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

Date: Tuesday, 5 May 2020  
Time: 1.00pm  
Meeting Room: Skype for Business  
Venue: Either a recording or written summary will be uploaded on the Auckland Council website

Waitematā Local Board  
OPEN AGENDA

MEMBERSHIP

Chairperson  
Richard Northey, (ONZM)  
Kerrin Leoni  
Adriana Avendano Christie  
Alexandra Bonham  
Graeme Gunthorp  
Julie Sandilands  
Sarah Trotman, (ONZM)

(Quorum 4 members)

Priscila Firmo  
Democracy Advisor - Waitematā  
29 April 2020

Contact Telephone: (09) 353 9654  
Email priscila.firmo@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 Waitematā Local Board:

a) confirm the minutes of its ordinary meeting, held on Tuesday, 17 March 2020, as true and correct.

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 Waitematā 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.

8.1 Auckland District Pipe Band

Te take mō te pūrongo

Purpose of the report

To present the social and cultural benefits that the Auckland and District Pipe Band provides for the Waitematā and greater Auckland region.

Ngā tūtohunga

Recommendation/s

That the Waitematā Local Board:

a) thank Benjamin McLaughlin from Auckland District Pipe Band, for the presentation and attendance at the business meeting.
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.

9.1 Public Forum

Te take mō te pūrongo

Purpose of the report

1. Public forum provides an opportunity for a member of the public to address a meeting and share an opinion to elected representatives.

2. Formal approval from the Chairperson is not required.

Time

3. A period of up to 30 minutes, or such other time as the local board or any of its committees may determine, will be set aside for a public forum at the commencement of meetings of the local board which are open to the public.

4. Each speaker during the public forum section of a meeting may speak for three minutes.

5. Standing orders may be suspended on a vote of not less than 75 per cent of those present to extend the period of public participation or the period any speaker is allowed to speak.

6. This Standing Order does not apply to inaugural meetings and, where not appropriate, extraordinary meetings or a special consultative procedure.

Subjects of public forum

7. The public forum is to be confined to those items falling within the scope or functions of that local board or committee. Speakers must not speak about a matter that is under judicial consideration or subject to a quasi-judicial process.

Questions of speakers during public forum

8. With the permission of the chairperson, members may ask questions of speakers during the period reserved for public forum. Questions by members, if permitted, are to be confined to obtaining information or clarification on matters raised by the speaker.

9. Members may not debate any matter raised during the public forum session that is not on the agenda for the meeting, or take any action in relation to it, other than through the usual procedures for extraordinary business if the matter is urgent.

10. The meeting may not make any resolution on issues raised in public forum except to refer the matter to a future meeting, or to another committee, or to the chief executive for investigation.

[Note: s 76 – 81, LGA 2002, regarding decision-making]

Language for speeches

A member of the public may address a meeting in English, Māori or New Zealand Sign Language. However, the person should advise the chairperson of their intention to speak in a language other than English at least two clear working days before the
meeting.

11. Where practical, Auckland Council will arrange for a translator to be present at the meeting. The chairperson may also order the speech and any accompanying documents to be translated and printed in English or Māori or another language.

**Chairperson’s discretion**

The chairperson may:

- direct a speaker to a different committee if they consider this more appropriate, given the proposed subject matter
- prohibit a speaker from speaking if they are offensive, repetitious or vexatious, or otherwise breach these standing orders.

**Ngā tūtohunga**

**Recommendation/s**

That the Waitematā Local Board:

a) thank all those who presented for their attendance at the meeting.

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.”
11 Notices of Motion

Under Standing Order 2.5.1 a Notice of Motion has been received from Member A Bonham for consideration under item 14.
Councillor's report

File No.: CP2020/04714

Te take mō te pūrongo
Purpose of the report

1. To provide Waitematā and Gulf Ward Councillor Pippa Coom, Ōrākei Ward Councillor Desley Simpson and Albert-Eden Roskill Ward Councillors Christine Fletcher and Cathy Casey with an opportunity to update the Waitematā Local Board on regional issues.

Ngā tūtohunga
Recommendation/s

That the Waitematā Local Board:

a) receive the written report update from the Waitematā and Gulf Ward Councillor, Pippa Coom and the verbal or tabled Ward Councillor reports.

Ngā tāpirihanga / Attachments

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<td>Trina Thompson - Relationship Manager/Senior Advisor Waitematā Local Board</td>
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Pippa Coom Councillor Report – Waitematā and Gulf Ward

This is an extraordinary Councillor report covering the period from 13 March 2020 until 20 April. It is prepared for the Waitematā Local Board business meeting to be held on 5 May.

The purpose of my report is to provide an update on the key governing body decisions as the Covid-19 crisis escalated and during the lockdown as well as my focus during this time as Councillor.

Auckland Council response to the Covid-19 crisis

Following the WHO declaration of an official pandemic on 11 March the first indication of the seriousness of the situation was the need to cancel the Pasifika Festival on 13 March due to concerns about the risk of the virus spreading into the Pacific. As more cases were confirmed Auckland Council closed pools, libraries, galleries and other community facilities on 20 March. The next day the Government introduced a four-level alert system to help combat Covid-19. The Prime Minister announced New Zealand would go to Alert Level 4 at 23.59 on 25 March 2020. A state of emergency was declared putting the country into lockdown for a minimum of four weeks. People were told to stay home to save lives and only go out for essential work, supplies and local recreation.

It is an unprecedented situation that is evolving every day as we get to grips with the new “normal”. First and foremost, Council is taking the advice of the Ministry of Health, which is leading New Zealand’s Covid-19 response.

Essential Council services continue including storm water infrastructure repair and maintenance and water treatment, animal welfare management, biosecurity and hazard monitoring. Auckland’s kerbside rubbish and recycling are considered essential services and will continue as usual. Unfortunately, there is currently no market for recycled paper so temporarily it will be going to landfill (paper and cardboard can still go out in the recycling bin). The inorganic collection has been postponed.

Over 300 Council facilities have closed including recreation centres, pools, community centres. Parks and reserves remain open for local recreation but playgrounds and recreational facilities in parks are closed. Most public toilets are closed although some remain open for essential workers and rough sleepers.

Auckland Libraries e-lending services like audiobooks, video streaming services and learning databases like Lynda.com continue to be available for free and have been extended. Library fines for overdue books have been suspended and gym memberships are on hold.

Road maintenance undertaken by Auckland Transport is considered an essential service so continues during the lockdown. However, this is being limited to only that maintenance required to keep the network safe and operational during this period.

Council staff have been deployed to help Aucklanders experiencing hardship as a result of the lockdown. Deliveries of essential supplies including food and toiletries began on 1 April via an 0800 22 22 96 phone number provided for those needing assistance with accessing essential supplies (the service also covers Aotea Great Barrier and Waiheke islands). Photo right of re-deployed council workers preparing welfare parcels.
Auckland Council and homeless agencies have been working together to ensure there is accommodation, food and essential support available for rough sleepers.

The Our Auckland website was transformed quickly to provide a one stop shop for all Auckland Council related Covid-19 information. Just before the Easter break a further plea was made to boaters to not visit the islands against level 4 lockdown rules. While New Zealand Police and other agencies have reminded boaters to stay off the water during the lockdown, unfortunately some have still been visiting Aotearoa Great Barrier.

Local board chairs supported by local board members have been on the front line dealing directly with a range of challenging issues in their communities especially at the outset of the lockdown. I have been in regular communication with chairs in my ward and available to follow up on issues as requested.

An emergency management fund established on 24 March was accessed quickly to guarantee one flight per day to Aotearoa Great Barrier to ensure essential services, products and workers continue to be available to all residents. A service for essential supplies was also put in place for Rakino Island.

Work is underway to identify potential cuts to expenditure required due to the substantial reduction in non-rates revenue caused by the recession. Steps have already been taken to reduce spending on external contracts and contract staff in non-essential services, as part of plans to manage the financial impact of COVID-19 (Refer Attachment 1 regarding the Annual Budget 2021).

On 17 April the chief executives of council and its five council-controlled organisations announced they will take a pay cut of 20 per cent for the next six months. In addition, board chairs, directors and senior executives have volunteered a range of reductions.

Regular Covid-19 briefings for councillors have been held since 18 March. At the time of writing the Prime Minister has announced that Alert Level 4 has been extended until 11.59pm on Monday 27 April. Council’s focus over the next week will be to work through what moving to Alert Level 3 means for the organisation and the additional services it will be able to provide. Planning for the post Covid-19 recovery is also underway.

**Governing Body meetings**

The minutes for all meetings are available on the Auckland Council website here.

**On 19 March the Finance and Performance Committee** meeting received the Auckland Council Group and Auckland Council quarterly performance report for the period ended 31 December 2019; a Financial update on current status due to Covid-19 as an extraordinary item, and a presentation from the Eden Park Trust Board noting the uncertainty of future financial projections due to Covid-19. (this was the last meeting with all members in attendance at the Town Hall prior to lockdown)

**On 24 March, an extraordinary meeting of the Governing Body** met to discuss Governing Body decision-making continuity during the COVID-19 response period. It was agreed unanimously that members could attend any meetings of the Governing Body or it’s committees by audio or audiovisual link, and be counted as present, during the COVID-19 response period.

A temporary Emergency Committee of the whole of Governing Body was established with a quorum of 2, with others participating via audio link, which meets weekly and includes 2 members of IMSB. All functions and powers of the Governing Body have been delegated to this committee other than those in Audit and Risk.
We also agreed to establish a COVID-19 contingency fund of $22.5 million for any urgent expenditure required to respond to the pandemic or its impacts.

Following this meeting Governing Body members had to quickly adapt to skypeing into meetings, and although there have been a few teething issues, in general the process is working well to maintain good governance.

On 26 March Governing Body met and endorsed the proposed membership for the Heritage Advisory Panel and the updated terms of reference. 3 items were deferred, being Referred from the Audit and Risk Committee - Health, Safety and Wellbeing Update - emerging risks and issues, Summary of Governing Body information memoranda and briefings (including the Forward Work Programme) - 26 March 2020 and Review of remuneration of independent members of the Audit and Risk Committee which included a report in the confidential section.

On 2 April the Emergency Committee met with all members attending via electronic link. The meeting considered 2 items of extraordinary business. The meeting delegated all emergency powers and roles to the Group Controller and ratified all decisions made by the controller since declaration of a state of emergency. We were also provided with a report on activities undertaken by council to support the wider community in response to Covid-19. A verbal update was provided on the Summary of Infrastructure criteria for “shovel ready” projects announced by Government. Reappointment of board members to City Rail Link Ltd and Haumaru Housing was considered in the confidential section.

On 9 April the Emergency Committee received a written and verbal briefing from Ian Maxwell, Director Executive Programmes and Kate Crawford, Group Controller, Auckland Emergency Management. We unanimously approved Auckland Council’s list of ‘shovel-ready’ infrastructure projects and programmes to be submitted to Crown Infrastructure Partners Ltd and delegated the final prioritisation of 20 projects to the Mayor, Deputy Mayor, IMSB Chair and four Councillors. (the final list of 73 ‘shovel-ready’ projects submitted to CIP was announced on 14 April)

We also discussed the Healthy Waters southern and regional maintenance contracts in the confidential section.

On 14 April an Extraordinary Audit and Risk Committee met via electronic link. Members were briefed on the COVID-19 pandemic and Auckland Emergency Management status and received two confidential updates on the approach to risk management and assurance activities, and the approach to identify and manager financial risks.

On 16 April the Emergency Committee received a verbal briefing from Ian Maxwell, Director Executive Programmes and Mace Ward, Group Controller, Auckland Emergency Management. Representatives from the Taxpayers Union and the Auckland Ratepayers Alliance presented in public forum. Cr Darby introduced an extraordinary item regarding Auckland International Airport share purchase plan. Members agreed 18-5 to seek a report looking at improving the council’s oversight of the airport company, including whether as the biggest shareholder, it should seek to appoint a director.

Auckland Council’s submission on the Accessible Streets Regulatory Package was approved.

The confidential part of the meeting covered council’s Financial position and Annual Budget 2020/2021 Update. Councillors were unanimous that the council needs to take decisive steps to reduce the pressure on residents and businesses facing economic hardship, while ensuring we can protect and maintain the essential services Aucklanders rely on. It was agreed that another round of consultation including the option of limiting any rates rise to 2.5%. (Our Auckland Attachment 3)
Other meetings and events

As NZ moved to Alert level 2, I stopped attending events and meetings in person from 20 March. In the days prior to that I attended the Waitematā Local Board monthly business meeting and CCO Oversight Committee workshop with Auckland Transport on 17 March. The CCO update on Covid-19; Parks, Arts, Community and Events Committee workshop on the proposed Burial and Cremation Act 1964 submission and the Planning Committee Briefing: Supporting Growth Alliance – on transport network proposals in greenfield areas on 18 March.

On 17 March I also spoke at the EVs and Beyond Conference held on Waiheke in relation to Auckland’s commitment to the Climate Change Emergency.

I was interviewed by BFM on 19 March and 20 April for an item called “City Counselling” covering council’s response to the Covid-19 crisis, the Annual Budget, tactical urbanism and the Auckland Climate Action Plan work underway.

LGNZ’s National Council meeting in Wellington on 20 March was held via Zoom. It was agreed to postpone the annual conference until 2021.

The weekly meeting with the Mayor for Chairs and Deputies of the committees of the whole has continued via Skype. A fortnightly Auckland Transport catch up on ward issues has also continued during the lockdown.

Other matters

I worked with Cr Richard Hills, Chair of the Environment and Climate Change Committee to seek the inclusion of a climate lens and other Auckland focused criteria to the prioritisation process for the “shovel ready” programme considered at the Emergency Committee meeting on 9 April (Attachment 2). I also submitted a spreadsheet of shovel ready projects for consideration which included local board projects in my ward.

The work of the Environment and Climate Change Committee has continued with briefings and catch-ups via skype. The covid-19 crisis has had an impact on the timeline for Auckland’s Climate Action Plan but the current aim is bring the final plan to a committee meeting in July.

I have been working with the Executive Officer and Tangata Whenua co-chair of the Hauraki Gulf Forum to create a draft work plan for consultation with forum members ahead of the Forum meeting planned for 25 May. We also wrote to the Infrastructure Industry Reference Group, Crown Infrastructure Partners regarding the shovel-ready projects and the Hauraki Gulf, Tīkapa Moana, Te Moananui-a-Toi (Attachment 3).

I provided feedback on Auckland Council’s submission on the Accessible Streets Regulatory package that went to the Emergency Committee meeting on 16 April. I am working with Cr Darby on progressing council and Auckland Transport’s response to NZTA’s Innovating Streets for People initiative and funding. The programme supports measures that can quickly increase the amount of space available for physical distancing (photo right showing the use of “tactical urbanism” to create a cycle lane). I am also supporting Auckland Transport’s work to identify locations where measures can be put in place immediately to create more space for walking and cycling.
I think leadership on a pay cut is important when there is no doubt the economic downturn is going to hit hard across our businesses and communities. It is about acknowledging the pain and showing solidarity with those on the frontline of the crisis. As the current legislation doesn’t allow for any Councillor pay cut to go back into the Council’s budget I will be donating an amount to charity in line with the pay cuts announced by the Mayor, other councillors and the executive leadership. However, as I don’t believe any pressure should be put on low paid members or workers to take a cut I will keep my donations private.

I continue to be contacted by members of the public seeking reassurance and answers to a wide range of issues.

Recommendation

That this report be received.

Attachments

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Attachment 1

Councillors agree rates support for Aucklanders

Our Auckland. Published: 17 April 2020

After a marathon 10-hour meeting of Auckland Council’s Emergency Committee, Councillors yesterday agreed on the key priorities needed to guide the regional response to COVID-19 and its impact on the economy.

“Councillors were unanimous yesterday that the council needs to take decisive steps to reduce the pressure on residents and businesses facing economic hardship, while ensuring we can protect and maintain the essential services Aucklanders rely on,” said Mayor Phil Goff.

“With a substantial reduction in non-rates revenue caused by the recession, some projects and services will need to be cut or postponed to reduce expenditure. Already many temp or contracted staff have been given notice.

“But Aucklanders will want us to continue to provide core services that the city needs, and which make our city a great place to live. Aucklanders will also want us to partner with the government to invest in the construction of vital infrastructure that the city needs, and which will contribute a stimulus to growth and jobs to assist our recovery.

“Auckland Council will consult with the public on a rate increase of 2.5 or 3.5 per cent. For the average ratepayer, a 2.5 per cent increase would be equivalent to an extra $1.35 per week, while a 3.5 per cent increase would be $1.83 per week.

“The Emergency Committee looked at all options for rate increases and the impact different levels of rate increase, including a zero per cent increase, would have on the ability of the council to provide services for Aucklanders and to invest in infrastructure for jobs.

“There will be a new round of consultation with Aucklanders providing a clear explanation of what each rating option would mean for council services and infrastructure and we will be providing robust information as part of the consultation document to ensure that picture is very clear,” he said.
The Emergency Committee has agreed a suite of measures to immediately offer some support to all ratepayers, including businesses, facing hardship due to the crisis:

- Waiving the APTR payment from 1 April to 30 June (2020) for all accommodation and tourism businesses
- Offering all ratepayers experiencing financial hardship the opportunity to defer payment of their fourth quarter rates installments.
- As part of the public consultation, Aucklanders will be asked if they support options including:
  - A recommendation brought by the Mayor for both a 2.5 per cent and 3.5 per cent rate rise to be considered, with information included outlining the potential impact of both those options.
  - A broadening of the council’s rates postponement policy to include businesses experiencing financial hardship.
  - Suspension of the Accommodation Provider Targeted Rate, and the expenditure that it would fund, until 31 March 2021.

Mayor Phil Goff said, "The measures we agreed yesterday add to the strong financial support programmes already announced by central government. These changes will help to reduce the financial strain many Aucklanders are under as a result of the COVID-19 induced recession. Businesses in the accommodation and tourism industries are under particular pressure, so we are waiving the fourth quarter instalment of the APTR to provide some relief.

