
Waitematā Local Board

OPEN MINUTES

Minutes of a meeting of the Waitematā Local Board held in the Waitematā Local Board Office, Ground Floor, 52 Swanson Street, Auckland on Tuesday, 16 October 2018 at 2:00pm.

PRESENT

Chairperson
Deputy Chairperson
Members

Pippa Coom
Shale Chambers
Adriana Avendaño Christie
Richard Northey, ONZM
Denise Roche
Vernon Tava
Rob Thomas

Arrived 4.38pm

1 Welcome

The Chair opened the meeting and welcomed all those present.

2 Apologies

Resolution number WTM/2018/144

MOVED by Deputy Chairperson S Chambers, seconded by Member R Northey:

That the Waitematā Local Board:

- a) accept the apology from member D Roche for lateness.

CARRIED

3 Declaration of Interest

There were no declarations of interest.

4 Confirmation of Minutes

Resolution number WTM/2018/145

MOVED by Chairperson P Coom, seconded by Deputy Chairperson S Chambers:

That the Waitematā Local Board:

- a) confirm the ordinary minutes of its meeting, held on Tuesday, 18 September 2018, as a true and correct record.

CARRIED

5 Leave of Absence

There were no leaves of absence.

6 Acknowledgements

6.1 Acknowledgements

Resolution number WTM/2018/146

MOVED by Chairperson P Coom, seconded by Deputy Chairperson S Chambers:

That the Waitematā Local Board:

- a) acknowledges campaigner and activist Penny Bright who passed away on 4 October 2018. Our thoughts are with her family and close friends at this sad time.

CARRIED

7 Petition

7.1 Sophia Fiossetti - petition to Auckland Transport to restore bus services along Williamson Avenue in Grey Lynn.

Resolution number WTM/2018/147

MOVED by Chairperson P Coom, seconded by Member V Tava:

That the Waitematā Local Board:

- a) thank Sophia Fiossetti for presenting a petition seeking Auckland Transport to restore bus services along Williamson Avenue, Grey Lynn and for attendance at the business meeting
- b) refer the petition to Auckland Transport and requests Auckland Transport to reinstate bus services along Williamson Avenue as soon as reasonably practicable.

CARRIED

Attachments

- A Signed petition to Auckland Transport
- B Presentation - Restore Williamson Avenue bus service

8 Deputations

8.1 Andrew Charlesworth - Big Street Bikers

Resolution number WTM/2018/148

MOVED by Chairperson P Coom, seconded by Member R Thomas:

That the Waitematā Local Board:

- a) thank Andrew Charlesworth and Cleve Cameron of Big Street Bikers for their presentation and attendance at the business meeting.

CARRIED

8.2 Margaret Lewis - Housed to Homeless - grant recipient 2017

Resolution number WTM/2018/149

MOVED by Chairperson P Coom, seconded by Member R Northey:

That the Waitematā Local Board:

- a) thank Margaret Lewis of Housed to Homeless for her presentation and attendance at the business meeting.

CARRIED

8.3 Claudia "Boopsie" Maran - successful placemaking and community engagement executed in other cities

Resolution number WTM/2018/150

MOVED by Chairperson P Coom, seconded by Member A Avendano Christie:

That the Waitematā Local Board:

- a) thank Claudia "Boopsie" Maran for her presentation and attendance at the business meeting.

CARRIED

Attachments

- A Presentation - Successful placemaking and community engagement

9 Public Forum

9.1 Kevin Sherlock - St Patrick's Cathedral and St Patrick's Square parking

Resolution number WTM/2018/151

MOVED by Chairperson P Coom, seconded by Member V Tava:

That the Waitematā Local Board:

- a) thank Gregory Shanahan and Kevin Sherlock for their attendance and presentation.

