<td></td>
</tr>
<tr>
<td>Other</td>
<td>2</td>
</tr>
<tr>
<td>➢ Review Waitākere pump out effectiveness (1)</td>
<td></td>
</tr>
<tr>
<td>➢ Ban electric systems (1)</td>
<td></td>
</tr>
</tbody>
</table>
### Appendix 2 – Have Your Say Event feedback

#### Have Your Say events summary
- Feedback received at the Have Your Say events mostly echoed what was highlighted in the written submissions. The majority of attendees came to the events to vocalise their concerns that either:
  - council is outlawing on-site wastewater systems
  - compliance with the “new rules” in the unitary plan is too difficult.
- Many attendees were unaware that the unitary plan rules were already in place and expressed disappointment that they had not been consulted on the rules.
- Some Waiheke residents remarked on wanting to ensure that the proactive reporting scheme continues with a designated compliance officer for Waiheke.

<table>
<thead>
<tr>
<th>Have Your Say Event feedback</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Waiheke, Surfdale Hall, Saturday, August 11 (Attendance - 28)</strong></td>
</tr>
<tr>
<td>- The unitary plan regulations are not as strong as the legacy bylaw in regard to septic tanks. Provides little protection to the environment.</td>
</tr>
<tr>
<td>- Concern over cost of inspections and that inspectors will come onto property unannounced.</td>
</tr>
<tr>
<td>- In legacy bylaw it states that we have to have council officers who can enforce the rules. There is a concern there is no such delegated authority in the unitary plan rules.</td>
</tr>
<tr>
<td>- With 50% pump out levels, septic tanks will be damaged and unusable. 50% is too high, should be 30% or 40%.</td>
</tr>
<tr>
<td>- The bylaw should bind the council to enforce the maintenance and compliance of systems.</td>
</tr>
<tr>
<td>- Prefer timeframe pump outs rather than sludge level triggers. The current legacy 3-year cycle works. If it isn’t broke don’t fix it</td>
</tr>
<tr>
<td>- We shouldn’t be forcing people into aeration systems from septic tanks if they don’t have to - concerned the new standards will mean this happens.</td>
</tr>
<tr>
<td>- Wording in the unitary plan is problematic - what does a suitably qualified person mean? Needs to be clearer.</td>
</tr>
<tr>
<td>- There is a concern that council is outlawing septic tanks.</td>
</tr>
</tbody>
</table>

| **Warkworth, Masonic Hall, Saturday, August 18 (Attendance - 25)** |
| - People don’t think about this issue and need to be aware of their responsibilities - we need inspection, monitoring and a strong compliance programme. |
| - What costs can contractors charge for installation and maintenance work - will the be a cap on these costs? |
| - Will contractors have to go through training/licencing by council to meet minimum standards - some sort of certification? |
| - Concerned with additional costs to people with new rules |
| - Six months is too expensive and too onerous |
| - With city of growth septic tanks are no longer viable - need decent infrastructure development. |
| - Too many rates |
| - This is all just fat accompli - you’ve already put everything in the UP so why are you here? |
| - Wastewater should be council’s job |
Hearings Panel report on the Proposal to Revoke Legacy On-site Wastewater Bylaws

### Pukekohe, War Memorial Hall, Thursday, August 23 (Attendance – 10)

<table>
<thead>
<tr>
<th>Concern</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Worried about the new laws and inspections being brought in and cost of complying with the unitary plan.</td>
<td>There are predicted 60,000 properties with septic tanks but there is no database - how is this going to be fixed?</td>
</tr>
<tr>
<td></td>
<td>If it is voluntary to register/enter details/ send in records about your system, then people won’t do it.</td>
</tr>
</tbody>
</table>

### Piha, Barnett Hall, Saturday, August 25 (Attendance - 13)

<table>
<thead>
<tr>
<th>Concern</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Concerns over how the proposal affects the Waitākere pump out scheme. Don’t want the scheme to end.</td>
<td>Support what you are doing - it will fix the problem</td>
</tr>
<tr>
<td></td>
<td>What is council doing to protect against climate change in regard to OSWW systems?</td>
</tr>
<tr>
<td>This is a money grabbing scheme</td>
<td>Bulk contract will be cheaper - prefer targeted rate.</td>
</tr>
<tr>
<td></td>
<td>Concern council is going to start charging people for inspections</td>
</tr>
</tbody>
</table>
Appendix 3 – Infrastructure and Environmental Services Forum feedback

Infrastructure and Environmental Services consultation summary
- The Infrastructure and Environmental Services Mana Whenua huis agree the legacy on-site wastewater bylaws should be revoked.
- Feedback from the forum included similar themes from submissions:
  - the Waiteke compliance scheme should be continued and rolled out regionally
  - point-of-sale disclosures should include on-site wastewater system awareness
  - better oversight is needed to monitor on-site wastewater systems regionally.