"All businesses and residents facing financial hardship will be able to request deferring their fourth quarter rates payments until the due date of the first rates instalment for the next rating year (31 August 2020) without penalties.

"Our priority is to look at what we can do in the area of rates to support those Aucklanders under real strain; acting to protect and maintain the key services Aucklanders rely on; ensuring we play our role in partnering with the government on the projects needed to kickstart economic recovery and employment, and taking a long-term view of the budget to ensure we can meet the short-medium term financial challenges posed by COVID-19 while continuing to invest in our region’s future."

The Emergency Committee also requested staff to undertake further analysis of the impact different rates increases between 0 and 3.5 per cent would have on council services and business activity in Auckland. This analysis will help inform the public consultation process. Finance and Performance Committee Chair, Councillor Desley Simpson said, "I believe that it is really important for Aucklanders to understand what services they might lose if we went for an even lower rates rise which is why this will be clearly outlined in the consultation document.

"We need to ensure our residential and business ratepayers are supported if they need assistance but at the same time keep key council services funded and operational. We know that not all ratepayers will be in a position to pay their rates during this financial hardship and that will impact on our income."

"This is an emergency budget for extraordinary times."

Download the COVID-19 Financial Update [here](#).
Attachment 2

Councillors’ Office

Via email: john.dunshea@aucklandcouncil.govt.nz

John Dunshea

GM Development Programme Office

Auckland Council

6 April 2020

Dear John,

Re: Auckland Council ‘shovel ready’ infrastructure projects

Thank you for the opportunity to provide feedback on Auckland Council’s final “shovel ready” programme and projects. We note the Government’s criteria is limited to infrastructure projects with a value of more than $10m to have an immediate stimulatory effect on the construction industry and economy.

For Tāmaki Makaurau, the assessment of “shovel ready” projects must be aligned with an overarching strategic approach that enables government spending to best secure our economy toward Auckland 2050.

Any assessment must deliver on Auckland Council’s commitment to the agreed target of halving Auckland’s emissions by 2030 and a precautionary approach to planning for change; as supported unanimously at the Environment and Climate Change Committee on 12 March 2020.

Only by applying a strategic approach with a climate lens we will secure a post COVID-19 future that supports a sustainable, environment-friendly economy that is good for jobs, provides for sustainable growth, community resilience and equity across Auckland and puts us in the best position for post pandemic recovery. This must include a focus on already vulnerable communities such as youth, Māori, and Pasifika. Investment and high level jobs, as well as focus on a geographic spread.

We support consideration of the existing work programme. Projects should be prioritised to deliver on council’s strategic objectives and put us on a pathway to reduce emissions. This exercise should not allow for projects to be resurrected that are no longer fit for purpose and only provide short term benefits. It is important to note the
approach we recommend delivers on the criteria set by government, creates jobs, supports the economy, and looks in longer term benefits for the environment and for all Aucklanders.

We therefore request that an "Auckland Council criteria" is developed and applied before any project is submitted. Such criteria must ensure:

a) Alignment with existing Auckland Council plans and strategies
b) The project is climate positive and contributes toward the pathway of reducing emissions by 50% by 2030
c) The future needs of the community are taken into account: local employment opportunities, climate mitigation and adaptation, transport choice, healthy housing, and community wellbeing.
d) Equity of outcomes. We need to create secure, quality jobs, employment opportunities, career paths, and industries that will be sustainable in a rapidly changing future. We also need to keep the needs of Māori, Pasifika, and young people front of mind in creating high value jobs geographically across the region
e) Any spend is targeted toward projects where expenditure and profits will be retained within Auckland and the wider New Zealand economy
f) Local board and community support for the project

We urge Chief Sustainability Office input throughout the selection process and that consideration is given to their work intersecting Sustainable Development Goals with the Auckland Plan.

We append a list of the key categories and projects consistent with this proposed Auckland Council criteria. We will also individually each submit a list of projects in the format requested.

We request that in submitting projects to Crown Infrastructure Partners Limited, additional Council feedback is provided to government raising concerns regarding:

- The concept of ‘shovel ready’ as applied to post COVID-19 city building when all existing projects were developed and costed under very different circumstances. There may also need to be new approaches taken to the delivery of projects to reflect cost constraints for example considering the opportunity to install cycle lanes cheaply quickly, and cost effectively using temporary infrastructure
- Government’s role in ensuring projects selected are truly transformational and kick start a climate positive, environment-friendly economy
- The lack of diversity in the Infrastructure Industry Reference Group, tasked with preparing a report to Ministers on Infrastructure projects/programmes that are ready for construction. We would at least like to see women and Māori at the decision-making table.

We appreciate the time pressures to this process but if we get the Auckland Council criteria right we will be best placed to leverage the opportunity provided by the government’s shovel ready programme to create jobs as part of a future-focused, sustainable economy.

Kind regards,

[Signature]

Richard Hills                        Pippa Coom

Chair | Environment and Climate Change Committee   Deputy Chair
Appendix One: Key categories and projects consistent with the proposed Auckland Council criteria

submitted by Richard Hills, Environment and Climate Change Committee Chair and North Shore Ward Councillor; and Pippa Coom, Environment and Climate Change Committee Deputy Chair and Waitematā and Gulf Ward Councillor

<table>
<thead>
<tr>
<th>Transport initiatives that will lead to mode shift and the decarbonisation of the transport fleet</th>
<th>Rapid transport projects including Northwestern busway, second and third stages of the Eastern busway to Botany, Northern busway extension</th>
</tr>
</thead>
<tbody>
<tr>
<td>Speed up construction of cycleways, including Pt Chev to Westmere; New Lynn to Avondale</td>
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<tr>
<td>Auckland Harbour Bridge Shared Path and enabling work</td>
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<tr>
<td>Bus fleet electrification and charging infrastructure</td>
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<tr>
<td>Accelerated safety programme including Safe Schools upgrades, and projects such as Cook St</td>
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<tr>
<td>Pukekohe electrification, third main, and other rail upgrades</td>
<td></td>
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<tr>
<td>Healthy Waters – stormwater infrastructure and programmes</td>
<td>Kaipara Moana Remediation project</td>
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<tr>
<td>Accelerate Healthy Waters water quality work programme, including St Mary’s Bay Pipeline, Hurstmere Road, Northcote Greenway, and new brownfields developments (such as Unitec)</td>
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<tr>
<td>Natural environment</td>
<td>Accelerate urban and rural ngahere programme</td>
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<tr>
<td>Kauri dieback tracks</td>
<td></td>
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<tr>
<td>Waste projects in line with sustainability goals</td>
<td>Including Materials Recovery Facility, Deconstruction hub, Community Recycling Centres</td>
</tr>
<tr>
<td>Accelerated delivery of the planned low carbon, resilient precinct in city centre</td>
<td>Ensure city centre work continues including CRL, Quay St, Downtown public space, City Centre Masterplan, Access for Everyone</td>
</tr>
<tr>
<td>Building infrastructure to allow intensive residential and commercial precincts around the new City Rail Link stations at Mt Eden, Karangahape Rd and Aotea Centre</td>
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<tr>
<td>Other projects</td>
<td>Projects that reduce Council group’s operational emissions in line with a 50% reduction by 2030 target, including Project Gigawatt, replacing boilers.</td>
</tr>
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<td>Attachment A</td>
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<tr>
<td><strong>Item 12</strong></td>
<td></td>
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<tr>
<td>Delivery of renewable energy generation infrastructure</td>
<td></td>
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<tr>
<td>Expansion and acceleration of the retrofit programme to transition to low-carbon, resilient, healthy buildings</td>
<td></td>
</tr>
<tr>
<td>Panuku transformations for housing and transport including Northcote and Manukau</td>
<td></td>
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<tr>
<td>Community facilities wharf and jetty renewals including Northcote</td>
<td></td>
</tr>
<tr>
<td>Wharf to keep the public transport connection loop open with Northern Pathway</td>
<td></td>
</tr>
</tbody>
</table>
Mark Binns  
Chair, Infrastructure Industry Reference Group  
Crown Infrastructure Partners  

Re: Shovel-Ready Projects and the Hauraki Gulf, Tikapa Moana, Te Moananui-ā-Toi  

14 April 2020  

Tēnā koe Mark,  

Thank you for your letter dated 25 March calling for ‘shovel-ready’ projects.  

As the statutory body mandated to advocate for the nationally significant Hauraki Gulf Marine Park, the Hauraki Gulf Forum urges you to give priority to infrastructure investments that protect and enhance our natural environment’s life-supporting capacity - now and into the future. Investments that deliver both employment and environmental outcomes will be truly transformative.  

Specifically, we strongly support the following projects:  

1. From our members¹:  
   - Projects which improve water quality, including three-water separation and other infrastructure that lessens outflows of sewerage, stormwater, sediment, nutrients, heavy metals, plastics and other pollutants into the Gulf.  
   - Projects which improve marine environments and ecosystems, including catchment management, and restoration of coastal, island and marine areas.  
   - Kaupapa that enhances the kaitiakitanga of mana whenua who uphold and have customary associations and interests in the Gulf.  
   - Projects which contribute to a safer and cleaner Hauraki Gulf Marine Park, including support and back-end infrastructure.  

2. From external parties:  
   - Projects which improve water quality, marine environments and ecosystems, including:  

---  
¹Representatives of Auckland Council (including the Aotea Great Barrier and Waiheke local boards), Waikato Regional Council, Hauraki District Council, Waikato District Council, Matamata Piako District Council, Thames Coromandel District Council, the Ministers of Māori Development, Conservation and Fisheries, and Tangata Whenua of the Hauraki Gulf, its islands and catchments.
o Conservation Restoration – Partnering to plant Aotearoa by the Sustainable Business Network.

o Building and launching electric and hydrogen-ready hybrid ferries by EV Maritime, Vector and Fullers360.

As we are reminded at present:

Hei tiaki i te
whenua Hei tiaki
i te moana
Hei tiaki i nga
mokopuna He
kaitiaki tatou

Look after the
land Look after
the sea Look
after our future
We are
guardians

Should you require any further information, please contact the Forum’s Executive Officer (Alex Rogers, 021 191 8527, eo@haurakiguflforum.org.nz).

Wishing you and your team all the best for the unenviable task ahead.

Nā māua noa, nā

Nicola Macdonald
Co-Chair – Tangata Whenua

Pippa Coom
Co-Chair
Attendance at local board meetings during the Epidemic Preparedness (COVID-19) Notice period

File No.: CP2020/04522

Te take mō te pūrongo
Purpose of the report
1. To recommend an amendment to the local board’s standing orders in order to provide for attendance of non-members at local board meetings via audio or audio-visual link.

Whakarāpopototanga matua
Executive summary
2. This report updates the local board on the temporary arrangements for local board meetings enabled by the COVID-19 Response (Urgent Management Measures) Act 2020 and provides options for implementing similar arrangements for non-members.
3. The COVID-19 Response (Urgent Management Measures) Act 2020 temporarily amends the existing legislative restrictions for local government on remote attendance for elected members and minimum quorum at local board meetings. This now enables meetings to proceed by audio-visual link, changes how meetings can be open to the public and how members of the public receive the agenda and minutes.
4. The current local board standing orders do not provide for non-members, specifically members of the public and Māori, to give input via audio or audio-visual link.
5. The Local Government Act 2002 (LGA) requires that a person other than a member of the local board may participate by means of audio link or audio-visual link if the standing orders of the local authority permit this and if the chair is satisfied that all conditions and requirements in the standing orders are met. (Clause 25A(2), Schedule 7, LGA). Local board standing orders do not currently allow for this.
6. Auckland Council will be using Skype for Business for local board meetings. Attendance by members and non-members (if approved) will be facilitated by phone (audio only) or Skype video (audio-visual) via Skype for Business app.
7. An amendment to Standing Orders to enable electronic attendance can either be reversed at a future date or maintained to support that attendance in the future, where it is available.

Ngā tūtohunga
Recommendation/s
That the Waitematā Local Board:

a) note the temporary amendments pursuant to the COVID-19 Response (Urgent Management Measures) Act 2020 which allows members to attend meetings by audio-visual link, as of right and despite anything to the contrary in standing orders and to be counted for the purposes of quorum.

b) amend its standing orders by including a new Standing Order 3.3.10 that reads as follows:

Attendance of non-members by electronic link

A person other than a member of the local board may participate in a meeting of the local board by means of audio link or audio-visual link if the person is otherwise approved to participate in accordance with Standing Orders Sections 6 and 7.

c) amend its Standing Order 7.8.5 to provide discretion to the chair of the meeting to
Horopaki Context

COVID-19 Response (Urgent Management Measures) Act 2020


9. The amendments to the LGA and LGOIMA enable local authorities to have meetings by audio-visual link (given the restrictions regarding physical distancing and Alert Level 4) and support the effective operation of those meetings by removing conditions associated with the right to attend meetings by audio or audio-visual link.

10. These amendments only apply while the Epidemic Preparedness (COVID-19) Notice 2020 is in force and will be repealed when that notice expires or is revoked.

Amendments to LGA

11. The amendments to the LGA modify Clause 25A, Schedule 7 so that a member of a local authority has the right to attend any meeting by audio or audio-visual link, regardless of what is provided for in the local authority’s standing orders. It also modifies clause 25A so that a member attending by audio link or audio-visual link is counted for the purposes of quorum.

Amendments to LGOIMA

12. The amendments to LGOIMA include modifying s 47 so that the requirement for meetings of local authorities to be ‘open to the public’ may be met during Alert Level 4 and other restrictions on physical distancing. The amendment redefines ‘open to the public’ to mean that the local authority:

   a) if it is reasonably practicable, enables access to the meeting by broadcasting live the audio or video of the meeting (for example, by broadcasting it on an Internet site); and
   b) does 1 or both of the following as soon as practicable after the meeting ends:
      i. makes an audio or a video recording of the meeting available on its Internet site;
      ii. makes a written summary of the business of the meeting available on its Internet site.

13. This amendment does not anticipate public involvement as part of the meeting itself but ensures the public can access or view meeting proceedings online (either live or after the meeting) or through reviewing the summary.

14. Other amendments to LGOIMA include:

   • Modifying s 46A so that agendas and reports for the meetings may be made available on the local authority’s internet site instead of at offices and other physical locations.
   • Modifying s 51 so that minutes of meetings may be made available on the local authority’s internet site instead of at offices and other physical locations.
   • The changes made by the COVID-19 Response (Urgent Management Measures) Act 2020 now supersede some of the provisions in the local board standing orders and the restrictions on physical distancing and from Alert Level 4 now limit the opportunity for public input.

Local Board Standing Orders

15. The LGA requires local authorities to adopt a set of standing orders for the conduct of its meetings and those of its committees (Clause 27, Sch 7). Each local board has adopted its standing orders which have been developed from a template.
16. As a result of the statutory amendments listed in this report, the following standing orders have been temporarily superseded:

- 3.3.2 Member’s status – quorum and vote
- 3.3.3 Conditions for attending by electronic link
- 3.3.4 Request to attend by electronic link
- 7.3.1 Information to be available to the public
- 7.3.2 Availability of agendas and reports
- 8.2.1 Inspection of minute books

17. There are additional provisions in standing orders that may require further consideration if the local board wishes to enable these to continue during the Epidemic Preparedness (COVID-19) Notice period. These relate to input and participation by Māori and the public.

18. Clause 25A(2), Schedule 7 of the LGA requires that a person other than a member of the local authority may participate by audio link or audio-visual link if the standing orders of the local authority permit this and if the chair is satisfied that all conditions and requirements in the standing orders are met.

19. The current standing orders do not currently provide for non-members, if required and approved to do so, to give input by means of audio link or audio-visual link.

20. Other participants at local board meetings include Governing Body members and staff. The LGA and the recent amendment provide the right for any member of a local authority or committee to attend any meeting of a local authority by audio-visual link (unless lawfully excluded). This can be interpreted broadly to extend to meetings where the elected member may not be a decision-maker or be participating in the decision at all. As such, Governing Body members participation may be by audio or audio-visual link and the process for providing them with speaking rights remains under standing orders.

Tātaritanga me ngā tohutohu
Analysis and advice

21. In performing their role, local boards are required to act in accordance with the principles contained in s 14(1) of the LGA including the requirement for the council to conduct its business in an open, transparent and democratically accountable manner and make itself aware of and have regard to the views of all of its communities.

22. While the LGA does not specifically require public input to be provided for at local board meetings, the standing orders approved by the local board reflects the principles in s 14 LGA by providing for public attendance and enabling public input at meetings.

23. In order to continue to provide this opportunity as well as facilitate input by Māori and the public, the standing orders require amending.

Standing Orders Section 6 Māori Input

24. Speaking rights for Māori organisations or their nominees are granted under standing orders for the purpose of enabling Māori input, if any, to any item on the agenda of a meeting.

25. To ensure this right can be exercised during the Epidemic Preparedness (COVID-19) Notice period, provision needs to be made enabling any input to be given by audio or audio-visual link.

Standing Orders 7.7 Deputations and 7.8 Public Forum

26. The provisions for public input in standing orders are one of the ways that local boards give effect to the requirements of the LGA (s 78 and s 79).

27. The LGA provides that in the course of its decision-making, a local authority must consider the views and preferences of persons likely to be affected by or have an interest in the
matters. The LGA does not specify how those views are to be obtained or what form that consideration should take. It does not require a public forum at meetings.

28. However, the LGA gives local authorities discretion as to how to comply with s 78 and what to consider. Through their standing orders, local boards and the Governing Body have chosen to enable public input through deputations and public forum at their meetings as one way to obtain community views, among other things.

29. To ensure this opportunity can continue to be made available during the Epidemic Preparedness (COVID-19) Notice period, provision must be made in standing orders to receive this by audio or audio-visual link.

**Proposed amendment**

30. This report recommends that input from non-members continue to be enabled during the Epidemic Preparedness (COVID-19) Notice period. This requires an amendment to the standing orders.

