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

Date: Tuesday, 23 October 2018
Time: 4.00pm
Meeting Room: Local Board Office
Venue: 7-13 Pilkington Road
        Panmure

Maungakiekie-Tāmaki Local Board
OPEN AGENDA

MEMBERSHIP

Chairperson       Chris Makoare
Deputy Chairperson Debbie Burrows
Members           Don Allan
                  Bernie Diver
                  Nerissa Henry
                  Maria Meredith
                  Alan Verrall

(Quorum 4 members)

Tracey Freeman
Democracy Advisor

17 October 2018

Contact Telephone: 021 537 862
Email Tracey.Freeman@aucklandcouncil.govt.nz
Website: www.aucklandcouncil.govt.nz

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

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 Maungakiekie-Tāmaki Local Board:

a) confirm the ordinary minutes of its meeting, held on Tuesday, 25 September 2018 as a true and correct record.

5 Leave of Absence

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

6 Acknowledgements

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

7 Petitions

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

8 Deputations

Standing Order 7.7 provides for deputations. Those applying for deputations are required to give seven working days notice of subject matter and applications are approved by the Chairperson of the Maungakiekie-Tāmaki Local Board. This means that details relating to deputations can be included in the published agenda. Total speaking time per deputation is ten minutes or as resolved by the meeting.

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

9 Public Forum

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

At the close of the agenda no requests for public forum had been received.
10 Extraordinary Business

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

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

(a) The local authority by resolution so decides; and
(b) The presiding member explains at the meeting, at a time when it is open to the public,-

(i) The reason why the item is not on the agenda; and
(ii) The reason why the discussion of the item cannot be delayed until a subsequent meeting."

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

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

(a) That item may be discussed at that meeting if-

(i) That item is a minor matter relating to the general business of the local authority; and
(ii) the presiding member explains at the beginning of the meeting, at a time when it is open to the public, that the item will be discussed at the meeting; but

(b) no resolution, decision or recommendation may be made in respect of that item except to refer that item to a subsequent meeting of the local authority for further discussion."
Governing Body Member's Update

File No.: CP2018/13048

Te take mō te pūrongo / Purpose of the report
1. To provide Maungakiekie-Tāmaki Local Board an update on local activities that the Governing Body representative is involved with.

Whakarāpopototanga matua / Executive summary
2. Opportunity for the Governing Body representative to update the Maungakiekie-Tāmaki Local Board on projects, meetings, events and issues of interest to the Maungakiekie-Tāmaki Local Board and its community.

Ngā tūtohunga / Recommendation/s
That the Maungakiekie-Tāmaki Local Board:

a) receive the Governing Body Member’s update.

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

Ngā kaihaina / Signatories

<table>
<thead>
<tr>
<th>Author</th>
<th>Tracey Freeman - Democracy Advisor</th>
</tr>
</thead>
<tbody>
<tr>
<td>Authorisers</td>
<td>Louise Mason - GM Local Board Services</td>
</tr>
<tr>
<td></td>
<td>Victoria Villaraza - Relationship Manager</td>
</tr>
</tbody>
</table>
Chairperson's Report

File No.: CP2018/13046

Te take mō te pūrongo / Purpose of the report
1. To keep the Maungakiekie-Tāmaki Local Board informed on the local activities that the Chairperson is involved with.

Whakarāpopototanga matua / Executive summary
2. Providing the Chairperson with an opportunity to update the local board on the projects and issues they have been involved with since the last meeting.

Ngā tūtohunga / Recommendation/s
That the Maungakiekie-Tāmaki Local Board:
a) receive the Chairperson's report.

Ngā tāpirihanga / Attachments

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Ngā kaihaina / Signatories

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</tr>
<tr>
<td></td>
<td>Victoria Villaraza - Relationship Manager</td>
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</table>
Top Left - D Allan, A Verrall, B Diver
Bottom Left - M Meredith, C Makoare (Chair), D Burrows (Deputy Chair), N Henry

Highlights and Achievements for September / October
The draft Tāmaki Open Space Network Plan has been open for consultation since 11 September and
the closing date was further extended, due to popular demand, to give our community enough time to
make their submissions.
It closes officially on Monday, 22 October. The results will be analysed and presented back to the local
board in the next few weeks to consider before a final plan is adopted later this year.
We would like to take this opportunity to thank all those who have taken the time to come to one of our
drop-in sessions and/or public meetings and submitted their feedback either online or in person.
Your input will help us make decisions that will benefit our community.
Meetings Schedule Report
20th September - Chair / Biweekly meeting with CM/SC/HS re transform projects
20th September - Chair / Panmure Stone Cottage - Discussion
22nd September - “Onehunga Community Expo” Saturday
24th September - Chair/ Senior Local Board Advisor/Local Board Advisor/Strategic Broker catch up
24th September - Chair / MTLB Comms meeting
24th September - LB Chair / Mt Wellington Swim Club
24th September - Interview Chris Makoare / TRC Jessica Trask - project for independence for single-parent families
24th September - Chair / AT - Slippery Pavers in Panmure
25th September - Chair / LB Advisor Tamaki Parks Tour
25th September - Chair / LB Advisor / Panuku - Onehunga walk around briefing
26th September - Maungakiekie Tamaki local Board Chair / Īreia
26th September - Discussions: Soup Kitchen at Glen Innes Community Hall
26th September - MT Local Board / Fergusson Domain Doc land
26th September - Glen Innes Business Association - AGM meeting
1st October - Chair/RM/SLB catch up
1st October - Panmure Business Association AGM
4th October - Maungakiekie-Tāmaki Local Citizenship Ceremony - Round 4
12th October - Bradley Lane Art Exhibition
14th October - Arts Event (funded by the LB)

All Workshops September / October
18th September 2018 - MTLB Workshop Day
18th September - Tamaki Open Space Network Plan - Drop in Session 2/ Panmure Office
19th September - Tamaki Open Space Network Plan - Public Meeting 2 / Panmure Community Hall
25th September 2018 - MTLB Business Meeting - Onehunga
28th September - Te Oro Committee (workshop and meeting)
2nd October - MTLB Workshop Day
9th October - MTLB Workshop Day
15th October - Regional/Sub-Regional Cluster Workshop - MANUKAU
Board Member's Reports

File No.: CP2018/13044

Te take mō te pūrongo / Purpose of the report
1. To keep the Maungakiekie-Tāmaki Local Board informed on the local activities that the local board members are involved with.

Whakarāpopototanga matua / Executive summary
2. Providing Board members with an opportunity to update the local board on the projects and issues they have been involved with since the last meeting.

Ngā tūtohunga / Recommendation/s
That the Maungakiekie-Tāmaki Local Board:
a) receive the board members report.

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

Ngā kaihaina / Signatories

<table>
<thead>
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</tr>
<tr>
<td></td>
<td>Victoria Villaraza - Relationship Manager</td>
</tr>
</tbody>
</table>
Te take mō te pūrongo / Purpose of the report

1. To seek approval from the Maungakiekie-Tāmaki Local Board to name two public and three private roads within the Fenchurch regeneration neighbourhoods Stage 4A & 4B, and one public walkway within Fenchurch 5A, all within Glen Innes (Special Housing Area).

Whakarāpopototanga matua / Executive summary

2. Auckland Council has Road Naming Guidelines that set out the requirements and criteria of the Council for proposed road names. These requirements and criteria have been applied in this situation to ensure consistency of road naming across the Auckland Region.

3. The Applicant, Tamaki Regeneration Company ("TRC"), has proposed the following names for consideration by the Local Board, for the new roads within the Fenchurch Stages 4A & 4B, and 5A developments:

4. **Fenchurch Stages 4A & 4B:**
   - 1 existing public road extension, with the existing name proposed to be retained
   - 1 new public road
   - 3 new private roads, being jointly owned access lots (JOALs)

| Table 1: Fenchurch 4A & 4B Proposed Road Names |
|-------------------------|---------------|-------------|
| Road Reference          | Preferred Names | Road Type   |
| Public Road 1 (Extension) | Kestrel     | Place       |
| Proposed to retain existing name | Rita Meredith    | Road       |
| JOAL 1 (Private)        | Kōmitimiti    | Lane        |
| JOAL 2 (Private)        | Lalanga       | Lane        |
| JOAL 3 (Private)        | Teuila        | Grove       |

5. **Fenchurch Stage 5A:**
   - 1 new public walkway between Taniwha Street (opposite Kiano Place) and Sunnymead Road

Pool of Alternative Names for Fenchurch 4A & 4B:

| These alternative names can be used for any of the roads listed above, except Public Road 1 (Extension of 'Kestrel Place'), as this existing road name is proposed to be retained. |
|-------------------------|---------------|-------------|
| Takoto                 | Lane          |
| Papatotara             | Lane          |
| Konatu                 | Lane          |
| Matawhero              | Lane          |
| Lumanai                | Lane          |
Ngā tūtohunga / Recommendation/s

That the Maungakiekie-Tāmaki Local Board:

a) approve the retention of the existing road name ‘Kestrel Place’ for the public road to be extended in the Fenchurch 4B development site (Public Road 1), pursuant to section 319(1)(j) of the Local Government Act 1974.

b) approve 4 names for the following new roads within the Fenchurch 4A & 4B development, Glen Innes, in accordance with section 319(1)(j) of the Local Government Act 1974 (resource consent references BUN60078048, SUB60235862, and LUC60147906):

- Public Road 2: *(local board to insert chosen name)*
- JOAL 1: *(local board to insert chosen name)*
- JOAL 2: *(local board to insert chosen name)*
- JOAL 3: *(local board to insert chosen name)*

c) approve the name *(local board to insert chosen name)* for the new public walkway within the Fenchurch 5A development, Glen Innes, in accordance with section 319(1)(j) of the Local Government Act 1974 (resource consent reference R/JSL/2016/785).

**Horopaki / Context**

6. Location and Site plans of the subject developments, Fenchurch Stages 4A, 4B and 5A, can be found in *Attachments A and B*.

7. In accordance with the National Addressing Standards for road naming (the AS/NZS 4819-2011 standard), the roads described below require road names because they each serve more than 5 lots.

**Fenchurch Stages 4A & 4B:**

8. Fenchurch Stages 4A & 4B involve construction of 71 new dwellings (23 to be state-owned) and associated subdivision, between Taniwha Street, Kestrel Place and Kiano Place, as well as creation of two new public roads and three new private JOALs to service the development.

9. One of the two new public roads is an extension to an existing public road, currently named ‘Kestrel Place’.

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<table>
<thead>
<tr>
<th>Applicant’s Preference</th>
<th>Name</th>
<th>Road Type</th>
</tr>
</thead>
<tbody>
<tr>
<td>Preferred name</td>
<td>Te Ra Putanga</td>
<td>Walk</td>
</tr>
<tr>
<td>Alternative name 1</td>
<td>Ukutoia</td>
<td>Walk</td>
</tr>
<tr>
<td>Alternative name 2</td>
<td>Wākāinga</td>
<td>Walk</td>
</tr>
</tbody>
</table>

**Table 2: Fenchurch 5A Proposed Public Walkway Names**
This cul-de-sac will become an extended open-ended roadway, for which applicant TRC requests to retain the existing road name out of respect for the existing residents, and to avoid any confusion of addressing along the continuous roadway.

10. Resource consent was issued in August 2017, references BUN60078048, SUB60235862, and LUC60147906, approved under the Housing Accords and Special Housing Area Act 2013 (HASHAA).

**Fenchurch Stage 5A:**

11. Fenchurch Stage 5A involves the construction of 70 new residential dwellings and associated subdivision. The subject public walkway to be named (shown as Lot 200) was originally planned to be a “Local Purpose Reserve”, which applicant TRC described as ‘a linear park shaped to encourage pedestrian access between Taniwha Street (opposite Kiano Place) and Sunnymead Road’. However, Auckland Council has since determined that the “Reserve” will instead have to be legally vested as a “Road”; therefore, this pedestrian walkway now requires a road name.

12. Resource consent for Fenchurch Stage 5A was issued 20 July 2017, reference R/JSL/2016/785. The other roads within Fenchurch Stage 5A have already been named by the Maungakiekie-Tāmaki Local Board (meeting held 25 September 2018).

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

13. The Auckland Council Road Naming Guidelines allow that where a new road needs to be named as a result of a subdivision or development, the subdivider/developer shall be given the opportunity of suggesting their preferred new road name/s for the Local Board's approval.

14. Auckland Council’s road naming criteria typically require that road names reflect one of the following local themes, with the use of Maori names being actively encouraged:

   - a historical or ancestral linkage to an area;
   - a particular landscape, environmental or biodiversity theme or feature; or
   - an existing (or introduced) thematic identity in the area.

15. **Assessment:** The names proposed by the Applicant (detailed below) have been assessed to ensure that they meet Auckland Council’s Road Naming Guidelines and the National Addressing Standards for road naming.

16. **Confirmation:** Land Information New Zealand (LINZ) has confirmed that all of the proposed names are acceptable and not duplicated elsewhere in the region.

17. **Road types:** The road types suggested by the applicant and detailed below, such as ‘Lane’ and ‘Walk’, have been assessed as acceptable, in suiting the form and layout of the respective roads to be named, as per the Auckland Council Road Naming Guidelines.

18. **Mana whenua consultation:** has been undertaken, as detailed in the ‘Māori impact statement’ section of this report (item 27-29, below).

19. **Community Consultation:** Proposed road names for both Fenchurch 4A, 4B and 5A have been produced via consultation with the community and key stakeholder groups, such as TRC’s Community Liaison Committee, Lalaga Pasifiki, the Glen Innes and Panmure Business Associations, and other community organisations.

20. **Permission:** from relatives has been obtained for the use of Rita Meredith’s name.
Fenchurch Stages 4A & 4B

21. Road Name Themes (Fenchurch 4A & 4B): Applicant TRC has stated that the preferred road name options for the proposed new JOAL “were selected to respectfully acknowledge existing and former residents within the development site and to reflect the multi-cultural history of this Glen Innes community. The preferred road name options also offer key attributes of this future neighbourhood”.

22. The Applicant’s proposed names and meanings for Fenchurch 4A & 4B are set out in the table below:

<table>
<thead>
<tr>
<th>Road reference</th>
<th>Preferred Name</th>
<th>Meaning (as described by applicant)</th>
</tr>
</thead>
<tbody>
<tr>
<td>ROAD 1 (extension)</td>
<td>Kestrel Place</td>
<td>It is proposed to retain this existing road name out of respect for the existing residents on Kestrel Place and to avoid re-addressing issues.</td>
</tr>
<tr>
<td>ROAD 2</td>
<td>Rita Meredith Road</td>
<td>Named after Rita Meredith [deceased] - a Samoan who migrated to New Zealand with her parents and 12 siblings in the 1950s. She married John and together they had 8 children. They moved their family to Glen Innes in 1963 to a new state house in Taniwha Street. She was such a hard-working mother who was popular with the neighbours children and their families. Rita was an active member of the Glen Innes Catholic community, netball team and other local schools. She is renowned for being a gifted seamstress and worked in Glen Innes at Amco Jeans and Hutchwilco. In 1992 her son bought a house in a street off Taniwha Street. When the family were moving into their new home Rita collapsed and passed away a few days later. She is an inspirational role for all mothers. Preference is to locate this proposed road name near the Meredith family home in Kiano Place.</td>
</tr>
<tr>
<td>JOAL 1</td>
<td>Kōmitimiti Lane</td>
<td>Te Reo Māori word - means ‘to mingle, integrate, blend, combine, mix, come together, fuse, merge, and intermingle’. With a mix of terraced housing and single dwellings, this JOAL will provide access to many families who will hopefully mingle and get to know each other and form a close-knit neighbourhood.</td>
</tr>
<tr>
<td>JOAL 2</td>
<td>Lalanga Lane</td>
<td>A Tongan and Samoan word which means ‘weaving’. Our community are weaved together as one people, one community, one nation. This lane will run between Taniwha Street and the proposed Rita Meredith Road and will complement the history of mixed cultures in this area.</td>
</tr>
<tr>
<td>JOAL 3</td>
<td>Teuila Grove</td>
<td>Samoan name for the national flower in Samoa (from the ginger plant) and name of the South Pacific’s largest cultural festival held annually in Samoa. Proposed to acknowledge the local Polynesian community and compliment the other new road names. There will be a grove of trees opposite the entrance to this small laneway, which will provide a peaceful landmark for this new subdivision.</td>
</tr>
</tbody>
</table>

23. TRC has provided a pool of names that can be used as alternatives for Fenchurch 4A & 4B:
Table 4: Fenchurch 4A & 4B Pool of Alternative Names  
(can be used for any of the subject roads)

<table>
<thead>
<tr>
<th>Proposed Name</th>
<th>Meaning (as described by applicant)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Takoto Lane</td>
<td>Te Reo Māori word meaning: (as a verb) (-ria) ‘to lie down, lie, lay, lie in the future’, or (as a noun) ‘layout, topography’. Suggested as a word to promote future aspirations and acknowledgement of the beautiful geographic surroundings.</td>
</tr>
</tbody>
</table>
| Papatotara Lane | Te Reo Māori word for the inner side of the bark of the Totara, and a term used to refer to high-ranking women. Used in Ngaati Whanaunga’s waiata.  
(Suggested by Ngaati Whanaunga as part of mana whenua consultation) |
| Konatu Lane | Te Reo Māori word - [verb] “to stir, mix, blend”. Chosen to reflect that new residents and families will live in the development and will blend together as a community, which many past residents did in Glen Innes when the area was originally established. |
| Matawhero | Te Reo Māori name for the planet Mars. Inspired by the Matariki Festival held in Glen Innes every year. |
| Lumanai Lane | Samoan word that means ‘the future’. Lumana’i, (as a verb) – “to have before one, to have in prospect, either of time or place”. |

Fenchurch Stage 5A

24. **Road Name Themes (Fenchurch 5A):** Applicant TRC commented that their preferred and alternative road name options for the proposed pedestrian walkway were selected in Te Reo to reflect the cultural heritage and history of Māori in the Glen Innes community. Like the walkway, the name will symbolically link the history of the area with its future.

25. The Applicant’s proposed names and meanings for Fenchurch 5A are set out in the table below:

Table 5: Fenchurch 5A Proposed Road Names & Meanings

<table>
<thead>
<tr>
<th>Proposed Name (&amp; Preference)</th>
<th>Meaning (As Described By Applicant)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Te Ra Putanga Walk (Preferred Name)</td>
<td>Te Reo Māori meaning ‘the rising sun’. An appropriate designation for a walkway which will lead across from the east (sunrise) to the west, providing light between the new houses. Inspires and links hope, history and homes.</td>
</tr>
<tr>
<td>Ukutoia Walk (Alternative 1)</td>
<td>Traditional Māori name for Glen Innes (the name means “to pull the waka up on to the clay”). Symbolic sound of the waka pulled ashore commemorating the resting place of the waka. Nearby Wai o Taiki Bay and Pt England Reserve were areas where waka were brought up from the Tāmaki River by early Māori. Suggested as a word to promote future aspirations and acknowledgement of the beautiful geographic surroundings.</td>
</tr>
<tr>
<td>Wākāinga Walk (Alternative 2)</td>
<td>Te Reo Māori word - means ‘true home, home base, home’. Suggested as a word that promotes good community spirit. The walkway will physically provide a safe pedestrian link between all the new homes in and around this new subdivision.</td>
</tr>
</tbody>
</table>
Ngā whakaaweawe ā-rohe me ngā tirohanga a te poari ā-rohe / Local impacts and local board views

26. The decision sought for this report does not trigger any significant policy and is not considered to have any immediate impact on the community.

Tauākī whakaaweawe Māori / Māori impact statement

27. The applicant wrote to all relevant local mana whenua (via email) and invited comments on the proposed road names. Nga Maunga Whakahii o Kaipara, Ngati Manuhiri, Ngāti Whātua, Te Kawerau a Maki, and Ngāti Whātua Orākei all responded to defer their interests to the other Ngati Whatua entities. Ngāi Tai ki Tāmaki objected to some of the proposed names, which the applicant has respected and therefore those names have not been submitted as part of this application.

28. No objections or additional comments were raised by Mana Whenua for any of the other proposed names

29. Auckland Council and the Road Naming Guidelines actively encourage the use of Maori names for roads, buildings and other public places as an opportunity to publicly demonstrate a Maori identity that is Auckland’s point of difference in the world.

Ngā ritenga ā-pūtea / Financial implications

30. The applicant has responsibility for ensuring that appropriate signage will be installed accordingly once approval is obtained for the new road names.

Ngā raru tūpono / Risks

31. There are no significant risks to Council as road naming is a routine part of the subdivision development process.

Ngā koringa ā-muri / Next steps

32. Approved road names are notified to Land Information New Zealand who records them on their nationwide land information database, which includes street addresses issued by all Councils.

Ngā tāpirihanga / Attachments

<table>
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</tr>
<tr>
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<td>Attachment B - Location Plans</td>
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Ngā kaihaina / Signatories

<table>
<thead>
<tr>
<th>Author</th>
<th>Subdivision Technical Officer</th>
</tr>
</thead>
<tbody>
<tr>
<td>Authorisers</td>
<td>Team Leader Subdivision</td>
</tr>
<tr>
<td></td>
<td>Relationship Manager</td>
</tr>
</tbody>
</table>
Attachment A: Fenchurch 4A & 4B Site Plan
Fenchurch 5A Site Plan

Sunnymead Road

Filemu Lane

Tamihia Street

Walkway to be named

Fenchurch Stage 5 Master Plan

SITE 5A

SITE 5B

SITE 5C
MASTER FENCHURCH NEIGHBOURHOOD LOCATION PLAN

Attachment B: Master and Location Plans
Road Name Approval: New Roads for Fenchurch 4A & 4B, and Fenchurch 5A
Item 14

FENCHURCH 5A LOCATION PLAN
Road Name Approval: New Private Road at 7-11 Tamatea Avenue, Point England

File No.: CP2018/19067

Te take mō te pūrongo / Purpose of the report
1. To seek approval from the Maungakiekie-Tāmaki Local Board to name a new private road, being a jointly owned access lot, created by way of a subdivision development at 7-11 Tamatea Avenue, Point England.