<table>
<thead>
<tr>
<th>Infrastructure and Environmental Services Mana Whenua Hui</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Dates of huis:</strong></td>
</tr>
<tr>
<td>• Fri, 13 Jul (Introduction)</td>
</tr>
<tr>
<td>• Fri, 10 Aug (Full consultation)</td>
</tr>
<tr>
<td>• Wed, 22 Aug (Focus group)</td>
</tr>
<tr>
<td><strong>Hui attendees represented:</strong></td>
</tr>
<tr>
<td>• Ngāti Tamaoho</td>
</tr>
<tr>
<td>• Ngāti Whanaunga</td>
</tr>
<tr>
<td>• Te Uri o Hau</td>
</tr>
<tr>
<td>• Te Patukirikiri</td>
</tr>
<tr>
<td>• Te Ākītai Waiohua</td>
</tr>
<tr>
<td>• Ngāti te Ata Waiohua</td>
</tr>
<tr>
<td>• Te Kawerau a Maki</td>
</tr>
<tr>
<td>• Ngā Whātua o Kaipara</td>
</tr>
<tr>
<td>• Ngā Tai ki Tāmaki</td>
</tr>
<tr>
<td>• Ngā Maunga Whakahii o Kaipara</td>
</tr>
</tbody>
</table>

**Forum agreed to REVOKE the bylaws. Further feedback:**
- Concerns over what covered areas without bylaws before the unitary plan.
- Concern that council is not regularly maintaining their own facilities with septic systems.
- Waiteke Island has a good compliance programme where contractor maintenance records are submitted to Auckland Council. It is important to ensure this is made a regional practice under the compliance programme.
- Does this effect those on Watercare’s network?
- Point-of-sale disclosures should be required when a property changes hands to ensure new owners are aware of their responsibilities.
- Where contractors are recommended by Council, those contractors should be assessed based on social procurement criteria (including living wage and apprentice schemes).
- Need better oversight of on-site systems across Auckland and water pollution issues across the region.
- Waiteke Island has an exemption process whereby low risk systems are exempt from prescriptive maintenance programmes stipulated in TP58. Need to ensure this is rolled-out regionally under the compliance monitoring programme.
- Why are we having consultation? It appears that the clauses in the operative Auckland Unitary Plan have the ability to manage on-site wastewater well.
### Additional Māori engagement

<table>
<thead>
<tr>
<th>Name</th>
<th>Method</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Martin te Moni (Ngaati Whanaunga)</td>
<td>One-on-one meeting</td>
<td>(Revoke) Supportive of strong enforcement and enforcing accountability. Eager to help &quot;get it done&quot;.</td>
</tr>
<tr>
<td>Tame te Rangi (Te Runanga o Ngāti Whātau)</td>
<td>One-on-one meeting</td>
<td>(Revoke) Central government needs more holistic approach to cleaning fresh water, needs alignment. Think of ways for council to incentivise upgrading on-site systems. Need awareness and education. No qualms over introducing new regulations to improve water quality.</td>
</tr>
<tr>
<td>Manaaki Nepia (Te Whakakitenga o Waikato)</td>
<td>Email</td>
<td>(Revoke) Acknowledges the redundancy of the bylaw and the need to revoke and change.</td>
</tr>
<tr>
<td>Ngā Maunga Whakahii o Kaipara</td>
<td>Submission</td>
<td>(Revoke) Rollout Waiheke compliance programme regionwide. Point-of-sale OSWW disclosures should be required. Council recommended contractors should be assessed based on social procurement criteria.</td>
</tr>
</tbody>
</table>
Appendix 4 – Local board feedback

Local board feedback

- All local boards were invited to attend the Have Your Say events as well as a local board dedicated workshop to give their feedback.
- The workshop was attended by five local board members from Albert-Eden, Papakura and Mangere-Otahuhu.
- Concerns raised at the workshop were similar to the previous themes in that:
  - there is concern over unitary plan rules awareness and how these will be communicated to users
  - the compliance monitoring on Waiheke needs to continue
  - there is interest over what council will do given financial difficulties of maintaining systems.
- Waiheke and Papakura Local Board also gave written feedback following the workshop:

<table>
<thead>
<tr>
<th>Waiheke (Do NOT revoke)</th>
<th>Papakura (Revoke)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Concerned the reporting scheme on Waiheke will be stopped if the bylaws are revoked</td>
<td>Notes legacy bylaws are redundant to the unitary plan and other legislation</td>
</tr>
<tr>
<td>Concern over how users will comply with the 50% full pump out rule in the unitary plan</td>
<td>Clear communication campaign needed to provide education on rules and requirements</td>
</tr>
</tbody>
</table>

### Local board feedback

<table>
<thead>
<tr>
<th>Local Board workshop, Auckland Town Hall, Tuesday August 28 (Attendance – 5)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Graeme Easte - Albert Eden Local Board Member</strong></td>
</tr>
<tr>
<td><strong>Brent Catchpole - Papakura Local Board Chair</strong></td>
</tr>
<tr>
<td><strong>Carrol Elliott - Mangere-Otahuhu Local Board Member</strong></td>
</tr>
<tr>
<td><strong>General</strong></td>
</tr>
</tbody>
</table>
**Local board emailed feedback**

| Brent Catchpole on behalf of Papakura Local Board | (Revoke)  
“Papakura District Council was one of the councils that had a bylaw for this matter. The legacy bylaws relating to onsite wastewater management are redundant now that the Auckland Unitary Plan is operative. The Unitary Plan coupled with the relevant legislation provide more robust rules those of the legacy bylaw controls.”  
There was additional feedback to make sure there is a clear communication campaign to quell fears of the impact of revoking the bylaws and provide education on owners’ requirements and assistance available for maintain on-site systems. |
|---|---|
| Mark Inglis on behalf of Waiheke Local Board | (Do not revoke)  
Concern over how owners will be able to check if their tanks are 50% full as stipulated in the unitary plan. Some tanks are below ground and require technical expertise to check. As well, advice from local contractors says 50% is too high and should be set at 30%.  
Notes the unitary plan provisions are weaker than the bylaws because the home-owner is required to undertake the inspection and keep the record of inspections. Clarification is required on the future process for ensuring compliance with the new rules.  
Wants to make sure the current practice of reminder letters and reporting ensures that regular pump-outs occur. Concern this will cease if the bylaws are revoked.  
Prefers to keep the Waiheke bylaw until the unitary plan on-site wastewater provisions are reviewed and strengthened. |
Role of the Audit and Risk Committee with respect to the City Rail Link Project

File No.: CP2018/19682

Te take mō te pūrongo / Purpose of the report
1. This paper confirms the role of the Audit and Risk Committee (the committee) when discharging its governance role over the City Rail Link (CRL) project.