31. An amendment to standing orders requires a 75% majority vote.

32. A similar amendment has been made by the Governing Body to their standing orders. It is desirable to ensure consistency across the governance arms of Auckland Council. The Governing Body resolutions are as follows:

   **Resolution GB/2020/33 (n)** That the Governing Body amend standing orders by inserting a new Standing Order 3.3.10 as follows:

   Attendance of non-members by electronic link A person other than a member of the Governing Body, or the relevant committee, may participate in a meeting of the Governing Body or committee by means of audio link or audio-visual link in emergencies if the person is otherwise approved to participate under these standing orders (such as under Standing Order 6.2 “Local board input” or 7.7 “Public input”).

   **Resolution GB/2020/33 (p)** That the Governing Body agree to change Auckland Council’s Standing Orders to provide full discretion to the chair of the Emergency Committee to decline public input requests.

33. The local board’s standing orders currently gives discretion to the chair to decline deputations but not public forum requests. Giving discretion to the chair to manage requests for public forum during this time can ensure the requirements of the LGA regarding the provision of the technology requirements, can be supported.

**Technology options available**

34. Where attendance by audio or audio-visual link is permitted, the LGA requires that the chair of the meeting ensures:

   - the technology for the audio link or audio-visual link is available and of suitable quality and;
   - that the procedure for use of the technology will ensure that participants can hear and be heard by each other.

35. The chair’s discretion will need to be exercised where the technology and quality cannot be guaranteed.

36. The audio and audio-visual link options available for non-member input are provided by Auckland Council through Skype for Business:
### Item 13

<table>
<thead>
<tr>
<th>Option</th>
<th>Ability</th>
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<tr>
<td><strong>Audio link only</strong></td>
<td>• No ability to see presentations being shared or to see and be seen by local board members attending the meeting</td>
</tr>
<tr>
<td>Attend Skype for Business meeting via phone.</td>
<td>• Only technical equipment required is a landline or mobile telephone</td>
</tr>
<tr>
<td><strong>Audio-visual link</strong></td>
<td>• Allows non-member to see both presentations being shared and to see and be seen by the local board members attending</td>
</tr>
<tr>
<td>Video and audio attend Skype for Business meeting</td>
<td>• Requires a mobile phone or a computer device with an internet connection</td>
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</table>

37. If enabled under standing orders, non-members who wish to give input would need to contact the local board with a request to attend. If approved by the chair, information on how to join the meeting using audio and audio-visual link options above will be sent out to the attendee by staff.

**Summary of meeting**

38. Where it is not reasonably practicable for the public to attend the meeting through a broadcast and/or peruse a recording after it has happened, a summary of the meeting will need to be provided by staff.

39. A summary in this context would be different from the content of agendas, reports and minutes which are all separately required to be publicly available. It should contain the thrust or key points of the discussion or debate at the meeting keeping in mind that its purpose is to provide an alternative to an audio or video recording of the meeting, in a situation where the public is not able to attend and hear this discussion themselves.

40. The ordinary definition of a summary is a brief statement or account of the main points of something. While the appropriate level of detail is likely to vary depending on what is being discussed at meetings, a summary is not expected to include verbatim notes.

### Tauākī whakaaweawe āhuarangi

**Climate impact statement**

41. This decision is procedural in nature and any climate impacts will be negligible. The decision is unlikely to result in any identifiable changes to greenhouse gas emissions.

### Ngā whakaaweawe me ngā tirohanga a te rōpū Kaunihera

**Council group impacts and views**

42. Staff attendance at meetings, while not specifically provided for, is a necessary part of local board meetings and as such is expected to take place using audio-visual link.

### Ngā whakaaweawe ā-rohe me ngā tirohanga a te poari ā-rohe

**Local impacts and local board views**

43. This report seeks to amend the local boards standing orders to enable public input and Māori input at meetings.

### Tauākī whakaaweawe Māori

**Māori impact statement**

44. This report seeks a decision that will ensure Māori input can continue to be given during the Epidemic Preparedness (COVID-19) Notice period.

45. This will ensure Māori are not prevented from giving input at a meeting on any matter that may be of interest to them.
Ngā ritenga ā-pūtea

Financial implications

46. The decision to amend standing orders is of a procedural nature and is not considered to have financial implications on Auckland Council.

47. The scaling up of technology to ensure compliance with COVID-19 Response (Urgent Management Measures) Act 2020 is being done at a cost to the council. The costs are not known at this stage and will be factored into operational budgets.

Ngā raru tūpono me ngā whakamaurutanga

Risks and mitigations

48. The objective of the recent legislative changes is to reduce public health risks and ensure compliance with social distancing measures and other restrictions in New Zealand’s COVID-19 alert levels response plan.

49. While this is not specifically required by legislation, permitting public input by audio or audio-visual link, if practicable, can ensure the local board can receive and consider views of its constituents on decisions that they are making.

50. There is a risk that the audio-visual option would only be taken up by a small number of constituents as this would only be available to those who have the technical devices and internet access. The software that will be used for meetings is Skype for Business which is free to download and use. However, the internet access costs or availability of technology/devices can be a limiting factor for some constituents. Constituents who do not have internet access can participate, if approved, by phone.

51. The report is seeking discretion for the local board chair to decline public forum requests. This delegation should be exercised with caution so as to not undermine the intention of standing orders (which currently provided some limited grounds to decline public input). There will be instances where it is reasonable to decline (noting these examples are not intended to be exhaustive), such as:

- where the technology cannot be provided or quality cannot be assured
- a need to manage time allocations for the agenda
- the matter is neither urgent nor the subject of a decision to be made at the meeting
- the request is offensive, repetitious or vexatious.

Ngā koringa ā-muri

Next steps

52. If approved, the amendments to standing orders can, if the local board chooses, continue beyond the Epidemic Preparedness (COVID-19) Notice period. Enabling these changes gives maximum flexibility for attendance of non-members at future meetings, including those with underlying health issues or compromised immune systems that may need to take extra precaution even after the Epidemic Preparedness (COVID-19) Notice period has ended.

Ngā tāpirihanga

Attachments

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<th>No.</th>
<th>Title</th>
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<tr>
<td>A</td>
<td>Waitematā Local Board Standing Orders</td>
<td>33</td>
</tr>
</tbody>
</table>
## Ngā kaihaina

### Signatories

| Authors                      | Polly Kenrick - Business Manager, Local Board Services  
|                             | Shirley Coutts - Principal Advisor - Governance Strategy |
| Authoriser                  | Trina Thompson - Relationship Manager/Senior Advisor Waitematā Local Board |
Auckland Council

Standing Orders of the Waitematā Local Board

12 December 2017
(updated 1 July 2019)
Item 13
Meeting procedures (1)

Chairperson’s role (1.2)
- Chair presides if present, unless vacates the chair
- Deputy presides in absence of chair
- If neither present, the meeting elects a chair
- Chair decides all questions not covered by standing orders
- Chair decides all points of order
- Members must be silent when chair rises
- Chair decides speaking order but must give precedence to:
  - points of order
  - closure or deferral motions
  - points of explanation
  - requests for chair’s indulgence
- Members may question staff, at chair’s discretion

Members conduct (1.3)
- Members must not:
  - be disrespectful
  - use offensive or malicious language
  - impugn improper motives to other members or staff
- Chair or any other member to withdraw from the meeting if:
  - member refuses to obey the chair’s instruction to stop speaking,
  - member refuses to obey the chair’s instruction to withdraw and apologise for offensive or malicious expression,
  - member’s conduct is disorderly
- If disorder continues, chair may adjourn meeting, reconvened meeting to decide whether to proceed or adjourn
- Minutes record a resolution to hold a member in contempt
- A member may be physically removed

Conflicts of interest (1.3.7–1.3.8)
- Financial interest: member takes no part in discussion or voting; minutes record the declaration and abstention, member leaves the room, or at a minimum, the table
- Non-financial conflict of interest: member takes no part in discussion or voting; minutes record the declaration and abstention; member leaves the table but not required to leave the room

Qualified privilege (1.4)
- Defamatory matter in agenda or minutes is privileged unless publication is motivated by ill will
- Similar re oral statements at meeting

Rules of debate (1.5)
- Member can second a motion or amendment and reserve right to speak later in debate
- No irrelevant matters or tedious repetition – chair’s ruling final
- 3 consecutive speakers in support or opposition – chair may call for speaker to contrary – if none, puts motion after right of reply
- If member immediately objects to words used, and requests minutes to record their objection, chair must order minutes to record objection
- Speeches not to be read, except with permission
- Time limits:
  - Movers speaking to motion 10 minutes
  - Movers right of reply 5 minutes
  - Others 5 minutes
- Only speak once to a motion
- Mover of original motion has right of reply but may not introduce new matter; then motion is put
- Only one right of reply – if used at end of amendment it is exhausted.
- Members can only speak to:
  - A matter before the meeting
  - A motion or amendment they are proposing
- A point of order

Motions and amendments (1.6)
- Terms:
  - Substantive motion: a motion is either procedural or substantive, a substantive motion deals with a matter of substance
  - Original motion: the substantive motion moved at the commencement of the debate, if it is amended it is no longer the original motion and is referred to as the substantive motion
  - Substituted motion: the meeting agrees to substitute the original motion with different wording with the agreement of the mover and seconder
  - Forestalled motion: when an amendment is being debated, a member, when speaking in debate, may indicate a further amendment once the current amendment is dealt with
  - Seconder is required for all motions and amendments, then chair states the motion and proposes it for discussion
  - Once seconded and put, motions or amendments cannot be withdrawn without consent of majority of members present and voting
  - Chair may require motions in writing
  - Chair may require motion to be recorded in parts
  - A meeting may substitute a motion with an amendment provided the mover and seconder agree ("substituted motion")
  - In any debate a member may:
    - speak once to each motion, including the original motion, a substituted motion or an amendment
    - move or second a motion once only
    - See flowchart for more detail
    - Meeting deals with one amendment before another amendment permitted
    - An amendment must be relevant
    - An amendment cannot be a direct negative (which would have same effect as the motion being lost)
    - No member can speak to a motion once the mover has commenced the reply or the chair has commenced putting the motion
    - No member may unduly criticise the validity of a resolution

Procedural motions to close or adjourn debate (1.7)
- Terms:
  - Procedural motion: A motion may be either procedural or substantive; a procedural motion deals with a matter of procedure; the standing orders provide for members to raise specific procedural motions
  - Can be moved by member who has not spoken in debate but must not interrupt
  - Types that may be raised by members:
    - (a) meeting be adjourned
    - (b) item of business be adjourned
    - (c) motion under debate be now put (closure motion)
    - (d) move directly to next item of business
    - (e) item of business lies on the table with no further discussion at that meeting
    - (f) item of business be referred to relevant committee
  - Are put immediately without debate if seconded
  - Majority vote required for procedural motions to close or adjourn debates. If lost no further procedural motion within 15 minutes
  - Closure motion may be accepted by chair after two speakers for and two speakers against, or chair considers it reasonable
  - Closure motion may relate to amendment
  - If closure motion carried, mover of motion or amendment under debate has right of reply before it is put
  - When debate resumes on an adjourned item, previous speakers cannot speak again (other than mover)
  - Adjourned items are to be taken first at the subsequent meeting
Points of Order (1.8)
- Terms:
  o Point of order relates to the proper conduct (order) of the meeting
  o Speaker currently speaking to stop
  o Member must state subject matter
- Types:
  (a) where disorder is drawn to the attention of the chairperson, or
  (b) use of disrespectful or malicious language, or
  (c) discussion of a question not before the meeting, or
  (d) misrepresentation of any statement made by a member or by Auckland Council staff, or
  (e) breach of any standing order, or
  (f) request that words objected to be recorded in the minutes.
- Continuation is not a point of order
- Chair may hear further argument before deciding
- Ruling of chair is not open to discussion and is final
- During division needs chair’s permission

Voting (1.9)
- Chair has casting vote
- All voting to be open
- Members may abstain
- Members may request minutes record their vote or abstention
- Voting methods:
  o Voices or show of hands
  o If questioned immediately then division
  o Chair or member can call division at start or after voices counted
- If confusion on division – second division taken
- The chair may request staff to restate the motion prior to a division

Meeting quorums and attendance (3)
- Quorum for local board or joint committee meetings is half of the members if number is even; or majority of members if number is odd
- Quorum for committee meetings is not fewer than two members, and must include one local board member (in the case of a committee other than a subcommittee)
- Quorum not present at commencement:
  o meeting lapses after 30 minutes
  o chair can extend this in specific circumstances
- Quorum lost during meeting:
  o meeting lapses after 10 minutes
  o Business of lapsed meeting is adjourned to next meeting unless chair calls earlier meeting

Public (7)
- Exclusion of public (7.4)
  o Resolution to exclude the public must be in the specified form
  o Must be passed when public are present
- Public order (7.5)
  o Any member of public likely to prejudice orderly conduct of meeting may be required to leave
  o If necessary, any constable or Auckland Council staff may physically remove such person
  o Security contractors act under instruction from authorised staff
  o See LGORMA 1987 s50 for full legislation and separate guidance for chairs
- Deputations (7.7)
  o At the discretion of the chair
  o Not more than two members may address meeting (unless have approval of local board for more)
  o May speak for 10 minutes
  o Chair may terminate presentation if disrespectful, offensive or where statements are made with malice

Public Forum (7.8)
- Time extension, from 30 minutes, can be obtained by vote to suspend standing orders
- Questions in order to obtain information or clarification may be asked with permission of chair
- Cannot be debated unless on the agenda or the process for extraordinary business is used
- Chair may prohibit a speaker from speaking if offensive, repetitious, vexatious or in breach of standing orders
- Where relevant to a committee a matter should be referred to that committee

General (8)
- Alteration or suspension of standing orders (9.2.4 and 9.2.9)
  o 75 per cent majority vote required
  o Resolution to suspend must state reason

Attachment A

Item 13

Governing body (5)
- Governing body members may provide input at the discretion of the chair
- May speak for up to five minutes
- Chair may prohibit offensive, repetitious or vexatious speech. Or speech that breaches these Standing Orders
- Governing body members can also request to speak as a deputation (when supported by resolution)
- The Ward Councillor may include a report on the agenda

Māori input (6)
- Representatives of Māori organisations may provide input at the discretion of the chair
- May speak for up to 10 minutes
- Chair may prohibit offensive, repetitious or vexatious speech. Or speech that breaches these Standing Orders
Motions and amendments – example of an amendment that is lost and an amendment that is carried

Original motion
Moved / seconded*

Debate on original motion
Each member may:
- speak once
- propose or second an amendment when speaking*

Amendment lost
Debate on original motion continues.
Those who have not spoken to the original motion may:
- speak once
- propose or second a further amendment when speaking*

Original motion is amended

Debate on amendments
Amendment proposed
Moved / seconded*
Each member may speak once to the proposed amendment

LOST

Amendment proposed
Moved / seconded*
Each member may speak once to the proposed amendment

CARRIED

Mover of original motion – right of reply**

Vote

Notes
* A seconder may second a motion or amendment, and reserve the right to speak.
** The original mover’s right of reply may be used during a debate on an amendment, without a further right of reply.
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1. Meeting procedures

1.1 General

1.1.1 Precedence of business

The minutes of the previous meeting must be confirmed first. Then the chairperson, or the local board or committee on a motion passed without debate, may give precedence to any business in the agenda.

1.1.2 Languages

A member may address the chairperson in English, Māori or New Zealand Sign Language.

However, when the local board or a committee’s business is usually conducted in English, the member must give the chairperson at least two clear working days’ notice that they intend to make an address in New Zealand Sign Language or in Māori. Providing at least two clear working days’ notice to the chairperson also applies where normal business is conducted in Māori, and the member wishes to use New Zealand Sign Language or English.

Where practical, Auckland Council will arrange for a translator to be present at these meetings. The chairperson may also require a speech to be translated and printed in English, Māori or another language.

1.1.3 Duration of meetings and time limits

A meeting must not continue for more than six hours from when it starts (including any meal breaks), or after 10.30pm, unless the meeting resolves to continue.

If there is no such resolution, any business on the agenda that has not been dealt with must be adjourned to the next meeting or to an extraordinary or emergency meeting.

1.1.4 Requests for reports

Requests for new reports must be made by a resolution of the local board or the appropriate committee.

The chief executive may delay commissioning any reports that would involve significant cost or are beyond the scope of the local board or committee. Instead, the chief executive will report back to the next meeting of the local board or committee with an estimate of the cost involved, and seek a direction on whether the report should still be prepared.

1.2 Chairperson’s role

1.2.1 Local board chairperson to preside

The chairperson of the local board must preside at each meeting of the local board, unless they vacate the chair for all or part of a particular meeting.

If the chairperson is absent from a meeting, the deputy chairperson must act as chairperson. If a deputy chairperson has not been appointed, or if the deputy chairperson is also absent, the members of the local board who are present must elect a member to be chairperson at that meeting. That person may exercise the responsibilities, duties, and powers of the chairperson.

[st 26(1), (5) & (6), sch 7, LGA 2002]
1.2.2 **Committees**

The appointed chairperson of a committee must act as chairperson at all committee meetings, unless they vacate the chair for all or part of a particular meeting.

If the chairperson is absent from a meeting, the deputy chairperson (if any) will act as chairperson. If the deputy chairperson is also absent, or has not been appointed, the committee members who are present must elect a member to act as chairperson at that meeting. That person may exercise the responsibilities, duties and powers of the chairperson.

[cl 26(2), (5) & (6), sch 7, LGA 2002]

1.2.3 **Mode of address for chairperson**

The person in the chair is to be addressed in such terms as denotes the statutory office of that person, the choice of mode of address being as determined by that person.

1.2.4 **Chairperson to decide**

The chairperson is to decide all questions where these standing orders make no provision or insufficient provision, and all points of order (see Standing Order 1.8.5 for chairperson's rulings on points of order).

Any member who refuses to obey a chairperson’s ruling or order must be held to be in contempt.

1.2.5 **Chairperson rising**

Whenever the chairperson rises during a debate, members must be seated and be silent so that they can hear the chairperson without interruption.

1.2.6 **Members’ right to speak**

The chairperson grants members the right to speak.