Whakarāpopototanga matua / Executive summary
2. Auckland Council has Road Naming Guidelines that set out the requirements and criteria of the Council for proposed road names. These requirements and criteria have been applied in this situation to ensure consistency of road naming across the Auckland Region.
3. The Applicant, Tamaki Regeneration Company (“TRC”), has proposed the following names for consideration by the Local Board, for the new private jointly owned access lot (JOAL) that will service 6 new dwellings:
   - Poe Tiare Close (preferred name)
   - Kaute Lane (alternative 1)
   - Tokomaha Lane (alternative 2)
4. The proposed road names have been assessed to ensure that they meet Auckland Council’s Road Naming Guidelines and the National Addressing Standards for road naming. Mana Whenua were also consulted.

Ngā tūtohunga / Recommendation/s
That the Maungakiekie-Tāmaki Local Board:

a) approve the name ‘[local board to insert chosen name from the abovementioned list of options]’ for the new private road (a jointly owned access lot) created by way of a subdivision at 7-11 Tamatea Avenue, Point England, in accordance with section 319(1)(j) of the Local Government Act 1974. Council resource consent references BUN60313761, LUC60313762 & SUB60313763.

Horopaki / Context
5. Resource consent for a 10-lot residential subdivision development at 7-11 Tamatea Avenue was granted in March 2018, including removal of the three existing dwellings on the site and replacement with 10 new dwellings, all of which are planned to be state-owned (Council resource consent references BUN60313761, LUC60313762 & SUB60313763).
6. The subdivision will be accessed by a new private JOAL off of Tamatea Avenue, servicing 6 of the 10 new dwellings. The remaining dwellings have access directly onto Tamatea Avenue.
7. A map and plan of the development is attached in Appendix 1.
8. In accordance with the National Addressing Standards for road naming (the AS/NZS 4819-2011 standard), the JOAL requires a road name because it serves more than 5 lots.
Tātaritanga me ngā tohutohu / Analysis and advice

9. The Auckland Council Road Naming Guidelines allow that where a new road needs to be named as a result of a subdivision or development, the subdivider/developer shall be given the opportunity of suggesting their preferred new road name/s for the Local Board’s approval.

10. Auckland Council’s road naming criteria typically require that road names reflect one of the following local themes, with the use of Maori names being actively encouraged:
   - a historical or ancestral linkage to an area; or
   - a particular landscape, environmental or biodiversity theme or feature; or
   - an existing (or introduced) thematic identity in the area.

11. **Road Name Themes:** Applicant TRC has stated that the preferred road name options for the new JOAL “were selected to respectfully acknowledge existing and future residents near the development site and to convey beautiful images of Polynesian influence within Point England. The preferred road name options also describe key attributes of the future mini-neighbourhood (in the Tamaki Regeneration area)”. 

12. The Applicant’s proposed names and meanings are set out in the table below:

<table>
<thead>
<tr>
<th>Proposed Names (&amp; preferences)</th>
<th>Meaning (as described by applicant)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Poe Tiare Close</strong> (preferred name)</td>
<td>Cook Island Māori word, meaning ‘closed flower’. Submitted for evoking a ‘positive vibe’ - ‘Tiare’ is the common name used across Polynesia to mean a beautiful flower. This name acknowledges the Polynesian population represented throughout Tamaki and should convey a closeness of community in this access way</td>
</tr>
<tr>
<td><strong>Kauta Lane</strong> (alternative 1)</td>
<td>Cook Island Māori word, to describe the hibiscus flower, found on all islands in and throughout the Pacific including here in the warmer areas of NZ. Tamaki has a high concentration of Pacific tenants and organisations. It would be nice to have a familiar term as a street name. ‘Kauta’ is also a Te Reo Māori verb meaning ‘to count, add up’</td>
</tr>
<tr>
<td><strong>Tokomaha Lane</strong> (alternative 2)</td>
<td>Te Reo Māori word meaning: (noun) ‘many people, a crowd, majority’. This word reflects the close-knit quarters for residents within this small development.</td>
</tr>
</tbody>
</table>

13. **Assessment:** The names proposed by the Applicant have been assessed to ensure that they meet Auckland Council’s Road Naming Guidelines and the National Addressing Standards for road naming.

14. **Confirmation:** Land Information New Zealand (LINZ) has confirmed that all of the proposed names are acceptable and not duplicated elsewhere in the region.

15. **Road type:** ‘Close’ and ‘Lane’ are acceptable road types for the new private road, suiting the form and layout of the road, as per the Auckland Council Road Naming Guidelines.

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

16. The decision sought for this report does not trigger any significant policy and is not considered to have any immediate impact on the community.

Tauākī whakaaweawe Māori / Māori impact statement

17. A list of more than 20 proposed names was submitted by Tamaki Regeneration Company to Mana Whenua for consideration on 10 September 2018 through to 28 September 2018.
Most responses from mana whenua were to defer to other groups, who in turn provided no further responses or comments.

18. Only Ngāi Tai ki Tāmaki replied with an objection to some names on the list - these comments were respected and those names have not been submitted as part of this application.

19. There were no other comments or objections concerning the names proposed for this application.

**Ngā ritenga ā-pūtea / Financial implications**

20. The applicant has responsibility for ensuring that appropriate signage will be installed accordingly once approval is obtained for the new road name.

**Ngā raru tūpono / Risks**

21. There are no significant risks to Council as road naming is a routine part of the subdivision development process.

**Ngā koringa ā-muri / Next steps**

22. Approved road names are notified to Land Information New Zealand who records them on their nationwide land information database, which includes street addresses issued by all Councils.

**Ngā tāpirihanga / Attachments**

<table>
<thead>
<tr>
<th>No.</th>
<th>Title</th>
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<tbody>
<tr>
<td>A1</td>
<td>Attachment 1: Road Naming Location and Site Plan</td>
<td>31</td>
</tr>
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</table>

**Ngā kaihaina / Signatories**

<table>
<thead>
<tr>
<th>Author</th>
<th>Authorisers</th>
</tr>
</thead>
<tbody>
<tr>
<td>Emerald James - Subdivision Advisor</td>
<td>Trevor Cullen - Team Leader Subdivision</td>
</tr>
<tr>
<td></td>
<td>Victoria Villaraza - Relationship Manager</td>
</tr>
</tbody>
</table>
Attachment 1: Location map and site plan for Road Naming at 7-11 Tamatea Avenue, Point England
Road Name Approval: New Private Road at 7-11 Tamatea Avenue, Point England
Te take mō te pūrongo / Purpose of the report
1. To seek local boards’ views on the draft Facility Partnerships Policy.

Whakarāpopototanga matua / Executive summary
2. A ‘facility partnership’ is where Auckland Council invests in a community facility alongside others. Done well, partnerships can enable and empower our communities, and help us provide more of the quality facilities Auckland needs, faster and more cost-effectively.
3. The council intends to meet more facility needs through partnerships in future, and a new regional policy (refer Attachment B) has been developed to guide their selection and support.
4. Key policy positions outlined in the draft Facility Partnerships Policy and summarised in Attachment A include:
   • a focus on shared outcomes
   • partnerships that recognise, value and honour Te Ao Māori
   • multiple partnership models, with fit-for-purpose arrangements
   • ‘Proactive’ and ‘Responsive’ partnership tracks
   • principles to shape eligibility and investment priorities
   • valuing (and costing) in-kind support
   • a stronger focus on the partnership relationship
   • greater acknowledgement of the complexity of developing/managing assets.
5. During policy development, staff engaged with Māori to explore specific opportunities and barriers for facility partnerships with Māori. The findings from this engagement (refer Attachment C) have shaped a commitment in the draft policy to partner in ways that align with the Treaty of Waitangi principles, and acknowledge the distinct characteristics of marae.
6. The draft policy was endorsed by the Environment and Community Committee in June 2018 for public consultation and formal engagement with local boards. The consultation activities carried out and the community feedback received are summarised in Attachment D. Public feedback was highly supportive of the draft policy overall.
7. Staff attended local board workshops on the draft policy during July and August. This report invites local boards to formally indicate their support for the proposed approach, and/or provide any additional feedback on the policy they would like the committee to consider.
8. A summary of all feedback and a final policy will be tabled for consideration and adoption by the Environment and Community Committee in November 2018.
9. Implementation of the new approach is expected to begin during the 2019/2020 financial year.

Ngā tūtohunga / Recommendation/s
That the Maungakiekie-Tāmaki Local Board:
a) support the adoption of the Draft Facility Partnerships Policy, and provide any additional feedback on the proposed approach for the Environment and Community Committee’s consideration.
Horopaki / Context

10. Auckland Council is a major provider of community, arts and sports facilities, but not the only provider. A ‘facility partnership’ is where the council invests in a community facility alongside others. Done well, partnerships can enable and empower communities, and help the council to provide more of the quality facilities Auckland needs, faster and more cost-effectively.

11. There are already around 300 of these arrangements in Auckland, and the council has signalled more facility needs will be met through partnerships in future. There is currently no regional policy to guide the selection and support of facility partnerships.

12. In 2016, a cross-council team began work on a new regional policy. The team met with a number of partners and experts to understand existing practice and how policy could improve decision-making in the partnering experience.

13. Findings from discovery work were shared in December 2016 at walk-throughs with elected members, staff and participating partners, and reported to the Environment and Community committee in February 2017 (resolution number ENV/2017/9).

14. A new approach was developed and tested at walk-throughs in February 2018. The committee endorsed the draft policy for public consultation and formal engagement with local boards in June 2018 (resolution number ENV/2018/74).

Tātaritanga me ngā tohutohu / Analysis and advice

Facility partnerships benefit the council and the community

15. Auckland Council supports facility partnerships because they can:
   - leverage external investment and community effort
   - empower communities, and help us respond to Auckland’s increasing diversity
   - optimise the existing facility network and reduce the need for new facilities.

Facility partnership selection and management is ad-hoc and inconsistent

16. Discovery work in 2016 and into 2017 identified a range of issues that are preventing the council from realising the full potential of facility partnerships.

17. Currently, facility partnership decisions are made on an ad-hoc basis. Often the lifetime costs and benefits of the partnership have not been fully considered, or how these relate to network gaps and evolving community needs.

18. Investment opportunities and selection decisions lack transparency, and our management processes tend to be uncoordinated and inconsistent. Many partners report that they feel under-prepared and insufficiently supported by council to deliver successfully.
Proposed policy provides strategic approach with tailored process

19. Staff have developed a new policy (refer Attachment B) to respond directly to these findings.

20. This will enable the council and partners to make more informed and strategic investment decisions. Advice will be based on clearer evidence of need and impact and comprehensive costings and will emphasise viability and sustainability.

21. The new approach introduces a more transparent and contestable selection process. Requirements will be tailored to reflect the scale, complexity and risk of each proposal. The policy recognises the importance of quality relationships, and the need to better coordinate staff expertise and support to improve partners’ experience and build capability.

22. The draft policy proposes:
   - a focus on shared outcomes
   - partnerships that recognise, value and honour Te Ao Māori
   - multiple partnership models, with fit-for-purpose arrangements
   - ‘Proactive’ and ‘Responsive’ partnership tracks
   - principles to shape eligibility and investment priorities
   - valuing (and costing) in-kind support
   - a stronger focus on the partnership relationship
   - greater acknowledgement of the complexity of developing/managing assets.

23. A summary of key policy positions relating to these themes is provided as Attachment A.

Public engagement held during July and August 2018

24. Staff undertook public consultation and briefed interested advisory panels between June and August 2018. Public consultation activities included six drop-in consultation events across Auckland, and online submissions via the council’s ‘Have Your Say’ website.

25. Public feedback was highly supportive of the draft policy overall. Those providing feedback generally saw the value of having a policy for this activity and were positive about its intent. Responses to questions about specific aspects of the policy were also strongly affirmative.

Public feedback shows strong support for new approach

26. Key themes that emerged from the public consultation are:
   - Most respondents agree the new approach will better enable council to invest in the right facility partnerships and ensure that partnerships work for both partners and council.
   - The investment principles, the proposal to enable appropriate commercial activities in facilities, and the establishment of Lead Relationship Brokers were all positively received by the majority of respondents.
   - The ‘Track, Type and Scale’ model was also welcomed for encompassing a wide range of facility partnerships, and the intention to ensure requirements are proportionate.
   - Respondents hope the new approach will make it easier for partners to navigate the multiple council systems and processes involved and get good support from staff.
   - Using the Treaty of Waitangi (Treaty) principles to guide partnerships with Māori was welcomed by most, but this was acknowledged as a complex area.
   - Respondents appreciated a more visually appealing document that is easier to navigate.
Most public concerns relate to application of policy

27. Concerns identified included:
   - how the investment principles will be applied in practice, especially where they must
     be ‘traded off’ against each other
   - whether some communities will be unfairly advantaged by the new approach
   - whether the higher level of staff support will be properly resourced, and implemented
     as intended across all parts of council
   - whether the process is flexible enough to respond to the ‘messy reality’ of
     partnerships.

28. A full summary of the public consultation activities to date and a more in-depth description of
   key feedback themes is provided as Attachment D for local board consideration.

29. Key national and regional stakeholders will also be briefed prior to the draft being finalised.

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

30. Local boards have a strong interest in facility partnerships and some decision-making
    responsibility in this area, including:
    - determining local outcomes and advocating for local investment priorities
    - governing local and sub-regional facility partnership relationships and agreements
    - allocating local discretionary funding and community leases of council property.

31. Staff have engaged with local boards informally at various stages throughout the discovery
    work and subsequent policy development. Local board member views and concerns have
    helped shape the draft policy.

32. During July and August 2018, local boards were offered a workshop to hear an overview of
    the proposed policy approach and seek clarification on any areas of local interest or
    concern. Eighteen local boards requested a workshop.

Formal local board feedback sought September and October 2018

33. Community feedback has now been summarised for local boards’ consideration. Staff are
    seeking to understand local boards’ views on the new approach and requesting a formal
    indication of support at local board business meetings during September and October 2018.

34. Staff would particularly value local board feedback on the following parts of the draft policy
    (refer Attachment B), which are likely to have the most bearing on local board decision-
    making:
    - the Tracks, Types and Scales model (p.16-23) to differentiate partnerships and
      customise the partnership process
    - the draft investment principles (p.26) and priorities (p.33)
    - proposed eligibility criteria for investment (p.27-30)
    - the proposal to allow facility partnerships to generate revenue through appropriate
      commercial activities (p.31)
    - the focus on quality relationships, as outlined in the proposed partnering principles
      (p.35) and supported by allocation of a lead relationship broker (p.38).

Tauākī whakaaweawe Māori / Māori impact statement

35. Marae are a focal point for Māori social, economic, environmental and cultural development,
    and are identified in the Community Facilities Network Plan as potential facility partners.
36. In 2017, staff undertook additional engagement with Māori, with a focus on marae, to ensure that the new policy incorporates any special context, barriers or opportunities for facility partnerships with Māori. A summary of the findings is provided as Attachment C.

37. The draft policy reflects these findings and commits the council to partnering with Māori in ways which align with the Treaty principles and reflect the distinct characteristics of marae.

38. The draft policy approach and the findings report will be shared at hui with interested marae during September, as part of initial discussions on a new Marae Investment Policy.

Ngā ritenga ā-pūtea / Financial implications

39. The Facility Partnerships Policy is not supported by a dedicated budget. Future investment in facility partnerships will be provided through existing budgets for facility development and operation, allocated through the Long-term Plan 2018-2028 and Annual Plans. Local boards may also award grants and community leases of council property to support facility partnerships.

Ngā raru tūpono / Risks

<table>
<thead>
<tr>
<th>Risk</th>
<th>Mitigation</th>
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<tbody>
<tr>
<td>Adoption of a new policy may create expectations that there will be additional budget to support facility partnerships.</td>
<td>All public-facing communications and guidance about the new policy will reference the funding available from existing regional and local budgets and how this will be allocated.</td>
</tr>
<tr>
<td>Existing facility partners may be concerned that the new policy will impact arrangements already in place, or ongoing council investment.</td>
<td>The new policy will guide decisions on new facility partnerships only, unless an existing partnership is already scheduled for review, and guidance will clearly state this. Where existing partnerships are to be reviewed, staff will ensure partners are adequately supported to prepare.</td>
</tr>
<tr>
<td>The transition to the new policy approach will be operationally complex. It impacts multiple teams across the council, and new business processes, guidance and forms will need to be designed to support it.</td>
<td>Detailed implementation planning will be required to ensure the transition is as smooth as possible. Phased implementation over the first financial year (2019/2020) may be necessary to achieve this.</td>
</tr>
</tbody>
</table>

Ngā koringa ā-muri / Next steps

40. A summary of all feedback and a final policy will be tabled for consideration and adoption by the Environment and Community Committee in November 2018.

41. Implementation of the new approach is expected to begin during the 2019/2020 financial year.

Ngā tāpirihanga / Attachments

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<th>No.</th>
<th>Title</th>
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<tbody>
<tr>
<td>A</td>
<td>Facility Partnerships Policy - summary of key policy positions (Under Separate Cover)</td>
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<tr>
<td>B</td>
<td>Draft Facility Partnerships Policy (Under Separate Cover)</td>
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<tr>
<td>C</td>
<td>Facility partnerships with Māori - Summary report (Under Separate Cover)</td>
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<tr>
<td>D</td>
<td>Draft Facility Partnerships Policy - Public feedback summary report (Under Separate Cover)</td>
<td></td>
</tr>
<tr>
<td>Author</td>
<td>Rebekah Forman - Principal Policy Analyst</td>
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<td></td>
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<tr>
<td>Authorisers</td>
<td>Kataraina Maki - GM - Community &amp; Social Policy</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Victoria Villaraza - Relationship Manager</td>
<td></td>
</tr>
</tbody>
</table>
Te take mō te pūrongo / Purpose of the report
1. To seek local board feedback on the draft Code of Conduct (code).

Whakarāpopototanga matua / Executive summary
2. The council’s initial code was prepared by the Auckland Transition Agency prior to Auckland Council commencing and was last reviewed in 2013. The code has worked well but there have been a number of issues identified. The Governing Body agreed that the code be reviewed through the Joint Governance Working Party. Presentations were made to local board cluster meetings earlier this year.

3. Based on feedback to date, an amended code has been drafted and the Joint Governance Working Party has approved it to be reported to local boards for feedback. The proposals contained in the draft code address the issues that were identified.

4. A comparison of the draft code with the current code can be summarised as follows:
   - the code itself is more concise
   - material breaches are defined
   - there are separate complaint processes depending on whether a complaint relates to a non-material breach, a material breach or conflict of interest
   - the current independent review panel is replaced by a Conduct Commissioner, who can impose sanctions
   - findings of the Conduct Commissioner (for material breaches) will be made public to assist compliance with sanctions imposed by the Conduct Commissioner
   - there is no political involvement in determining a complaint or imposing sanctions
   - related documents are bundled in with the code and key policies and protocols and adopted with the code:
     - Conflict of Interest Policy
     - access to information protocol
     - election year policy
     - communications policy
     - media protocols.

5. Local board feedback is being sought on the draft code.

Ngā tūtohunga / Recommendation/s
That the Maungakiekie-Tāmaki Local Board:
a) provide its feedback on the draft Code of Conduct attached to this report.
Horopaki / Context

What is the Code of Conduct

6. A code of conduct essentially sets out a council’s expectations about how members will conduct themselves. Every council is required to adopt a code of conduct (Local Government Act 2002, schedule 7, clause 15). It must set out:

(a) understandings and expectations adopted by the local authority about the manner in which members may conduct themselves while acting in their capacity as members, including—
(i) behaviour toward one another, staff, and the public; and
(ii) disclosure of information, including (but not limited to) the provision of any document, to elected members that—
(A) is received by, or is in the possession of, an elected member in his or her capacity as an elected member; and
(B) relates to the ability of the local authority to give effect to any provision of this Act; and
(b) a general explanation of—
(i) the Local Government Official Information and Meetings Act 1987; and
(ii) any other enactment or rule of law applicable to members.

7. Once adopted, a code of conduct requires a 75 per cent majority to change it.

8. Members of local boards must comply with the code of conduct that is adopted by the Governing Body (Local Government Act 2002, schedule 7, clause 36B).

Reasons for reviewing the Code of Conduct

9. In working with the current code, the council has experienced a number of issues:

- It is not easy to follow. It includes principles, descriptions of roles and responsibilities and statements about relationships and behaviours. However, a complaint about a breach can only relate to the section on relationships and behaviours.

- Although a positive aspect of the current code is a focus, initially, on resolving complaints to the satisfaction of the complainant, it is not appropriate for an allegation about a conflict of interest to be resolved to the satisfaction of the complainant. Conflict of interest allegations need to be tested against the law.

- The code does not distinguish between non-material and material breaches. All allegations of breaches are treated the same.

- The final point of escalation of a complaint is to the independent review panel which comprises three members. This process is valuable but is underused because it can be expensive with three members being required.

- There needs to be a requirement that a complainant has tried to resolve their complaint prior to submitting it to the formal complaint process in the code.

- The code is underused because it is seen to ‘lack teeth’. There needs to be a review of available sanctions.