Whakarāpopototanga matua / Executive summary
2. The Governing Body, at its meeting on 29 June 2017 resolved that the Audit and Risk Committee will receive regular reports on the CRL project status, including a record of all sponsor decisions made under delegated authority and information on the management of key risks (budget, schedule, specification, safety and probity) (GB/2017/72).

3. The first of these regular reports was received by the committee in December 2017. However, the committee expressed a concern about what this resolution meant and resolved to receive a further report that clarified what the governance role of that committee is.

4. In September 2018 the committee received the report ‘Role of the Audit and Risk Committee with respect to the City Rail Link Project’. That report is appended at Attachment A.

5. That report noted that:
   - the role of the committee is to provide assurance to the Governing Body that significant investor risks (i.e. risk from the viewpoint of council as a significant investor in the CRL project), are identified and being appropriately managed
   - it is critical that this role does not become confused with management of the project
   - the Auckland Council representatives on the Joint Sponsors Committee are currently preparing a risk assessment of investor risk. This will set out key investor risks and mitigating strategies. This is being prepared with the oversight of the Auckland Council’s Head of Risk, and Assurance Manager. Staff propose to report this assessment to the Governing Body meeting on 13 December 2018.

6. The report noted that to discharge the committee’s responsibility:
   - the committee should review the CRL investor risk profile, make appropriate enquiries, and if satisfied with the responses and information provided endorse that investor risk assessment
   - the investor risk assessment should be regularly updated and reported to the committee
   - if the committee identifies concerns with either the completeness of risks identified, or the way these risks are being managed they can make recommendations to the chief executive, and/or the Governing Body.

7. The Audit and Risk Committee resolved (Resolution number AUD/2018/68) that they:
   a) receive this report
   b) note that the Auckland Council investor risk profile will be tabled with the committee in December 2018
   c) endorse that this committee receives regular investor risk reports with respect to City Rail Link, so that the committee can provide assurance to the Governing Body that Auckland Council’s risks as project investor are appropriately identified and managed.
8. The Audit and Risk Committee further resolved that officers request that the Governing Body confirm that this is the appropriate role of the committee. (Resolution number AUD/2018/68).

Ngā tūtohunga / Recommendation/s
That the Governing Body:

a) receive this report
b) note that the Auckland Council investor risk profile will be tabled with the Audit and Risk Committee at its meeting on 5 December 2018
c) endorse that the Audit and Risk Committee receive regular investor risk reports with respect to the City Rail Link project, so that the committee can make appropriate enquiries, and in doing so provide assurance to the Governing Body that Auckland Council’s risks as project investor are appropriately identified and managed.

Ngā tāpirihanga / Attachments

<table>
<thead>
<tr>
<th>No.</th>
<th>Title</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>A1</td>
<td>Role of the Audit and Risk Committee with Respect to the City Rail Link Project (Report to the Audit and Risk Committee 13 September 2018)</td>
<td>63</td>
</tr>
</tbody>
</table>

Ngā kaihaina / Signatories

<table>
<thead>
<tr>
<th>Author</th>
<th>Mark Maloney - Head of Internal Audit</th>
</tr>
</thead>
<tbody>
<tr>
<td>Authorisers</td>
<td>Phil Wilson - Governance Director  Stephen Town - Chief Executive</td>
</tr>
</tbody>
</table>
Role of the Audit and Risk Committee with respect to the City Rail Link Project

File No.: CP2018/16895

Te take mō te pūrongo / Purpose of the report

1. This paper clarifies the role of the Audit and Risk Committee (the committee) with respect to discharging its governance role over the City Rail Link (CRL) project.

Whakarāpopototanga matua / Executive summary

2. The role of the committee is to provide assurance to the Governing Body that significant investor risks (i.e. risk from the viewpoint of council as a significant investor in the CRL project), are identified and being appropriately managed.

3. It is critical that this role does not become confused with management of such projects.

4. The Auckland Council representatives on the Joint Sponsors Committee are currently preparing a risk assessment of investor risk. This will set out key investor risks and mitigating strategies. This is being prepared with oversight by the Head of Risk, and the Assurance Manager. Staff are proposing to report this assessment to this committee at its December 2018 meeting.

5. To discharge the committee’s responsibility:
   - the committee should review the CRL investor risk profile, make appropriate enquiries, and if satisfied with the responses and information provided endorse that investor risk assessment
   - the investor risk assessment should be regularly updated and reported to the committee
   - if the committee identifies concerns with either the completeness of risks identified, or the way these risks are being managed they can make recommendations to the chief executive, and/or the Governing Body.