Members must address the chairperson when speaking. They may remain seated when speaking, and may not leave their place while speaking, unless they have the leave of the chairperson.

1.2.7 **Chairperson prioritises speakers**

When two or more members want to speak, the chairperson will name the member who may speak first, with the proviso that the other members who wanted to speak must have precedence when they intend to:

a) raise a point of order, including a request to obtain a time extension for the previous speaker (see Standing Order 1.8)

b) move a motion to close or adjourn the debate (see Standing Order 1.7)

c) make a point of explanation or request an indulgence of the chairperson (see standing orders 1.5.3 and 1.5.4).

1.2.8 **Questions to staff during debate**

During a debate at a local board or committee meeting, members can ask staff questions about the matters being discussed. Questions must be asked through the chairperson, and are at their discretion.
1.3 **Members’ conduct**

1.3.1 **Disrespect**

No member of the local board or a committee may speak disrespectfully, or use offensive or malicious language at any meeting - including in reference to the local board or committee, any other member, or Auckland Council staff.

In addition, no member may imply that any other member or staff member has improper motives, or make offensive remarks about their private affairs.

1.3.2 **Retractions and apologies**

The chairperson may call upon a member or speaker to withdraw any offensive or malicious comments, and may require them to apologise. If the member refuses to do so, the chairperson may direct that they should leave the meeting immediately for a specified time.

1.3.3 **Calling to order**

When the chairperson calls members to order, they must be seated and stop speaking. If the members fail to do so, the chairperson may direct that they should leave the meeting immediately for a specified time.

1.3.4 **Disorderly conduct**

The chairperson may require any member whose conduct is disorderly or who is creating a disturbance to leave the meeting immediately for a specified time.

If the disorder continues, the chairperson may adjourn the meeting for a specified time. At the end of this time the meeting must resume and decide, without debate, whether the meeting should proceed or be adjourned.

The chairperson may also adjourn the meeting if other people cause disorder or in the event of an emergency.

[Note: Also refer to Standing Order 1.3.6 Removal from meeting]

1.3.5 **Contempt to be recorded in minutes**

Where the meeting resolves to find a member in contempt, that resolution must be recorded in the minutes.

1.3.6 **Removal from meeting**

A member of the police, or staff of Auckland Council, may, at the request of the chairperson, remove or exclude a member from a meeting if that member is required to leave the meeting by a ruling made under the standing orders and that member:

a) refuses or fails to leave the meeting; or  
b) having left the meeting, attempts to re-enter the meeting without the permission of the chairperson.

[as 16(2), sch 7, LGA 2002]  
[Note: Also refer to Standing Order 1.3.4 Disorderly conduct]

1.3.7 **Financial interests**

Every member present at a meeting must declare any direct or indirect financial interest that they hold in any matter being discussed at the meeting, other than an interest that they hold in common with the public.
No member may vote on, or take part in a discussion about, any matter in which they have a direct or indirect financial interest. Where practical, members with a financial interest should leave the meeting room for the duration of the discussion. If it is not practical to leave the room, at a minimum, members must leave the table for the duration of the discussion.

The minutes must record any declarations of financial interests, and the member’s abstention from the discussions and voting on the matter.

[5(1). Local Authorities (Members’ Interests) Act 1968]

1.3.8 Non-financial interests

Where a member declares a non-financial interest in any matter, the member may decide whether that matter constitutes a conflict.

If the member considers that there is a conflict, they may not take part in the discussions about or vote on that matter. The member must leave the table when the matter is considered, but does not need to leave the room.

The minutes must record the declaration and member’s subsequent abstention from discussion and voting.

1.4 Qualified privilege

1.4.1 Qualified privilege relating to agenda and minutes

Where all or part of a meeting of the local board or its committees is open to the public, and a member of the public is supplied with a copy of the agenda or any part of the minutes for that meeting, the publication of any defamatory matter included in the agenda or in the minutes is privileged – unless the publication is proved to have been made with ill will or taking improper advantage of the publication.

[52. LGOIMA 1987]

1.4.2 Qualified privilege relating to oral statements

Any oral statement made at any meeting of the local board or its committees, in accordance with the rules that have been adopted by that local board for the guidance and order of its proceedings, is privileged – unless the statement is proved to have been made with ill will or taking improper advantage of the publication.

[53. LGOIMA 1987]

1.4.3 Qualified privilege additional to any other provisions

The privilege conferred by Standing Order 1.4.2 is in addition to, and not in substitution for, or derogation of any other privilege, whether absolute or qualified, that applies, by virtue of any other enactment or rule of law, to the proceedings of any meeting.

[53. LGOIMA 1987]
1.5 **Rules of debate**

1.5.1 **Time limits on speakers**

The following time limits apply to members speaking at meetings:

a) movers of motions when speaking to the motion – 10 minutes
b) movers of motions when exercising their right of reply – five minutes
c) other members – not more than five minutes.

Time limits can be extended by a majority vote of the members present.

1.5.2 **Member speaking more than once**

A member may not speak more than once to a motion or amendment. This Standing Order does not apply to meetings of committees or subcommittees.

1.5.3 **Personal explanation**

Notwithstanding Standing Order 1.5.2 members may make a personal explanation with the permission of the chairperson, but such matters may not be debated.

1.5.4 **Explanation of previous speech**

Notwithstanding Standing Order 1.5.2, with the permission of the chairperson, explanation of some material part of a previous speech in the same debate may be given by a member who has already spoken, but new matters may not be debated.

1.5.5 **Limitation on speakers**

If three speakers have spoken consecutively in support of or in opposition to a motion or amendment, the chairperson may call for a speaker to the contrary.

If no such speaker is forthcoming, and after the mover has had the right of reply, the motion must be put.

Members speaking must, if requested by the chairperson, announce whether they are speaking in support of or against the motion or amendment being debated.

1.5.6 **Reserving speech**

A member may second a motion or amendment without speaking to it, reserving the right to speak later in the debate.

1.5.7 **Reading speeches**

Members must not read speeches, except with the permission of the chairperson. They may, however, refresh their memory by referring to their notes.

1.5.8 **Speaking only to relevant matters**

Members may speak to any matter before the meeting, or on a motion or amendment they propose, or on a point of order arising out of debate, but not otherwise.

Members must confine their remarks strictly to the motion or amendment they are speaking to. They must not introduce irrelevant matters or repeat themselves needlessly.

The chairperson’s ruling on matters arising under this Standing Order is final and not open to challenge.
1.5.9 Restating motion

A member may ask the chairperson to restate the motion at any time during the debate, but may not interrupt a speaker.

1.5.10 Reflections on resolutions

In speaking in any debate, no member may unduly criticise the validity of any resolution of the local board or committee except by a notice of motion to amend or revoke the same.

1.5.11 Objecting to words

When a member objects to any words used by another member in speech, and requests the minutes record their objection, they must object when the words are used and not after any other member has spoken.

The chairperson must order the minutes to record the objection.

1.5.12 Right of reply

The mover of an original motion has a right of reply. A mover of an amendment to the original motion does not.

In their reply, the mover must confine themselves to answering previous speakers and not introduce any new matters.

A mover’s right of reply can only be used once. It can be exercised either at the end of the debate on the original motion or at the end of the debate on a proposed amendment. The original mover’s right of reply is then exhausted, although they may still take part in the debate on any subsequent proposed amendments.

However, the original mover may reserve their right of reply and speak once to an original motion and once to each amendment without losing that right of reply.

In exercising a right of reply, no other member may speak:
 a) after the mover has started their reply
 b) after the mover has indicated that they want to forego this right
 c) where the mover has spoken to an amendment to the original motion, and the chairperson has indicated that they intend to put the motion.

1.6 Motions and amendments

1.6.1 General procedure for speaking and moving motions

In relation to a debate at a local board meeting, each member may
 a) move or second one motion or amendment only
 b) speak once to the original motion or substituted motion
 c) speak once to each amendment.

This section does not apply to committees or subcommittees.

[Refer to diagram at front of these standing orders, and standing orders 1.6.7 Amendments to motions, 1.6.11 Lost amendments, 1.6.12 Where amendments carried]
1.6.2 **Requirement for a seconder**

All motions and amendments moved in debate (including notices of motion) must be seconded, and thereupon the chairperson shall state the matter raised and propose it for discussion.

1.6.3 **Motions and amendments not seconded**

Motions and amendments which are proposed but not seconded are not in order and are not entered in the minutes.

1.6.4 **Motions in writing**

The chairperson may require movers of motions and amendments to provide them in writing, signed by the mover.

1.6.5 **Motions expressed in parts**

The chairperson or any member can require a motion that has been expressed in parts, to be decided part by part.

1.6.6 **Substituted motion by amendment**

Where a motion is subject to an amendment, the meeting may substitute the motion with the amendment, provided the mover and seconder of the original motion agree to its withdrawal.

All members may speak to the substituted motion.

1.6.7 **Amendments to motions**

Only members who have not moved or seconded or spoken to the original (or substituted) motion may move or second an amendment to it. All members may speak to the amendment.

The exception is where the mover or seconder of a motion to adopt a report of a committee wants to amend an item in the report. In these circumstances, the original mover or seconder may also propose or second the suggested amendment.

1.6.8 **Amendments relevant**

Every proposed amendment must be relevant to the motion under discussion and not be in similar terms to an amendment which has been lost.

1.6.9 **Direct negatives not allowed**

Any amendment which amounts to a direct negative is not allowed. Direct negatives are amendments which, if carried, would have the same effect as negating the motion.

1.6.10 **Further amendments**

The meeting must dispose of an amendment before any further amendments can be proposed. However, members may notify the chairperson that they intend to move further amendments and the nature of their content.

1.6.11 **Lost amendments**

Where an amendment is lost, the meeting will resume the debate on the original (or substituted) motion. Any member who has not spoken to that motion may speak to it and may move or second a further amendment [Also note requirements in Standing Order 1.6.7 Amendments to motions].

Movers and seconders of previous amendments are regarded as having spoken to the motion only
and are entitled to speak to the new amendment, but are not entitled to move or second the new amendment.

1.6.12 Where amendment carried

Where an amendment is carried, the motion as amended becomes the substantive motion. Any member, other than previous movers or seconders in the debate and members who have spoken to the original (or substituted) motion, may then propose a further amendment. [Also note requirements in Standing Order 1.6.7 Amendments to motions].

1.6.13 Procedure until resolution

The procedures in Standing Orders 1.6.6 to 1.6.12 must be repeated until a resolution is adopted or defeated.

1.6.14 Withdrawal of motions and amendments

Once motions or amendments have been seconded and put to the meeting by the chairperson, they cannot be withdrawn without the consent of the majority of the members present and voting.

A motion to which an amendment has been moved and seconded cannot be withdrawn until the amendment is withdrawn or lost.

1.6.15 No speakers after reply or motion has been put

A member may not speak to any motion once:

a) the mover has started their right of reply in relation to the motion
b) the chairperson has started putting the motion.

1.7 Procedural motions

1.7.1 Procedural motions to close or adjourn a debate

Any member who has not spoken in a debate may move one of the following procedural motions to close or adjourn a debate:

a) that the meeting be adjourned to the next ordinary meeting (unless the member states an alternative time and place)
b) that the motion under debate should now be put (a closure motion)
c) that the item being discussed should be adjourned to a specified time and place
d) that the meeting should move directly to the next item, replacing the item under discussion
e) that the item being discussed should lie on the table, and not be further discussed at that meeting
f) that the item being discussed should be referred (or referred back) to the local board or relevant committee.

A member seeking to move a procedural motion must not interrupt another member who is already speaking.

1.7.2 Procedural motions take precedence

A procedural motion to close or adjourn a debate will take precedence over other business, other than points of order. If the procedural motion is seconded, the chairperson must put it to the vote immediately, without discussion or debate.
1.7.3 Voting on procedural motions to close or adjourn debate

Procedural motions to close or adjourn debate must be decided by a majority of all members who are present and voting.

If the motion is lost, no member may move a further procedural motion to close or adjourn the debate within the next 15 minutes.

1.7.4 Debate on adjourned items

When debate resumes on items of business that have been previously adjourned, the member who moved the adjournment may speak first in the debate. Members who have already spoken in the debate may not speak again.

1.7.5 Remaining business at adjourned meetings

Where a resolution is made to adjourn a meeting, the remaining business is not replaced. Instead, the remaining business will be considered first at the next ordinary meeting, or at an extraordinary meeting called to consider any or all of the remaining business.

1.7.6 Referral or referred back to committee

Business referred, or referred back, to a specified committee is to be considered at the next meeting of that committee, unless otherwise specified.

1.7.7 Chairperson may accept closure motions

The chairperson may accept a closure motion if there have been no less than two speakers for and two speakers against the motion, or, if there are no such speakers, in the chairperson’s opinion, it is reasonable to do so.

1.7.8 Closure motion to be put if no further speaker

Notwithstanding Standing Order 1.7.7 a closure motion shall be put if there is no further speaker in the debate.

1.7.9 Closure motion on amendment

When an amendment to a motion is under debate, a closure motion relates to the amendment and not to the motion.

1.7.10 Right of reply following closure

If a closure motion is carried, the mover of the motion or amendment then under debate is entitled to the right of reply, and the motion or amendment under debate is then to be put.

1.7.11 Suspension of standing orders

A member may move a motion to suspend standing orders as a procedural motion. The member must name the standing orders to be suspended and provide a reason for suspension. If seconded, the chairperson must put it without debate. At least 75 per cent of the members present and voting must vote in favour of the suspension. The resolution must state the reason for the suspension. (Also see Standing Order 9.2.4)

1.7.12 Other types of procedural motions

The chairperson has discretion about whether to allow any other procedural motion that is not contained in these standing orders.
1.8 **Points of order**

1.8.1 **Members may raise points of order**

Any member may raise a point of order when they believe these standing orders have been breached. When a point of order is raised, the member who was previously speaking must stop speaking and sit down (if standing).

1.8.2 **Subjects for points of order**

A member who is raising a point of order must state precisely what its subject is. Points of order may be raised for the following subjects:

a) disorder – bringing disorder to the attention of the chairperson
b) language – use of disrespectful, offensive or malicious language
c) irrelevance – the topic being discussed is not the matter currently before the meeting
d) misrepresentation – misrepresentation of any statement made by a member or Auckland Council staff
e) breach of standing order – the breach of any standing order
f) record words – a request that the minutes record the words objected to.

1.8.3 **Contradictions**

Expressing a difference of opinion or contradicting a statement by a previous speaker does not constitute a point of order.

1.8.4 **Point of order during division**

No point of order may be raised during a division except by the permission of the chairperson.

1.8.5 **Decision of chairperson final**

The chairperson may decide on any point of order immediately after it has been raised by any member, or may first hear further argument before deciding.

The ruling of the chairperson upon any point of order is not open to any discussion and is final.

1.9 **Voting**

1.9.1 **Decisions by majority vote**

Unless the Local Government Act 2002 or these standing orders provide otherwise, any act or questions coming before the local board or its committees must be done or decided on by an open vote by the majority of the members who are present and voting.

[*cl 24(1) & (3), sch 7, LGA 2002]*

1.9.2 **Chairperson has casting vote**

The chairperson or other person who is presiding at the meeting has a deliberative vote and, in cases where the votes are equal, has the casting vote.

[*cl 24(4), sch 7, LGA 2002]*

1.9.3 **Members may abstain**

Any member may abstain from voting.
1.9.4 Method of voting

The method of voting must be one of the following:

a) the chairperson, in putting the motion, will call for an expression of opinion on the voices or take a show of hands. The chairperson then announces the result, which is conclusive, unless a member immediately questions the announcement, in which case the chairperson will call a division

b) the chairperson or any member will call for a division instead of, or immediately after, receiving an opinion on the voices or taking a show of hands

c) an electronic voting system, if available, will be used and the chairperson must declare the result displayed.

1.9.5 Divisions

When a division is called, the chief executive or their nominee must take down the names of the members voting for and against the motion and of those abstaining, and will hand the list to the chairperson to declare the result. The minutes must record the result of the division.

Where there is confusion or error in the original division, the chairperson may call a second division.

1.9.6 Restating the motion

The chairperson may, immediately prior to any division being taken, request staff supporting the meeting to restate the motion upon which the division is to be taken.

1.9.7 Members may have their votes recorded

If a member requests it, immediately following a vote, the minutes must record the member’s vote or abstention.

1.10 Revocation or alteration of resolutions

1.10.1 Revocation or alteration of resolutions

A notice of motion for the revocation or alteration of all or part of a previous resolution of the local board or a committee is to be given to the chief executive by the member intending to move such a motion.

a) Such notice must set out:
   i. the resolution or part thereof which is proposed to be revoked or altered
   ii. the meeting date when it was passed
   iii. the motion (if any) that is intended to be moved in substitution thereof.

b) Such notice is to be given to the chief executive at least five clear working days before the meeting at which it is proposed to consider such a motion, and must be signed by not less than one third of the members of the local board or the committee who made the previous resolution, including vacancies.

c) The chief executive or their nominee must then give members at least two clear working days’ notice in writing of the intended motion, and of the meeting at which it is proposed to move such motions.

1.10.2 Restrictions on actions under the affected resolution

Where a member has given a notice of motion to revoke or alter a previous resolution, no irreversible action may be taken under the resolution in question until the proposed notice of motion has been dealt with.
Exceptions are where, in the opinion of the chairperson:

a) the practical effect of delaying actions under the resolution would be the same as if the resolution had been revoked
b) by reason of repetitive notices, the effect of the notice is an attempt by a minority to frustrate the will of the local board or the committee or sub-committee that made the previous resolution.

In either of these situations, action may be taken under the resolution as though no notice of motion had been given to the chief executive.

1.10.3 Revocation or alteration by resolution at same meeting

A meeting may revoke or alter a previous resolution made at the same meeting where, during the course of the meeting, it receives fresh facts or information concerning the resolution. In this situation, 75 per cent of the members present and voting must agree to the revocation or alteration.

1.10.4 Revocation or alteration by recommendation in report

The local board or one of its committees may, on a recommendation in a report by the chairperson or chief executive, or the report of any committee or subcommittee, revoke or alter all or part of a resolution passed by a previous meeting.