10. PWC were commissioned to review the current code and the Governing Body agreed at its February 2018 meeting that the current code should be reviewed. The Joint Governance Working Party is overseeing the development of the code.
Engagement to date

11. Staff made presentations to local board cluster meetings and a Governing Body workshop earlier this year. Among the issues discussed was whether a revised code should be concise and principles-based or prescriptive.

12. The approach to the draft code was discussed with the Joint Governance Working Party, whose guidance included that there should be no political involvement in the determination of complaints and the imposition of sanctions.

13. A draft was presented to the Joint Governance Working Party on 12 September 2018 which the working party approved for reporting to local boards for their feedback.

Tātaritanga me ngā tohutohu / Analysis and advice

The draft code

14. The draft code is at attachment A.

15. The draft code is presented as two documents:
   - The code itself contains:
     - principles
     - descriptions of material breaches
     - the complaints process.
   - The second document contains attachments which provide more detail:
     - policies and protocols which are adopted along with the code and are an intrinsic part of the code. Elected members must abide by the conduct set out in these documents
     - description of applicable legislation which the Local Government Act requires all codes to contain
     - documents which are described as ‘external’ in the sense that they are agreed outside the code but are relevant to the conduct of members. An example is the Expenses Policy, which is agreed by the Finance and Performance Committee and approved by the Remuneration Authority. It is useful to have these documents included for easy reference and to provide context to some aspects of the code.

16. The code describes two key principles – trust and respect. The principle of trust captures the expectations of the community in their elected representatives. For example, the community trusts that members will act in the interest of the community and not their own interest. This principle encompasses the ethical dimension of conduct.

17. The principle of respect captures the expectations members have of each other in terms of their conduct towards each other and towards the public.

18. The principles are written in a style which indicates personal commitment (‘I will’).

The complaints process

19. The draft code contains definitions of ‘material breaches’. This defines what the bottom line is and at what point a breach needs to be treated more seriously than other breaches. A complaint which relates to a material breach is treated differently to a complaint which relates to a non-material breach.

20. A complaint is lodged with the Chief Executive. A complaint must set out what part of the code has been breached, must provide evidence of the breach and evidence of attempts to resolve the breach (where the code refers to Chief Executive, this includes a nominee of the Chief Executive).
21. If the complaint relates to a conflict of interest, the Chief Executive will arrange for the member to receive advice from either Legal Services or Audit and Risk. The complainant has no further role. If the member does not comply with advice, the matter becomes a material breach for investigation by the Conduct Commissioner.

22. In other cases, the Chief Executive refers the complaint to an ‘investigator’. An investigator is appointed by the Chief Executive and may be a staff member or external person.

23. The investigator conducts a preliminary assessment of the complaint and has the discretion to dismiss the complaint if it is frivolous or vexatious or without substance.

24. If the complaint relates to a non-material breach, the investigator may make non-binding recommendations, including a recommendation to apologise or undertake voluntary mediation.

25. If the complaint relates to a material breach, it is referred to a Conduct Commissioner. A Conduct Commissioner is a person of the calibre of a retired High Court judge and is selected from a list of such persons which has been approved by the Governing Body.

26. The Conduct Commissioner may direct mediation or conduct an investigation, which may include a hearing.

Sanctions

27. The Conduct Commissioner has the power to impose sanctions, including a requirement to apologise, withdraw remarks or make a public statement. The report of the Conduct Commissioner is formal and made public, to promote compliance with the sanctions imposed by the Conduct Commissioner.

28. The Conduct Commissioner replaces the current independent review panel, which is not used frequently due to the cost associated with it having three members.

29. Staff had been asked to investigate whether there could be financial sanctions. The Remuneration Authority was asked whether it would agree to a reduction of salary paid to a member who breached the code. The reply included the following:

- The Authority is often asked whether the performance of an individual or individuals is considered when making a determination. Performance does not feature in the list of criteria that the Authority is required to take into account. Therefore, it has no mandate to consider performance.

- Section 14 (implementation of determinations) of the Remuneration Authority Act 1977 says that every determination issued by the Authority must be implemented according to their tenor and it is unlawful to act contrary to a determination. This prevents a council from making deductions from an elected member’s salary.

Attachments to the code

30. The attachments include:

- policies and protocols that are adopted along with the code:
  - Conflict of Interest Policy
  - access to information protocol
  - election year policy
  - communications policy
  - media protocols
- a description of legislation that is required by the Local Government Act 2002
- documents that are external to the code but are included because they are relevant to conduct:
Maungakiekie-Tāmaki Local Board
23 October 2018

Item 17

- guide to governance roles and responsibilities
- guide to working with staff
- Expenses Policy.

31. The attached policies include the Conflict of Interest Policy which has been rewritten, and a new ‘access to information’ protocol. All other documents attached to the code are from existing sources and are not new.

Conflict of Interest Policy

32. The Conflict of Interest Policy has been updated to reflect the current legal position relating to conflicts of interest and pre-determination, as the current policy is out of date.

33. It remedies a current inconsistency between the treatment of financial and non-financial interests (being automatically disqualified from decision-making for a financial interest, but not for a non-financial interest).

34. It includes a new section on pre-determination, which is a separate legal concept to conflicts of interest.

35. It places stronger emphasis on the interests of the council in the probity and integrity of its decisions, as the consequences of failing to manage are more commonly borne by the council.

36. It is intended to be more user-friendly and accessible.

New protocol included: Elected member access to information

37. Included in the policies and protocols attached to the Code of Conduct is a new ‘Access to information protocol’. This protocol puts a framework around elected members’ legal right to council information under the ‘need-to-know’ principle. This protocol is in addition to the existing ways that elected members can gain access to information. It is aimed at addressing circumstances where there has been lack of clarity over requests for information where it is not clear if it is or is not confidential.

The ‘need-to-know’ principle for elected members

38. In addition to rights under the Local Government Official Information and Meetings Act 1987 (LGOIMA), elected members have a legal right to council information under the ‘need-to-know’ principle established by the common law. Under this principle, a good reason to access council information exists if an elected member shows that access to the information is reasonably necessary to enable them to perform their statutory functions as a member of the council. In some limited cases, elected members may also be able establish a ‘need-to-know’ council information relevant to their representative duties.

Why we are proposing a protocol

39. The purposes of the draft protocol are to:

- give effect to the legal ‘need-to-know’ principle
- enable elected members to properly perform their statutory functions as democratically elected local decision-makers, and to facilitate them in fulfilling their representative duties. This promotes democratic and effective local government
- provide elected members with better and more efficient access to council information than is provided for LGOIMA, by reducing the number of withholding grounds that can apply to the information and the timeframes for response
- provide for transparent and impartial Chief Executive decisions on requests under this protocol, and a democratic mechanism for the reconsideration of such decisions
• to provide that confidential council information will be made available to elected members in a manner that reflects the council’s legal duty to protect the confidentiality of the information and does not prejudice the interests protected by LGOIMA.

40. We have agreed with the Chief Ombudsman that we will develop a protocol to better manage elected member access to information.

41. Because this is the first time that council is adopting such a protocol, staff are suggesting that it is revisited and reviewed within 18 months of its adoption to ensure that it is working effectively, best enabling elected members to properly perform their statutory functions as democratically elected local decision-makers and facilitating them in fulfilling their representative duties.

Summary of suggested process in draft protocol

42. The protocol sets out a framework and process for elected member requests for council information. In summary, the process in the protocol is:

• elected members make a request for information held by council and explain why they need the information

• the Chief Executive makes a decision on whether the information is reasonably necessary for the elected member to exercise their statutory functions or performance of their representative duties, and whether any of the limited reasons to withhold may apply (for example if personal information should be redacted for Privacy Act reasons)

• decision and the provision of information to the elected member (with conditions if necessary for confidential information) within five working

• if an elected member is not happy with the Chief Executive decision, they can ask it to be reconsidered by the Audit and Risk Committee.

Local board feedback

43. Local board views are being sought on the proposed changes in the draft code and the supporting policies that will be adopted alongside the code. In particular:

• the principles based and positive intent in the drafting of the code

• defining material breaches and making the findings of complaints of a material breach public

• replacing the current independent review panel with an independent Conduct Commissioner, who can impose sanctions which means having no political involvement in determining a complaint or imposing sanctions

• support for the access to information protocol.

44. Feedback from local boards will be considered by the Joint Governance Working Party at its meeting on 31 October 2018. The working party will then recommend a final draft code to the Governing Body for adoption. Once adopted by the Governing Body, the code applies to all elected members.

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

45. Local board feedback will be reported to the Joint Governance Working Party. The code impacts local boards in that all members must abide by it.

Tauākī whakaaweawe Māori / Māori impact statement

46. The Code of Conduct is an internal procedural document. The principles and values expressed in the document provide for inclusivity and specifically, disallow discrimination.
Ngā ritenga ā-pūtea / Financial implications
47. There may be financial implications if the investigator that the Chief Executive appoints is external. Escalation to the Conduct Commissioner will have lesser financial implications than referral to a full review panel as provided in the existing code, but because of the reduced financial cost, may be utilised more often.

Ngā raru tūpono / Risks
48. There is a risk that some elected members will not be fully socialised with the new code. Staff will investigate how best to ensure all elected members are fully aware of the new code.

Ngā koringa ā-muri / Next steps
49. The feedback from local boards will be reported to the meeting of the Joint Governance Working Party on 31 October 2018. The working party will then recommend a final draft code to the Governing Body for adoption.

Ngā tāpirihanga / Attachments

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<table>
<thead>
<tr>
<th>Author</th>
<th>Warwick McNaughton - Principal Advisor - Democracy Services</th>
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<tbody>
<tr>
<td>Authorisers</td>
<td>Marguerite Delbet - General Manager Democracy Services</td>
</tr>
<tr>
<td></td>
<td>Louise Mason - GM Local Board Services</td>
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<td>Victoria Villaraza - Relationship Manager</td>
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Introduction

Every local authority is required to adopt a code of conduct. It must set out:

“(a) understandings and expectations adopted by the local authority about the manner in which members may conduct themselves while acting in their capacity as members, including—
   (i) behaviour toward one another, staff, and the public; and
   (ii) disclosure of information, including (but not limited to) the provision of any document, to elected members that—
      (A) is received by, or is in the possession of, an elected member in his or her capacity as an elected member; and
      (B) relates to the ability of the local authority to give effect to any provision of this Act; and

(b) a general explanation of—
   (i) the Local Government Official Information and Meetings Act 1987; and
   (ii) any other enactment or rule of law applicable to members.”

This code has two key principles: one reflecting the expectations of the community that elected members act in the community’s interest with high ethical standards and one reflecting members’ own expectations about how they will interact with each other, the public and staff. These principles are expressed positively in terms of trust and respect. The code also provides clarity about what is a significant breach.

There are various documents attached to the Code. Some of these form part of the Code and are adopted along with the Code. Members ensure their conduct is consistent with these documents. Others provide detail that is relevant to determining compliance with this Code and are not adopted as part of it.

The provisions for complaints provide for independent external assessments and judgements where appropriate. Political involvement is minimised.

Application

The code applies to elected members while acting in their capacity as elected members.

Conduct matters that arise in meetings should be dealt with under the meeting’s standing orders, however, a complaint relating to such a conduct matter, if not adequately dealt with at a meeting, may be made under the Code.

---

1 Local Government Act 2002, schedule 7, clause 15
1 Principles

1.1 Trust

I can be trusted to act in the community’s interest

I will:

- make decisions on their merits, in the interests of the public and unaffected by illegitimate considerations such as personal interest or other duties or relationships
- disclose all personal and outside interests, relationships and duties
- declare a conflict of interest and step aside from a decision where it might appear that I will not approach a decision on its merits, in the interests of the public and unaffected by a personal or outside interest, relationship or duty
- when making decisions, have an open mind to the views of others and to alternatives, and be prepared, despite any predisposition I may have, to change my mind
- ensure that I am not under an obligation to those that might inappropriately try to influence me in the performance of my duties
- be accountable for the decisions I make and co-operate with appropriate public scrutiny
- make an equitable contribution, including attending meetings and workshops, preparing for meetings, attending civic events, and participating in relevant training seminars
- act and make decisions openly and transparently
- be truthful and demonstrate honesty and integrity
- use council resources prudently and lawfully and not for my own purposes
- uphold the law, and promote and support high standards of conduct by leadership and example
- comply with the legislation, policies and protocols attached to this code
1.2 Respect

I will respect those I work with

I will interact with other elected members, staff and the public in a way that:

- encourages mutual respect and maintains the dignity of each individual
- recognises others’ roles and responsibilities
- is inclusive
- enables the co-existence of individual and collective responsibility
- allows for robust discussion and debate focusing on issues rather than personalities
- encourages thoughtful analysis
- maintains public confidence in the office to which I have been elected
- is open and honest
- maintains the confidentiality of information provided to me
- complies with the attached policies and protocols
2 Policies, protocols, legislation and external documents

The following are policies and protocols that provide more detail around agreed standards and procedures. These policies and protocols are adopted as part of the Code of Conduct.

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The following is a summary of legislation that is relevant to the conduct of members.

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The following are documents that exist independently of the Code of Conduct. They provide detail that is relevant to determining compliance with this Code of Conduct. These documents exist outside of the Code of Conduct and are not adopted as a part of the Code.

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</table>
3 Material breaches

- Participating in a decision where the member has been formally advised through the complaints provisions of this code that a conflict of interest exists
- Breaching cl 2.19 and cl 3.7 of the Conflicts of Interest policy
- Bullying, aggressive behaviour
- Discrimination
- Undermining other elected members, staff or the public
- Intentional misrepresentation of the statements or actions of others
- Intentional disclosure of confidential information
- Intentional misuse of council resources
- Harassment, including:
  - Violent threats or language directed against another person.
  - Discriminatory jokes and language.
  - Posting sexually explicit or violent material.
  - Posting (or threatening to post) other people’s personally identifying information.
  - Personal insults, especially those using racist or sexist terms.
  - Unwelcome sexual attention.
  - Advocating for, or encouraging, any of the above behaviour.
  - Continuing with unwanted behaviour after being asked to stop.

4 Complaints

4.1 Breach of the Code

All elected members must comply with the Code of Conduct and associated policies. Not doing so, constitutes a breach of the Code.

4.2 Complaints

Where an elected member, the chief executive (including on behalf of a member of staff from the council family) or a member of the public believes that an elected member has breached the Code, a complaint may be made.

The complaint must be made in writing and lodged with the chief executive, reference the part of the Code which is alleged to be breached, provide evidence of the alleged breach and evidence of attempts to resolve the complaint.
4.3 Principles

All complaints will be considered in a manner consistent with the principles that:

- the approach for investigating and assessing a complaint will be proportionate to the apparent seriousness, nature and complexity of the alleged breach; and
- the concepts of natural justice and fairness will apply in the determination of any complaints made under this Code.

4.4 Investigator, Conduct Commissioner, mediators

General
The Investigator, Conduct Commissioner and mediator will be separate persons in the case of any specific complaint.

Investigator
The chief executive will be responsible for the appointment of a suitable Investigator. This may be a staff member or external person.

Conduct Commissioner
The chief executive will recommend to the Governing Body, for approval, a list of persons who may be called on to fulfil the role of Conduct Commissioner.

Mediators
Mediators will be external and have established skills as mediators.

4.5 Receipt of complaint

On receipt of a complaint, the chief executive will follow the process set out in cl 4.11 if the complaint relates to a breach of the conflicts of interest provision in the Code.

All other complaints will be referred to an Investigator.

The chief executive will inform:

- the complainant that the complaint has been referred to the Investigator;
- the respondent that a complaint has been made against them, as well as the name of the Investigator, and the process for dealing with complaints as set out in the Code.

4.6 Preliminary assessment

On receipt of a complaint, the Investigator will determine if the complaint is:
• frivolous, vexatious, or without substance and should be dismissed;
• outside the scope of the Code and should be redirected or dismissed;
• relates to a non-material breach of the Code; or
• relates to a material breach of the Code and a full investigation is required.

Factors that can be considered when determining if a complaint is frivolous, vexatious, or without substance include whether complaints are intended to:
• intimidate or harass another member or employee;
• damage another member’s reputation;
• obtain a political advantage;
• influence the council in the exercise of its functions or to prevent or disrupt the exercise of those functions;
• avoid disciplinary action under this Code;
• prevent or disrupt the effective administration of this code;

or are not made in good faith.

The Investigator can make any initial inquiry that is necessary to determine the appropriate course of action.

Unless the Investigator determines otherwise, a full copy of the complaint will be provided to the respondent.

4.7 Dismissal of complaint

Where the Investigator decides that the complaint should be dismissed, the Investigator will inform the chief executive.

The chief executive will inform the complainant and the respondent of the Investigator’s decision.

The Investigator has full discretion to dismiss any complaint, and any decision made by the Investigator is not open to challenge.

4.8 Non-material breach

Where the Investigator finds that the complaint relates to a non-material breach of the Code, the Investigator will inform the chief executive and can choose to recommend an appropriate non-binding course of action for the respondent, which may include:

• seeking guidance from the Chairperson or Mayor, or other mentor;
8

- attending appropriate courses or programmes to increase their knowledge and understanding of the matters leading to the complaint;
- apologise to the complainant; and/or
- participating in voluntary mediation.

The chief executive will inform the complainant and respondent of the Investigator’s decision and any recommendations. The Investigator may also choose to recommend that the chief executive inform the Mayor or relevant Local Board Chair for information purposes only.

Any decision made by the Investigator is not open to challenge.

4.9 Material breach

Where the Investigator considers the complaint relates to a material breach of the Code, the Investigator will inform the chief executive and refer the complaint to a Conduct Commissioner. The chief executive will inform the complainant and respondent.

The Conduct Commissioner will then, in his or her complete discretion, either direct that the complaint should be mediated if the Conduct Commissioner considers there is a reasonable prospect that mediation will resolve the complaint. Alternatively, the Conduct Commissioner may decide to investigate the complaint to determine whether a breach is made out and the seriousness of it.

If mediation is directed, the mediator will be independent from the Investigator and the Conduct Commissioner. If the mediation is successful, the outcome of the mediation will be reported to the chief executive. If the mediation is unsuccessful, the Conduct Commissioner will carry out a full investigation.

If the Conduct Commissioner investigates the complaint, the Conduct Commissioner may:

- consult with the complainant, respondent and any affected parties;
- undertake a hearing with relevant parties; and/or
- refer to any relevant documents or information.

The Conduct Commissioner will also determine whether or not to impose any of the following sanctions on the elected member:

- a requirement to apologise and, if applicable, withdraw remarks
- a requirement to make a public statement correcting previous remarks which misrepresented the facts;
- a requirement to undertake specified training or personal development;
- suspending the elected member from committees or other representative bodies; and/or
• seeking guidance from the Chairperson or Mayor, or other mentor.

Following the investigation, the Conduct Commissioner will provide the chief executive with a report on the findings of the investigation and any sanctions that are imposed on the respondent. The chief executive will provide the report to the complainant, respondent, and the relevant local board or governing body for information purposes only.²

The decision made by the Conduct Commissioner is not open to challenge.

4.10 Public disclosure of complaints and outcomes

The public interest in the accountability of elected members needs to be balanced against the requirements of natural justice and privacy. Complaints relating to non-material breaches, and their outcomes, will not normally be proactively released.

Where the complaint relates to a material breach of the Code, the Conduct Commissioner will determine whether the outcome of the investigation, or the report, should be proactively released (having regard to the Local Government Official Information and Meetings act 1987). If it is proactively released, compliance with any sanctions imposed by the Conduct Commissioner will also be publicly recorded.

4.11 Alleged breach relates to a conflict of interest:

Where the alleged breach of the Code relates to a conflict of interest, the chief executive will inform the respondent of the complaint, and arrange for the member to receive advice from legal services or internal audit on conflicts of interest.

The chief executive will inform the complainant that advice on the matter has been sought. The complainant will not have any further involvement in the complaint following this.³

The advice is provided to the member and to the governing body (in relation to a complaint against a governing body member), or the local board (in relation to a complaint against a member of a local board).⁴

If the advice is that it would be reasonable for the elected member to conclude that they have a conflict of interest, they are required to declare the conflict and recuse themselves from any future decision on that matter. If the elected member does not take that action,

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² The decision on whether or not the report will be included on a public meeting agenda, will be made in light of the requirements of the Local Government Official Information and Meetings Act 1987.

³ Involvement by the complainant is not required as the matter is a question relating to the existence, or lack thereof, of a conflict of interest. It does not require the complaint being resolved to the satisfaction of the complainant.

⁴ Or to just the mayor / chair possibly – on the basis that the chair has this information should similar decision-making come up again.
the matter will be referred to the Conduct Commissioner for investigation as a material breach of the Code.

If the complaint is that an elected member has breached cl 2.19 of the Conflicts of Interest policy, that complaint will be referred to the Conduct Commissioner to investigate under cl 4.9 (Material breach) of this Code,
DRAFT
Auckland Council
Code of Conduct
- Attachments -
Adopted xxx 2018
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Policies and protocols

A. Conflict of interest policy

1 Purpose

1.1 This Policy sets out the expectations on and requirements of elected members of Auckland Council regarding conflicts of interest (bias) and predetermination.

1.2 This Policy seeks to preserve the integrity of the council’s decisions. If elected members participate in a decision when they have a conflict of interest or a closed mind, public confidence in those decisions will be diminished and the decisions themselves may be exposed to challenge on judicial review. This causes delay, cost and uncertainty for Auckland. Elected member conflicts of interests pose a reputational, legal and financial risk to not only the individual elected member, but also the council.

1.3 Conflicts of interest are concerned with public perceptions as to impartial decision-making, based on the interests or relationships of the decision-maker. Predetermination is concerned with “closed mind” decision-making, and is not dependent on the interests or relationships of the decision-maker.