Ngā tūtohunga / Recommendation/s

That the Audit and Risk Committee:

a) receive this report.

b) note that the Auckland Council investor risk profile will be tabled with the committee in December 2018

c) endorse that this committee receives regular investor risk reports with respect to City Rail Link, so that the committee can provide assurance to the Governing Body that Auckland Council’s risks as project investor are appropriately identified and managed.

Horopaki / Context

6. The Governing Body on 29 June 2017 resolved that the Audit and Risk Committee will receive regular reports on the CRL project status, including a record of all sponsor decisions made under delegated authority and information on the management of key risks (budget, schedule, specification, safety and probity) (GB/2017/72).

7. The first of these regular reports was received by the committee in December 2017.
8. However, the committee expressed a concern as to what this resolution meant and resolved to receive a further report that clarified what the governance role of that committee is.

9. It is critical that the clarification of the committee’s role ensures that its reinforces the committee’s governance role and does not become confused with management of such projects.

Tātaritanga me ngā tohutohu / Analysis and advice

Role and Purpose of the Committee
10. The purpose of the Audit and Risk committee is to provide assurance to the Governing Body on matters of governance, risk and internal control.

11. In substance this means that Auckland Council’s risk management systems are identifying the right risks that Auckland Council faces, and there are appropriate internal control and reporting mechanisms in place – that provide confidence and assurance to the Governing Body that these risks are being appropriately managed.

12. This purpose is reflected in the committee’s Terms of Reference.

13. The scope of the committee’s work includes reviewing the effectiveness of risk management and internal control systems. This includes reviewing the effectiveness of risk management and internal control for significant projects, and significant procurement.

14. The role of the committee is to provide assurance to the Governing Body that significant risks – from the viewpoint of Council are identified and appropriately managed.

15. Should the committee, after making appropriate enquiries, identify concerns with the way these risks are being managed they can make recommendations to the chief executive, and/or Governing Body of Auckland Council.

City Rail Link
16. The CRL is being jointly funded on an equal basis between the Crown and Auckland Council (project sponsors).

17. City Rail Link Limited, which was established on 1 July 2017, has the full governance, operational and financial responsibility for CRL, with delivery targets and performance expectations. The project will be delivered in 2024, within a total funding envelope of $3.4 billion.

18. The Auckland Council investor risks, with respect to CRL are likely to be (but not necessarily limited to):
   - financial risk (adverse financial consequence that impacts on council’s ability to meet its financial commitments and deliver on its strategies) arising from a risk materialising within the CRL project
   - reputation risk (damage to the reputation of either elected members or Auckland Council) arising from a risk materialising within the CRL project.

19. At a project level, to mitigate the risk of either Auckland Council investor financial or reputation risk materialising, we would expect appropriate mitigations in place with respect to:
   - governance risk - failure of project governance to identify and manage project risk
   - project risk – failure to deliver the CRL project on time, to budget and specification (this includes procurement and contract management risk)
   - health and safety risk - failure of health and safety systems to adequately protect project staff and the public.
City Rail Link – Governance of Project and the role of the Assurance Manager

20. The project has been established with a set of governance and oversight mechanisms. The overall project governance structure is set out in the diagram below.

- Sponsors’ Forum
  - Top level oversight body for the project.
  - Forum where sponsors approve major project decisions and can question City Rail Link Limited.
- Joint Sponsors Representative (JSR)
  - Led by and staffed by officials and officers from the Crown and Auckland Council.
  - Provides management information and briefings to the Sponsors’ Forum.
  - Acts as the primary, day-to-day link between sponsors and City Rail Link Limited.
- CRL Sponsors Assurance Manager (CSAM)
  - Acts as an independent expert, reviewing progress across the programme and City Rail Link Limited’s management information.
  - Carries out detailed reviews of parts of the programme.
  - Acts as sponsors’ independent assurance function and runs sponsor level assurance programme.

21. The project contracts specify that most major project approvals will be undertaken by the responsible ministers of the Crown (Transport and Finance), and the mayor and deputy mayor of Auckland, and chief executive of Auckland Council. Exceptions are decisions about ultimate ownership of CRL assets and any major changes in project scope or budget, which must be agreed by the Governing Body (and the Crown).

22. The Sponsors’ Forum comprises senior officials from government and council. Council’s representative is the Group Chief Financial Officer, Matthew Walker.

23. The Joint Sponsors’ Representative is the chair of a team of officials from Ministry of Transport, New Zealand Treasury, and Auckland Council (the Joint Sponsors’ Team). The team is key conduit of information between City Rail Link Limited and the sponsors and provides key advice to sponsors on approvals and other matters, including funding, governance and risk.

24. Sitting alongside the Joint Sponsors’ Team is the Assurance Manager. The Assurance Manager provides independent assurance function to the sponsor.

25. Council staff on the Joint Sponsors’ Team anticipate reporting to several council committees, including the Audit and Risk Committee in respect of project status and key risks, and others on matters relevant to the delegations of those committees.

Discharging the Audit and Risk Committee’s responsibility

26. The role of the Audit and Risk Committee is to provide assurance to the Governing Body that significant investor risks (i.e. risk from the viewpoint of council as a significant investor in the CRL project), are identified and being appropriately managed.

27. The Auckland Council representatives on the Joint Sponsors Committee are currently preparing a risk assessment of Investor Risk. This will set out key investor risks and mitigating strategies. This is being prepared with oversight by the Head of Risk, and the Assurance Manager. We expect that this will be tabled with this committee at its December 2018 meeting.