CARRIED

Attachments

- A Presentation - Reinstate bollards in St Patrick's Square

9.2 Mik Smellie - Queen's Wharf possible future public spaces

Resolution number WTM/2018/152

MOVED by Chairperson P Coom, seconded by Member R Thomas:

That the Waitematā Local Board:

- a) thank Mik Smellie of SPLICE for his attendance.

CARRIED

10 Extraordinary Business

There was no extraordinary business.

11 Notices of Motion

Under Standing Order 2.5.1 (LBS 3.11.1) or Standing Order 1.9.1 (LBS 3.10.17) (revoke or alter a previous resolution) a Notice of Motion has been received from Member V Tava for consideration under item 13.

12 Ward Councillor's report

There was no verbal update from the Waitematā and Gulf Ward Councillor, Mike Lee.

13 Notice of Motion - Vernon Tava - Installation of Bollards on St Patrick's Square

Resolution number WTM/2018/153

MOVED by Member V Tava, seconded by Chairperson P Coom:

That the Waitematā Local Board:

- a) support in principle the re-installation of bollards at St Patrick's Square by Auckland Transport, in consultation with relevant Auckland Council departments, for a solution to manage parking and through-traffic in the Square, and requests Auckland Transport to provide a rough order of costs.

CARRIED

Attachments

- A Site plan and photographs of previous bollards in situ.

14 Auckland Transport October 2018 update

Resolution number WTM/2018/154

MOVED by Chairperson P Coom, seconded by Deputy Chairperson S Chambers:

That the Waitematā Local Board:

- a) receive the Auckland Transport October 2018 update report
- b) request Auckland Transport prepare a rough order of costs for the installation of temporary planters in MacKelvie Street in line with the original design proposal for the Ponsonby Pedestrian Project.

CARRIED

15 Draft Facility Partnership Policy

Resolution number WTM/2018/155

MOVED by Chairperson P Coom, seconded by Deputy Chairperson S Chambers:

That the Waitematā Local Board:

- a) endorse the proposed approach to the Draft Facility Partnerships Policy
- b) recommends the following feedback for the Environment and Community Committee's consideration:
 - i. acknowledge the importance of the policy and support its high quality intentions, content, development and easy to navigate presentation
 - ii. recommends that the policy maximises the achievement of its stated benefits as highlighted in point 15 of the staff report, which we view in the following order of priority: community empowerment; appropriately responding to increasing diversity; enabling and utilising community effort; leveraging external investment; optimising the existing facility network; and reducing the need for new facilities

- iii. generally supports the Tracks, Types and Scales Model while advocating that it be simplified and less bureaucratic in application where possible
 - iv. recommend that the stages of the facility partnership lifestyle could be further streamlined to either combine 3, 4 and 5, or two of these stages where possible, particularly for projects of less scale
 - v. agree with the four investment principles which are based on outcomes, equity, value for Aucklanders and sustainability
 - vi. urge adding an additional priority under Principle 2 – Investing equitably (page 33), which targets disadvantaged, impoverished and alienated communities
 - vii. strongly disagree with the proposed exclusion of housing services (page 27) from potential facility partnerships because housing is a vital community need that Auckland Council and the community together can provide or facilitate cost effective locally appropriate solutions
 - viii. accept the utility and value of some commercial activity in the circumstances proposed in the draft policy (pages 32 and 33)
 - ix. request that there is a clear ban on the sale or promotion of weapons of war; hate speech; gambling; loan sharks; pornography; or environmentally damaging, wasteful or climate change inducing activities
 - x. in the case of facility partnerships that result in a community lease any commercial activities must be auxiliary and ancillary to the primary purpose of the community lease
 - xi. we support the proposed partnering principles and the proposal for every facility partnership to have a single staff member to lead the relationship with the key people in the partner organisation (Section 4. The relationship)
 - xii. reject the sterile, commercial and bureaucratic name and concept of a “broker”. The title and role should instead reflect the concepts of whanaungatanga and of kaitiakitanga
 - xiii. urge that the implementation of this policy be given substantially greater budgetary and staff resources as its effective implementation is crucial for community development and empowerment, positive community relationships with Council and more cost effective resourcing of facilities
- c) delegate authority to member Richard Northey and member Denise Roche to finalise the local board’s feedback by 30 October 2018.