1.4 The purposes of this Policy are –

(a) to ensure that elected members make decisions on their merits, in the interests of the public, and unaffected by illegitimate considerations such as personal interests, or other duties or relationships.

(b) to ensure that elected members make decisions with an open mind to the views of others and to alternatives, and be prepared, despite any predisposition, to change their mind.

(c) to ensure the integrity of decisions made by Auckland Council, and to ensure that people affected by, or interested in the council’s decisions, can have trust and confidence in the process and decisions made by elected members.

1.5 To achieve the purposes of this Policy, elected members must disclose all personal and outside interests, relationships and duties, abstain from discussion and voting where they have a conflict of interest or a closed mind, and make annual declarations of interest. A register of interests is also maintained by Auckland Council.

1.6 This Policy applies to all elected members of Auckland Council.

2 Conflicts of Interest (bias)

2.1 A conflict of interest may arise from a financial or non-financial interest of an elected member.
Financial interest

2.2 An elected member has a financial interest in a matter being decided by Auckland Council (Governing Body or local boards) if he or she could reasonably expect a financial gain or loss, depending on how the council decides to deal with the matter. An interest in common with the public (for example as a general ratepayer of Auckland) is not a concern. For a financial interest to arise, it does not matter how the elected member actually votes (or intends to vote), or whether financial gain is sought.

2.3 A member could have a financial interest if, for example, the decision could be expected to have an effect on the value of land or shares that an elected member owns, or the turnover of a business that an elected member is involved in. The interest may be direct or indirect (for example, through a company, or as the beneficiary of a trust). An elected member must consider the financial interests of his or her spouse/partner as his or her own.

2.4 Where a decision may give rise to a very small financial gain or loss to an elected member, this may be too trivial or negligible to amount to a financial interest. For example, the Office of the Auditor-General suggests that a loss or gain of $20 is likely to be trivial (although the exact amount will depend on the circumstances of the particular interest and decision).

2.5 The question of whether an interest is held in common with the public is a matter of fact and degree. While there is no formula that can be applied to this assessment, it generally requires a consideration of:

(a) whether there is a group of people “in common” with the member, who are affected by the proposed decision, in a similar way and to a similar magnitude. The most materially similar group should be considered (usually the smallest group, or the most significantly affected group); and

(b) whether the group can be considered the “public”, that is, whether the group is a fair proxy for the people of Auckland, and so it is legitimate for the elected member to act in the interest of this group to the exclusion of other groups?

2.6 If an elected member has a financial interest in a decision before the council, they must apply the test for a conflict of interest at clause 2.10 of this Policy to determine whether they may participate in decision-making on the matter.

2.7 Participating in a decision where an elected member has a financial interest may (as well as undermining the integrity of the council decision) also constitute an offence under the Local Authorities (Members’ Interests) Act 1968 (LAMIA), and this may have personal consequences for the individual elected member. See paragraph 2.16 for recommended steps where an elected member may have a financial conflict of interest.

Non-financial interest

2.8 An elected member has a non-financial interest in a matter being decided by Auckland Council, if he or she has a relationship or involvement with an individual or
organisation (usually separate to their role as an elected member), in circumstances where that individual or organisation is involved in or affected by a matter before the council.

2.9 The interest arises from a pre-existing state of affairs. Common non-financial interests may arise from a personal relationship, such as with family, friends, or iwi and hapū. Other interests may arise from involvement with organisations, such as community groups, clubs or churches.

Test for conflict of interest

2.10 Once a financial or non-financial interest is identified, the test for whether that interest may constitute a conflict of interest is:¹

Would a fair-minded observer reasonably think that a member of the decision-making body might not bring an impartial mind to the decision, in the sense that he or she might unfairly regard with favour (or disfavour) a particular position due to his or her financial or non-financial interest?

2.11 This question is not just limited to actual bias, but also the appearance or possibility of bias. This is because even the appearance of bias may undermine public trust and confidence in council decision-making.

2.12 When applying this test, fair-minded observers should be taken to understand the practicalities and political context of local government. Local authorities are different in nature to other decision-making bodies, such as courts and judges, and elected members are not required to be entirely impartial or removed from their communities. The democratic status of a local authority, the representative nature of members of a local authority, and the practice of decisions being made by a committee of members by majority vote must be recognised. So too must the type of decision being made. Some decisions, such as decisions under the Resource Management Act and those requiring a formal statutory process and hearing, require a higher degree of impartiality than decisions that are more high-level policy making, or where it is a recommendatory power only.

Management of Conflicts of Interest

2.13 Elected members are required to evaluate their financial and non-financial interests to determine whether or not they have a conflict of interest in any matter being discussed or voted on.

2.14 If an elected member is concerned they may have a conflict of interest in a matter before the council (either financial or non-financial), they must consider and review this Policy and the flow chart (see Appendix 3 of this Policy), and/or seek advice from the Chief Executive.

2.15 Additionally, if it is a financial interest, the elected member should review the Office of the Auditor-General Guidance for members of local authorities about the Local Authorities (Members’ Interests) Act 1988 (OAG Guidelines), and should also

consider seeking advice from the Office of the Auditor-General or independent legal advice.

2.16 If an elected member has a conflict of interest, they must not participate in discussion or voting on the matter. The elected member must:
   (a) declare that a conflict of interest exists at the beginning of the meeting;
   (b) refrain from discussing or voting on the matter;
   (c) leave the meeting table while the matter is being discussed or voted on (but may remain in the meeting room if appropriate);
   (d) ensure that the declaration and abstention are recorded in the meeting minutes.

2.17 Reminders to elected members to declare any conflicts of interests are included as a standard item on meeting agendas.

2.18 In addition, in order to protect against conflicts of interest, elected members must not accept any gifts (including hospitality and entertainment) from parties to any regulatory process that the council is making decisions on, where the elected member is directly involved or interested in the governance or administration of regulatory process itself. This requirement does not apply to regulatory decisions which concern the public generally, for example, decisions relating to the adoption or review of a Bylaw.

2.19 It is a breach of this Policy if an elected member has a financial or non-financial conflict of interest in a decision, and does not manage it in accordance with clauses 2.13 - 2.18 of this Policy.

Local Authorities (Members’ Interests) Act 1968 (LAMIA)

2.20 In addition to this Policy, elected members must also comply with any other legal requirements relating to conflicts of interest. This includes the requirements set out in LAMIA. Of particular note:
   (a) it is an offence under LAMIA for an elected member to participate in discussion or voting on any matter before the council in which they have a direct or indirect financial interest, other than an interest in common with the public;² and
   (b) an elected member is automatically disqualified from office, if they are “concerned or interested” in contracts with the Council and the total payments made, or to be made, by or on behalf of the Council exceed $25,000 (inclusive of GST) in any financial year.³

² Local Authorities (Members’ Interests) Act 1968, section 6.
³ Local Authorities (Members’ Interests) Act 1968, section 3.
2.21 For advice on compliance with LAMIA, elected members should review the OAG Guidelines and/or seek advice from the Office of the Auditor-General or independent legal advice.

3 Pre-determination

3.1 Pre-determination is concerned with “closed mind” decision-making and, unlike conflicts of interest, is not dependent on the relationships or interests of the decision-maker. It is generally based on the expression of a view or conduct; for example, an elected member making a statement that indicates their mind is made up about a particular matter before having heard all views, or refusing to read or listen to reports or submissions presented to the council on the matter.

Test for pre-determination

3.2 Pre-determination requires proof of “actual pre-determination or fettering rather than the appearance of the same”. For an elected member to have pre-determined a matter, they must have an actual closed mind.

3.3 In a local authority context, elected members may approach their task with a legitimate predisposition to decide in accordance with particular views on certain issues that they have previously articulated. What is critical is that an elected member is “prepared, despite predisposition, honestly to consider whether to change its mind”.

Avoiding pre-determination

3.4 Elected members must approach decisions with an open mind. They must listen to and consider the views of others, staff reports and advice, and submissions and feedback presented to the council. They should avoid making statements or exhibiting behaviours that suggest that they have made up their mind before all views have been heard and deliberated.

3.5 Where an elected member has pre-determined a matter, they must refrain from discussing or voting on the matter. In addition, elected members must not deliberate on a public consultation process where that member has made a personal submission.

3.6 If an elected member is in doubt as to whether there is a risk of pre-determination, they must consider and review this Policy, and/or seek advice from the Chief Executive. The elected member may also find assistance from the Office of the Auditor-General Guidance on LAMIA.

3.7 It is a breach of this Policy for elected members to discuss or vote on a matter if they did not approach the decision with an open mind.

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4 Travis Holdings Ltd v Christchurch City Council [1993] 3 NZLR 32 (HC) at 47.
5 Friends of the Turia Reserve Society Inc v Palmerston North City Council [2008] 2 NZLR 661 (HC) at [102], per Baragwanath J.
4 Register of Members’ Interests

4.1 Elected members must make a full and complete declaration of interests they hold each year, as at 30 June (the Annual Declaration). For members elected to the Governing Body or a local board for the first time during the preceding 12 months, the Annual Declaration is not required to include information that relates to the period before their election.

4.2 The Annual Declaration must notify the council of the nature and extent of any interest as required under clause 4.5 below.

4.3 The Annual Declarations must be transmitted to the Registrar by 31 July each year. Elected members must also advise as soon as practicable during the year if any new interests arise.

4.4 The Annual Declarations for all elected members are recorded in a Register of Members’ Interests maintained by the council (the Register).

Content of Return of Declaration of Members’ Interests as at Effective Date of Return (30 June)

4.5 Every Annual Declaration must notify the council of the nature and extent of any interest, including:

   (a) Property interests: location of, and general nature and extent of, any legal or beneficial interests in land in Auckland of the member or their spouse/partner;

   (b) Trusts (beneficiary): general nature and extent of any interest in trusts for which the member or their spouse/partner is aware, or ought reasonably to be aware, that they are a beneficiary;

   (c) Companies and businesses: name of any company or business, and general nature and extent of, any financial interest of the member or their spouse/partner in the company or business. This does not include interests only as a director in a company or business;

   (d) Employment: any employment for which the member receives remuneration, including the name of each employer of the member, a description of the main business activities of each employer, and the nature of the member’s role and remuneration;

   (e) Other sources of income: any other role for which the member receives remuneration, and the nature of the remuneration, including for directorships, trusteeships, or other governance roles;

   (f) Debtors: any debtors of the member and their spouse/partner, including the name of the debtor, a description of the debt owed and the interest rate, and whether the debt is worth more or less than $50,000;

   (i) For the purposes of this clause, a member does not have to disclose:
(A) A relationship property settlement, where the member is a creditor in respect of the settlement;

(B) Any debt if the debtor is the member’s spouse or domestic partner or any parent, child, step-child, foster-child or grandchild of the member; or

(C) Any debt if it is for the supply of goods or services and payment is required within 90 days of supply, or 90 days after the date of an invoice where the supply is continuous and periodic;

(g) Creditors: any creditors of the member and their spouse/partner, including the name of the creditor, a description of the debt owed and the interest rate, and whether the debt is worth more or less than $50,000;

(i) For the purposes of this clause, a member does not have to disclose

(A) Any home loan or mortgage from a registered bank;

(B) A relationship property settlement, where the member is a debtor in respect of the settlement;

(C) Any debt if the creditor is the member’s spouse or domestic partner or any parent, child, step-child, foster-child or grandchild of the member; or

(D) Any debt if it is for the supply of goods or services and payment is required within 90 days of supply, or 90 days after the date of an invoice where the supply is continuous and periodic;

(h) Contracts: any contracts with Auckland Council that the member or their spouse/ partner are involved in (or a company or business that the member or their spouse/ partner are interested in), and under which they receive payments from the council, including the general nature of the contract, the nature of your rights, and whether the combined value of payments by the council under the contracts is worth more or less than $25,000 in any financial year;

(i) Trusts (trustee): general nature of any trust for which the member is a trustee, and its activities and beneficiaries;

(j) Governance: any governance roles in community organisations, including the name of the organisation and the nature of the member’s role;

(k) Membership and patronage of community organisations: any community or other organisation of which the member is a member or patron, including the name of the organisation and the nature of the role;

(l) Other appointments: any appointment, except those made by the Governing Body or a local board, including the name of the organisation the member has been appointed to, and the nature of the appointment;
(m) **Travel costs:** any contributions to travel costs of the member made by third parties, and the value of the contribution;

(n) **Gifts:** a description of gifts received over the value of NZD$300, and the name of the donor of each of those gifts (if known or reasonably ascertainable by the member);

(i) For the purpose of this clause, **gift**—

- (A) Includes hospitality (e.g., meals, corporate box) and donations in cash or kind other than donations made to cover expenses in an electoral campaign;

- (B) Excludes gifts received from family members (that is, any of the following: the member’s spouse or domestic or any parent, child, step-child, foster-child or grandchild of the member).

(o) **Personal debts:** description of personal debts of more than NZD$300 that were owing by the member that were discharged or paid (in whole or part) by any other person and the names of each of those persons.

4.6 Except as otherwise provided, nothing in the Annual Declaration requires the disclosure of the actual value, amount or extent of any asset, payment, interest, gift, contribution or debt.

**Maintenance of the Register**

4.7 The Register is maintained and updated on an ongoing basis, comprising all returns transmitted by elected members. Additional interests declared during the course of the year will be added to the Register as they occur.

4.8 The Register is maintained by the Registrar, or anyone who is authorised by the Registrar to act on their behalf. The Registrar is appointed by the Chief Executive, for the purposes of:

- (a) Compiling and maintaining the Register; and

- (b) Providing advice and guidance to members in connection with their obligations under Section 4 of this Policy.

4.9 The Register (or a fair and accurate summary of its contents) is available for public inspection. The Register or the summary is published on the council’s website.

**5 Further Information and Guidance**

5.1 If an elected member has further questions about any matter covered by this Policy, they should:

- (a) Seek advice from the Chief Executive;

- (b) If they are concerned they may have a financial interest in a decision or may breach their obligations under LAMIA, consult the Office of the Auditor-
General Guidance on LAMiA and/or seek advice from the Office of the Auditor-General;

(c) Seek independent legal advice.
Appendix 1: Types of financial interests which may give rise to a conflict of interest

<table>
<thead>
<tr>
<th>Type of interest</th>
<th>Information that may be relevant in evaluating conflicts</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Land (legal interest)</strong> – Legal interests in land in Auckland owned by the member or their spouse / partner.</td>
<td>Address or location of the land, the type and extent of interest, any formulated development plans for that land (e.g. a resource consent application).</td>
</tr>
<tr>
<td><strong>Trusts (beneficiary)</strong> – Trusts for which the member or their spouse / partner is a beneficiary.</td>
<td>Name and type of the trust, the beneficiaries of the trust, the major assets of the trust in Auckland including any major interest in land in Auckland.</td>
</tr>
<tr>
<td><strong>Shares (public company)</strong> – Any shares held by the member or their spouse / partner in a publicly listed company operating in Auckland.</td>
<td>Name of the company, the number of shares owned, the nature of the business.</td>
</tr>
<tr>
<td><strong>Private companies</strong> – Any shares or ownership stake held by the member or their spouse / partner in a private company or other business (including as a sole trader, partnership or joint venture) operating in Auckland.</td>
<td>Extent of the ownership interest in the business, the nature of the business, the address of any sites it uses in Auckland (e.g. for trade or offices), the major assets of the company in Auckland.</td>
</tr>
<tr>
<td><strong>Land (other beneficial interest)</strong> – Any other beneficial interest in land in Auckland owned by member or their spouse/ partner (e.g. a reversionary interest or a future interest).</td>
<td>Address or location of the land, the type and extent of interest, and any formulated development plans for that land (e.g. a resource consent application).</td>
</tr>
<tr>
<td><strong>Remuneration for governance roles</strong> – Any directorships, trusteeships or other governance roles of the member or their spouse / partner for which they could receive remuneration.</td>
<td>Nature of the role, the nature of the remuneration that the member or their spouse /partner receives in this role and the major assets of the organisation in Auckland.</td>
</tr>
<tr>
<td><strong>Employment</strong> – Any employment roles of the member or their spouse / partner.</td>
<td>Nature of the organisation, role and remuneration.</td>
</tr>
<tr>
<td><strong>Debtors</strong> – Any person or organisation that owes money to the member or their spouse/partner.</td>
<td>The debtor and the amount owed.</td>
</tr>
<tr>
<td><strong>Creditors</strong> – Any person or organisation that the member or their spouse/partner owes money.</td>
<td>The creditor and the amount owed.</td>
</tr>
</tbody>
</table>
## Appendix 2: Types of non-financial interests which may give rise to a conflict of interest

<table>
<thead>
<tr>
<th>Type of interest</th>
<th>Information that may be relevant in evaluating conflicts</th>
</tr>
</thead>
<tbody>
<tr>
<td>Other duties and roles</td>
<td>Nature of the organisation, business, beneficiaries, the address of any sites it uses in Auckland (e.g. for trade or offices), its major assets in Auckland, the objects of the organisation, the nature of the member’s role and duties (in particular, whether the member has fiduciary obligations or has access to confidential information).</td>
</tr>
<tr>
<td>Trusteeships, directorships or other governance roles – Organisations for which the member participates in the governance body.</td>
<td>Nature of the organisation, business, beneficiaries, the address of any sites it uses in Auckland (e.g. for trade or offices), its major assets in Auckland, the objects of the organisation, the nature of the member’s role and duties (in particular, whether the member has fiduciary obligations or has access to confidential information).</td>
</tr>
<tr>
<td>Other duties or obligations – Any person or organisation that the member has a duty to, especially a fiduciary obligation, e.g. clients or power of attorney.</td>
<td>Nature of the person or organisation, their interests in Auckland, the objects of the organisation, the nature of the member’s role and duties (in particular, whether the member has fiduciary obligations or confidential information).</td>
</tr>
</tbody>
</table>

### Close associations

| Memberships, patronage or close association with organisations – Any organisation that the member belongs to, or has a close association with (for example because they are a patron). | Nature of the organisation, business, beneficiaries, the address of any sites it uses in Auckland (e.g. for trade or offices), its major assets in Auckland, the submissions and objects of the organisation, and the nature of the member’s involvement in the organisation. |
| Close relatives, business partners or other persons closely associated with the member – Any person that the member is closely associated with, such that the member may be perceived to act in their interests. | The name of the person, the nature of their interests in Auckland, including any significant financial interests. |
Appendix 3: Do you have a conflict of interest in a council decision that means you should not participate in discussion or voting?

Identify what possible financial and non-financial interests you have

FINANCIAL INTERESTS

Identify: What is the matter for decision, and what are the various ways the council could deal with the matter?

Do you have a financial interest in the matter for decision?

Could you or your partner/spouse reasonably expect a non-trivial financial gain or loss depending on how the council decides to deal with the matter for decision?

NO

YES

Is the financial interest in common with the public?

NO

YES

You can participate in discussion and voting on the matter

You have determined you do not have a conflict of interest in the matter. You should consider seeking independent legal advice about whether participation in this matter is a breach of LAMIA if you have or are concerned you have a financial interest.

NON-FINANCIAL INTERESTS

Identify: What is the matter for decision, and what are the various ways the council could deal with the matter?

Do you have a non-financial interest in the matter for decision?

- Do you have a close association with an individual or organisation which is affected by the decision?
- Is the decision likely to affect an organisation or person that you have duties to or a role with?

NO

YES

You can participate in discussion and voting on the matter

Is your interest a conflict of interest?

Would a fair-minded observer reasonably think that you might not bring an impartial mind to the matter because of your financial or non-financial interest, in that you might unfairly regard with favour or disfavour a particular position due to your interest?

NO

YES

You have a conflict of interest in the matter. You should declare your interest and abstain from discussion or voting on the matter.
B. Access to information protocol\textsuperscript{6}

The purpose of this protocol is to provide elected members with a formal mechanism for access to Council information, that is better and more efficient than provided for in the Local Government Official Information and Meetings Act 1987 (LGOIMA).

This protocol is not the only way that elected members can access Council information. Elected members can continue to obtain Council information through the usual variety of channels such as discussion or correspondence with Council staff, agenda reports, and other elected members, and under LGOIMA.

\textsuperscript{6} Version – 15.8.2018
Elected member makes request for information
Request is to the CE, states the basis on which the information is sought and agrees to abide by the protocol.

CE decides if ‘good reason’ principle applies
Good reason principle will apply if access to the information is reasonably necessary to enable the elected member to properly perform their statutory functions or representative duties.

Information is required for statutory functions
Response due 5 working days from date of request.

Information is required for representative duties
Response due 5 working days from date of request.

Information is not required for either reason

CE considers whether information should be released or withheld
CE may withhold information under three LGOIMA grounds:
- maintenance of the law
- personal safety
- free and frank expression of opinion in public affairs
unless the information could be made available to the elected member in a confidential manner that mitigates concerns and serves the member’s reason for accessing the information.

CE considers whether information should be released or withheld
CE may withhold information under any of the LGOIMA grounds unless the information could be made available to the elected member in a confidential manner that mitigates concerns and serves the member’s reason for accessing the information.

Request considered under LGOIMA
Response due 20 working days from initial date of

CE decides what information is released and how
Non-confidential Council information is released to the elected member.

For confidential Council information, the CE decides:
- What information is withheld and why.
- What conditions will attach to the release of confidential information.

Provision of information
CE provides the member with the response and makes the information available, subject to any withholding grounds and confidentiality requirements.
Elected member has a Code of Conduct duty to maintain confidentiality.

Elected member may challenge decision
Elected member may challenge the decision of the CE by requesting that the Audit & Risk Committee reconsider the decision.