28. To discharge the Audit and Risk Committee’s responsibility:
   - the Audit and Risk Committee should review the CRL investor risk profile, make appropriate enquiries, and if appropriate endorse that investor risk assessment.
the investor risk assessment should be regularly updated and reported to the Audit and Risk Committee.

if the committee identifies concerns with either the completeness of risks identified, or way these risks are being managed they can make recommendations to the chief executive, and/or Governing Body of Auckland Council.

Ngā whakaaweawe ā-rohe me ngā tirohanga a te poari ā-rohe / Local impacts and local board views
29. Local board views were not required for this report.

Tauākī whakaaweawe Māori / Māori impact statement
30. This report does not benefit or have any particular impact on Māori.

Ngā ritenga ā-pūtea / Financial implications
31. The committee is not being asked to make decisions with financial implications.

Ngā raru tūpono / Risks
32. This paper clarifies the committee’s role with respect to the management of Auckland Council’s investor risk in the CRL project.

Ngā koringa ā-muri / Next steps
33. Implementation of recommendations is contained in the body of this report.

Ngā tāpirihanga / Attachments
There are no attachments for this report.

Ngā kaihaina / Signatories

<table>
<thead>
<tr>
<th>Authors</th>
<th>Mark Maloney - Head of Internal Audit</th>
</tr>
</thead>
<tbody>
<tr>
<td>Authorisers</td>
<td>Phil Wilson - Governance Director</td>
</tr>
</tbody>
</table>
Te take mō te pūrongo / Purpose of the report
1. To seek approval of Auckland Council’s submission on the Government’s proposal to establish a new independent infrastructure body.

Whakarāpopototanga matua / Executive summary
2. This is a late covering report for the above item. The comprehensive agenda report was not available when the agenda went to print and will be provided prior to the 25 October 2018 Governing Body meeting.

Ngā tūtohunga / Recommendation/s
The recommendations will be provided in the comprehensive agenda report.
Appointment to the Auckland Council Youth Advisory Panel

File No.: CP2018/19313

Te take mō te pūrongo / Purpose of the report
1. To note the process for appointing a new member to the Youth Advisory Panel following a resignation.

Whakarāpopototanga matua / Executive summary
2. In August 2018 a Youth Advisory Panel member from the Great Barrier local board area resigned due to personal circumstances.
3. Following the resignation, the council began an appointment process to fill the vacant position. Auckland Council advertised the vacant position for 12 days from 5 to 16 September 2018. All applications received by the deadline were considered.
4. Three applicants were interviewed and the candidate who scored the highest was offered, and has accepted a seat on the Youth Advisory Panel until September 2019.

Ngā tūtohunga / Recommendation/s
That the Governing Body:
a) note the process for appointing a new member to the Youth Advisory Panel
b) note that the confidential report presents the proposed candidate’s profile in detail.

Horopaki / Context
5. On 10 November 2016, the Governing Body established a Youth Advisory Panel with 21 members, one from each of the 21 Auckland local board areas, for the 2016-2019 term of the council (GB/2016/51). On 25 May 2017, the mayor appointed 21 members, with the Governing Body’s endorsement.
6. The Youth Advisory Panel’s role is to offer young people’s views on Auckland Council’s regional and strategic agendas and to advise on the council’s effective engagement with youth.
7. In August 2018, Youth Advisory Panel member, Soul O’Reilly, from the Great Barrier local board area, resigned due to changes to his personal circumstances.
8. Following his resignation, the council began an appointment process to fill the vacant position.

Tātaritanga me ngā tohutohu / Analysis and advice
9. The council advertised the vacant position to young Aucklanders aged between 14 and 24 who either currently live on Aotea Great Barrier Island or have connections with the Island.
10. The selection criteria included the candidates’ understanding on the role of the Youth Advisory Panel and the Treaty of Waitangi, and their ability to offer advice to the council.
11. Information on the vacant position and selection criteria was advertised on the council’s Youth Advisory Panel page, and Youth Advisory Panel and the Great Barrier Local Board’s Facebook pages. The Youth Advisory Panel and council staff also shared the information with their youth networks.
12. Three candidates applied by the closing date and went through an interview process on 25 September 2018. One application came in three working days after the closing date which was not considered for the next stage.

13. The interview panel included the lead and deputy lead officers to the Youth Advisory Panel and one former Youth Advisory Panel member. The former Youth Advisory Panel member couldn't however attend the actual interviews due to urgent family issues on the day.

14. Each interview took approximately 30 minutes. The interview consisted of four behavioural-based competency questions, which were consistent with the original set of questions asked to Youth Advisory Panel applicants in April 2017.

15. The interview panel recommended the candidate with the highest score in the interview process. The candidate’s details are outlined in the confidential report.

16. As for current members, the newly appointed member’s term ends in early September 2019, one month prior to the end of the 2016-2019 term.

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

17. The Great Barrier Local Board recommended to expedite the appointment to ensure the youth voice from Aotea Great Barrier Island was represented without interruption on the Youth Advisory Panel.

18. The Great Barrier Local Board was also happy to extend the application eligibility criteria from youth living in the local board area to youth living in the Auckland region and having connections to Aotea Great Barrier Island.

Tauākī whakaaweawe Māori / Māori impact statement

19. The Youth Advisory Panel has been guided by the ‘I Am Auckland: the Children and Young People's Strategic Action Plan’. Goal seven of this plan is rangatahi tū rangatira (all Rangatahi will thrive).