The chief executive must give at least two clear working days' notice of any meeting that will consider such a proposal, accompanied by details of the proposal.

1.11 Voting systems for appointments

1.11.1 Provisions for election or appointment of chairperson and deputy chairperson of the local board and committees and representatives of the local board

In the case of elections or appointments to positions, the local board (or a committee, if so directed by the local board) must determine by resolution that a person be elected or appointed by using one of the following systems of voting:

**System A**

a) requires that a person is elected or appointed if they receive the votes of a majority of the members of the local board or committee present and voting
b) has the following characteristics:
   i. there is a first round of voting for all candidates
   ii. if no candidate is successful in that round there is a second round of voting from which the candidate with the fewest votes in the first round is excluded
   iii. if no candidate is successful in the second round there is a third and if necessary subsequent round of voting from which, each time, the candidate with the fewest votes in the previous round is excluded
   iv. in any round of voting, if two or more candidates tie for the lowest number of votes, the person excluded from the next round is resolved by lot.

**System B**

a) requires that a person is elected or appointed if they receive more votes than any other candidate
b) has the following characteristics:
   i. there is only one round of voting
   ii. if two or more candidates tie for the most votes, the tie is resolved by lot.

[cl 26, sch 7, LGA 2002]
2. Holding meetings

2.1 Legal requirement to hold meetings and inaugural meeting

2.1.1 Legal requirement to hold meetings

The local board must hold meetings that are necessary for the good government of Auckland.

Meetings must be called and conducted in accordance with:

a) Schedule 7 of the Local Government Act 2002
b) Part VII of the Local Government Official Information and Meetings Act 1987
c) those standing orders.

[as 19(1) & 3), sgh 7, LGA 2002]

2.1.2 Inaugural meeting called by chief executive

The inaugural meeting of the local board following a triennial general election of members must be called by the chief executive or nominee as soon as practicable after the results of the election are known.

The chief executive must give the persons elected to the local board not less than seven days’ notice of the meeting. However, if an emergency exists, the chief executive may give notice of the meeting as soon as practicable.

The chief executive (or, in the absence of the chief executive, a nominee) must chair the meeting until the incoming members have made and attested the declaration required under clause 14 of Schedule 7 of the Local Government Act 2002 and a chairperson has been elected.

[as 21(1)-(4), sgh 7, LGA 2002]

2.1.3 Business to be conducted at inaugural meeting

The business that must be conducted at the inaugural meeting of the local board must include:

a) the making and attesting of the declarations required of the members under clause 14 of Schedule 7 of the Local Government Act 2002
b) the election of the chairperson of the local board
c) a general explanation, given or arranged by the chief executive, of:
   i) the Local Government Official Information and Meetings Act 1987
d) the fixing of the date and time of the first meeting of the local board, or the adoption of a schedule of meetings
e) the election of the deputy chairperson of the local board.

[as 21(5), sgh 7, LGA 2002]
2.2 Giving Notice

2.2.1 Notice for members

The chief executive must give notice in writing to each member of the local board or its committees of the time and place of any meeting.

Notice must be given at least 14 days before the meeting, unless Auckland Council has adopted a schedule of meetings, in which case notice must be given at least 14 days before the first meeting on the schedule.

[cl 19(5), sch 7, LGA 2002]

2.2.2 Members’ addresses

Local board members must give the chief executive a residential, business or other address within the Auckland Council area (and, if they wish, a fax number or email address), where notices and other materials relating to meetings and local board business can be sent.

2.2.3 Meeting schedules

Where the local board adopts a meeting schedule:

a) the schedule may cover any period that Auckland Council considers appropriate
b) the schedule may be amended
c) notification of the schedule, or an amendment to it, will constitute notification of every meeting on the schedule or the amendment.

[cl 19(6), sch 7, LGA 2002]

2.2.4 Meetings not invalid because notice not received

Where a member did not receive notice of a meeting, or did not receive it in good time, the meeting is not invalid—unless the person responsible for giving notice is proved to have acted in bad faith or without reasonable care and the member concerned did not attend the meeting.

A member may waive the need to be given notice of a meeting.

[cl 20, sch 7, LGA 2002]

2.2.5 Cancellation of scheduled meetings

If it is necessary to cancel a scheduled meeting, all reasonable effort shall be taken to notify members and the public as soon as practicable of the cancellation and of the reasons for the cancellation.

A scheduled meeting shall be cancelled by the chairperson of the local board or committee in consultation with the chief executive or their nominee.

2.3 Extraordinary and Emergency meetings

2.3.1 Extraordinary meetings may be called

An extraordinary meeting may be called by:

a) a resolution of the local board or committee of the local board; or
b) a request in writing delivered to the chief executive and signed by:
   i. the chairperson; or
   ii. not less than one third of the total membership of the local board (including vacancies) or the appropriate committee.
The resolution or requisition must specify the time and place at which the meeting is to be held and the general nature of the business to be brought before the meeting.

[cl 22(1), sch 7, LGA 2002]

2.3.2 Notification of extraordinary meetings to members

The chief executive must give members at least three clear working days' written notice of the time, place and general nature of the business of an extraordinary meeting. The notice period may be reduced where a resolution is made to this effect, but may not be less than 24 hours.

[cl 22(3), sch 7, LGA 2002]

2.3.3 Calling an emergency meeting

The chairperson, or if they are unavailable, the chief executive, may call an emergency meeting for an earlier time than is provided in Standing Order 2.3.2 if this is necessary to deal with the business. The person calling such a meeting must give each member and the chief executive notice of the time and place of the meeting and the matters in respect of which the meeting is being called, by whatever means is reasonable in the circumstances, at least 24 hours before the meeting.

[cl 22(2) & (4), sch 7, LGA 2002]

2.4 Agendas and meeting materials

2.4.1 Agenda to be sent to members

The chief executive must prepare an agenda for each meeting setting out the items the meeting will consider.

The chief executive must send the agenda to every member at least two clear working days before the day of the meeting, except where the meeting is an extraordinary or emergency meeting.

The chief executive may send the agenda, and other materials relating to the meeting or other Auckland Council business, to members by electronic means.

See Appendix D for further information about how business is placed on an agenda.

2.4.2 Order of business

A meeting will deal with business in the order given on the agenda, unless the meeting or the chairperson decides to give precedence to any business.

Committees and subcommittees do not have a default order of business. The usual order of business for ordinary meetings of the local board is as set out below:

Open section

Open section

1) Welcome
2) Apologies
3) Declarations of interest
4) Confirmation of minutes
5) Leave of absence
6) Acknowledgements
7) Petitions
8) Deputations
9) Public forum
10) Governing body input
11) Extraordinary or emergency business
12) Ward Councillor’s report
13) Notices of motion
14) Reports
15) Chairpersons report
16) Members reports
17) Consideration of extraordinary or emergency business items

Public excluded section
18) Reports

Where there are no items of business for a particular category given in the order, it does not need to appear on the agenda.

The order of business for an inaugural or extraordinary meeting should be limited to items that are relevant to the purpose of the meeting. The chairperson may allow governing body, Māori and public input that is relevant to the purpose of the meeting.

2.4.3 Status of agenda

No one may take any matter on a meeting agenda to be Auckland Council policy until it has been adopted by the relevant decision-maker/decision-making body at Auckland Council.

2.4.4 Public excluded items

The chief executive must place in the public-excluded section of the agenda any items that they reasonably expect the meeting to consider with the public excluded. The public excluded section of the agenda must indicate the subject matter of the item and the reason the public are excluded.

\[\text{\cite{46A and 48, LGOMA 1987}}\]

2.4.5 Urgent items not on the agenda may be dealt with (extraordinary business)

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

a) the local board or committee 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.

Extraordinary business may be brought before the meeting by a report from either the chief executive or the chairperson. Where the matter is so urgent that a written report is not practical, the report may be verbal.

\[\text{\cite{46A(7), LGOMA 1987}}\]

2.4.6 Discussion on minor matters not on the agenda

A meeting may discuss an item that is not on the agenda, if it is a minor matter relating to the general business of Auckland Council and the chairperson (or presiding member) explains at the beginning of the public part of the meeting that the item will be discussed.
The meeting may not make a resolution, decision or recommendation about the item, except to refer it to a subsequent meeting for further discussion.

Whether or not a minor matter of extraordinary business may be discussed at a meeting is at the discretion of the chairperson.

[§46A(7) & (7A), LGOIMA 1987]

2.4.7 Chairperson’s report

The chairperson may, by way of report, bring any matter to the attention of a meeting of the local board or its committees that is within their role or function to consider.

2.5 Notices of motion

2.5.1 Notices of motion to be in writing

Notices of motion must:

a) be in writing signed by the mover
b) state the meeting at which it is proposed that the notice of motion be considered

[See also Standing Order 1.10.1]

c) be delivered to the chief executive or their nominee at least five clear working days before such meeting.

2.5.2 Referral of notices of motion to committees

Any notice of motion referring to any matter ordinarily dealt with by a committee of the local board may be referred to that committee by the chief executive. Where such notices are so referred, the mover of the motion shall, if not a member of that committee, have the right to move that motion, and of reply, as if a committee member.

2.5.3 Refusal of notice

The chairperson may direct the chief executive to refuse the notice if it is:

a) disrespectful, or contains offensive language or malicious statements
b) not related to the role or functions of the local board or the relevant committee
c) ambiguous, or states fact or opinion that cannot form part of an effective resolution, and the mover has declined to comply with requirements of the chief executive
d) concerned with matters that are already on the agenda.

The chief executive must let the member who is proposing the motion know the reason it has been refused.

[See also Standing Order 2.5.8 for rejections of repeat notices.]

2.5.4 Mover of notice of motion

Notices of motion may not proceed in the absence of the mover, unless moved by another member authorised in writing by the mover to do so.

2.5.5 Alteration of notice of motion

A notice of motion may only be altered by the mover with the consent of the meeting.

2.5.6 When notices of motion lapse
Notices of motion not moved, on being called for by the chairperson, shall lapse.

2.5.7 Repeat notices

The chairperson may direct the chief executive to refuse any notice that they consider:

a) has substantially the same purpose and effect as one that the local board or a committee has rejected within the previous six months, unless one-third of all members (including vacancies) have signed the new notice

b) is to the same effect as a notice of motion that the local board or a committee has considered twice and rejected within the previous six months

c) is to the same effect as a notice of motion already adopted and that still stands.
3. Meeting quorums and attendance

3.1 Quorums

3.1.1 Definition of quorum for local board or joint committee meetings

The quorum at a meeting of the local board or joint committee consists of:

a) half of the members if the number of members (including vacancies) is even; or
b) a majority of members if the number of members (including vacancies) is odd.

[cl 23(3)(a) & 30A(6), sch 7, LGA 2002]

3.1.2 Definition of quorum for local board committee meetings

The quorum at a meeting of a committee or subcommittee:

a) is not fewer than two members of that committee or subcommittee (as determined by
   the local board that appoints the committee or the committee that appoints the
   subcommittee); and
b) in the case of a committee other than a subcommittee, must include at least one
   member of the local board.

[cl 23(3)(b), sch 7, LGA 2002]

3.1.3 Requirement for a quorum

A meeting is constituted where a quorum of members is present, whether or not they are all voting or
entitled to vote. In order to conduct any business at a meeting, a quorum of members must be present
for the whole time that the business is being considered.

[cl 23(3) & (2), sch 7, LGA 2002]

3.1.4 Meeting lapses where no quorum

A meeting must lapse and the chairperson vacate the chair if a quorum is not present within 30
minutes of the start of the meeting.

The chairperson may extend the time that the meeting will wait for a quorum by up to 10 minutes in
situations where members are known to be travelling to the meeting, but are delayed due to unusual
weather or traffic congestion.

Where a meeting lapses because there is no quorum, this will be recorded in the minutes, along with
the names of the members who attended.

3.1.5 Business from lapsed meetings

Where a meeting lapses, the remaining business will be adjourned until the next ordinary meeting,
unless the chairperson sets an earlier meeting and this is notified by the chief executive.

3.1.6 Lapses after meeting starts

The business of the meeting will be suspended where, after a meeting starts, a member or members
leave and there is no longer a quorum. If the quorum is not made up within 10 minutes, the rest of the
meeting must lapse and the chairperson vacates the chair.

Any remaining business on the agenda that has not been dealt with must be adjourned to the next
meeting or to an extraordinary meeting.
3.2 Attendance

3.2.1 Right to attend meetings

Any member of the local board or its committees has the right to attend any local board or committee meeting, unless they are lawfully excluded.

[cl 19(2), sch 7, LGA 2002]

3.2.2 Granting leave of absence

The local board may grant leave of absence to a member from its meetings or those of its committees, upon application by the member.

The granting of a leave absence may be delegated to the chairperson of the local board to protect the privacy of the member applying.

Meeting minutes will record that a member has leave of absence for that meeting, but not the length of the leave.

3.2.3 Apologies at meetings

If a member has not obtained leave of absence, an apology may be tendered on behalf of the member and the apology may be accepted or declined by the local board or the relevant committee.

Acceptance of the apology shall be deemed to be a granting of leave of absence for that meeting.

3.2.4 Recording apologies

The chairperson must invite apologies at the beginning of each meeting, including apologies for lateness and early departure. These shall be recorded in the minutes, including whether they were accepted or declined and the time of arrival and departure of all members.

3.2.5 Absence without leave

An extraordinary vacancy is created where any member is absent without leave of the local board from four consecutive meetings other than extraordinary meetings of the local board.

[cl 6, sch 7, LGA 2002]

3.3 Electronic attendance

3.3.1 Attendance by electronic link

Provided the conditions in these standing orders are met, members of the local board or its committees have the right to attend meetings by means of an electronic link, unless they have been lawfully excluded.

[cl 25A(1) & 27(5)(a), sch 7, LGA 2002]

3.3.2 Member’s status – quorum and vote

Members who attend meetings by electronic link will not be counted as present for the purposes of a quorum.

However, if the meeting otherwise has a quorum, then the member attending by electronic link can vote on any matters raised at the meeting.

[cl 25A(4), sch 7, LGA 2002]
3.3.3 Conditions for attending by electronic link

Electronic attendance is approved at the discretion of the chair.

Where such a request is made, the chief executive must take reasonable steps to enable the member to attend by electronic link. However, Auckland Council has no obligation to make the technology for an electronic link available.

If the member’s request cannot be accommodated, or there is a technological issue with the link, this will not invalidate any acts or proceedings of the local board or its committees.

[cd 25A(1) & 27(6)(b), sch 7, LGA 2002]

3.3.4 Request to attend by electronic link

Where possible, a member will give the chairperson of the local board or its committees and the chief executive at least two clear working days’ written notice, where they want to attend a meeting by electronic link. Where, because of illness or emergency, this is not possible, the member may give less notice.

Where such a request is made, the chief executive must take reasonable steps to enable the member to attend by electronic link. However, Auckland Council has no obligation to make the technology for an electronic link available.

If the member’s request cannot be accommodated, or there is a technological issue with the link, this will not invalidate any acts or proceedings of the local board or its committees.

[cd 25A(1), (5) & 27(5), sch 7, LGA 2002]

3.3.5 Chairperson’s duties

Where a member is attending a meeting by electronic link, the chairperson must ensure that:

a) the technology for the link is available and of suitable quality

b) procedures for using the technology in the meeting will ensure that:

i. everyone participating in the meeting can hear each other

ii. the member’s attendance by electronic link does not reduce their accountability or accessibility in relation to the meeting

iii. the requirements of Part 7 of the Local Government Official Information and Meetings Act 1987 are met

iv. the requirements in these standing orders are met

[cd 25A(1) & (3), sch 7, LGA 2002]

3.3.6 Chairperson may terminate link

The chairperson may direct that an electronic link should be terminated where:

a) use of the link is increasing, or may unreasonably increase, the length of the meeting

b) the behaviour of the members using the link warrants it, including the style, degree and extent of interaction between them

c) it is distracting to the members who are physically present at the meeting

d) the quality of the link is no longer suitable.

3.3.7 Giving or showing a document
A person attending a meeting by electronic link may give or show a document by:

a) transmitting it electronically
b) using the electronic link
c) any other manner that the chairperson thinks fit.

[cl 25A(6), sch 7, LGA 2002]

3.3.8 Link failure

Where an electronic link fails, or there are other technological issues that prevent a member who is attending by link from participating in a meeting, that member must be deemed to be no longer attending the meeting.

[cl 25A(1), sch 7, LGA 2002]

3.3.9 Confidentiality

A member who is attending a meeting by electronic link must ensure that the meeting’s proceedings remain confidential during any times that the public are excluded. At such times, the chairperson may require the member to confirm that no unauthorised people are able to view or hear the proceedings.
4. Committees and subcommittees

4.1 General

4.1.1 Appointment of committees and subcommittees

The local board may appoint committees that it considers appropriate.

A committee may appoint the subcommittees that it considers appropriate, unless it is prohibited from doing so by the local board.

[cl 30 (1) & (2), sch 7, LGA 2002]

4.1.2 Committees subject to direction of the local board

A committee is subject in all things to the control of the local board, and must carry out all general and special directions of the local board that relate to the committee/other body or its affairs.

A subcommittee is subject in all things to the control of the committee that appointed it, and must carry out all general and special directions of the committee that relate to the subcommittee or its affairs.

Nothing in this standing order entitles the local board or committee to rescind or amend a decision made under a delegation, which authorises the making of a decision by a committee, or a subcommittee.

[cl 30(3), (4) & (6), sch 7, LGA 2002]

4.1.3 Discharge or reconstitution of committees or subcommittees

Unless expressly provided otherwise in an Act:

a) the local board may discharge or reconstitute a committee or subcommittee
b) a committee may discharge or reconstitute a subcommittee.

At the end of each term, a committee or subcommittee is (unless the local board resolves otherwise) deemed to be discharged on the coming into office of the members of the local board elected or appointed at or following the triennial general election.