Clauses 3.7 and 3.9
Clauses 3.8 and 3.9
Clauses 3.10, 3.11, 4.9
Clauses 4.9, 4.10 and 5.1
Clauses 4.13 – 4.17.
15

1 Purpose

1.1 This protocol establishes a formal mechanism for elected members to access Council information in order to perform their functions and duties as members of the Council.

1.2 This protocol provides that elected members have a legal right to access Council information in certain circumstances. However, this protocol is not the only way that elected members can access Council information. Elected members can continue to obtain Council information through a variety of channels such as agenda reports, discussion or correspondence with Council staff and other elected members, and under LGOIMA.

1.3 The purposes of this protocol are –

a) To give effect to the legal principle that elected members have a right, in certain circumstances, to access Council information where reasonably necessary to enable them to properly perform their statutory functions as democratically elected local decision-makers.

b) To facilitate elected members in fulfilling their representative duties as members of the Council, to promote democratic and effective local government.

c) To provide elected members with better and more efficient access to Council information than is provided for in the Local Government Official Information and Meetings Act 1987 (LGOIMA), by reducing the number of withholding grounds that can apply to the information and the timeframes for response.

d) To provide for transparent and impartial decisions on requests by elected members to access Council information under this protocol, and for the decisions to be made by the Chief Executive.

e) To provide a democratic mechanism for the Governing Body to reconsider the decisions of the Chief Executive made under this protocol.

f) To provide that confidential Council information will be made available to elected members in a manner that reflects the Council’s legal duty to protect the confidentiality of the information and does not prejudice the interests protected by sections 6 or 7 of LGOIMA.

2 Interpretation

2.1 “Council information” means any information held by the Council and includes information held by:

a) the Chief Executive and Council staff;

b) elected members;

c) the Office of the Mayor; or

d) a statutory officer of the Council;

in the capacity as an officer, member or employee of the Council.
2.2 “Council information” does not include information held by a council-controlled organisation.

2.3 “Confidential Council information” means any Council information that is not publicly available and that the Council could withhold from a member of the public under LGOIMA.

3 **Elected members’ right to Council information under the “good reason” principle**

Council information that a member has good reason to access

3.1 An elected member is entitled to access Council information if he or she has a good reason to access that information.

3.2 Such a good reason will exist if access to the Council information is reasonably necessary to enable the elected member to properly perform:

(a) his or her statutory functions as a local decision-maker (“required for statutory functions”); or

(b) his or her representative duties as a member of the Council (“required for representative duties”).

unless, in either case, the withholding grounds in clause 3.7 or 3.8 of this protocol apply.

Information required for statutory functions under clause 3.2(a)

3.3 The statutory functions of an elected member (except in the case of the Mayor) are only performed through the Governing Body and Local Boards as collective decision-making bodies, unless an elected member has received delegations. The Mayor has distinct individual statutory functions, which are defined in section 9 of Local Government (Auckland Council) Act 2009 (LGACA).

3.4 Unless a withholding ground under clause 3.7 of this protocol applies, a good reason to access the information will exist where:

a) for any **elected member**, the information is relevant to and reasonably necessary for that elected member to properly perform their statutory functions in relation to any business reasonably expected to be transacted at a meeting of a decision-making body of which the member is a part such as the Governing Body, a Local Board or a Council committee;

b) for an elected member with **delegated decision-making powers**, the information is relevant to and reasonably necessary for that elected member to properly perform their statutory functions in relation to any decision that he or she will make under a delegated function; or

c) for the **Mayor** only, the information is relevant to and reasonably necessary for the Mayor to properly perform their statutory functions in relation to the Mayor’s distinct statutory functions in section 9 of LGACA.
Information required for representative duties under clause 3.2(b)

3.5 Unless a withholding ground under clause 3.8 of this protocol applies, a good reason to access the information will exist where the information is relevant to and reasonably necessary for an elected member to properly perform his or her representative duties, and the elected member seeks, in good faith, to access the information in order to represent his or her constituents, or the people of Auckland, in matters of Auckland’s local government.

3.6 For the avoidance of doubt, it will not be reasonably necessary for an elected member to access Council information to properly perform his or her representative duties under clause 3.2(b) if the information is sought by an elected member on behalf of a constituent. In such cases, the information should be sought by the elected member under LGOIMA.

Grounds for withholding information

3.7 Information that an elected member would otherwise have a good reason to access under clause 3.2(a) (required for statutory functions) may be withheld if:

(a) Section 6 of LGOIMA (conclusive reasons for withholding information) applies. This will be the case when making the information available to the elected member or Mayor would be likely to—

(i) prejudice the maintenance of the law, including the prevention, investigation, and detection of offences, and the right to a fair trial; or

(ii) endanger the safety of any person.

(b) The information is generated by or on behalf of an elected member, the Mayor or the Office of the Mayor, and a good reason to withhold the information under section 7(2)(f)(i) of LGOIMA exists. That will be the case when withholding the information is necessary to maintain the effective conduct of public affairs by protecting the free and frank expression of opinions.

3.8 Information that an elected member would otherwise have a good reason to access under clause 3.2(b) (required for representative duties) may be withheld if a good reason to withhold the information under section 6 or 7 of LGOIMA exists.

3.9 In all circumstances, information may not be withheld from the elected member under clauses 3.7 or 3.8 if the information could be made available to the elected member confidentially (under clauses 3.10-3.11 of this protocol) in a manner that:

(a) mitigates prejudice to the interests protected by the applicable withholding ground under section 6 or 7 of LGOIMA; and

(b) reasonably serves the elected member’s good faith reasons for seeking access to the information.

Manner in which access to information is provided

3.10 For any request made under this protocol, Council information that is not confidential must be made available in the way preferred by the elected member requesting it, unless to do so would impair efficient administration or be contrary to a legal duty of the Council.

3.11 For any request made under this protocol, confidential Council information must be made available by:
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(a) providing a copy of the information, with or without a distinguishing mark and/or a requirement that the copy be returned within a specified period;

(b) providing access to the information through an electronic portal;

(c) furnishing oral information about the information;

(d) giving the elected member or Mayor a reasonable opportunity to inspect the information; and/or

(e) giving an excerpt or summary of the information;

(f) and in all cases, if required to protect the privacy of natural persons, by providing the information with personal information redacted.

3.12 Any conditions placed on access to information in accordance with clause 3.10 above must be reasonably necessary to protect the interest that renders the information confidential, and take into account the circumstances and the nature of the confidentiality.

4 Requests for information under the “good reason” principle

Making a request

4.1 Elected members may seek access to Council information under this protocol by making a request in writing to the Chief Executive.

4.2 An elected member making a request for access to Council information must state in writing:

(a) whether the information is sought for the member to properly perform either:

(i) his or her statutory functions as a local decision-maker; (under clause 3.2(a)); or

(ii) his or her representative duties as a member of the Council (under clause 3.2(b)); and

(b) the circumstances that mean the information is reasonably necessary for that purpose.

4.3 By making a request under this protocol, an elected member agrees to abide by any restrictions regarding access to confidential Council information that are required by the Chief Executive under clauses 3.10 and 3.12.

Timeframe for response

4.4 After receiving a request under this protocol, the Chief Executive must make a decision as soon as reasonably practicable and in no case later than 5 working days.

4.5 In either case, the Chief Executive may extend the time for decision and response on a request by a further 5 working days if:

(a) consultations are necessary to make a decision on the request; or

(b) meeting the original time limit would unreasonably interfere with the operations of the Council.
4.6 If a request relates to business to be transacted at a Council meeting then the Chief Executive’s decision should, to the extent possible, be provided at least one working day before the meeting.

Consultations

4.7 If the information requested is held by an elected member, the Office of the Mayor or a statutory officer of the Council, the Chief Executive must consult with the person who holds the information before making a decision.

4.8 Where an elected member, the Office of the Mayor or a statutory officer of the Council holds information requested under this protocol, that person must provide that information to the Chief Executive to enable the Chief Executive to make a decision on the request.

Decision and response

4.9 The Chief Executive must make a decision and notify the elected member whether the information requested will be withheld or provided.

4.10 The Chief Executive’s response must inform the elected member of:

(a) whether any of the information requested is held as Council information and whether it is confidential Council information;

(b) the Chief Executive’s decision on whether access to the information is reasonably necessary for the elected member under clause 3.2(a) (required for statutory functions) or clause 3.2(b) (required for representative duties); and

(c) any withholding grounds that apply to the information requested;

(d) any conditions of provision of confidential Council information that will apply under clause 3.10.

4.11 If the information is to be provided to the elected member, the Chief Executive must enable the member to access the information in accordance with clauses 3.10 – 3.12.

4.12 If the Chief Executive considers the member does not have a good reason to access the information, the Chief Executive should ensure that the request is subsequently considered by the Council in accordance with LGOIMA. In these circumstances, the request must be treated by the Council as having been made under LGOIMA on the date that it was first made to the Chief Executive.

Challenging a decision of the Chief Executive

4.13 If any elected member is dissatisfied with a decision of the Chief Executive under this protocol, the elected member may refer the matter to a meeting of the Audit & Risk Committee.

4.14 To make such a reference, the elected member may ask that the Chief Executive place the matter on the agenda of the Audit & Risk Committee. Such a request must comply with clauses 2.52, 2.54 and 2.57 of the Audit & Risk Committee’s Standing Orders, as if the request were a notice of motion.

4.15 Once a matter is referred to the Audit & Risk Committee, the Audit & Risk Committee may resolve to either:
5 Duty to maintain confidence

5.1 Elected members have a legal duty to maintain the confidentiality of any confidential Council information that is provided to them.

5.2 A failure to maintain the confidentiality of such information is a breach of this protocol and of the elected members’ Code of Conduct.
C. Election year policy

1 Summary

1.1 In an election year, elected members standing for re-election “wear two hats”. They continue to make the decisions of the Auckland Council and, as candidates, campaign for re-election.

1.2 If an incumbent elected member is standing for re-election, he or she must clearly and transparently differentiate between council ‘business as usual’ and campaigning for re-election. This policy will assist elected members to manage this important distinction, particularly during any year in which a local government election is held.

1.3 Resources owned by the Auckland Council and made available to elected members should only be used for Auckland Council purposes. This applies at all times.

1.4 During an election year, the use of council resources for re-election purposes is unacceptable and possibly unlawful.

1.5 This policy is based on guidance from the Auditor General.

2 Who does this policy apply to?

2.1 The policy applies to all Auckland Council elected members and advisory panel members.

2.2 The Independent Māori Statutory Board (IMSB) and the boards of Council-Controlled Organisations are requested to note the relevant principles in this policy and apply them, as appropriate, to their boards.

3 Complaints about potential breaches of this policy

3.1 Complaints about potential breaches of this policy must be made in writing to Auckland Council’s chief executive who will consider each complaint on a case by case basis with reference to this and other relevant policies.

3.2 Complaints about the conduct of the elections are made to the electoral officer. If any complaint involves the use of council resources the electoral officer will bring the complaint to the attention of the chief executive.

4 Principles

4.1 This policy is based on two complementary principles:

   Principle 1: Resources owned by the Auckland Council and made available to elected members should only be used for Auckland Council purposes.

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7 “Good Practice for Managing Public Communications by Local Authorities” (Office of the Auditor-General).
8 Auckland Council Code of Conduct: Elected Members, para 7.9.3
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This applies at all times, not just during an election year.

Principle 2: The use of council resources for re-election purposes is unacceptable and possibly unlawful.9

4.2 This is consistent with the Auditor-General’s good practice guide and is specific to election year.

4.3 Elected members standing for re-election should clearly and transparently differentiate between council ‘business as usual’ and campaigning for re-election.

5 General business of council continues during pre-election period

5.1 The normal business of council continues during an election year, including during the pre-election period and elected members continue to have the right and responsibility to govern and make decisions.

5.2 During the pre-election period a heightened level of media and public scrutiny about council’s decisions and business can be expected. To assist elected members and council staff during this period, the governing body and each local board may choose to adopt certain limited restraints on business as usual. For example:

- as far as is reasonably possible, make significant decisions and provide direction to officers on any major issues prior to the pre-election period
- decide not to make major policy decisions or changes which will significantly impact on the incoming council during the pre-election period.

5.3 Choosing to adopt limited restraints on normal business during the pre-election period assists elected members and employees to manage any potential confusion which may occur between council’s business as usual and candidates’ campaign manifestos.

5.4 It is important to note that not all decisions should, or can, be made prior to the start of the pre-election period. The general principle is that business can continue as normal.

6 Use of council resources

6.1 If a sitting elected member is seeking re-election a clear and transparent distinction will be made between that member’s business-as-usual activities and the member’s campaigning activities.

6.2 Elected members can use council resources and technology only in their capacity as an elected member of Auckland Council and should use their own resources and technology in their capacity as an election candidate.

6.3 Council’s policy on the use of technology may allow limited personal use of council resources such as mobile phones, by elected members on the basis of reimbursing the council for any actual cost to the council.

6.4 In an election, the council does not supply any candidate with technology resources. Having access to a council resource could create an electoral advantage, regardless of

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9 Principle 12, “Good Practice for Managing Public Communications by Local Authorities” (Office of the Auditor-General).
whether there is an actual cost to the council. All candidates, including sitting members, should use their own resources for electioneering.

6.5 Mileage allowances will not be paid for any travel relating to electioneering\textsuperscript{10}.

7 Use of mayoral resources

7.1 Council resources provided for mayoral use should not be used for any electioneering activities associated with any candidate.

7.2 If an incumbent mayor is seeking re-election a clear and transparent distinction will be made between that mayor’s business-as-usual activities and the mayor’s campaigning activities. An incumbent mayor seeking re-election will establish a separate office, with separate staff, for any campaigning activities.

7.3 The incumbent mayor’s office will establish systems and protocols to ensure that any information or other requests from the public, media, other elected members or council employees during the pre-election period are identified as either business as usual or campaign related and to ensure that these are kept separate and responded to appropriately.

8 Elected members correspondence

8.1 During the pre-election period normal day-to-day elected members’ official correspondence with their constituents on appropriate matters should not be inconsistent with the general principle that Auckland Council must not promote, nor be perceived to promote, the re-election prospects of a sitting member or any candidate for election.

8.2 Correspondence relating to any sitting member’s campaign for re-election should not utilise an Auckland Council email address, Auckland Council stationery or Auckland Council business card.

8.3 Business cards will not be renewed during the pre-election period.

9 Council communications

9.1 The use of Auckland Council communication resources for re-election purposes is unacceptable and may be unlawful\textsuperscript{11}.

9.2 Criticism of an elected member or candidate for election by a sitting elected member is unacceptable in any council-funded communication.

9.3 Criticism of decisions of the governing body by any local board; criticism of decisions of any local board by the governing body; and criticism of decisions of any local board by another local board is unacceptable in any council-funded communication.

9.4 Auckland Council’s Communications Policy and the policies referred to in that document apply at all times.

\textsuperscript{10} Elected Members Expense Policy 1 October 2014, v 2.2 para 57.

\textsuperscript{11} Principle 12, “Good Practice for Managing Public Communications by Local Authorities” (Office of the Auditor-General). An intent of this section is to avoid elected members who are candidates using council funded communications as part of their campaign, whereas other candidates have to use their own resources.
9.5 Particular care will be exercised in the use of council resources for communications to ensure that they do not unreasonably raise, or could have the effect of unreasonably raising, the personal profile of any elected member or candidate for election in the community. This will include careful consideration of the tone, content and style of any communication to ensure that it is factual, accurate, complete, fairly expressed, and politically neutral.

9.6 During the pre-election period, the following communications must be authorised by Auckland Council’s chief executive, or his or her delegate:

• Council-funded communications

• communications by or about elected members, in their capacities as spokespersons for council

• events and speaking invitations.

9.7 Council-funded communications will include reference to the relevant council decision to which they relate. Communications from the mayoral office will include reference to the relevant council decision to which they relate where such a resolution exists.

9.8 Photographs of elected members and content authored by elected members in council publications and advertising will be suspended during the pre-election period.\(^\text{12}\)

10 Council support staff for elected members

10.1 Councillor Support Advisors provide dedicated support to councillors and Local Board Services staff provide dedicated support to local board members through local board offices. Such support continues for the purpose of assisting elected members to fulfil their responsibilities in conducting the business of Auckland Council.

10.2 Support staff will not provide any assistance relating to electioneering activities.

11 Neutrality of public servants

11.1 A major characteristic of New Zealand’s constitutional arrangements is that public servants are apolitical. This applies to public servants in local and central government.

11.2 Having a heightened awareness of the need for public servants to be seen to act with political neutrality does not mean the work of council is disrupted. All staff continue to support elected members in performing their role.

11.3 It does mean however, that during an election year and particularly during the pre-election period, additional care must be taken to ensure that activities are not seen, in any way, to support or preference one candidate over another.

11.4 This is particularly important with respect to activities such as media relations, advertising campaigns, responding to Local Government Official Information and Meetings Act 1987 requests, interaction with electoral candidates, public speaking engagements, appointment processes, programme and strategy launches and promotions, and the release of discussion documents.

\(^{12}\) Statutory requirements for communications, such as the requirement to publish an Annual Report, will be managed to ensure existing members do not receive an electoral advantage. See para 4.52 “Good Practice for Managing Public Communications by Local Authorities”, Auditor-General.
11.5 The chief executive is responsible for setting appropriate election year protocols for staff.

12 Definitions

12.1 Council resources means: council’s human resources; budgets; and council-owned, or controlled, property and other resources; including information technology and telecommunications devices. Auckland Council’s Elected Members Technology Policy applies during the pre-election period.

12.2 Electioneering means activity that relates exclusively to the campaign for the election of a candidate, and occurs solely in the candidate’s capacity as a candidate, and not in his or her capacity as a member of the governing body or local board.\(^{13}\)

12.3 Pre-election period means the three months prior to election day.\(^{14}\)

13 Related policies

13.1 The following policies continue to apply during an election year and should be read in conjunction with this policy:

- Auckland Council’s Elected Members Code of Conduct Policy
- Auckland Council’s Elected Members Technology Policy
- Auckland Council’s Elected Members Expense Policy
- Auckland Council’s Communications Policy

14 Operational protocols

14.1 This policy may be supplemented by more detailed operational protocols for the mayor’s office, local board members and council employees.

\(^{13}\) Adapted from Local Electoral Act 2001, section 104.

\(^{14}\) Local Electoral Act 2001, section 104.
1. **What if I receive an election-related call on my council mobile phone?**

You should use a personal phone for election-related activities. Using a council mobile phone for all election communication is not appropriate. It will require you to list the council mobile phone number as your contact on your campaign material and this is also not appropriate. However, spending five minutes taking the call is not likely to affect the course of the election, give you an electoral advantage or be a cost to the council, but you should advise the caller to use your personal number in the future.

2. **Some of the opportunities that I have for attending to campaign activities occur between meetings at the council. It is not feasible for me to travel home to use my personal computer in order to draft a speech.**

The underlying principle is that of electoral advantage. The issue is whether, by having access to a computer that you do not have to pay for, you are at an advantage over other candidates. You should use your own resources for election related activity. You may need to carry two laptops during the electoral campaign.

3. **The council provides local boards with Facebook pages. Am I able to make critical comments on these?**

Yes. During the course of the term, some posts on council-provided Facebook pages are in the name of the local board. Other people may make personal comments and posts. If members continue to make personal comments during the election period, there is no electoral advantage. Any member of the public, including any candidate, has the same opportunity.

4. **What are the key dates for local government elections?**

<table>
<thead>
<tr>
<th>Event</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Not less than 28 days before the closing of the roll</td>
<td>Nominations open</td>
</tr>
<tr>
<td>57th day before election day</td>
<td>Nominations close, roll closes</td>
</tr>
<tr>
<td>Three weeks prior to election day</td>
<td>Voting period</td>
</tr>
<tr>
<td>Election day</td>
<td></td>
</tr>
<tr>
<td>Term of office commences</td>
<td>Day after public notice of declaration of results</td>
</tr>
</tbody>
</table>

The pre-election period is three months prior to the election.
D. Communications policy

1 Definition of Communications

1.1 Communications means any communication by an elected member, the council, or an employee or office holder of a council, where:

- the council meets the cost (wholly or in part), or
- the person making the communication does so in an official capacity on behalf of the council.

1.2 Communications include:

- mandatory and discretionary communications
- communications in the council’s own publications and the news media generally
- Council-funded advertisements and other forms of publicity
- electronic (including website, e-mail, texting and social media) and hard copy publication
- speaking engagements, events and programme launches on behalf of Council
- communications undertaken for the purpose of research and community consultation and engagement.

1.3 This policy does not apply to communications by elected members using their own resources and making the communication in their personal capacity. Auckland Council’s Code of Conduct for Elected Members applies at all times.

2 Provision of communications

2.1 Auckland Council will fund communications to meet the needs of Auckland’s communities for information about the council’s role and activities.

2.2 Auckland Council’s communications will be consistent with the statutory purpose of local government and any other relevant statutory provisions.

2.3 Auckland Council will fund communications to consult and engage with Auckland’s communities. Auckland Council will provide fair and meaningful opportunities for Aucklanders to communicate their opinions to council to support democratic decision-making.

2.4 Auckland Council’s communications resource and support will be provided to divisions and departments of council to meet the needs of communities for information, consultation and engagement on council’s role and activities.

3 Protocols

3.1 Auckland Council’s communications will reflect decisions from meetings of the governing body, local boards, council committees and CCOs and will support Auckland Council’s strategic direction, brand and reputation.
3.2 Auckland Council’s communications resource and support will be provided to elected representatives on issues where they have a mandated responsibility to communicate on behalf of the council. This may be on behalf of the governing body, a local board or as official council spokesperson for a particular issue.