20. The outgoing panel member associated with the Ngati Porou toku iwi. Following his resignation, the Youth Advisory Panel still has two members of Māori descent.

21. The proposed candidate is not of Māori descent.

Ngā ritenga ā-pūtea / Financial implications

22. The expenses related to the appointment process are minimal and have been met within the existing budget.

Ngā raru tūpono / Risks

23. The proposed candidate is undergoing a criminal history check. Should the candidate have any previous criminal record, the council may cancel his/her appointment to the panel.

Ngā koringa ā-muri / Next steps

24. A confidential report with the profile of the proposed candidate is on this Governing Body agenda. The report will remain confidential until the Governing Body endorses the appointment to the Youth Advisory Panel and the Ministry of Justice confirms the clearance of the proposed candidate for criminal record checks.
Ngā tāpirihanga / Attachments
There are no attachments for this report.

Ngā kaihaina / Signatories

<table>
<thead>
<tr>
<th>Author</th>
<th>Austin Kim - Principal Advisor Panels</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>
</tbody>
</table>
Summary of Governing Body information memos and briefings - 25 October 2018

File No.: CP2018/00247

Te take mō te pūrongo / Purpose of the report
1. To note the progress on the forward work programme (Attachment A).
2. 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
3. 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.
4. The following workshops/briefings have taken place:
   • 2/10/18 – Shareholder Wynyard Quarter – CONFIDENTIAL
   • 15/10/18 – Development Contributions Policy – CONFIDENTIAL
   • 16/10/18 – Representation Review
   • 16/10/18 – Auckland Cultural Heritage Sector Review - CONFIDENTIAL
5. 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’.
6. 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) note the progress on the forward work programme
Ngā tāpirihanga / Attachments

<table>
<thead>
<tr>
<th>No.</th>
<th>Title</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>Forward Work Programme</td>
<td>75</td>
</tr>
<tr>
<td>B</td>
<td>Representation Review Workshop Minutes <em>(Under Separate Cover)</em></td>
<td></td>
</tr>
<tr>
<td>C</td>
<td>Representation Review Workshop presentation <em>(Under Separate Cover)</em></td>
<td></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>
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>
<th>Expected timeframes</th>
<th>Highlight financial year quarter and state month if known</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Chief Financial Office</strong></td>
<td>Annual Budget 2019/2020 (Annual Plan)</td>
<td>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.</td>
<td>Adopt consultation document and supporting material</td>
<td>Approve Annual Budget</td>
<td>Q1 Q2 Q3 Q4 (Feb) (Jun)</td>
<td>FY18/19</td>
</tr>
<tr>
<td><strong>Chief Operating Office</strong></td>
<td>Americas Cup 2021</td>
<td>Location, infrastructure and funding</td>
<td>Approve preferred location</td>
<td>Agree strategy for progressing resource consent applications</td>
<td>Q1 Q2 Q3 Q4</td>
<td></td>
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<tr>
<td></td>
<td></td>
<td></td>
<td><strong>Progress to Date:</strong></td>
<td><strong>Report</strong> considered 14/12/17 and approval of Wynyard Basin option GB/2017/172 and agreed single hearing process through direct referral <strong>Report</strong> and revised decision and approval of Wynyard Hobson proposal 29/3/18 GB/2018/63</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>City Rail Link</strong></td>
<td>Construction of the City Rail Link in the central city</td>
<td>Approve City Rail Link Heads of Agreement</td>
<td>Note any matters raised by the Audit and Risk Committee about the project</td>
<td><strong>Progress to Date:</strong> 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 29/6/17 Conf</td>
<td>Q1 Q2 Q3 Q4</td>
<td></td>
</tr>
</tbody>
</table>

Summary of Governing Body information memos and briefings - 25 October 2018
<table>
<thead>
<tr>
<th>Item 15</th>
<th>Lead</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>
<td>Q1 27 Sep Q2 Q3 Q4</td>
</tr>
<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>Q1 Q2 Q3 Q4</td>
</tr>
<tr>
<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  <strong>Approve</strong> final decision</td>
<td>Q1 Q2 Q3 Q4</td>
</tr>
<tr>
<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>Q1 Q2 Q3 Q4</td>
</tr>
</tbody>
</table>

**Summary of Governing Body information memos and briefings - 25 October 2018**

**Expected timeframes**

Highlight financial year quarter and state month if known

<table>
<thead>
<tr>
<th>FY18/19</th>
<th>Jul-Sep</th>
<th>Oct-Dec</th>
<th>Jan-Mar</th>
<th>Apr-Jun</th>
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<tbody>
<tr>
<td></td>
<td>26 Jul</td>
<td>25 Oct</td>
<td>28 Feb</td>
<td>30 May</td>
</tr>
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<td></td>
<td>23 Sep</td>
<td>22 Nov</td>
<td>28 Mar</td>
<td>27 Jun</td>
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</tbody>
</table>

- Adoption 27/9/18 GB/2018/153
- Approval 22/2/18 for review GB/2018/37
- Workshop – 15 March 2018
- Report and approval of process 14/12/17 GB/2017/176
- Workshop – 16 October 2018
- Report and consultation approval 18/10/18 GB/2018/166
### 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.