[cl 30(5)&(7), sch 7, LGA 2002]

4.1.4 Proceedings not invalidated by vacancies or irregularities

An act or proceeding of the local board or committee, or of a person acting as a member of the local board or committee, is not invalidated by:

a) a vacancy in the membership of the local board or committee at the time of that act or proceeding; or
b) the subsequent discovery of:
   i. some defect in the election or appointment of the person acting as a member of the local board or committee; or
   ii. that that person was or is incapable of being a member.

[cl 29, sch 7, LGA 2002]

4.2 Membership of committees and subcommittees

4.2.1 Appointment or discharge of committee members and subcommittee members
The local board may appoint or discharge any member of a committee or a subcommittee. Unless directed otherwise by the local board, a committee may appoint or discharge any member of a subcommittee appointed by the committee.

[c1 31(1) & (2), sch 7, LGA 2002]

4.2.2 Appointed members on committees and subcommittees

The members of a committee or subcommittee may, but need not be, elected members of the local board. The local board or committee may appoint to a committee or subcommittee a person who is not a member of the local board if, in the opinion of the local board or the committee, that person has the skills, attributes or knowledge that will assist the work of the committee or subcommittee.

At least one member of a committee must be an elected member of the local board. Auckland Council staff acting in the course of their employment may not act as a member of any committee unless that committee is a subcommittee.

The Independent Māori Statutory Board must appoint a maximum of two people to sit as members of committees that deal with the management and stewardship of natural and physical resources.

[c1 31(3) & (4), sch 7, LGA 2002]
[888, Local Government (Auckland Council) Act 2009]

4.2.3 Minimum numbers on committees and subcommittees

The minimum number of members is three for a committee, and is two for a subcommittee.

[c1 31(6), sch 7, LGA 2002]

4.2.4 Chairperson ex-officio committee member

The chairperson of the local board may be appointed an ex-officio member of any committee other than a quasi-judicial committee.

4.2.5 Members attendance at all committee meetings

Except when a committee is performing a judicial or quasi-judicial function, any member of the local board may:

a) attend any meeting of any committee
b) put a question to the chairperson to elicit information
c) take part in the discussion of the committee meeting

A member of the local board, who is not a member of the committee, may not vote on any matter before the committee.

When a committee is performing any judicial or quasi-judicial function, a member of the local board who is not a member of the committee shall not be entitled to take any part in the proceedings by virtue of their office.

While a committee is deliberating its decision on any matter in the performance of any judicial or quasi-judicial function, no member of the local board shall be entitled to be present unless:

a) they are a member of the committee; and
b) where the committee is conducting an oral hearing of the matter on which it is deliberating, the member was present throughout the course of that hearing.

[c1 49(2), sch 7, LGA 2002]
4.3 Joint committees

4.3.1 Appointment of joint committee

The local board may appoint a joint committee with another local board, the governing body, another local authority, or other public body.

[sl 30(t) & 30A, sch 7, LGA 2002]

4.3.2 Status of joint committees

A joint committee is deemed to be both a committee of the local board and a committee of the other local board, governing body, local authority or other public body.

[sl 30A(6), sch 7, LGA 2002]

4.3.3 Powers and responsibilities of joint committees

Part 1 of Schedule 7 of the Local Government Act 2002 applies to a joint committee except that:

a) the powers to discharge any individual member and appoint another in their stead must be exercised by the local board or public body that made the appointment

b) the meeting quorum is as stated in Standing Order 3.1.1

c) the committee may appoint and remove its own chairperson or deputy chairperson.

[sl 30A(6), sch 7, LGA 2002]

4.4 Powers of delegation

4.4.1 Delegations to committees, members and staff

For the purposes of efficiency and effectiveness in the conduct of the local board’s business, the local board may delegate to a committee, subcommittee or member of the local board or Auckland Council staff any of its responsibilities, duties, and powers except:

a) the duty to identify and communicate the interests and preferences of the people in its local board area in relation to the content of the strategies, policies, plans, and bylaws of Auckland Council

b) the power to propose a bylaw or an amendment to a bylaw

c) the power to confirm a bylaw or modify a proposed bylaw

d) the power to propose the revocation of a bylaw

e) the duty to adopt the local board plan for its area

f) the duty to agree the local board agreement for its area with the governing body

g) the power to apply to the Local Government Commission for a binding determination in respect of a dispute between itself and the governing body

h) a responsibility, power or duty that the Local Government Act 2002 or any Act expressly provides may not be delegated.

However, this Standing Order does not restrict the power of the local board to delegate, to a committee or member of the local board or Auckland Council staff, the power to do anything precedent to the performance or exercise by the local board of a duty or power specified in a)-h) above (after consulting the committee or member or staff).

This clause applies to any responsibilities, duties, or powers delegated to the local board by the governing body subject to any conditions, limitations, or prohibitions imposed by the governing body when making the original delegation.
A committee or member of the local board or Auckland Council staff may delegate a responsibility, duty, or power delegated to it or them under this Standing Order to a subcommittee or person - subject to any conditions, limitations, or prohibitions imposed by the original delegation from the local board.

Note: This Standing Order does not apply to onward delegations by the local board of Auckland Transport matters (covered by Standing Order 4.4.2).

[id 36D, sch 7, LGA 2002]

4.4.2 Onward delegation of Auckland Transport matters

The local board may delegate any responsibilities, duties, functions, or powers, which have been delegated to it by Auckland Transport, to a subcommittee or person. This is subject to any conditions, limitations or prohibitions imposed by Auckland Transport when making the original delegation.

Note: for the purposes of this Standing Order, subcommittee includes committee.

[is 54 (4) Local Government (Auckland Council) Act 2009]

4.4.3 Use of delegated powers

A committee, subcommittee or person to which or to whom any responsibility, duty or power is delegated may perform or exercise the responsibility, duty or power in the same way and with the same effect as it could have been performed or exercised by:

a) the local board, in the case of a delegation under Standing Order 4.4.1
b) the governing body, in the case of a delegation under Standing Order 4.4.2
c) Auckland Transport, in the case of a delegation under Standing Order 4.4.3.

No confirmation is required, from the local board, committee, subcommittee or individual that made the delegation, before performing or exercising the delegated responsibility, duty or power.
5. Governing body input

Note: the provisions in this section are separate from, and in addition to, provisions regarding deputations. See Standing Order 7.7.7. Where the governing body also has the right to speak under Standing Order 7.7.7, the provisions in this section must not be used to speak about the same matter.

5.1.1 Governing body speaking rights

A member of the governing body may provide input to the local board and its committees via speaking rights at items on the agenda, at the discretion of the chairperson.

5.1.2 Governing body members update

Provision will be made on the agenda for governing body members to update the board on regional matters of interest to the local board, or on any matter the governing body member wishes to raise with the local board.

5.1.3 Chairperson’s discretion

The chairperson may:

a) decline a request to speak where the request does not comply with these standing orders
b) refuse a request to speak if in their opinion there will be insufficient time to hear the governing body member because of the amount of business to be conducted at the meeting
c) waive requirements in these standing orders where they consider there are exceptional circumstances. In particular, the chairperson may accept an application to speak that is made less than seven clear working days before the meeting, where they consider the matter is urgent and of major public interest
d) direct a speaker to a different committee if they consider this more appropriate, given the proposed subject matter
e) prohibit a governing body member from speaking if they are offensive, repetitious or vexatious, or otherwise breach these standing orders.

5.1.4 Subjects

A speaker may not speak about a matter that:

a) has already been considered and decided
b) has a separate public hearing or consultation process attached to it
c) is subject to a quasi-judicial process
d) is outside of the scope or functions of that local board or committee.

5.1.5 Notice

The governing body member must give the chief executive at least seven clear working days’ notice, before the date of the meeting, of their wish to provide input.

5.1.6 Language for speeches

The governing body member may address a meeting in English, Māori or New Zealand Sign Language. However, they should advise the chairperson of their intention to speak in a language other than English at least two clear working days before the meeting.

Where practical, Auckland Council will arrange for a translator to be present at the meeting. The chairperson may also order the speech and any accompanying documents to be translated and printed in English or Māori or another language.
5.1.7 Time allocated for input

A governing body member may speak for up to five minutes when speaking to items on the agenda and 10 minutes when speaking to a Governing Body members update report.
6. Māori input

6.1.1 Māori speaking rights

Representatives of Māori organisations or their nominees may provide input to the local board and its committees on items on the agenda at the time the item is being considered.

With the permission of the chairperson, members may ask questions of Māori representatives. Such questions are to be confined to obtaining information or clarification on matters raised by the speaker.

6.1.2 Chairperson's discretion

The chairperson may:

a) decline a request to speak where the request does not comply with these standing orders
b) refuse a request to speak if in their opinion there will be insufficient time to hear the representative because of the amount of business to be conducted at the meeting
c) waive requirements in these standing orders where they consider there are exceptional circumstances. In particular, the chairperson may accept an application to speak that is made less than seven clear working days before the meeting, where they consider the matter is urgent and of major public interest
d) direct a speaker to a different committee if they consider this more appropriate, given the proposed subject matter
e) prohibit a representative from speaking if they are offensive, repetitious or vexatious, or otherwise breach these standing orders.

6.1.3 Subjects

A speaker may not speak about a matter that:

a) has already been considered and decided
b) has a separate public hearings or consultation process attached to it
c) is subject to a quasi-judicial process
d) is outside of the scope or functions of that local board or committee.

6.1.4 Notice

Representatives of Māori organisations or their nominees must give the chief executive at least seven clear working days' notice, before the date of the meeting, of their wish to speak at the meeting.

6.1.5 Language for speeches

The representative may address a meeting in English, Māori or New Zealand Sign Language. However, they should advise the chairperson of their intention to speak in a language other than English at least two clear working days before the meeting.

Where practical, Auckland Council will arrange for a translator to be present. The chairperson may also require a speech or document presented to be translated and printed in English, Māori or another language.

6.1.6 Time allocated for input

Representatives of Māori organisations or their nominees may speak for up to ten minutes.

Note: the provisions in this section are separate from, and in addition to, provisions regarding deputations, public forum and petitions.
7. Public attendance

7.1 Public access to meetings

7.1.1 Meetings normally to be open to the public

Except as otherwise provided by Part VII of the Local Government Official Information and Meetings Act 1987, every meeting of the local board or its committees shall be open to the public.

For the purposes of Part VII of the Local Government Official Information and Meetings Act 1987, bona fide members of the news media shall be treated as members of the public and shall be entitled to attend any meeting or any part of a meeting for the purpose of reporting the proceedings for any news media.

\[s 47 & 49(a), LGOIMA 1987\]

7.2 Public notice

7.2.1 Public notification about meetings

All meetings scheduled for the following month must be publicly notified not more than 14 days and not less than five days before the end of every month, together with the relevant dates, times and places of the meetings.

However, meetings to be held on or after the 21st day of the month may instead be publicly notified not more than 10 nor less than five clear working days before the day on which the meeting is to be held.

\[s 49(1)&(2), LGOIMA 1987\]

7.2.2 Public notification additional requirements

The chief executive is to make any other arrangement for the notification of meetings, including extraordinary and emergency meetings, as the local board or the relevant committee may from time to time determine.

7.2.3 Notification of extraordinary / emergency meetings

Where the council calls an extraordinary or emergency meeting but cannot give public notice to the extent required in Standing Order 7.2.1, the council must publicly notify the meeting, and the general nature of business to be considered at it, as soon as reasonably practicable before the meeting. If it is not practicable to publish a notice in newspapers before the meeting, the council must publicly notify the meeting as soon as practicable on the council's website and in any other manner that is reasonable in the circumstances.

\[s 49(3) & (4), LGOIMA 1987\]

7.2.4 Public notice of resolutions of extraordinary meetings

Auckland Council must publicly notify, as soon as practicable, any resolution passed at an extraordinary meeting, unless:

a) the meeting passed the resolution while the public was excluded; or

b) Auckland Council publicly notified the extraordinary and emergency meeting at least five clear working days before the day of the meeting.
Resolution in this context means any resolution on the matters for which the extraordinary meeting was held.

[51A, LGOIMA 1987]

7.2.5 Meetings not publicly notified

Where the local board or committee becomes aware that a meeting has not been publicly notified in accordance with Standing Orders 7.2.1 and 7.2.3, Auckland Council must give public notice that the meeting was not notified, the reasons why it was not notified and the general nature of any business transacted at the meeting, as soon as practicable.

A meeting does not become invalid merely because it was not publicly notified.

[46 (5) & (6), LGOIMA 1987]

7.3 Public access to information

7.3.1 Information to be available to public

All information provided to members at local board and committee meetings must be available to the public and news media, unless any item included in the agenda refers to any matter reasonably expected to be discussed with the public excluded.

[5 & 49 LGOIMA 1987]

7.3.2 Availability of agendas and reports

Any member of the public may, without payment of a fee, inspect, during normal office hours, within a period of at least two working days before every meeting, all agendas and associated reports circulated to members relating to that meeting.

The agendas:

a) shall be available for inspection at the public offices of Auckland Council (including service delivery centres) and the public libraries under Auckland Council’s control in the local board area

b) shall be accompanied by either:
   i. the associated reports, or
   ii. a notice specifying the places at which the associated reports may be inspected.

The associated reports shall be available for inspection at the public offices of Auckland Council in the local board area.

Any member of the public may take notes from any agenda or report that they inspect. They may also request a copy of all or part of an agenda or report, and upon paying the prescribed amount (if any) must be provided with a copy as soon as practicable.

Where a meeting is an extraordinary or emergency meeting called pursuant to a resolution of the local board or committee, the agenda and any associated reports shall be made available as soon as is reasonable in the circumstances.

[46A(1)-(6) LGOIMA1987]

7.3.3 List of committee members publicly available

The members of the local board and each committee are to be named on the relevant agenda.
7.3.4 Matters discussed with public excluded

The chief executive may exclude, from the information that is made available to the public, any reports (or items from reports) that they reasonably expect the meeting to discuss while the public is excluded. The chief executive will indicate such excluded reports on the agenda.

[§ 46A(b), 5 & 49(d), LGOMA 1987]

7.3.5 Agenda made available at meetings

Auckland Council will provide sufficient copies of the agenda at meetings for viewing by members of the public.

A fee may be charged for an agenda, if a member of the public wishes to take an agenda away with them.

[§ 49, LGOMA 1987]

7.3.6 Public entitled to inspect minutes

The public may, without charge, inspect and take notes from the minutes of any meeting or part of any meeting that the public was not excluded from.

The public may be given a copy of such minutes.

[§ 51, LGOMA 1987]

7.3.7 Minutes for public excluded sessions

The chief executive must consider any request for the minutes of a meeting, or part of a meeting, that the public was excluded from, as a request for official information under the Local Government Official Information and Meetings Act 1987.

[§ 51(3), LGOMA 1987]

7.3.8 Reporting and recording meetings

For the purposes of Part VI of the Local Government Official Information and Meetings Act 1987, bona fide members of the news media shall be treated as members of the public.

Bona fide members of the news media/members of the public may attend any meeting, or part of a meeting, that is open to the public and report on the proceedings.

Any person who wants to record a meeting must notify the chairperson of their intention before the meeting starts, and record the meeting unobtrusively, without distracting members.

[§ 49(e), LGOMA 1987]

7.4 Public exclusion

7.4.1 Motions and resolutions to exclude the public

The local board or committee may resolve to exclude the public from a meeting. The only grounds for exclusion are those specified in Section 48 of the Local Government Official Information and Meetings Act 1987 (see Appendix A).

Every motion to exclude the public must be put when the meeting is open to the public, and copies of the motion must be made available to any member of the public who is present.
If the motion is passed, the resolution to exclude the public must be in the form set out in Schedule 2A to the Local Government Official Information and Meetings Act 1987. The resolution must state the general subject of each matter to be excluded, the reason for passing the resolution in relation to that matter, and the grounds on which the resolution is based. The resolution will form part of the meeting’s minutes.

See Appendix B for further information about who may remain and who must leave.

[s 48 & schedule 2A, LGOIMA1987]

7.4.2 Specified people may remain

Where a meeting resolves to exclude the public, the resolution may provide for specified persons to remain if, in the opinion of the meeting, they have knowledge that will assist the meeting. Any such resolution must state, in relation to the matter to be discussed, how the knowledge held by the specified people is relevant and how it will assist.

No such resolution is necessary in respect of the attendance of the chief executive and relevant staff during a public excluded session.

[s 48 (5) & (6), LGOIMA1987]

7.4.3 Public excluded business not to be disclosed

No member or staff member may disclose to any person (other than another member or staff member) information that has been, or is to be, presented to any meeting from which the public is excluded, or proposed to be excluded.

This restriction does not apply where:

a) a meeting has resolved to make the information publicly available
b) there are no grounds under the Local Government Official Information and Meetings Act 1987 for withholding the information when requested
c) the information is no longer confidential.

The local board or committee may provide for the release to the public of information, which the meeting considered while the public were excluded.

7.4.4 Standing orders

These standing orders will still apply to meetings, or parts of meetings, from which the public has been excluded.

7.5 Public order

7.5.1 Chairperson may require members of the public to leave meeting

The chairperson may require any member of the public to leave the meeting, where the chairperson believes on reasonable grounds that the behaviour of that member of the public is likely to prejudice the orderly conduct of the meeting if that person is permitted to remain.

[s 50, LGOIMA1987]
7.5.2 **Removal of members of public**

Any police officer or Auckland Council staff may, at the request of the chairperson, remove or exclude a member of the public from a meeting if they have been required to leave in accordance with Standing Order 7.5.1 and

a) refuses or fails to leave the meeting; or
b) having left the meeting, attempts to re-enter the meeting without the permission of the chairperson.

[is 50, LGOMA1987]

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7.6 **Petitions**

7.6.1 **Petition in English, Māori or New Zealand Sign Language**

A written petition provided to the local board or any of its committees may be in English or Māori. Any presentation of the petition may be in English, Māori or New Zealand Sign Language.

Prior arrangement with the chairperson should be sought at least two clear working days before the meeting if the written and/or presentation of the petition is not in English. Where practical, Auckland Council will arrange for a translator to be present at the meeting. The chairperson may also order the speech and any accompanying documents to be translated and printed in English or Māori or another language.