3.3 In respect of events and speaking engagements, Auckland Council’s communications resource and support will be provided to the relevant elected members according to the scale and nature of the event or speaking invitation.

3.4 Auckland Council’s communications will comply with any applicable council policies and guidelines as to process, authorisation, style and content and be clearly attributed to Auckland Council as the publisher.

3.5 Auckland Council’s chief executive has overall responsibility for decisions on strategies and resourcing for communications in accordance the above and to meet the needs of Auckland communities for information, consultation and engagement on council’s role and activities.

3.6 Auckland Council’s communications will present information in an accurate, complete, fair, and politically neutral manner. Factual and explanatory information will be provided to foster understanding of issues.

3.7 Auckland Council communications will not promote, or be perceived to promote, the re-election prospects or personal profile of a sitting member or candidate for election. The use of council resources for election purposes is unacceptable.

3.8 Criticism of an elected member or candidate for election by an elected member is unacceptable in any council funded communication. Criticism of decisions of the governing body by any local board; criticism of decisions of any local board by the governing body; and criticism of the decisions of any local board by another local board is unacceptable in any council funded communication.

3.9 In any local government election year, the Auckland Council Local Government Election Year Policy will supplement this policy and should be read in conjunction with it.

3.10 The council may adopt other policies, protocols or guidelines that are relevant to the provision of communications and this policy should be read in conjunction with them.

4 Auckland Council’s Council Controlled Organisations

4.1 This policy is provided for the reference of Auckland Council's substantive Council Controlled Organisations (CCOs). CCO boards are requested to consider adopting a similar policy.

PLACEHOLDER:

Other policies and guidelines that are relevant to communications are being reviewed for their suitability for inclusion here.
E. Media protocols

1 Responding to media

1.1 The media naturally has a keen interest in many aspects of council decision-making and service delivery. To fulfil its role it needs access to accurate, timely information. All elected members will receive approaches from the media for comment and should follow the following protocols:

- The mayor is the first point of contact for the official view of the governing body on any issue. When the mayor is absent matters will be referred to the deputy mayor or relevant committee chair. The mayor can also refer matters to the relevant committee or local board chairs.
- The local board chair (or their delegate) may comment on behalf of the local board in relation to local matters where decision-making, public consultation or advocacy is the responsibility of the local board.
- No other member of the governing body or local board may comment on behalf of the council unless they have first obtained the approval of the mayor or local board chair (depending on whether the matter relates to the governing body or a local board). See Auckland Council’s media policy.

1.2 Elected members may choose to respond immediately to media inquiries and assistance from the council’s communications team is available to ensure that media releases and responses are accurate. The News Media Policy outlines the support available.

1.3 Elected members can express a personal view to the media at any time. It should be made clear, however, that:

- they are not representing the views of the governing body or local board
- statements do not represent the majority view if they are contrary to a governing body or local board decision or council policy
- any media comment made in a personal capacity must also observe other requirements of the Code of Conduct, e.g., not disclosing confidential or legally privileged information, compromising the impartiality or integrity of staff, or denigrating other elected members

1.4 Comments made by members in their personal capacity are not covered by the qualified privilege of those made during business meetings.\(^\text{15}\)

2 Speeches

2.1 Help is available to elected members speaking on behalf of the council. This support may include drafting speeches or speaking notes. These will present information in a fair and politically neutral manner. Council communications assistance will not promote or be perceived to promote a sitting member’s re-election prospects or personal profile.\(^\text{16}\)

\(^{15}\) Governance Manual 3.2.14

\(^{16}\) Governance Manual 3.2.14
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Legislation

F. Legislation relevant to the conduct of members

1 Introduction

1.1 This section summarises the core legal requirements that are applicable to elected members.

1.2 In addition to these core legal requirements, there are many other statutes relevant to certain council decisions (for example the Resource Management Act 1991 and the Reserves Act 1977).

2 Local Government Act 2002

2.1 The Local Government Act 2002 (LGA 2002) is the main Act that establishes the general legal framework for all local authorities in New Zealand, including Auckland Council. The LGA 2002 underpins a great deal of what the council does.

2.2 Clauses 14 to 17 of Schedule 7 of the LGA 2002 require elected members to:
   • make a declaration before acting as a member;
   • comply with a Code of Conduct; and
   • abide by Standing Orders.

2.3 The LGA 2002 also imposes a duty on elected members to enable council to perform its various powers and functions in accordance with the statutory purpose of local government, which is:
   • to enable democratic local decision-making and action by, and on behalf of, communities; and
   • to meet the current and future needs of communities for good-quality local infrastructure, local public services, and performance of regulatory functions in a way that is most cost-effective for households and businesses.

2.4 The LGA 2002 gives the council its power of general competence, which broadly allows the council to make decisions that an ordinary person or body corporate could make, while carrying out the council’s role and purpose, within any statutory limits.

3 Local Government (Auckland Council) Act 2002

3.1 Elected members also make decisions in accordance with the Local Government (Auckland Council) Act 2009 (LGACA) which applies uniquely to Auckland Council. If there is ever any conflict between LGACA and the LGA 2002, LGACA takes precedence.

3.2 LGACA creates Auckland Council as a unitary authority, with decision-making responsibilities shared between the governing body (the mayor and 20 councillors) and 21 local boards.
3.3 The governing body focuses on the region-wide strategic decisions, making the most of the council's size and ability to deliver regionally. There are some decisions that only the governing body can make, including setting rates, appointing the chief executive, making bylaws or adopting the council’s ten-year budget (the long-term plan).

3.4 The 21 local boards represent their local communities and make decisions on local issues, activities and facilities. Decisions made regionally by the governing body will inevitably have local impacts, and when making decisions, the governing body will consider views and preferences expressed by local boards.

3.5 The governing body and the local boards collectively comprise Auckland Council, and together with council-controlled organisations, comprise the Auckland Council group.

3.6 LGACA also sets out the responsibilities of Auckland Transport, Watercare (as an Auckland water organisation) and the Independent Maori Statutory Board.

4 Local Authority (Members’ Interests) Act 1968

4.1 The Local Authorities (Members’ Interests) Act 1968 (LAMIA) deals with financial conflicts of interest.

4.2 It prohibits elected members from taking part in discussion or voting in situations where an elected member has a direct or indirect financial interest, other than an interest in common with the public. LAMIA also provides that an elected member is disqualified from office if that member is concerned or interested in contracts under which payments made by or on behalf of the local authority exceed $25,000 in any financial year.

4.3 The same rules also apply where the member’s spouse, partner, company (depending on shareholding levels or the member’s position in the company) and possibly family trust, contracts with the authority or has a financial interest.

4.4 In some cases the Office of the Auditor-General can consider providing an exemption to an elected member so he or she may participate in a decision in which they have a financial interest or enter into a contract with the council valued at over $25,000.

4.5 Failure comply with LAMIA could result in an elected member being prosecuted and disqualified from office.

4.6 For advice on compliance with LAMIA, elected members should review the Office of the Auditor General Guidance for members of local authorities about the LAMIA and/or seek advice from the Office of the Auditor General or independent legal advice.

5 Local Government Official Information and Meetings Act 1987 (LGOIMA)

5.1 The Local Government Official Information and Meetings Act 1987 (LGOIMA) determines how council meetings are conducted (including in relation to excluding the public from meetings), and how the council uses and releases the information that it holds.

5.2 LGOIMA provides for:
   - access by the public to information held by the council, with limited grounds on which the council can decline a request;
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- transparency and accountability in decision-making through providing for public admission to meetings of local authorities (unless there is good reason to restrict public access for a particular agenda item or items);
- establishment of procedures for the achievement of these purposes; and
- a process for members of the public to complain to the Ombudsman if they are dissatisfied with the council’s response to a LGOIMA request.

6 Health and Safety at Work Act 2015

6.1 The purpose of the Health and Safety at Work Act 2015 (HSAW Act) is to protect the health and safety of workers at their workplaces. It sets out key health and safety duties for the council and for people in positions of leadership, influence, or responsibility in the workplace and for workers and for other people. The HSAW Act sets out some compulsory health and safety requirements, and creates offences and penalties for failing to meet those requirements.

Due diligence

6.2 Elected members have a personal and individual duty of due diligence to ensure that the council complies with its obligations under the HSAW Act. This is analogous to what might be expected of a company director with a company’s financial statements. An elected member cannot delegate the exercise of this duty to anyone else. There are six aspects to the due diligence duty:
- to be familiar and keep up to date with health and safety knowledge and matters for the council;
- understand the council’s operations and the associated hazards and risks;
- ensure that the council has appropriate resourcing and processes to eliminate or minimise risks to health and safety;
- ensure the council has appropriate processes for receiving and considering information regarding incidents, hazards, and risk and for responding to the information in a timely way;
- ensure the council has and implements processes for complying with its duties; and
- verify the provision and use of resources and processes through reviews and audits.

6.3 Staff support elected members to comply with their duty of due diligence. Part of that support includes training and regular health and safety information reporting at governing body committee meetings and local board meetings.

7 Secret Commissions Act 1910

7.1 Under the Secret Commissions Act 1910 it is unlawful for an elected member (or officer) to take bribes, or to use their position for improper gain. If convicted of any offence under this Act a person can be imprisoned for up to 2 years or fined up to $1,000, or both, and the member would be disqualified from office.
8 Crimes Act 1961

8.1 Under the Crimes Act 1961 it is unlawful for an elected member (or officer) to:
- corruptly seek or accept a bribe or reward (for himself or herself or for anyone else) for doing, or not doing, something in his or her official capacity as an elected member; or
- use information gained in the course of his or her duties for his or her, or another person’s, monetary gain or advantage.

8.2 These offences are punishable by a term of imprisonment of 7 years or more, and would result in the member being disqualified from office.

9 Financial Markets Conduct Act 2013

9.1 The Financial Markets Conduct Act 2013 (FMC Act) aims to promote a fair, efficient and transparent financial market. It imposes a number of responsibilities on those who offer, deal and trade in financial products (including bonds issued by the council), especially in relation to what sort of information must be provided to potential investors when investment offers are made. An elected member may be personally liable when approving council documents relating to offers of securities if the documents contain false and materially misleading statements and the member knew this, or was reckless in approving any such documents.

9.2 The FMC Act places limits on elected members using confidential information relating to certain proposed council transactions. For example, where council debt securities are listed on a registered stock exchange, then elected members cannot use (or benefit from) information that is not generally available to the public. This applies to the council’s bonds listed on the NZX Debt Market. Elected members must consider the risks of insider trading and the failure to disclose relevant interests in the council’s bonds. Failure to comply with the FMC Act could lead to a criminal conviction, and therefore disqualification from office.

10 Public law decision-making principles

10.1 There are public law principles that elected members must keep in mind when making decisions. These principles are enforced by the High Court by way of judicial review. Broadly, public decision-makers are required to act lawfully, fairly, and reasonably.

10.2 The concept of acting lawfully includes:
- having the necessary power to make the decision;
- acting in accordance with the purpose of the power being exercised, and within the scope of the discretion granted to the decision-maker;
- taking into account all relevant considerations and ignoring any irrelevant considerations; and
- exercising independent judgement in making the decision rather than “rubber-stamping” the recommendation of another person.

10.3 The concept of acting fairly includes:
- ensuring a proper process is followed, including consulting where appropriate;
- being unbiased and free from conflicts of interest;
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10.4 The concept of acting reasonably includes:

• ensuring the decision is rational, based on legitimate reasons and is one that a reasonable decision-maker could make; and
• ensuring the decision is proportionate to the purpose being served by the decision.

11 Council decision-making requirements

11.1 The LGA 2002 and LGACA set out the basic procedural decision-making requirements applying to council decision-making. For each decision, the governing body and local boards can decide how to fulfil these requirements. The more significant a decision is, the stricter the compliance should be.

11.2 These requirements are (in summary):

• to identify all reasonably practicable options for achieving the decision's purpose and assess the advantages and disadvantages;
• to consider the views and preferences of people likely to be affected by, or have an interest in, the decision (this does not require the council to undertake consultation);
• to conduct any consultation in accordance with the principles outlined in the legislation;
• to identify any significant inconsistency between the decision and any of the council's policies or plans, and to provide reasons for the inconsistency;
• to establish processes to provide opportunities for Maori to contribute to decision-making, including providing relevant information for that purpose;
• for the governing body to consider the views and preferences of local boards if the decision may affect their responsibilities or operation or the well-being of their communities; and
• for local boards to cooperate with each other when the interests of their areas are better served by doing so.

12 Personal liability of elected members

12.1 Members of the council (including local board members and appointees to council committees or other subordinate decision-making bodies) are indemnified by the council for the following:

• costs and damages for any civil liability, as long as the member was acting in good faith and was carrying out responsibilities or powers of the council (or relevant committee or other subordinate decision-making body); and
• costs arising from any successfully defended criminal action relating to acts or omissions in his or her capacity as a member.

Personal liability for losses incurred

12.2 Elected members may be liable (jointly and separately) for the losses of the council where the governing body or local board has:
• unlawfully spent money;
• unlawfully sold or disposed of an asset;
• unlawfully incurred a liability; and/or
• intentionally or negligently failed to enforce the collection of money it is lawfully entitled to receive.

12.3 Members are only liable for these types of losses if the Auditor-General issues a report on the loss to the Minister of Local Government.

12.4 An elected member will have a defence (and will not be liable) if they can prove the act (or failure to act) that resulted in the loss occurred:
• without their knowledge;
• with their knowledge but against their protests made at or before the time when the loss occurred;
• contrary to the manner in which they voted on the issue at a meeting; or
• in circumstances where they acted in good faith and relied on reports, information, or professional / expert advice given by a council staff member or a professional adviser or expert on matters that the elected members reasonably believed were within the person’s competency.

12.5 A local board member can be liable only in respect of a matter that is the responsibility of their local board.
External documents

G. Governance roles and responsibilities

1 Mayor of Auckland

1.1 The mayor is responsible for articulating and promoting a vision for Auckland, and providing leadership to achieve this vision. Auckland’s mayoral role also involves:
- leading the development of region-wide council plans, policies and budgets (including the annual plan and long-term plan)
- ensuring effective engagement between Auckland Council and the people of Auckland
- appointing the deputy mayor
- establishing committees of the governing body and appointing the chairperson for each of those committees. (The mayor is a member of the governing body and each of its committees).

1.2 The mayor is supported by the mayoral office and has a budget allocated for this.

2 Role of governing body

2.1 The governing body comprises the mayor and 20 councillors elected by voters from the 13 wards they represent. It focuses on the big picture and Auckland-wide strategic decisions.

2.2 Section 17 of the Local Government (Auckland Council) Act 2009 requires the governing body to allocate decision-making responsibilities for non-regulatory activity to either the governing body or local boards.

2.3 The role of the governing body includes:
- making decisions on Auckland-wide activities (such as regional facilities and events)
- regulatory activities of Auckland Council (such as the Unitary Plan, resource and building consents, and bylaws)
- setting regional strategies, policies and plans (such as the Auckland Plan, Auckland’s Economic Development Strategy, and the Waste Management and Minimisation Plan)
- emergency management, including rural fire services.
- ensuring compliance with the financial management requirements of the Local Government Act 2002 (including the annual plan, the long-term plan, financial policies and rating)
- buying and selling assets
- governance of council-controlled organisations (CCOs)
- appointing the chief executive
- setting transport objectives and transport funding for Auckland.

From the Elected Member Handbook published through Kura Kawana
3 Role of local boards

3.1 The 21 local boards represent the communities of Auckland, with between five and nine members elected to each board. They are responsible for decision-making on local issues, activities and services, and provide input into regional strategies, policies and plans.

3.2 Local boards also:
- adopt local board plans every three years in consultation with their communities
- agree annual local board agreements (with the governing body)
- agree and oversee annual work programmes
- engage with and represent their communities.

4 Role of elected members

4.1 Elected members have different roles and responsibilities. They are elected to represent communities in their area and make decisions for and on behalf of those communities. In practice, this can include dealing with queries and issues from constituents, exploring the impacts of a particular proposal, developing policy and plans, reviewing council decisions, working with other elected members, chairing committees, representing the council’s view to central government, engaging with the public, iwi, other stakeholders, making decisions on the use of council land, and agreeing on budgets and council priorities.

4.2 Members are active within the communities they represent. This includes belonging to community organisations and owning property. When making decisions as elected members, they must take care that they are acting, and are perceived to be acting, in the interests of their community and the public, not their own interests.\(^\text{18}\).

4.3 Elected members have two key roles, and at times they will need to carefully balance these:
- as a member of the governing body or local board - making decisions on a range of matters
- as a representative of the community - elected members represent Auckland’s diverse communities as a region and in local board areas.

Role of councillors

4.4 The following provides an outline of the councillor role.\(^\text{19}\).
- Provide regional strategic leadership and direction
- Make decisions on regional matters that take into account social, cultural, environmental and economic matters for the benefit of all Aucklanders, both now and in the future
- Make financially responsible decisions that ensure Auckland Council has a sound financial future
- Act in the interests of the whole region while at the same time representing their ward. Where there is a conflict, the Councillor is required to act in the best interests of the region, which is what Councillors promise to do when they make their statutory declarations.

\(^{18}\) Governance Manual 3.1
\(^{19}\) All the following is from Kura Kāwana, September 2017
• Work collaboratively with other councillors, the mayor’s office, the local boards, the Independent Māori Statutory Board and the advisory panels and create a strong working relationship with council’s executive leadership team and the council-controlled organisation executive teams and board members
• Engage with communities, be aware of and interested in ward issues, including attend local events, meetings and local board meetings and respond to requests from constituents

Role of the committee chair

4.5 In addition to the above
• Provide leadership and inspire the committee to achieve its priorities
• Encourage an environment of collaboration and respectful debate
• Represent the committee, and the wider Auckland Council, on the committee’s work
• Develop a strong working relationship with key stakeholders and senior council staff
• Chair committee meetings efficiently and in accordance with standing orders, terms of reference, and the elected members’ code of conduct
• Promote and support the principles of good governance
• Ensure committee members understand what is expected of them, monitor their performance and hold them to account (noting that the Mayor plays this leadership role for the governing body as a whole)

Role of local board members

4.6 The following provides an outline of the local board member’s role:
• Provide civic leadership locally; make a positive difference to communities and shape local places
• Make decisions without bias on local matters, for the benefit of the whole community (not just particular groups) and for both current and future generations
• Work with the community to set local direction and deliver priorities
• Provide views to the governing body to inform their regional decisions, including input to regional strategies, policies and plans
• Build relationships and work collaboratively with other local boards, the governing body and the mayor, and with the council family, including council staff and council-controlled organisations
• Promote strong, resilient and engaged communities; develop relationships and work with the local communities, including mana whenua, mataawaka and the range of people, groups, organisations and businesses in the area.

Role of the local board chair and deputy chair

4.7 The chair and deputy chair collectively form the leadership team for the local board.

4.8 In addition to the local board member role, the local board chair has the following roles:
• Provide strong leadership and inspire the local board
• Build and maintain relationships to develop a collegial local board that is able to work effectively together and reach consensus to deliver the local board’s vision and priorities
• Be accountable for the local board relationship with iwi (chief-to-chief)
• Develop a strong working relationship with key stakeholders and senior council staff
• Chair local board meetings effectively abiding by standing orders and the code of conduct
• Represent the local board, and the wider Auckland Council as appropriate, including in a civic and community role (such as citizenship ceremonies) and as the spokesperson to the media
• Promote and support the principles of good governance
• Work with the governing body and council committees to provide local board input to regional decisions and to regional strategies, policies and plans
• Ensure local board members understand what is expected of them, monitor their performance and hold them to account

4.9 In addition to the local board member role, the local board deputy chair has the following roles:
• Assume leadership responsibility for chairing local board meetings and workshops (in the absence of the Chair, or as agreed with the Chair).
• Work with the Chair to provide strong and inspiring leadership to the local board
• Promote the principles and processes of good governance and decision-making
• Share the leadership responsibility for representing the local board at civic, community and council events and with the media (in the absence of the Chair, or as agreed with the Chair).
• Undertake specific decision-making roles and activities as delegated by the local board.

5 Protocols for working together

Respecting each other’s roles and the Auckland Council governance model

5.1 All elected members are the unified face of the council in public and celebrate local and regional successes together. Governing body members and local board members respect the roles that each undertakes within the shared governance arrangement and maximise opportunities to build relationships and work together where appropriate.

5.2 All elected members accept that local board and governing body decisions are decisions of Auckland Council, and will only make decisions on matters that are within their respective decision-making responsibilities.

5.3 Elected members agree meeting procedures and give each other opportunities to speak and give input at each other’s meetings, we acknowledge and respect each other when attending meetings. Joint workshops, working parties and briefings between governing body and local board members are encouraged.

5.4 Elected members are well informed of and are open about issues with each other. They keep each other in the loop on relevant constituent issues for information and as a matter of courtesy. To better inform regional decision-making, local board members support governing body members to engage with local communities and learn about areas of the region other than their ward.

5.5 Elected members earn community respect by showing respect to each other in public and engaging with the community together, including sending joint communications where possible.
Social media

5.6 Elected members respect one another and the council on social media and only post what they would be prepared to say face-to-face to one another. Elected members are free to express their personal views. However, when stating a personal view, they must be clear that it is not council policy.

5.7 When publishing on social media, elected members think of the impact and consequences before publishing, focus on issues rather than personalities and use facts. They show respect to each other by deleting or responding with moderation to inappropriate posts made about each other on the pages or channels that they administer.

6 Engaging with the public

6.1 Traditionally members interact with the public in two ways:

- Governance decision-making - many governance decisions require consideration of the views of those affected or interested in the decision. This can include giving the public the opportunity to comment on council proposals and ensuring those comments are carefully considered prior to a decision being taken. More detail on how the council consults its communities can be found in the Significance and Engagement Policy. See also Section 10: How council decisions are made.