**Governing Body role** (decision or direction)

- Adopt the Terms of Reference
- Adopt changes to Terms of Reference

**Progress to Date:**

- Initial adoption 1/11/16 [GB/2016/237]
- Review report 14/12/17 [GB/2017/177]
- Review after by-election 22/3/17 [GB/2018/57]
- Amend Appointments, Performance Review and Value for Money 19/4/19 [GB/2018/71]
- Amend due of disestablishment of ACIL and two committee amendments 26/7/18 [GB/2018/115]

<table>
<thead>
<tr>
<th>Expected timeframes</th>
<th>Jul-Sep</th>
<th>Oct-Dec</th>
<th>Jan-Mar</th>
<th>Apr-Jun</th>
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<tr>
<td>FY18/19</td>
<td>Q1</td>
<td>Q2</td>
<td>Q3</td>
<td>Q4</td>
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### 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

**Governing Body role** (decision or direction)

- Approve objectives as basis of review
- Approve scope and timing

**Progress to Date:**

- Approve objectives, scope and timing 23/2/17 [GB/2017/17]
- Memorandum 9/4/18 to councillors with an update

<table>
<thead>
<tr>
<th>Expected timeframes</th>
<th>Jul-Sep</th>
<th>Oct-Dec</th>
<th>Jan-Mar</th>
<th>Apr-Jun</th>
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<tr>
<td></td>
<td>Q1</td>
<td>Q2</td>
<td>Q3</td>
<td>Q4</td>
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### 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)

**Governing Body role** (decision or direction)

- Approve 2019/2020 funding agreement

<table>
<thead>
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<td>Q4</td>
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<tr>
<td></td>
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<td></td>
<td><strong>Receive</strong> the quarterly Health, Safety and Wellbeing Report</td>
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<td><strong>Progress to Date:</strong></td>
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<td><em>March 2018 report</em> received GB/2018/55</td>
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<td><em>June 2018 report</em> received GB/2018/119</td>
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<td><em>August 2018 report</em> received GB/2018/147</td>
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<td><strong>FY18/19</strong></td>
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<td><strong>Jul-Sep</strong></td>
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</table>

**People and Performance**

Health, Safety and Wellbeing

- The Governing Body has the role of the person or organisation conducting a business or undertaking.

**Social Policy and Bylaws**

Public Safety and Nuisance Bylaw Review

- 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".

**Social Policy and Bylaws**

Dog management Bylaw and Policy on Dogs

- Legislative requirement to review the bylaw and policy after five years.

**Social Policy and Bylaws**

Health and Hygiene Bylaw

- Legislative requirement to review the bylaw and policy after five years.

**Social Policy and Bylaws**

Solid Waste Bylaw Review

- Legislative requirement to review the bylaw and policy after five years.
<table>
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<tr>
<td></td>
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<td><strong>Approve</strong> statement of proposal #&lt;br&gt;<strong>Make/Amend/Revoke</strong> the bylaw. <em>Public notification is required for bylaw reviews even if no change to the bylaw is recommended.</em></td>
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<td>FY18/19</td>
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<td><strong>Progress to Date:</strong>&lt;br&gt;Approve the statement of proposal 28/7/18&lt;br&gt;GB/12018/121</td>
<td></td>
<td>Q1 Q2 Q3 Q4</td>
</tr>
<tr>
<td>Social Policy and Bylaws</td>
<td>Social Policy and Bylaws</td>
<td>On-site Wastewater Bylaw Legislative requirement to review legacy bylaws by 31 October 2020.</td>
<td></td>
<td>Within current baselines.</td>
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</tr>
<tr>
<td></td>
<td>Social Policy and Bylaws</td>
<td>Signage Bylaw Legislative requirement to review the bylaw and policy after five years.</td>
<td><strong>Approve</strong> statement of proposal #&lt;br&gt;<strong>Make/Amend/Revoke</strong> the bylaw. <em>Public notification is required for bylaw reviews even if no change to the bylaw is recommended.</em></td>
<td>Q1 Q2 Q3 Q4</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Social Policy and Bylaws</td>
<td>Alcohol Control Bylaw Review Legislative requirement to review the bylaw and policy after five years.</td>
<td><strong>Approve</strong> statement of proposal #&lt;br&gt;<strong>Make/Amend/Revoke</strong> the bylaw. <em>Public notification is required for bylaw reviews even if no change to the bylaw is recommended.</em></td>
<td>Within current baselines.</td>
<td>Q1 Q2 Q3 Q4</td>
</tr>
<tr>
<td></td>
<td>Social Policy and Bylaws</td>
<td>Freedom Camping Explore the need for and options for regulating freedom camping in Auckland&lt;br&gt;Regulatory response may be required following completion of research and pilot</td>
<td>If regulatory response required:&lt;br&gt;<strong>Approve</strong> statement of proposal&lt;br&gt;<strong>Make</strong> the bylaw</td>
<td>Review is within current baselines. Funding proposals will be required for any recommendations that require capital or operational upgrades.</td>
<td>Q1 Q2 Q3 Q4</td>
</tr>
<tr>
<td></td>
<td>Mayoral Office</td>
<td>Mayoral Housing Taskforce Steering Group Oversee the progress and implementation of the June 2017 Mayoral Housing Taskforce report.</td>
<td><strong>Setup, agree and approve</strong> membership of group&lt;br&gt;<strong>Receive</strong> six-monthly updates</td>
<td>Q1 Q2 Q3 Q4</td>
<td></td>
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<tr>
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<td></td>
<td><strong>Progress to Date:</strong>&lt;br&gt;Taskforce setup 27/7/17&lt;br&gt;GB/2017/79&lt;br&gt;Memorandum 9/4/18 to councillors updating progress</td>
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</tbody>
</table>
## Summary of Governing Body information memos and briefings - 25 October 2018