7.6.2 **Form of petitions**

Every written petition presented to the local board or to any of its committees must comprise fewer than 50 words (not including signatories), and not be disrespectful or use offensive language or include statements made with malice (see Standing Orders 1.4 regarding qualified privilege).

7.6.3 **Petition presented by petitioner**

A petitioner who presents a petition to the local board or a committee may speak for five minutes about the petition, unless the meeting resolves otherwise.

The chairperson must close the presentation of the petition if they believe the petitioner is being disrespectful, offensive or making malicious statements.

7.6.4 **Petition presented by member**

Members may present petitions on behalf of petitioners. In doing so, members must confine themselves to reading:

a) the petition
b) the petitioners' statement
c) the number of signatures.
7.7 **Deputations**

7.7.1 **Notice**

Deputations may be received by the local board or any of its committees provided an application for admission, setting forth the subject, has been lodged with the chief executive at least seven clear working days before the date of the meeting concerned, and has been subsequently approved by the chairperson.

>Note: Standing Order 7.7.7 Deputations from the governing body or another local board

7.7.2 **Chairperson’s discretion**

The chairperson may:

a) decline a request for a deputation where the request does not comply with these standing orders  

b) refuse a request for a deputation if in their opinion there will be insufficient time to receive the deputation because of the amount of business to be conducted at the meeting or the number of other deputations  

c) direct a speaker to a different committee if they consider this more appropriate, given the proposed subject matter  

d) refuse a request for a deputation where it is offensive, repetitious or vexatious.

>Note: Also note Standing Order 7.7.4 on Urgency or major public interest

7.7.3 **Subjects**

A speaker may not speak about a matter that:

a) has already been considered and decided  

b) has a separate public hearings or consultation process attached to it  

c) is subject to a quasi-judicial process  

d) is outside of the scope or functions of that local board or committee.

7.7.4 **Urgency or major public interest**

Notwithstanding standing orders 7.7.1 and 7.7.2, where in the opinion of the chairperson the matter which is the subject of a deputation is one of urgency or major public interest the chairperson may determine that the deputation be received.

7.7.5 **Deputations and presentations in English, Māori or New Zealand Sign Language**

A deputation or presentation to the local board or any of its committees may be made in English or Māori or New Zealand Sign Language.

Prior arrangement with the chairperson should be sought at least two clear working days before the meeting if the address is not in English.

Where practical, Auckland Council will arrange for a translator to be present. The chairperson may also require a speech or document presented to be translated and printed in English, Māori or another language.

7.7.6 **Procedures for deputations**

Except with the approval of the local board or committee, not more than two members of a deputation may address the meeting.

After a presentation is received, members may put to the deputation any question pertinent to the subject heard, but no member may express an opinion upon, or discuss the subject, until the
deputation has completed making its submissions and answering questions (also see Standing Order 1.4.2 regarding qualified privilege).

The meeting may not make any resolution on issues raised during a deputation except to refer the matter to a future meeting, or to another committee, or to the chief executive for investigation.

[Note: s 76 – 81, LGA 2002, regarding decision-making]

7.7.7 Deputations from the governing body or other local board

A deputation from another local board or the governing body must be authorised by a resolution of that body and be about a matter affecting the other local board’s or governing body’s interests. The period of notice shall be two clear working days before the meeting date.

7.7.8 Termination of presentation if disrespectful

The chairperson may close a presentation in progress which is disrespectful or offensive, or where the chairperson has reason to believe that statements have been made with malice (also see Standing Order 1.4.2 regarding qualified privilege).

7.7.9 Time limit on presentation

Unless the meeting determines otherwise in any particular case, a limit of 10 minutes is placed on a speaker making a presentation, or if there are two members of the deputation addressing the meeting 10 minutes in total for the two speakers.

[Note: s 76 – 81, LGA 2002, regarding decision-making]

7.8 Public Forum

7.8.1 Time

A period of up to 30 minutes, or such other time as the local board or any of its committees may determine, will be set aside for a public forum at the commencement of meetings of the local board which are open to the public.

Each speaker during the public forum section of a meeting may speak for three minutes.

Standing orders may be suspended on a vote of not less than 75 per cent of those present to extend the period of public participation or the period any speaker is allowed to speak.

This Standing Order does not apply to inaugural meetings and, where not appropriate, extraordinary meetings or a special consultative procedure.

7.8.2 Subjects of public forum

The public forum is to be confined to those items falling within the scope or functions of that local board or committee. Speakers must not speak about a matter that is under judicial consideration or subject to a quasi-judicial process.

7.8.3 Questions of speakers during public forum

With the permission of the chairperson, members may ask questions of speakers during the period reserved for public forum. Questions by members, if permitted, are to be confined to obtaining information or clarification on matters raised by the speaker.

Members may not debate any matter raised during the public forum session that is not on the agenda for the meeting, or take any action in relation to it, other than through the usual procedures for
extraordinary business if the matter is urgent.

The meeting may not make any resolution on issues raised in public forum except to refer the matter to a future meeting, or to another committee, or to the chief executive for investigation.

[Note: s 76 – 81, LGA 2002, regarding decision-making]

7.8.4 Language for speeches

A member of the public may address a meeting in English, Māori or New Zealand Sign Language. However, the person should advise the chairperson of their intention to speak in a language other than English at least two clear working days before the meeting.

Where practical, Auckland Council will arrange for a translator to be present at the meeting. The chairperson may also order the speech and any accompanying documents to be translated and printed in English or Māori or another language.

7.8.5 Chairperson’s discretion

The chairperson may:

a) direct a speaker to a different committee if they consider this more appropriate, given the proposed subject matter

b) prohibit a speaker from speaking if they are offensive, repetitious or vexatious, or otherwise breach these standing orders.
8. **Minutes of proceedings**

8.1 **Minutes**

8.1.1 **Minutes to be evidence of proceedings**

The local board and its committees must keep minutes of their proceedings. These minutes, when duly entered and authenticated, will be prima facie evidence (i.e. a record) of the proceedings they relate to.

[c28,sch.7, LGA 2002]

8.1.2 **Matters recorded in minutes**

The chief executive must keep the minutes of meetings. The minutes must record:

a) the date, time and venue of the meeting

b) the names of the members present

c) the chairperson

d) any apologies accepted or declined and leave of absences

e) the arrival and departure times of members

f) any failure of a quorum

g) a list of the speakers who gave public, governing body and Māori input, and the subjects they covered

h) a list of speakers from each deputation and the subject of the deputation

i) a list of the items considered

j) the resolutions and amendments pertaining to those items, including those that were lost or were ruled out of order

k) the names of all movers, and seconders

l) any objections made to words used

m) all divisions taken and, if taken, a record of the result

n) the names and votes of any members requesting their votes or abstentions be recorded

o) any declarations of financial interest or non-financial conflicts of interest and any abstentions from the discussion and voting

p) the contempt, censure and removal of any members

q) any resolutions to exclude members of the public and the names of any people permitted to stay

r) the time that the meeting concludes or adjourns.

[c28, sch.7, LGA 2002, See Standing Orders 7.4.1, 1.3.5, 1.3.8, 3.1.4, 3.2.2, 3.2.4, 1.5.11, 1.9.5, 1.9.7, 1.3.7]

8.1.3 **No discussion on minutes**

No discussion may arise on the substance of minutes at any succeeding meeting, except as to their correctness.

8.1.4 **Minutes of last meeting before election**

The chief executive and the relevant chairpersons must authenticate the minutes of the last meeting of the local board and its committees before the next election of members.

8.2 **Minute books**

8.2.1 **Inspection of minute books**

The minute books of the local board and its committees must be kept by the chief executive and be
open to inspection in accordance with the Local Government Official Information and Meetings Act 1987 and the Local Government Act 2002 (see Standing Order 7.3.6 and 7.3.7).

[ss 51, LGOIMA 1987]
9. General

9.1 Members must obey standing orders

9.1.1 Members must obey standing orders

All members of the local board must obey these standing orders.

[ct 16(1), sch 7, LGA 2002]

9.2 Application of standing orders

9.2.1 Local board and committee meetings

These standing orders apply to all meetings of the local board and its committees, unless stated otherwise. This includes meetings and sessions that the public are excluded from.

9.2.2 Governing body meetings

These standing orders do not apply to governing body meetings. The governing body has its own standing orders.

9.2.3 Additional to or substitution of standing orders for quasi-judicial proceedings

For quasi-judicial proceedings, the local board or a committee may adopt meeting procedures and practices additional to, or in substitution of, these standing orders for the conduct of the business to be transacted.

For example, committees appointed to hear applications under the Resource Management Act 1991 have powers under the Commissions of Inquiry Act 1908.

[ss 41, Resource Management Act 1991]

9.2.4 Temporary suspension of standing orders

The local board or its committees may temporarily suspend one or more standing orders during a meeting by a vote of not less than 75 per cent of the members present and voting. The reason for the suspension and the specific order(s) suspended must be stated in the resolution of suspension. (Also see 1.7.11 regarding members moving a motion to suspend standing orders as a procedural motion.)

[ct 27(4), sch 7, LGA 2002]

9.2.5 Alteration of standing orders

The local board may amend these standing orders or adopt new ones. A least 75 per cent of the members present must vote in favour of the amendment or adoption.

[ct 27(3), sch 7, LGA 2002]
9.2.6 Exclusions for meetings at which no resolutions or decisions are made

Standing orders relating to decision-making and passing resolutions do not apply to any meeting of the local board, committee, subcommittee or other subordinate decision-making body of the local board at which no resolutions or decisions are made under the Local Government Act 2002 or the Local Government Official Information and Meetings Act 1987.

9.3 Interpretation

The word ‘must’ used in these standing orders indicates that a practice is mandatory.

The word ‘may’ used in these standing orders indicates that a practice is optional.

The word ‘should’ indicates that a practice is advised or recommended.

In general, standing orders that refer to, or derive from, legislation have been paraphrased for readability.

9.4 Definitions

Agenda means the list of items for consideration at a meeting, together with reports and other attachments relating to those items.

Apology means an apology given by a member for their absence from a meeting, and includes apologies for lateness and early departure.

Auckland Council or the council means the Auckland Council established by section 6 of the Local Government (Auckland Council) Act 2009, which comprises the governing body and the local boards.

Casting vote means a second vote which can be exercised by the chairperson in order to break a tied vote.

Chairperson means the person who presides at a meeting.

Chief executive means the chief executive of Auckland Council appointed under section 42 of the Local Government Act 2002, irrespective of their designation, and includes, for the purposes of these standing orders, their nominee or any other staff authorised by Auckland Council.

Clear working days means the number of working days prescribed in these standing orders for giving notice. It excludes the date of service of that notice and the date of the meeting itself.

Committee includes, in relation to the local board:
   a) a committee comprising all the members of the local board
   b) a standing committee or special committee appointed by the local board
   c) a joint committee appointed under clause 30 of Schedule 7 of the Local Government Act 2002
   d) any subcommittee of a committee described in items (a) (b), (c) or (d) of this definition

Contempt means being disobedient to, or disrespectful of, the chairperson of a meeting, or disrespectful to any members, officers or the public.

Deliberative vote means the ordinary vote of member (as compared to the casting vote of a chairperson).

Deputation means a request from any person or interested group in the community to make a presentation to the local board or any committee.

Elected Representative refers to elected members of the local board.
Electronic Link means an audio link or an audio-visual link.

Emergency meeting has the meaning defined in clause 22A of Schedule 7 of the Local Government Act 2002.

Extraordinary meeting has the meaning defined in clause 22 of Schedule 7 of the Local Government Act 2002.

Governing body means the mayor and councillors of Auckland Council.

Leave of absence means leave granted to a member to be absent from a meeting or series of meetings of the local board or its committees upon application by the member.


Lie on the table, when used in a procedural motion, means the discussion on the motion under debate is closed but may be continued at an unspecified later time.

Local board means the Waitematā Local Board of Auckland Council.

Mayor means the mayor of Auckland.

Meeting means:

a) any first or ordinary or extraordinary or emergency meeting of the local board.

Member means any person elected to the local board and/or appointed to any committee of the local board.

Minutes means the record of the proceedings of any meeting of the local board or one of its committees.

Motion means a formal proposal to a meeting, expressing a proposed decision. Once passed it becomes a resolution.

New Zealand Sign Language means the main language of the deaf community in New Zealand.

Order Paper means the agenda listing items for consideration at a meeting together with reports and other attachments relating to those items.

Point of order relates to the proper conduct (order) of the meeting.

Procedural motion means a motion relating to meeting procedure. Standing Order 1.7 provides for members to propose specific types of procedural motions.

Public in the case of the local board or a committee of the local board includes any person who is not a member of the local board or the relevant committee, or Auckland Council staff providing advice or support to the local board.
Public excluded information means any information that can be excluded from the public for reasons meeting the provisions of the Local Government Official Information and Meetings Act 1987 and includes:
  a) information that is currently before a public excluded session, is proposed to be considered at a public excluded session, or has previously been considered at a public excluded session (other than information subsequently released by Auckland Council as publicly available information); and
  b) any minutes or portions of minutes of public excluded sessions, other than those subsequently released by Auckland Council as publicly available information.

Public excluded session refers to those meetings or parts of meetings from which the public is excluded as provided for in the Local Government Official Information and Meetings Act 1987.

Public forum means a time set aside at the start of a meeting where members of the public may address the local board or its committees.

Publicly notified Publicly notified means made known to members of the public by a notice on the council's website, until any opportunity for review or appeal has lapsed, and by a notice printed in appropriate newspapers circulating in the Auckland region.

Quasi-judicial function or proceedings means a function or proceedings similar to those exercised by a court, involving the consideration of issues requiring the evaluation of evidence, the assessment of legal argument or the application of legal principles.

Quorum means the minimum number of members who need to be present to constitute a valid meeting.

Resolution is a motion that has been passed.

Scheduled or ordinary meeting means any meeting publicly notified by Auckland Council in accordance with sections 46(1) and (2) of the Local Government Official Information and Meetings Act 1987.

Staff includes all Auckland Council employees, contractors and officers.

Substantive motion means a motion of substance (as compared to procedure).

Working day means any day of the week other than:
  (a) Saturday, Sunday, Waitangi Day, Good Friday, Easter Monday, ANZAC Day, the sovereign’s birthday and Labour Day
  (b) Where Waitangi Day or ANZAC Day falls on a weekend, the following Monday
  (c) Auckland Anniversary Day
  (d) a day in the period commencing with 20 December in any year and ending with 10 January in the following year.

Workshop means an informal forum held primarily for information or discussion purposes, as the case may be, and at which no resolutions or decisions are made.
10. Appendix A

10.1 Grounds to exclude the public from meetings under the Local Government Official Information and Meetings Act 1987

A local authority may by resolution exclude the public from the whole or any part of the proceedings of any meeting only on one or more of the following grounds:

A1 That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information where such disclosure would be likely:

(a) To prejudice the maintenance of the law, including the prevention, investigation, and detection of offences, and the right to a fair trial, or
(b) To endanger the safety of any person.

A2 That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information where the withholding of the information is necessary to:

(a) Protect the privacy of natural persons, including that of deceased natural persons; or
(b) Protect information where the making available of the information:

(i) Would disclose a trade secret; or
(ii) Would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information; or
(c) In the case only of 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, to avoid serious offence to tikanga Māori or to avoid the disclosure of the location of wahi tapu; or
(d) Protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information:

(i) Would be likely to prejudice the supply of similar information, or information from the same source, and it is in the public interest that such information should continue to be supplied; or

(ii) Would be likely otherwise to damage the public interest; or
(e) Avoid prejudice to measures protecting the health or safety of members of the public; or
(f) Avoid prejudice to measures that prevent or mitigate material loss to members of the public; or
(g) Maintain the effective conduct of public affairs through the protection of members, officers or employees of any local authority from improper pressure or harassment; or
(h) Maintain legal professional privilege; or
(i) Enable the local authority holding the information to carry out, without prejudice or disadvantage, commercial activities; or
(j) Enable the local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations); or
(k) Prevent the disclosure or use of official information for improper gain or improper advantage.

Provided that where A2 of this Appendix applies the public may be excluded, unless in the circumstances of the particular case, the exclusion of the public is outweighed by other considerations which render it desirable in the public interest that the public not be excluded.
A3 That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information the public disclosure of which would

(a) Be contrary to the provisions of a specified enactment; or
(b) Constitute contempt of Court or of the House of Representatives

A4 That the purpose of the whole or the relevant part of the proceedings of the meeting is to consider a recommendation made to the local authority by an Ombudsman under section 30(1) or section 39(3) of the Local Government Official Information and Meetings Act 1987 (in the case of the local authority named or specified in the First Schedule to this Act).

A5 That the exclusion of the public from the whole or the relevant part of the proceedings of the meeting is necessary to enable the local authority to deliberate in private on its decision or recommendation in

(a) Any proceedings before a local authority where

(i) A right of appeal lies to any Court or Tribunal against the final decision of the local authority in those proceedings; or

(ii) The local authority is required, by any enactment, to make a recommendation in respect of the matter that is the subject of those proceedings; and

(b) Any proceedings of a local authority in relation to any application or objection under the Marine Farming Act 1971.
11. Appendix B

11.1 Exclusion of the public – who needs to leave the meeting

11.1.1 Members of the public

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

11.1.2 Those who are not members of the public

General principles

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

Members of the meeting

- The members of the meeting remain (all local board members if the meeting is a local board meeting, all members of the committee if the meeting is a committee meeting).
- However, standing orders advise that a local board member who has a financial conflict of interest should leave the room.
- All local board members have the right to attend any meeting of a committee and local board members who are not members of a committee may remain, subject to any limitations in standing orders.

Staff

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

Other elected members

- Elected members from other local boards or the governing body who need to hear the matter being discussed in order to perform their role may remain. This will usually be if the matter affects, or is relevant to, a particular local board area or the region as a whole.