CARRIED

16 Request for two-year recurring temporary alcohol ban at Western Springs

Resolution number WTM/2018/156

MOVED by Deputy Chairperson S Chambers, seconded by Member R Northey:

That the Waitematā Local Board:

- a) adopt option two temporary alcohol ban for the four confirmed concerts (Friday Jams Concert 18 November 2018, Mumford and Sons 12 January 2019, Fat Freddy’s Drop 19 January 2019 and Six60 23 February 2019) at Western Springs on the areas shown in Attachment A from 7am on the day of, to 7am on the day after the concerts.

CARRIED

*The meeting adjourned at 4.25pm
The meeting reconvened at 4.32pm*

17 Review of the Code of Conduct

Resolution number WTM/2018/157

MOVED by Member R Northey, seconded by Deputy Chairperson S Chambers:

That the Waitematā Local Board:

- a) provide the following feedback on the draft Code of Conduct in Attachment of the agenda report.

General Code of Conduct Feedback

- i) supports the overall approach towards a more concise, positive and principle-based code of conduct
- ii) notes that the code of conduct is a set of principles that provides elected members with guidelines for making ethical choices in the conduct of their work and is not a legally binding contract and on that basis does not support members being required to sign the code at the time of inauguration
- iii) seeks the bullet point under the Respect principle to be amended to require elected members to maintain confidentiality of **confidential** information rather than the confidentiality of all information

Complaints Process

- iv) recommends that the complaints process includes the Chief Executive undertaking an initial assessment to determine whether the complainant has attempted to resolve the complaint and the complaint fits the criteria of a breach before referring to an Investigator

Conflict of Interest

- v) notes that the code proposes that alleged breaches related to a conflict of interest will follow the process of seeking advice from legal services or internal audit and if the elected member does not act the matter will be referred to the Conduct Commissioner for investigation as a material breach of the code
- vi) does not agree that a lack of action by the elected member on internal audits advice should be automatically or usually deemed to be a material breach. The advice may later be determined by the Code of Conduct commissioner to be wrong
- vii) recommends that section 4.11 should be reworded to read "...referred to the Conduct Commissioner for investigation as a **potential** material breach"
- viii) Notes that the conflict of interest policy has been updated to reflect the current legal position relating to conflicts of interest and pre-determination
- ix) consider that the pre-determination section is too wide ranging and restrictive, for instance it should not include any requirement to read all submissions or officers' reports on a subject or issue
- x) seeks the policy to confirm that campaigning on a topic before being elected is not considered as predetermination unless it is a central raison d'être of their campaign
- xi) considers that the council has a role in enabling elected members to meet their duty of registering members' interests annually and providing a suitable platform
- xii) considers it is important that declarations are publicly available and that if any new interests arise throughout the year these should be added in the next annual update (as adding at the time they arise could be an unreasonable imposition) and uploaded to a publicly accessible registrar
- xiii) seeks for the code to be amended to reflect the requirement for members' interests to be uploaded immediately following an election in addition to the requirement of completing the annual declaration by 31 July
- xiv) recommends that the language in the code is reviewed to clearly differentiate

between the process of declaring an interest and avoiding a conflict versus having a conflict of interest

- xv) recommends that sections 2.16 and 2.17 should be reworded to reflect that having a non-financial interest need not in itself oblige the member to act in a particular manner when the agenda item is dealt with
- xvi) agrees that interests in an agenda item be declared at the start of the meeting but that it remains up to the member to determine whether and to what extent they participate in the item in the case of a non-financial interest if it is merely an interest in common with the public they can participate fully, otherwise in the case of a non-financial interest they have an option to remain part of the meeting quorum and to have it recorded that they neither spoke nor voted on the item