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<tr>
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<tbody>
<tr>
<td></td>
<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></td>
<td>Q1 Q2 Q3 Q4</td>
</tr>
<tr>
<td></td>
<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 Within current baselines.</td>
<td></td>
<td>Q1 Q2 Q3 Q4</td>
</tr>
<tr>
<td></td>
<td>Governance</td>
<td>2019 Local Government New Zealand Conference and Annual General Meeting</td>
<td>The Governing Body sends representatives to the conference and as delegates to the Annual General Meeting</td>
<td>Appoint presiding delegate to Annual General Meeting Appoint three other delegates to Annual General Meeting Approve councillors to attend conference</td>
<td></td>
<td>Q3 Q4 Q1 Q2</td>
</tr>
</tbody>
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<table>
<thead>
<tr>
<th>Expected timeframes</th>
<th>Highlight financial year quarter and state month</th>
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**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

- **Advisory Panels**
  - The Governing Body appoints members to advisory panels, as required.
  - **Approve** appointments to advisory panels

- **2019 Local Government New Zealand Conference and Annual General Meeting**
  - 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
<table>
<thead>
<tr>
<th>Item 15</th>
<th>Attachment A</th>
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<tbody>
<tr>
<td><strong>Governance</strong></td>
<td>2018 Local Government New Zealand Conference and Annual General Meeting</td>
</tr>
<tr>
<td>The Governing Body sends representatives to the conference and as delegates to the Annual General Meeting</td>
<td></td>
</tr>
<tr>
<td><strong>Appoint</strong> presiding delegate to Annual General Meeting</td>
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<tr>
<td><strong>Appoint</strong> three other delegates to Annual General Meeting</td>
<td></td>
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<tr>
<td><strong>Approve</strong> councillors to attend conference</td>
<td></td>
</tr>
<tr>
<td><strong>Progress to Date:</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Report</strong> was considered 22/3/18</td>
<td></td>
</tr>
<tr>
<td>Approved the above GB/2018/47</td>
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<tr>
<td>Q3 FY17/18</td>
<td>Q4</td>
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</tbody>
</table>

| 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 |
| Q3 FY17/18 | Q4 | Q1 | Q2 |

| 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 |
| Q3 FY17/18 | Q4 | Q1 | Q2 |

<p>| 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 |
| <strong>Adopt</strong> consultation document and supporting material |
| <strong>Adopt</strong> Long Term Plan and set rates |
| <strong>Progress to Date:</strong> |
| 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 report 28/6/18 GB/2018/108 |
| Q3 FY17/18 | Q4 | Q1 | Q2 |</p>
<table>
<thead>
<tr>
<th>Item 15</th>
<th>Chief Financial Office</th>
<th>Regional Fuel Tax Proposal</th>
<th>Approve a Regional Fuel Tax for Auckland</th>
<th>Q3</th>
<th>Q4</th>
<th>FY17/18</th>
<th>Q1</th>
<th>Q2</th>
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<tbody>
<tr>
<td></td>
<td></td>
<td>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.</td>
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<td></td>
<td>Progress to Date:</td>
<td>Approved 31/5/18 [GB/2018/90]</td>
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<tr>
<td>Attachment A</td>
<td>Governance</td>
<td>Advisory Panels</td>
<td>Approve appointments to advisory panels</td>
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<td>The Governing Body appoints members to advisory panels, as required.</td>
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<td></td>
<td>People and Performance</td>
<td>Chief Executive’s Employment Review Process</td>
<td>Approve performance objectives</td>
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<td>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.</td>
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<td>Agree to the review of the chief executive performance before 30 June 2018</td>
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<td>Delegate the review if desired</td>
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<td></td>
<td>Decision on chief executives contract</td>
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<td></td>
<td>Governance</td>
<td>Independent Māori Statutory Board funding</td>
<td>Approve 2018/2019 funding agreement</td>
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<td>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)</td>
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<td>Progress to Date:</td>
<td>Report received 27/6/18 and funding approved [GB/2018/94]</td>
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<td></td>
<td>Governance</td>
<td>Te Tiriti o Waitangi / Treaty of Waitangi</td>
<td>Approve submissions to the Crown as and when required</td>
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<td>The Crown negotiates settlements with iwi on a confidential basis and from time to time invites Council to express its views.</td>
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<td>Item</td>
<td>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>Progress to Date:</td>
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<td><strong>Submission</strong> on Point England Development Enabling Bill 23/2/17 GB/2017/8</td>
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<td><strong>Submission</strong> on Ngāti Tamaoho Claims Settlements Bill 27/7/17 GB/2017/85</td>
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<td><strong>Submission</strong> on Ngāi Tai ki Tāmaki Claims Settlement Bill 22/2/18 GB/2018/36</td>
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<td><strong>Open Report</strong> Ngāti Paoa – Treaty settlement redress Conf 24/5/18</td>
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<td><strong>Open Report</strong> on Maungauika – transfer of administration 27/6/18 GB/2018/97</td>
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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: Appointment to the Auckland Council Youth Advisory Panel

<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>
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<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)(a) - The withholding of the information is necessary to protect the privacy of natural persons, including that of a deceased person. In particular, the report contains a young person’s name recommended for the Youth Advisory Panel. This information should not be made public until the governing body endorses the candidate and the Ministry of Justice criminal history check is completed.</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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