- Constituency role - members of the public are free to contact an elected member with questions, queries or complaints. Depending on the issue, the public could contact a local board member, a ward councillor or the mayor. In general, if an issue is purely local it is best to approach a local board member; if an issue is of regional consequence it may be more appropriate to approach a ward councillor or the mayor.

6.2 Elected members should act in a manner that encourages and values community involvement in local democracy [1].

6.3 The mayor has an important statutory role in leading council engagement with the public. In addition to the role shared with all other elected members, the mayor is charged with ensuring there is effective engagement between the council and the people of Auckland (including those too young to vote, of different ethnicities, cultures, interests and location) [2].

6.4 Local boards have a statutory role to engage with their communities as part of their role to make decisions on local matters, provide local leadership and support strong local communities [3][20].

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H. Working with staff

1 Role of the chief executive

1.1 The Local Government Act requires the governing body to appoint a chief executive and cannot delegate the decision to a smaller group. The chief executive is the only employee directly appointed by the governing body. All other employees are appointed by the chief executive [1].

1.2 Elected members need to be aware that their position can come across to junior staff members as having more power than they individually possess [2]. As governors, elected members should interact mainly with senior staff or designated staff providing them with advice or support.

1.3 A healthy and productive relationship between governance and management, and between decision-making by elected representatives and operational activity, is essential to an authority’s effectiveness. Problems in this relationship can have a significant effect on all levels of the organisation [22].

1.4 The chief executive, who is appointed and employed by the governing body, is responsible for employing council staff, implementing governing body and local board decisions, and providing advice to the governing body and local boards.

1.5 Elected members and the chief executive need to have a clear and shared understanding of their different roles and responsibilities. In broad terms, the elected members have a governance role and the chief executive is responsible for managing the organisation and implementing governance decisions. However, in practice it is not always easy to identify where the line falls.

1.6 The Auditor-General has commented on the difference between local authority governance and operational roles:

"[Having a] representational role and connection with the community is part of the role of an elected member, but so is the responsibility for steering and governing a substantial organisation with complex responsibilities."

"The governance role is about maintaining the broad view. It is about setting direction and policy, making significant decisions, testing advice to ensure that it is sound, monitoring the activities of management to ensure that what is being implemented will achieve the objectives, keeping an eye on risks of all kinds, and safeguarding the overall quality of the relationship between a council and its community. When members of a governing body become too involved in operational matters, the risk is that nobody maintains the broad view for the organisation and checks that the overall direction is still appropriate...”

1.7 Elected members should not play too limited a role or leave too much to managers, nor should they get too involved in day-to-day managing. Both situations create risks [23].

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21 From the Elected Member Handbook published through Kura Kawana
22 Governance Manual 3.2.6
23 Governance Manual 3.2.9
2 Our Charter

2.1 The chief executive and the executive leadership team have adopted a charter, “Our Charter”, which forms a basis for staff conduct.

2.2 Our Charter consists of six principles:
   - We honour te Tiriti o Waitangi
   - We make this a great place to work
   - We look after our money and assets
   - We look after people we serve
   - We look after our information
   - We look after our safety and wellbeing

2.3 The charter’s principles have associated guidelines which provide more detail.

2.4 “Our Charter” has been adopted in a context of “Speaking Up”. Speaking up is:
   - asking for advice
   - asking questions
   - suggesting improvement
   - sharing a concern
   - reporting wrongdoing.

2.5 Staff are expected to speak up about any observed wrong-doing
I. Expenses policy

AUCKLAND COUNCIL
ELECTED MEMBERS' EXPENSE POLICY

November 2016

Adopted by the Governing Body on 10 November 2016 (GB/2016/252)
Approved by the Remuneration Authority on 29 November 2016

V 1.1
Version control

V1.0 – Presented to the Governing Body on 10 November 2016.

V1.1 – Adopted by the Governing Body on 10 November 2016. Amended from V1.0 to reflect minor changes requested at the Governing Body meeting in sections 5.3, 5.6, 5.10, 5.11 and 8.3.

– Approved by the Remuneration Authority on 29 November 2016
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1 Purpose and scope

1.1 The purpose of this policy is to:

- identify elected members’ allowances and entitlements
- explain the approval process for reimbursement of expenses incurred by elected members whilst undertaking their duties.

1.2 Auckland Council’s Democracy Services Department administers this policy. For queries on the policy please contact:

   Jo Iles
   Business Hub Manager
   Democracy Services
   MOB: 027 207 0893
   jo.iles@aucklandcouncil.govt.nz

1.3 Other Auckland Council documents containing information relevant to this policy include the:

- elected members’ code of conduct
- elected members’ technology policy
- catering policy
- fleet vehicle policy.

1.4 This policy may be reviewed regularly and is current until superseded.
2 Overarching principles

2.1 The guiding principles for expenditures are those contained in the Office of the Controller and Auditor-General good practice guide “Controlling sensitive expenditure: Guidelines for public entities”. The expenditure should be subject to standards of probity and financial prudence that are to be expected of a public entity and able to withstand public scrutiny, both perceived and actual.

2.2 Elected members may incur expenses while on council business, for which they can be reimbursed. Reimbursement and use of council-supplied resources apply only to elected members personally, and only while they are acting in their official capacity as elected members.

2.3 To be reimbursable, expenses must:

- have a justifiable council-related business purpose; council business means representing the council at formal council meetings, committee meetings, workshops, seminars, statutory hearings, training courses, site visits, meetings with staff, meetings with community groups and meetings with members of the public. It does not include events where the primary focus is on social activity or electioneering
- be moderate and reasonable having regard to the circumstances, i.e. able to pass the test of being prudent use of ratepayers’ money under public scrutiny
- be actual and justified by an original tax receipt
- be approved by the relevant authoriser
- be within relevant budget provisions
- be presented on the approved Auckland Council claim form and signed as true and correct
- be consistent with the rules set by the Remuneration Authority, who has responsibility under the Local Government Act 2002 to determine remuneration, expense and allowance rules for local authority members.

2.4 Transparency and accountability guide the reimbursement of elected members’ expenses. The council’s internal audit work programme includes annual testing of expense claims and allowances paid to elected members and staff. External auditors also regularly review elected members’ expenses. To ensure transparency, Democracy Services publishes elected members’ remuneration, expenses, mobile technology and professional development costs on the council’s website on a quarterly basis. The information is located at:


3 Allowances and benefits

General provisions

3.1 Each year, the Remuneration Authority sets the base remuneration and allowances for all Auckland Council elected members. The Remuneration Authority Determination can be found at:

3.2 The Remuneration Authority has authorised Auckland Council to extend its flu vaccination employee benefit to elected members. Elected members can book this service through the intranet when it is made available to staff every autumn.

3.3 The Remuneration Authority has specified that other staff benefits cannot be provided to elected members.

Communication technology

3.4 Members who choose not to take council communication technology may receive the allowances set out in the Remuneration Authority Determination. These will be automatically paid pro rata in the elected members’ fortnightly payment cycle.

3.5 The council will not pay the allowance if an elected member’s private hardware and software are outdated and/or incompatible with Auckland Council’s systems. This is because in this case Auckland Council cannot provide the information and support needed for the elected member to perform his/her duties.

3.6 Rules governing the use of council equipment are set out in the Auckland Council Elected Members’ Technology Policy.

4 Travel rules and processes

Booking travel

4.1 All travel-related bookings are arranged via Democracy Services or Local Board Services support staff.

4.2 Travel should be booked as far as practical in advance of the actual travel date to enable best price to be obtained.

Travelling and mixing business and private travel

4.3 The council will pay for the Mayor’s partner to accompany the Mayor when his/her partner is also taking part in council business.

4.4 The council will not pay for any other elected member’s partner or family member to accompany them on council-related travel.

4.5 Democracy Services and Local Board Services support staff can arrange bookings for family members of an elected member if they are travelling together provided a personal credit card is given for payment at the time of booking.

4.6 Elected members can have a stop-over or undertake private travel before, during or at the end of travel paid for by the council provided there is no additional cost to the council. They can also vary their route for private travel at their own expense. They must pay the cost of any private travel before travel is undertaken.

4.7 If the duration of the business trip extends over a weekend, elected members may return home for the weekend, provided the cost of doing so is less than the cost of staying.
5 Land and sea transport

5.1 In accordance with the Remuneration Authority determination the Mayor can be provided with a vehicle for full business and private use.

Parking at home office

5.2 Parking is provided at no cost to elected members at their main place of work: for Governing Body members at the Head Office of Auckland Council, for Local Board members at their Local Board office.

Travel around Auckland

5.3 Elected members are expected to use public transport, their private car or council vehicles when on council business, noting that Auckland Council promotes public transport and cycling as the preferred ways of moving around Auckland.

5.4 For public transport, including ferry, elected members are encouraged to use a HOP card, then print their account statement from the HOP card website and highlight any transaction for which they are seeking reimbursement.

5.5 Road tolls and parking fees incurred when on council business will be reimbursed.

5.6 If elected members use their private car, mileage allowances will be reimbursed according to the rules set out in the Remuneration Authority Determination, at the maximum rate. To satisfy the Inland Revenue Department’s requirements, mileage payments are subject to deduction of tax at the appropriate rate.

5.7 Elected members’ use of private vehicles on council business is not covered by the council’s insurance.

5.8 For the avoidance of doubt an elected member is not required to be a member of a committee or sub-committee to claim mileage for attendance.

5.9 Mileage expenses for elected members conducting District Licensing Committee business are subject to the rules for District Licensing Committee members set up by central government.

Taxis and rental cars

5.10 Taxis are not the preferred mode of transport around Auckland because of cost. However, a taxi or a car sharing or pooling scheme can be used for safety/security reasons or if other means of travel are more costly, impractical or an inefficient use of time. If using a taxi or a car sharing or pooling scheme, elected members must pay for the fare and claim the cost, detailing the reason for use.

5.11 A rental or private car can be used by elected members for work-related travel outside the Auckland region if other means of travel are more costly, impractical or an inefficient use of time. The class of the car should be the most economical considering the requirements of the trip (e.g. length of journey, number of passengers).

5.12 Rental cars hired for council business are not to be used for personal travel.
51

5.13 The council’s insurance policy provides insurance for the use of rental cars anywhere within New Zealand. It is not necessary to purchase further insurance from the rental agency.

5.14 Rental cars must be refilled with fuel before returning them to avoid the high refuelling charges of hire companies.

6 Air travel

6.1 Elected members can fly with any airline provided the flight booked is at best value for the council and scheduled to best meet the business needs of the elected member. Flight choice will not be influenced by the elected members’ own airline loyalty memberships.

6.2 All travel is economy class. An elected member can upgrade to business class in instances when he/she will fly more than six hours continuously and will be engaged in council business within 24 hours of arrival. If upgraded, the elected member must not convert the whole, or part of, the ticket into cash or any other benefit and travel on a cheaper ticket class.

6.3 The council will pay one airline club membership for the Mayor and Deputy Mayor given their frequent travel needs. The council will not pay for any other airline frequent flyer or club membership.

7 Accommodation

7.1 Auckland Council is able to procure preferential public sector rates at many New Zealand and Australian hotels. These rates are significantly lower than standard rates offered to business customers and are often lower than rates offered through conference organisers. For this reason all accommodation, including that for conferences must be booked through Democracy Services and Local Board Services support staff.

7.2 Accommodation reserved should be of the standard business range. Staff will advise about options.

7.3 Elected members’ responsibilities include:

- checking the accuracy of the accommodation account when checking out
- signing the account to indicate it is correct
- retaining a copy of the accommodation account for reconciliation purposes.

7.4 When travelling on council business an elected member may stay in private accommodation. When this occurs the elected member can be paid an allowance of NZ$60 including GST per night to cover accommodation, breakfast and dinner expenses. This allowance is intended to be paid to the accommodation provider to cover at least a portion of the costs he/she may incur.

7.5 Elected members sometimes attend evening events as official representatives of Auckland Council. If the event will conclude after 10.30pm and travel back to the elected member’s residence is impractical, the council will reimburse the cost of overnight accommodation at a standard business range hotel or motel.

7.6 Whenever practical the elected member should obtain prior written approval.
8 Travel expenses

Travel expenses reimbursed

8.1 The business-related travel expenses outlined in the table below will be reimbursed by Auckland Council when an elected member is away from his/her home for one night or more.

8.2 Expenses are only payable for days the member is on official business, including a weekend if official business requires this.

8.3 For overseas travel, reimbursable expenses are subject to the daily expense guideline rates for the country of travel. Guideline rates are published on the council intranet. The council uses the guideline rates of Ministry of Foreign Affairs and Trade.
<table>
<thead>
<tr>
<th>Expense</th>
<th>Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>Meals</td>
<td>On the basis of actual and moderate expenditure, or according to the daily rates for international travel.</td>
</tr>
<tr>
<td></td>
<td>Meal expenses cannot be claimed if:</td>
</tr>
<tr>
<td></td>
<td>• a complimentary meal is provided by an airline</td>
</tr>
<tr>
<td></td>
<td>• a meal is prepaid through an accommodation package (e.g. hotel breakfast)</td>
</tr>
<tr>
<td></td>
<td>• the cost of the meal is included in the cost of a seminar or conference</td>
</tr>
<tr>
<td></td>
<td>• Elected members are entertained by their hosts</td>
</tr>
<tr>
<td>Entertainment</td>
<td>Before travel, any anticipated entertainment events must be specified on the travel booking form and must at all times be directly related to council business – see section 11</td>
</tr>
<tr>
<td>Alcohol</td>
<td>The council will not pay for any alcohol, except for the approved entertainment of third parties – see paragraph 11.9. However such expenditure is regarded as sensitive expenditure and accordingly should be at a moderately-priced level to avoid any perception of lavishness</td>
</tr>
<tr>
<td>Car parking</td>
<td>Airport parking if it is more economical for the elected member to leave his/her car at the airport rather than take a taxi or using car sharing and pooling schemes</td>
</tr>
<tr>
<td>International driver’s licence fee</td>
<td>If a rental car is used as part of the trip</td>
</tr>
<tr>
<td>Telephone and data expenses</td>
<td>Short calls home from overseas</td>
</tr>
<tr>
<td></td>
<td>Prudent data usage to access emails and the internet overseas</td>
</tr>
<tr>
<td></td>
<td>Calling from overseas can be expensive from hotels or roaming cell phones and should be kept to a minimum. Democracy Services Business Hub staff will advise on the most cost effective way to call home, which may include a calling card</td>
</tr>
<tr>
<td>Laundry</td>
<td>Actual and required laundry expenses</td>
</tr>
<tr>
<td></td>
<td>- for trips in excess of three days</td>
</tr>
<tr>
<td></td>
<td>- if an accident necessitates it</td>
</tr>
<tr>
<td>Tips (gratuities) – International travel</td>
<td>In some countries tipping airport baggage handlers, taxi drivers, hotel porters and waiters/waitresses is expected. The council will reimburse moderate tips only where tipping is local custom. It is accepted that the elected member will not have receipts for these, but a record should be kept to accompany any claim</td>
</tr>
<tr>
<td>Visa and vaccination fees</td>
<td>If needed for travel to some international countries</td>
</tr>
</tbody>
</table>
Travel expenses not reimbursed

8.4 The council will not reimburse any of the expenses listed in the table below.

<table>
<thead>
<tr>
<th>Expense</th>
<th>Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mini-bars</td>
<td>• Any alcohol items consumed from mini-bars</td>
</tr>
<tr>
<td>Movies</td>
<td>• Any in-room movies</td>
</tr>
<tr>
<td>Traffic infringements</td>
<td>• Any speeding fines and any other traffic infringement notices incurred while on council business</td>
</tr>
<tr>
<td>Passport application fees</td>
<td>• Elected members are responsible for obtaining or renewing their passport and ensuring that it will not expire within six months following the return date of travel</td>
</tr>
</tbody>
</table>

Other international travel expenses

8.5 Elected members undertaking international travel should use their personal credit card and submit an expense claim on their return. However, in countries where credit cards are not widely accepted and cash is needed for incidental expenses (e.g. taxi fares), cash advances can be issued. Support staff from Democracy Services and Local Board Services will coordinate these requests on the elected member’s behalf.

8.6 Cash advances are kept as low as possible to ensure compliance with Auckland Council’s cash handling procedures, which aim to minimise risks of theft and loss. In any event the maximum cash advance cannot exceed the expected total cost of daily meals and incidentals.

8.7 On return all cash advances and foreign exchange must be reconciled within 10 working days. The reconciliation, together with all receipts and unspent cash, should be returned to Democracy Services or Local Board Services support staff.

Upgrades

8.8 If an elected member accepts airline, accommodation or any other upgrades while travelling on council business, he/she must declare them in accordance with the Elected Members’ Code of Conduct.

9 Travel insurance

Coverage

9.1 The council’s travel insurance policy covers all travel in New Zealand and overseas. It covers an elected member who travels to represent the council for periods not exceeding three months, and performs ‘low risk’ work activities such as marketing and representation functions. The insurance also covers the Mayor’s partner if he or she is approved to travel with the Mayor – see paragraph 4.3. Partners accompanying the elected member in a private capacity are not covered.

9.2 The primary travel purpose must be council business. The travel insurance extends to provide cover for normal tourist and holiday activities that form part of or are added to the business trip, provided the council business-related portion of the travel is substantially larger than the portion allocated to personal or holiday activities.
9.3 The travel insurance certificate details the types of cover provided and the monetary limits of the cover. Auckland Council’s travel coordinator can provide detailed information on any aspect of the insurance cover. There is no cover under this travel insurance for any loss or event or liability which is covered under any other insurance policy, Act of Parliament or reciprocal health agreement between governments.

9.4 The council’s insurance policy provides cover for the use of rental cars both in New Zealand and overseas.

Provisions for pre-existing medical conditions

9.5 The travel insurance may not provide cover for medical expenses incurred for the treatment of an injury or sickness the traveller is suffering prior to the departure date of travel. Should elected members suffer from a serious condition or be aware of a pre-existing injury or sickness that may necessitate treatment whilst overseas, specific arrangements must be made with the insurer to confirm whether or not cover for treatment will be provided.

Claims procedure

9.6 If an event gives rise to a claim, the traveller must immediately follow these steps:

- Do as much as they can to prevent any further loss or expense.
- If the traveller is to be hospitalised, evacuated or repatriated, or has lost their luggage or money, they must contact the "Overseas Emergency Assistance" number provided on their itinerary, advising they are on Auckland Council business.
- As soon as possible after suffering injury or sickness, obtain and follow proper medical advice from a legally-qualified medical practitioner.
- Lodge a claim with the insurance company providing all medical certificates, accounts, receipts and information required by the insurance company to support the claim (original documents must be produced).
- Forward a written claim against any person, party, hotel or transporter who may be legally liable for the loss, injury or sickness.
- Provide full particulars of any claim made against the traveller or Auckland Council by any other person and all legal documents served on the traveller or the council.

10 Professional development programmes and conferences

10.1 Auckland Council recognises the need for elected members to broaden their knowledge and experience through specialised development programmes. Any professional development activity paid for by Auckland Council must be relevant to council business. It can include conferences, internal and external courses or workshops. Because related travel and expenditure such as accommodation and meals are classified as sensitive expenditure, the policy aims to balance elected members’ development needs with prudent use of ratepayer funds and to provide transparency and confidence to the public through publication of expenses.

10.2 Auckland Council has developed a professional development programme for its elected members, for which the budget is set annually. The purpose of this programme is to support elected members in the delivery of their governance role. Bookings to attend the activities included in this programme can be arranged via Democracy Services and Local Boards Services support staff without the need for additional approval.
10.3 If an elected member wants to undertake domestic professional development activities outside the council professional development programme for elected members, he/she must make a written request to the General Manager Democracy Services or General Manager Local Board Services for funding from the elected members’ professional development discretionary budget. The request must detail the business benefit, cost and location of the activities, and confirm that the activities comply with the policy principles outlined in section 2.

10.4 Once approved, Democracy Services and Local Board Services support staff will organise the necessary registrations, bookings and payments.

10.5 If the professional development activity requires international travel a business case must be prepared and approved as outlined in paragraph 12.5.

11 Catering, hospitality and entertainment

Principles

11.1 These rules cover expenditure incurred by all elected members on council business while entertaining members of the public, official visitors to Auckland Council, attendance at conferences, workshops, meetings and functions. Entertainment and hospitality can cover a range of items including, but not limited to, tea, coffee and biscuits, catering such as meals and alcohol, and gifts.

11.2 Any expenses claimed for alcohol when entertaining must be moderate and conservative in terms of quantity and price and satisfy the principles set out in paragraph 2.3.

11.3 There may be occasions where the proposed expenditure is not specifically covered by these rules. If this situation arises, elected members must discuss the proposed expenditure with either the General Manager Democracy Services, the General Manager Local Board Services, the Governance Director or the Chief Executive, and obtain written approval prior to entering into any arrangement or incurring expenditure.

Catering

11.4 If there is a justifiable business purpose, catering may be provided for a meeting or event. Catering includes tea and coffee for morning and afternoon tea, and meals if the event or meeting must take place over usual meal times.

11.5 The Auckland Council Catering Policy applies when catering is required for a meeting or event. The policy specifies that all catering within any council premise must be provided by Auckland Council Catering Services, unless it is not practical for them to do so.

11.6 Elected members are welcome to use the council cafes at their personal cost. Catering may be provided in these venues from time to time to support formal meetings and events.