Access to information protocol

- xvii) welcomes the proposed new process for providing elected members with useful information more quickly, particularly where it can be provided to a member in a timely manner before a meeting where the information is relevant to a decision that is to be made there
- xviii) considers that it is not appropriate for the Chief Executive to be required to determine what is reasonably necessary as this is both an inappropriately high test and also too subjective
- xix) recommends that the access to information protocol utilises the ‘relevance test’ only as elected members have different levels of information requirements to support their decision making. Sections 3.2 to 3.6 should be amended to retain the “good reason” principle and the “relevant to” test but delete the “reasonably necessary” test throughout

Media protocols

- xx) recommends that the media protocols are revised to allow the deputy chair to speak on behalf of the chair when they are not available
- xxi) requests that the protocols are revised to reflect individual local board member portfolio delegations as they have the right to be local board spokesperson in their portfolio responsibility areas.

CARRIED

Note: Member D Roche joined the meeting.

18 Representation Review 2018 Hearings: Waitematā Local Board submission on ward boundary changes

Resolution number WTM/2018/158

MOVED by Deputy Chairperson S Chambers, seconded by Member DR Roche:

That the Waitematā Local Board:

- a) receive the Waitematā Local Board submission to the Joint Governance Working Party Hearing on the review of Auckland Council’s representation arrangements for the 2019 elections (Attachment A of the agenda).

CARRIED

Member R Northey tabled a memo in respect of this item. The memo is attached to Item 12 – Local Board Members’ Reports

19 Urgent Decision - Waitematā Local Board submission on reforming the Residential Tenancies Act 1986

Resolution number WTM/2018/159

MOVED by Chairperson P Coom, seconded by Deputy Chairperson S Chambers:

That the Waitematā Local Board:

- a) receive the urgent decision dated 27 September 2018.

CARRIED

20 Urgent Decision - Waitematā Local Board submission on the Healthy Homes Standards MBIE consultation

Resolution number WTM/2018/160

MOVED by Chairperson P Coom, seconded by Member A Avendano Christie:

That the Waitematā Local Board:

- a) receive the urgent decision dated 9 October 2018 to approve the Waitematā Local Board submission on the Healthy Homes Standards.

CARRIED

21 Chair's Report

Resolution number WTM/2018/161

MOVED by Deputy Chairperson S Chambers, seconded by Member V Tava:

That the Waitematā Local Board:

- a) receive the Chair's report for the period October 2018.

CARRIED

22 Board member reports

Resolution number WTM/2018/162

MOVED by Chairperson P Coom, seconded by Deputy Chairperson S Chambers:

That the Waitematā Local Board:

- a) receive the written reports from member R Northey and member V Tava and the board member verbal reports for October 2018.

CARRIED

Attachments

- A Tabled memo by Member R Northey

23 Waitematā Local Board Workshop Records

Resolution number WTM/2018/163

MOVED by Chairperson P Coom, seconded by Member R Northey:

That the Waitematā Local Board:

- a) receive the workshop proceeding records for the meetings held on 25 September 2018 and 9 October 2018
- b) note that there was no workshop on 2 October 2018 due to recess.

CARRIED

24 Governance Forward Work Calendar

Resolution number WTM/2018/164

MOVED by Chairperson P Coom, seconded by Member DR Roche:

That the Waitematā Local Board:

- a) receive the governance forward work calendar October 2018 attached to the agenda.

CARRIED

25 Consideration of Extraordinary Items

There was no consideration of extraordinary items.

5.31 pm

The Chairperson thanked Members for their attendance and attention to business and declared the meeting closed.

CONFIRMED AS A TRUE AND CORRECT RECORD
AT A MEETING OF THE WAITEMATĀ LOCAL
BOARD HELD ON

DATE:.....

CHAIRPERSON:.....