Civic receptions/functions and official delegations

11.7 To minimise costs it is likely most civic events and hosting of official delegations will be held at council premises. Use of the council’s committee and meeting rooms for such events are subject to the approval of either the General Manager Democracy Services, General Manager Local Board Services, Governance Director or Chief Executive.
11.8 Relevant staff will make the arrangements in accordance with these rules on behalf of elected members.

11.9 Serving alcohol may be permissible at some council events. The expenditure on alcohol must be approved by the General Manager Democracy Services or General Manager Local Board Services, after they are satisfied that:

- the costs relating to alcohol are moderate and conservative
- the ratio of alcohol to food is sensible
- the event meets the requirements of the Sale and Supply of Alcohol Act 2012
- the purpose of serving refreshments at the event is to extend hospitality.

11.10 Only the Catering Manager has the authority to purchase alcohol. Alcohol will be supplied at functions and events in accordance with the provisions of the Sale and Supply of Alcohol Act 2012.

Hosting official visitors

11.11 Elected members may occasionally host official visitors. In most circumstances this will be managed via the Global Partnerships or Civic Events teams.

11.12 If an elected member is required to host a guest at a dinner or purchase a gift in recognition of an event, this expenditure can be claimed back and reimbursed provided prior approval has been obtained. For Councillors prior approval is to be obtained from the General Manager Democracy Services. For Local Board Members prior approval is to be obtained from the General Manager Local Board Services or the relevant Relationship Manager.

Flowers and gifts

11.13 Generally council will not contribute to flowers, gifts, gift vouchers or cards for birthdays, weddings, bereavements, births and farewells. The Mayor, Deputy Mayor, Chief Executive, Governance Director, General Manager Democracy Services or General Manager Local Board Services may give prior approval for an elected member’s contribution in specific circumstances.

11.14 When approved, the gifts and expenditure should be moderate and conservative. Whenever possible, the purchase of gifts should reflect sustainable procurement.

12 Approval process

Approval for domestic travel and domestic expense claims

12.1 A business case is not required for routine domestic travel undertaken for council business. Travel is booked as described under section 4.

12.2 Pre-approval may be given for a schedule of travel arrangements on an annual basis. An example is a commitment to attend scheduled Local Government New Zealand meetings in Wellington due to the member’s appointment to the National Council.

12.3 The list of authorised approvers is as follows:
12.4 The relevant staff from the Mayor’s Office, Democracy Services or Local Board Services will check the documentation for completeness and adherence to the policy and then forward it to the relevant approver for sign-off.

### Approval for international travel

12.5 Activities involving international travel require a business case. Staff can prepare the business case on behalf of the elected member. The business case must outline:

- the purpose of the trip
- who wishes to attend
- why the elected member is an appropriate attendee
- expected benefits
- demonstrated prudent use of ratepayer’s money
- itinerary
- all anticipated costs
- which budgets will meet the costs
- how the outcomes of the trip should be reported back on return (for instance a written summary or a presentation at a political meeting).

12.6 The list of authorised approvers is as follows:

<table>
<thead>
<tr>
<th>Elected member</th>
<th>Approver</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mayor</td>
<td>• The Chair of a Committee of the Whole</td>
</tr>
<tr>
<td></td>
<td>• and the Chief Executive</td>
</tr>
<tr>
<td>Deputy Mayor</td>
<td>• The Mayor or the Chair of a Committee of the Whole</td>
</tr>
<tr>
<td></td>
<td>• and the Chief Executive</td>
</tr>
<tr>
<td>Councillors</td>
<td>• The Mayor or Deputy Mayor or the Chair of a Committee of the Whole</td>
</tr>
<tr>
<td></td>
<td>• and the Chief Executive or Governance Director</td>
</tr>
<tr>
<td>Local board members</td>
<td>If the travel is financed from the local board’s budget:</td>
</tr>
<tr>
<td></td>
<td>• The whole local board, by way of a public report and resolution</td>
</tr>
<tr>
<td></td>
<td>• and the Chief Executive or Governance Director</td>
</tr>
<tr>
<td></td>
<td>If the travel is financed by Local Board Services or from another central budget:</td>
</tr>
<tr>
<td></td>
<td>• The Mayor or Deputy Mayor or the Chair of a Committee of the Whole</td>
</tr>
<tr>
<td></td>
<td>• and the Chief Executive or Governance Director</td>
</tr>
</tbody>
</table>
Approval of expense claims post international travel

12.7 If expenses are in line with current policy and the approved business case, the list of authorised approvers is as follows:

<table>
<thead>
<tr>
<th>Elected member</th>
<th>Approver</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mayor and Deputy Mayor</td>
<td>• The Chief Executive or the Governance Director</td>
</tr>
<tr>
<td>Councillors</td>
<td>• The Governance Director or the General Manager Democracy Services</td>
</tr>
<tr>
<td>Local board members</td>
<td>• The Governance Director or the General Manager Local Board Services</td>
</tr>
</tbody>
</table>

12.8 If expenses are outside of these parameters, they need to be approved by the business case approvers - see paragraph 12.6.

Claiming expenses

12.9 All reimbursements to elected members are made via the payroll system. To be reimbursed, elected members must submit their expense claims monthly. Before the end of each financial year Democracy Services will inform all elected members of the cut-off date to submit claims for that financial year.

12.10 For financial reporting and transparency purposes claims need to be accounted for within the financial year that they are incurred, which ends on 30 June. The cut-off date for submitting claims at year end will be early July so that elected members can claim all expenses to 30 June of that financial year.

12.11 On election years, at the end of the electoral term, Democracy Services will inform all elected members of the final cut-off date by which expense claims must be submitted.

12.12 Democracy Services will not accept claims after the cut-off date. If elected members miss the cut-off date they can claim relevant expenses through their tax returns.

13 Breach of expense and reimbursement rules

13.1 If an elected member breaches this policy he/she must reimburse the council for any costs the council may have wrongfully incurred.

13.2 A breach of the policy may lead to an investigation pursuant to the Elected Members’ Code of Conduct.
Addition to the 2016-2019 Maungakiekie-Tamaki Local Board Meetings Schedule

File No.: CP2018/19706

Te take mō te pūrongo / Purpose of the report
1. To seek approval for one meeting date to be added to the 2016-2019 Maungakiekie-Tamaki Local Board meeting schedule in order to accommodate the Annual Plan 2019/2020 timeframes.

Whakarāpopototanga matua / Executive summary
3. At that time the specific times and dates for meetings for local board decision making in relation to the local board agreement as part of the Annual Plan 2019/2020 were unknown.
4. The board is being asked to approve one meeting date as an addition to the Maungakiekie-Tamaki Local Board meeting schedule so that the Annual Plan 2019/2020 timeframes can be met.

Ngā tūtohunga / Recommendation/s
That the Maungakiekie-Tāmaki Local Board:
a) approve one meeting date to be added to the 2016-2019 Maungakiekie-Tamaki Local Board meeting schedule to accommodate the Annual Plan 2019/2020 timeframes as follows:
   i) Tuesday, 4th June 2019
b) note the venue for the meeting will be at the Maungakiekie-Tamaki Local Board office, 7-13 Pilkington Road, Panmure, starting at 1pm.

Horopaki / Context
5. The Local Government Act 2002 (LGA) and the Local Government Official Information and Meetings Act 1987 (LGOIMA) have requirements regarding local board meeting schedules.
6. In summary, adopting a meeting schedule helps meet the requirements of:
   • clause 19, Schedule 7 of the LGA on general provisions for meetings, which requires the chief executive to give notice in writing to each local board member of the time and place of meetings. Such notification may be provided by the adoption of a schedule of business meetings.
   • sections 46, 46(A) and 47 in Part 7 of the LGOIMA, which requires that meetings are publicly notified, agendas and reports are available at least two working days before a meeting and that local board meetings are open to the public.
7. The Maungakiekie-Tamaki Local Board adopted its business meeting schedule at its 22 November 2016 business meeting.
8. The timeframes for local board decision making in relation to the local board agreement which is part of the Annual Plan 2019/2020 were unavailable when the meeting schedule was originally adopted.

9. The board is being asked to make decisions in mid-December and early June to feed into the Annual Plan 2019/2020 process. The June timeframe is outside the board’s normal meeting cycle.

Tātaritanga me ngā tohutohu / Analysis and advice
10. The board has two choices:
   i) Add the meeting as an addition to the meeting schedule.
   or
   ii) Add the meeting as an extraordinary meeting.

11. For option one, statutory requirements allow enough time for the meeting to be scheduled as an addition to the meeting schedule and other topics may be considered as per any other ordinary meeting. However there is a risk that if the Annual Plan 2019/2020 timeframes change or the information is not ready for the meeting there would need to be an additional extraordinary meeting scheduled anyway.

12. For option two, only the specific topic Annual Plan 2019/2020 may be considered for which the meeting is being held. There is a risk that no other policies or plans with similar timeframes or running in relation to the Annual Plan 2019/2020 process could be considered at this meeting.

13. Since there is enough time to meet statutory requirements, staff recommend approving the meeting as an addition to the meeting schedule as it allows more flexibility for the board to consider a range of issues.

Ngā whakaaweawe ā-rohe me ngā tirohanga a te poari ā-rohe / Local impacts and local board views
14. This report requests the board’s decision to schedule one additional meeting and consider whether to approve it as an extraordinary meeting or an addition to the meeting schedule.

Tauākī whakaaweawe Māori / Māori impact statement
15. There is no specific impact for Māori arising from this report. Local boards work with Māori on projects and initiatives of shared interest.

Ngā ritenga ā-pūtea / Financial implications
16. There are no financial implications in relation to this report apart from the standard costs associated with servicing a business meeting.

Ngā raru tūpono / Risks
17. There are no significant risks associated with this report.

Ngā koringa ā-muri / Next steps
18. Implement the processes associated with preparing for business meetings.

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

<table>
<thead>
<tr>
<th>Author</th>
<th>Tracey Freeman - Democracy Advisor</th>
</tr>
</thead>
<tbody>
<tr>
<td>Authorisers</td>
<td>Louise Mason - GM Local Board Services</td>
</tr>
<tr>
<td></td>
<td>Victoria Villaraza - Relationship Manager</td>
</tr>
</tbody>
</table>
Te take mō te pūrongo / Purpose of the report
1. To present the board with the governance forward work calendar.

Whakarāpopototanga matua / Executive summary
2. The governance forward work calendar for the Maungakiekie-Tāmaki Local Board is in Attachment A.
3. The calendar aims to support local boards’ governance role by:
   • ensuring advice on meeting agendas is driven by local board priorities
   • clarifying what advice is required and when
   • clarifying the rationale for reports.
4. The calendar is updated every month. Each update is reported to business meetings. It is recognised that at times items will arise that are not programmed. Board members are welcome to discuss changes to the calendar.

Ngā tūtohunga / Recommendation/s
That the Maungakiekie-Tāmaki Local Board:
   a) note the attached Governance Forward Work Calendar.

Ngā tāpirihanga / Attachments

<table>
<thead>
<tr>
<th>No.</th>
<th>Title</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>A1</td>
<td>Governance Forward Work Calendar</td>
<td>131</td>
</tr>
</tbody>
</table>

Ngā kaihaina / Signatories

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<tr>
<th>Author</th>
<th>Tracey Freeman - Democracy Advisor</th>
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<tbody>
<tr>
<td>Authorisers</td>
<td>Louise Mason - GM Local Board Services</td>
</tr>
</tbody>
</table>
<pre><code>                   | Victoria Villaraza - Relationship Manager |
</code></pre>
Reports highlighted in blue text reflect a change where a new report is expected or change on the planned date has occurred.

<table>
<thead>
<tr>
<th>Date</th>
<th>Business meeting report topic</th>
<th>Governance Role</th>
<th>Purpose</th>
</tr>
</thead>
<tbody>
<tr>
<td>27 November 2018</td>
<td>Natural Environment</td>
<td>Input to regional decision-making</td>
<td>Define board position and feedback</td>
</tr>
<tr>
<td></td>
<td>Open Space Management Framework</td>
<td>Input to regional decision-making</td>
<td>Provide direction on preferred approach</td>
</tr>
<tr>
<td></td>
<td>Regional Pest Management Plan</td>
<td>Input to regional decision-making</td>
<td>Define board position and feedback</td>
</tr>
<tr>
<td></td>
<td>Auckland Waters Strategy</td>
<td>Input to regional decision-making</td>
<td>Define board position and feedback</td>
</tr>
<tr>
<td></td>
<td>Development Contribution Policies</td>
<td>Input to regional decision-making</td>
<td>Define board position and feedback</td>
</tr>
<tr>
<td></td>
<td>Online Voting Trial</td>
<td>Input to regional decision-making</td>
<td>Define board position and feedback</td>
</tr>
<tr>
<td>11 December 2018</td>
<td>Regional Facilities Auckland quarterly report</td>
<td>Oversight and Monitoring</td>
<td>Receive update on progress</td>
</tr>
<tr>
<td></td>
<td>Open Space Network Plan</td>
<td>Oversight and Monitoring</td>
<td>Provide direction on preferred approach</td>
</tr>
<tr>
<td></td>
<td>Draft Resilient Recovery Strategy</td>
<td>Input to regional decision-making</td>
<td>Provide direction on preferred approach</td>
</tr>
<tr>
<td></td>
<td>Agree LBA consultation document</td>
<td>Engagement</td>
<td>Formal adoption</td>
</tr>
<tr>
<td>February 2019</td>
<td>Auckland Climate Action Plan</td>
<td>Input to regional decision-making</td>
<td>Define board position and feedback</td>
</tr>
<tr>
<td></td>
<td>Sports Facility Investment Plan</td>
<td>Input to regional decision-making</td>
<td>Provide direction on preferred approach</td>
</tr>
<tr>
<td></td>
<td>Open Space Management Framework</td>
<td>Input to regional decision-making</td>
<td>Provide direction on preferred approach</td>
</tr>
<tr>
<td>March 2019</td>
<td>Draft Golf Facilities Investment Plan</td>
<td>Input to regional decision-making</td>
<td>Define board position and feedback</td>
</tr>
<tr>
<td></td>
<td>Draft LB Work Programmes FY20</td>
<td>Setting direction / priorities / budget</td>
<td>Define board position and feedback</td>
</tr>
<tr>
<td></td>
<td>Homelessness review</td>
<td>Input to regional decision-making</td>
<td>Provide direction on preferred approach</td>
</tr>
<tr>
<td>June 2019</td>
<td>Adopt local board Work Programmes FY20</td>
<td>Setting direction / priorities / budget</td>
<td>Formal approval</td>
</tr>
</tbody>
</table>
Record of Maungakiekie-Tamaki Local Board Workshops

File No.: CP2018/13042

Te take mō te pūrongo / Purpose of the report
1. To provide a summary of the Maungakiekie-Tāmaki Local Board workshops for 2\textsuperscript{nd}, 9\textsuperscript{th} and 16\textsuperscript{th} October 2018.

Whakarāpopototanga matua / Executive summary
2. The workshops are held to give an information opportunity for board members and officers to discuss issues and projects, and note that no binding decisions are made or voted on at workshop sessions.

Ngā tūtohunga / Recommendation/s
That the Maungakiekie-Tāmaki Local Board:

a) note the local board record of workshops held on for 2\textsuperscript{nd}, 9\textsuperscript{th} and 16\textsuperscript{th} October 2018.

Ngā tāpirihanga / Attachments

<table>
<thead>
<tr>
<th>No.</th>
<th>Title</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>A4</td>
<td>Record of Workshops October 2018</td>
<td>135</td>
</tr>
</tbody>
</table>

Ngā kaihaina / Signatories

<table>
<thead>
<tr>
<th>Author</th>
<th>Tracey Freeman - Democracy Advisor</th>
</tr>
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<tbody>
<tr>
<td>Authorisers</td>
<td>Louise Mason - GM Local Board Services</td>
</tr>
<tr>
<td></td>
<td>Victoria Villaraza - Relationship Manager</td>
</tr>
</tbody>
</table>
Workshop record of the Maungakiekie-Tāmaki Local Board held on 23rd October 2018, commencing at 10am.

PRESENT

Members present for all or part of the workshop day:

Chris Makoare (Chairperson)
Debbie Burrows (Deputy Chairperson)
Bernie Diver
Don Allan
Alan Verrall
Nerissa Henry
Maria Meredith

Apologies: None

<table>
<thead>
<tr>
<th>Workshop Item</th>
<th>Governance role</th>
<th>Summary of Discussions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Auckland Waters Strategy – Maddison Litt, Nicholas Vigar, Cliff Wilton</td>
<td>Input into regional decision-making</td>
<td>The board was informed about the Auckland Waters Strategy and were able to provide feedback on key issues and priorities in the local board area.</td>
</tr>
<tr>
<td>Safeswim Signage Taumauku Reserve – Maddison Litt, Nicholas Vigar, Andrew Schollum</td>
<td>Oversight and monitoring</td>
<td>Feedback on the location of signs in the local board area was sought from the board.</td>
</tr>
<tr>
<td>Community Facilities – Jessie McMath, Johan Ferreira, Jacqui Fell, Valerie Vui, Dominic Stanley, Ed Fletcher</td>
<td>Oversight and monitoring</td>
<td>The board was updated on the progress of various projects and Community Facilities related issues in the local board area.</td>
</tr>
<tr>
<td>Local Events 2018/19 – Karem Comenares</td>
<td>Oversight and monitoring</td>
<td>A list of confirmed local events was discussed by the board, including Citizenship Ceremonies.</td>
</tr>
</tbody>
</table>

The workshop concluded at 4pm.
Workshop record of the Maungakiekie-Tāmaki Local Board held on 9th October 2018, commencing at 10am.

**PRESENT**

Members present for all or part of the workshop day:

- Chris Makoare (Chairperson)
- Debbie Burrows (Deputy Chairperson)
- Don Allan
- Alan Verrall
- Nerissa Henry
- Maria Meredith

Apologies: Bernie Diver

<table>
<thead>
<tr>
<th>Workshop Item</th>
<th>Governance role</th>
<th>Summary of Discussions</th>
</tr>
</thead>
<tbody>
<tr>
<td>AMETI Eastern Busway &amp; Mokoia Pa – Felicity Merrington, Prakash, Mahu, Lou</td>
<td>Keeping informed</td>
<td>The board was updated on the progress of planned AMETI activity.</td>
</tr>
<tr>
<td>Maybury Reserve &amp; Ruapotaka Marae LOA Application – Anne Bradbury, Tim Keat, Shaun Jones, Devin Grant-Miles, Catalina Vercelli</td>
<td>Setting direction / priorities / budget</td>
<td>Obtained direction from the board regarding the proposed upgrade of Maybury Reserve.</td>
</tr>
<tr>
<td>Panuku – Jessica Laing, Helga Sonier</td>
<td>Keeping informed</td>
<td>The board was briefed on the developments of the Unlock Panmure and Transform Onehunga projects.</td>
</tr>
<tr>
<td>Parks, Sport &amp; Rec – Rob Gear, Katharine Black</td>
<td>Oversight and monitoring</td>
<td>The board was updated on the progress of projects in the local board area.</td>
</tr>
</tbody>
</table>

The workshop concluded at 4.30pm.
Workshop record of the Maungakiekie-Tāmaki Local Board held on 16th October 2018, commencing at 10am.

PRESENT

Members present for all or part of the workshop day:

Chris Makoare (Chairperson)
Don Allan
Alan Verrall
Bernie Diver
Maria Meredith

Apologies: Debbie Burrows
Nerissa Henry

<table>
<thead>
<tr>
<th>Workshop Item</th>
<th>Governance role</th>
<th>Summary of Discussions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Waikaraka Park Grandstand &amp; Sports Field – Graham Hooper, Warren Perkins,</td>
<td>Setting direction / priorities /</td>
<td>Obtained the board’s position and feedback on the next steps to be</td>
</tr>
<tr>
<td>Vincent Mulline, Grant Burko, Tanya Sorrell.</td>
<td>budget</td>
<td>budget</td>
</tr>
<tr>
<td>PSR Greenways Review – Rob Gear, Katherine Black, Richard Barter</td>
<td>Oversight and monitoring</td>
<td>Obtained the board’s position and feedback on the draft plan and proposed routes in the</td>
</tr>
<tr>
<td></td>
<td></td>
<td>local board area.</td>
</tr>
<tr>
<td>Community Partnerships &amp; Capacity Building Review – Catalina Varcalli, Julie</td>
<td>Keeping informed</td>
<td>Informed the local board members and addressed the board’s queries.</td>
</tr>
<tr>
<td>Radford-Pouparad</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Suffrage Public Art &amp; Te Oro Stakeholder Engagement Business Plan Review –</td>
<td>Setting direction / priorities /</td>
<td>The board was updated on the progress of the Suffrage Public Art project. The board</td>
</tr>
<tr>
<td>Sarah Edwards, Dobs McSmith</td>
<td>budget</td>
<td>also provided feedback to the Te Oro business plan.</td>
</tr>
</tbody>
</table>

The workshop concluded at 4pm.
Exclusion of the Public: Local Government Official Information and Meetings Act 1987

That the Maungakiekie-Tāmaki Local Board

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:

<table>
<thead>
<tr>
<th>Reason for passing this resolution in relation to each matter</th>
<th>Particular interest(s) protected (where applicable)</th>
<th>Ground(s) under section 48(1) for the passing of this resolution</th>
</tr>
</thead>
<tbody>
<tr>
<td>The public conduct of the part of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under section 7.</td>
<td>s7(2)(ba) - The item relates to an application for a resource consent or water conservation order or a requirement for a designation or heritage order under the Resource Management Act 1991 and the withholding of the information is necessary to avoid serious offence to tikanga Maori or to avoid the disclosure of the location of waahi tapu. In particular, the report contains</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>
</tr>
</tbody>
</table>