Council Controlled Organisations

- Representatives of a Council Controlled Organisation (CCO) can remain only if required to for discussion of a matter relevant to the CCO.
12. Appendix C

12.1 Workshops

12.1.1 Workshops exempt from provisions of Part VII (Local Government Meetings) of the
Local Government Official Information and Meetings Act 1987

Only this part of the standing orders apply to workshops of the local board or its committees as these are
held solely for information and discussion purposes with no ability for any resolutions or decisions to be
made.

Section 45(2) of LGOIMA 1987 (which is included in Part VII of that Act) provides that, for the avoidance of
doubt, any meeting of the local board or of any committee or sub-committee of the local board, at which
no resolutions or decisions are made is not a meeting for the purposes of this Part of this Act.

Given that workshops will not make any resolutions or decisions they are not subject to the requirements
contained in Part VII of LGOIMA 1987 (e.g. public access to the meetings, availability of agenda material
to the public and notification of meetings etc.).

12.1.2 Authority to call a workshop

Workshops of the local board or its committees may only be called by:

a) the chairperson or by a resolution of the local board or committee, in the case of either a
workshop of a local board or a committee

b) the relevant committee chairperson in the event of a workshop of a committee

c) the chief executive or their nominee.

12.1.3 Notice of workshop to members

Notice of the time and place of the workshop and of the matters in respect of which the workshop is being
called shall be given, by whatever means is reasonable in the circumstances, to every member by the
person responsible for calling the workshop at least 24 hours before the time appointed for the workshop.

12.1.4 Record of workshop

The proceedings of every workshop shall be recorded, including the following:

a) the names of the members attending

b) the general nature of the matters discussed during the workshop

c) the proceedings of the workshop.

The proceedings of every workshop shall be circulated to members of the local board or committee.

12.1.5 Chairing of workshops

Each workshop shall have a chairperson as follows:

a) in the event of a workshop of the local board the chairperson shall preside

b) in the event of a workshop of a committee, the relevant committee chairperson shall preside.

If the chairperson is absent from a workshop, the deputy chairperson must act as chairperson. If a deputy
chairperson has not been appointed, or if the deputy chairperson is also absent, the members of the local
board who are present must elect a member to be chairperson at that workshop. That person may
exercise the responsibilities, duties, and powers of the chairperson.

The presiding member will decide how the workshop will be conducted.
13. Appendix D

13.1 **How is business brought before a meeting?**

Business may be brought before a meeting for decision through placing the following on an agenda:

- report of chief executive (Standing Order 2.4.2)
- report of chairperson (Standing Orders 2.4.2, 2.4.7)
- report of a committee (Standing Order 2.4.2)
- notice of motion from a member (Standing Order 2.5)
- report of a member (Standing Order 2.4.2)

Where a matter is urgent and has not been placed on an agenda, it may be brought before a meeting as “extraordinary business” (Standing Order 2.4.5) by:

- report of chief executive
- report of chairperson

Although out of time for a notice of motion, a member may bring an urgent matter to the attention of the meeting through the chairperson.
Waitematā Local Board
05 May 2020

Notice of Motion - Member A Bonham - Incentivise a Climate Resilient Water Strategy

File No.: CP2020/05140

Whakarāpopototanga matua
Executive summary
1. Member A Bonham has given notice of a motion that they wish to propose.
2. The notice is appended as Attachment A to this report.
3. Supporting information is appended as Attachment B and Attachment C to this report.

Motion
That the Waitematā Local Board:

a) receive the Notice of Motion

b) note the excellent work Watercare has done in ensuring a supply of water during this extended drought period without restricting water, its achievements in developing sustainable systems and its ongoing work to meet sustainability goals, including to be carbon zero by 2025.

c) recommend that Watercare urgently drive strategy around climate resilient water supply to manage the longer dry and wet periods expected in the region’s climate future, by providing subsidies, instalment payment options or other financial assistance to support home owners to install rainwater collection tanks.

d) recommend that Watercare promotes the installation of rainwater collection tanks and flow mitigation tanks to all its customers to increase domestic water retention.

e) recommend that Watercare promotes the installation of grey water systems in all new builds and housing renovations to reduce water consumption.

f) recommend that Watercare develop plans to significantly enhance water collection from new sources to complement the take from reservoirs, river water and aquifers.

g) advocate to Watercare to accelerate their research and action a circular waste model, the use of waste by-products (perhaps as fertiliser), and the possible use of treated water (in irrigation, or to replenish aquifers).

h) note that bore water consents are processed within the council resource consents unit while long term water planning is done by Watercare.

i) request information on how data on groundwater levels is collected and shared.

j) advocate for the inclusion of rainwater tanks for new builds as plumbing and drainage requirements as part of the building consent process.

k) recommend that Auckland Council Healthy Waters considers landscape planting for trees and groundcover that is resilient to drier environments and looks to install on site rainwater collection tanks for localised water management in Council owned park assets when possible.

l) agree to forward these resolutions to all other Local Boards, Governing Body Members, and Watercare for action.
Notice of Motion - Member A Bonham
- Incentivise a Climate Resilient Water Strategy

Waitematā Local Board
05 May 2020

Ngā tāpirihanga
Attachments

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<td>C</td>
<td>Making policy and regulations rain tank friendly</td>
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</tr>
</tbody>
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Ngā kaihaina
Signatories

<p>| | |</p>
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<tbody>
<tr>
<td>Author</td>
<td>Priscila Firmo - Democracy Advisor</td>
</tr>
<tr>
<td>Authoriser</td>
<td>Trina Thompson - Relationship Manager/Senior Advisor Waitematā Local Board</td>
</tr>
</tbody>
</table>
Notice of Motion – Member Bonham - Incentivise a Climate Resilient Water Strategy

In accordance with Standing Orders, please place the following Notice of Motion on the agenda for the Waitematā Local Board meeting being held on 5 May 2020:

Ngā tūtohunga

Recommendation/s

That the Waitematā Local Board:

a) receive the Notice of Motion to incentivise a Climate Resilient Water Strategy

b) note the excellent work Watercare has done in ensuring a supply of water during this extended drought period without restricting water, its achievements in developing sustainable systems and its ongoing work to meet sustainability goals, including to be carbon zero by 2025.

c) recommend that Watercare urgently drive strategy around climate resilient water supply to manage the longer dry and wet periods expected in the region's climate future, by providing subsidies, instalment payment options or other financial assistance to support home owners to install rainwater collection tanks.

d) recommend that Watercare promotes the installation of rainwater collection tanks and flow mitigation tanks to all of its customers to increase domestic water retention.

e) recommend that Watercare promotes the installation of grey water systems in all new builds and housing renovations to reduce water consumption.

f) recommend that Watercare develop plans to significantly enhance water collection from new sources to complement the take from reservoirs, river water and aquifers.

g) advocate to Watercare to accelerate their research and action a circular waste model, the use of waste by-products (perhaps as fertiliser), and the possible use of treated water (in irrigation, or to replenish aquifers).

h) note that bore water consents are processed within the council resource consents unit while long term water planning is done by Watercare.

i) request information on how data on groundwater levels is collected and shared.

j) advocates for the inclusion of rainwater tanks for new builds as plumbing and drainage requirements as part of the building consent process.

k) recommends that Auckland Council Healthy Waters considers landscape planting for trees and groundcover that is resilient to drier environments and looks to install on site rainwater collection tanks for localised water management in Council owned park assets when possible.
I) agree to forward these resolutions to all other Local Boards, Governing Body Members, and Watercare for action.

Horopaki Context

1. A standard policy facilitating provision of rainwater collection tanks would significantly support both Auckland Council’s objectives of improving the health of its waterways as stated in:

   a. Auckland Council’s website under its Wai Ora – Healthy Waterways program: “maintain or improve the quality of freshwater within their region” and “protect freshwater’s ability to support life, ecosystem processes and indigenous species”.

   b. And in the Waitematā Local Board Plan 2017, Outcome 3 “the natural environment is valued, protected and enhanced”, “to restore our key waterways”, “... to develop a protection and restoration strategy for Three Kings-Media-Western Springs aquifer and creeks”, and to “champion projects which incorporate water sensitive design principles”.

2. The attached communication from Watercare to Auckland Council Elected members dated April 1 2020 announced that there is a below average stored water level and rainfall. (Attachment B)

3. A key part of the council’s climate change planning involves the planting of 1.5 million trees, but the increased likelihood of drought may mean regular watering in the first few years after planting. This would mean more water needs to be available for long dry periods.

4. Auckland is currently experiencing drought. Auckland has suffered drought conditions in 2020, 2019, 20181, 20172 and the trend indicates that the region is becoming drier.3 Niwa is recommending that action is taken now to improve resilience4.

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2 https://www.nzherald.co.nz/the-country/news/article.cfm?id=166117943856 - (“The long term answer, Mr Guy said, was more water storage and irrigation”).
4 https://niwa.co.nz/videos/our-climate-is-changing
5. The attached 2009 report commissioned in part by Watercare, investigated and reviewed “the legal and policy pathways for mandating to include rain tanks for water conservation in new homes in the Auckland Region. It recommends the steps that would be most effective in making policy and regulation rain tank friendly.” (Attachment C)

6. There is anticipated population growth in Auckland that will put increasing pressure on existing water systems: aquifers, dams and rivers.

7. Taking large amounts of water from rivers and the creation of more dams is likely to be detrimental to the natural ecosystem with a knock-on effect to human health.

8. Removing without replenishing ground water can cause subsidence while ground water close to cities is also at risk of contamination.

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2 [https://www.nature.com/articles/s41598-018-29807-7](https://www.nature.com/articles/s41598-018-29807-7)

5 Just as removing groundwater from wells can lower potential in the aquifer, adding water into wells can raise the potential. There is now an extensive aquifer recharge system around London in which excess surface water is injected into the aquifer. Such artificial recharge schemes can be particularly useful in areas with large seasonal variations. Excess surface water can be recharged to aquifers during wet seasons and stored so it is available for withdrawal during the dry season. Similarly, treated wastewater is now being recharged to aquifers in water-short areas... The falling groundwater levels beneath the industrial city have many effects. One particular problem is land subsidence. Mexico City has subsided by meters—but even a fraction of a meter is enough to create potential structural problems for buildings that experience uneven settling. There are other problems as well: supply wells must be deepened as water levels fall; pumping costs increase because groundwater must be lifted more; salt water may intrude into previously fresh aquifers in coastal areas; and the bearing strength of foundation soils may change as soils become unsaturated (Downing, 1994). A peculiar insidious problem is the dewatering of the wood piles that support structures in some areas of older cities (Lambrecht, 2000). As long as wood piles remain saturated by groundwater, they resist rot and can last centuries. If the water table is lowered below the pile tops, however, wood rot is rapid and building support may collapse in a matter of years. Overall, the lowering of water tables implies a loss in water-supply resilience. Local supplies are no longer adequate or perhaps even available to supply the populace during times of drought or water-supply emergency.” Shamsah, P. 2009. “Groundwater in the Urban Environment”. The Water Environment of Cities. Baker (ed). Springer [http://www.jlakes.org/ch/book/WATER-ENV-CITY/fulltext(13).pdf](http://www.jlakes.org/ch/book/WATER-ENV-CITY/fulltext(13).pdf)
9. Watercare currently releases treated water into the harbour and has limited uses for biosolids. There are ways to resource both the water and biosolids. In Windhoek, 35% of supplied water is recycled treated water7. In Fountain Valley, treated water is injected into the ground to replenish aquifers8. Blue Plains water system in Washington processes sludge, "half of which is burned to power the plant’s operations. The other half is turned into compost for the region’s farms."9

10. Supporting Watercare to be more environmentally sustainable is in alignment with its own strategic goals. It states on its website that they are:

- seeking ways to use biosolids in environmentally friendly ways. To explore other options, we are continually working with local iwi and businesses. As well as our own investigations, we draw on the experiences of wastewater utilities around the world. Our initiatives include:
  - Considering how biosolids can be reused to benefit the environment.
  - Taking part in an industry working group looking at national environmental standards for biosolids used on land.
  - Finding ways to recycle wastewater at our sites and with external customers.
  - Maximising the harvesting of biogas from wastewater to create energy.
  - Changing technology to minimise our carbon footprint and greenhouse gas emissions.
  - Exploring other opportunities including: extracting valuable end products from the biosolids, creating bio polymers, creating safe-to-use compost and producing phosphorus-rich fertilisers.10

11. Watercare “continually seek ways of working that will benefit nature and our communities” and their goal is to make the Mangere and Rosedale plants carbon neutral by 2025. Watercare notes there is an “increasing demand for water.” (ibid)

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\url{https://www.watercare.co.nz/Water-and-wastewater/Wastewater-collection-and-treatment}}
Appendix 1

Watercare: Water Supply Situation Update - 1 April
Wed 01/04/2020 09:21

Dear Local Board Members

While the nation’s attention is firmly focused on COVID-19, our team at Watercare is actively responding to the severe drought.

We have received around 65 per cent less rainfall than normal in the Hunua and Waitakere ranges since the start of the year. While we are maximising the use of our drought-resistant river and groundwater sources, the volume of water stored in our nine dams is falling. Today, the total water storage is 53 per cent. This is lower than this time last year (71 per cent) as well as the average for this time of year (78 per cent).

We expect the total water storage will drop below 50 per cent by mid-April because of the severe drought.

Weather forecast
Yesterday, we received a four-week forecast from the MetService. While we are likely to receive some rainfall next week, the overall outlook is for drier-than-normal conditions.

<table>
<thead>
<tr>
<th>Rainfall (% more or less than normal)</th>
<th>This week</th>
<th>Next week</th>
<th>13-19 April</th>
<th>20-26 April</th>
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</thead>
<tbody>
<tr>
<td>Waitakere Ranges</td>
<td>-47%</td>
<td>13%</td>
<td>-4%</td>
<td>13%</td>
</tr>
<tr>
<td>Hunua Ranges</td>
<td>-70%</td>
<td>17%</td>
<td>-4%</td>
<td>28%</td>
</tr>
</tbody>
</table>

The long-range forecast suggests the drought will break in May/June.

Operational response
As outlined above, we are maximising the use of our river and groundwater sources. We are also drawing water from our dams in a way that ensures when the drought breaks, we will be able to capture as much rain as possible.

Communications response: ‘Water is precious’ campaign
Our ‘Water is precious’ campaign has been running continuously since the start of February. The response from Aucklanders has been very positive, with water demand dropping around 30 per cent. During the hot days in February, the city was using around 565 million litres of water a day whereas it is currently using around 460 million litres of water a day.

Industry research has found that Aucklanders are the most efficient water users in New Zealand. This means it will be difficult to achieve savings over and above those already made. Therefore, our focus for the next four weeks is on gently reminding Aucklanders there is a drought and asking them to avoid unnecessary water use around the home, such as water-blasting the house.

We are very aware of how anxious Aucklanders are feeling with regards to COVID-19. We do not want to cause further alarm or to confuse the Government’s safety messages. Therefore, we will echo the message to wash hands regularly. An example is seen in a recent NZ Herald interview with Watercare Chief Executive Raveen Jaduram.
We are moving our paid advertising indoors. While our billboards, street posters and bus advertising proved effective in February and March, our extended campaign will focus on radio, digital and social media advertising. This is in response to COVID-19.

Leaks update
Essential maintenance crews continue to operate during the current Level 4 Covid-19 alert. All planned maintenance and water shutdowns have been stopped so as to not unnecessarily disrupt household water supplies. Priority leaks are still being responded to and repaired. Special procedures are in place where bottled or other water has to be supplied. Social media and the Watercare website are helping to keep people informed of shutdowns and repairs. Some smaller leaks may have to wait until the Covid-19 alert level is changed.

Water tanker filling stations update
Since the start of the year, we have supplied over 350 million litres of water to people with rain tanks via our water tanker filling stations. While demand was extremely high in February, it fell by 40 per cent over March. Auckland Council's tanker to tanker relay operations continue to support the Wellsford and Beachlands communities.

Supporting other areas
We continue to work with several councils in the North Island that are also facing water shortages. Work continues on a mobile water treatment solution for the Far North District Council so that they can draw and distribute safe drinking water to Kaitaia communities from a farm bore. We expect the plant will be operating by the middle of April.

Key messages for you to share with your community
While the forecast suggests the drought will break in May/June, we must continue to encourage Aucklanders to use water wisely until the rain arrives. We will continue to provide updates as the situation changes but are mindful not to confuse the importance of Covid-19 planning or messages.

The key messages are:

- Auckland’s water supply situation is stable but dam levels will continue to decline the longer we go without rain.
- There are no water restrictions in place but people are asked to be mindful of their water use.
- Given our region is experiencing a record-breaking drought; everyone needs to think about their water use and continue using water wisely.
- In response to Covid-19, you should keep washing your hands for 20 seconds. We don't want people to stop washing their hands.
- Reducing your water use is as easy as limiting your showers to four minutes and turning off the tap when brushing your teeth.
- Please avoid unnecessary outdoor use such as washing the car and water-blasting outside.
- People can find out more water wise tips at www.waterforlife.org.nz (best viewed on Chrome browser).
- Larger water leaks continue to be responded to; however some smaller leaks will have to wait. We do not want to unnecessarily shut off household water supply.
- Watercare invests in water infrastructure on an on-going basis. Over the past three years, it spent $325 million on building water infrastructure. Over the next 10 years, it will spend a further $1.9 billion.
Appendix 2

MAKING POLICY AND REGULATIONS RAIN TANK FRIENDLY
DR MAGGIE LAWTON, MR DAMON BIRCHFIELD, DR DAVID KETTLE
Beacon Pathway, PO Box 11338, Auckland

ABSTRACT

Recently, New Zealand observed the severity of droughts across the Tasman and counted itself lucky that its rainfall is higher and its rainfall patterns more predictable. If anything there is complacency in the community about our water availability which is counter to the idea of conservation. This lack of concern is however not universal. Many water retailers and wholesalers are recognising a number of factors which impact on reticulated water supply, such as population growth, climate change and perturbations and higher water demand with larger standard of living expectations. They recognise the need for significant upgrading to water supply and treatment plants over the next couple of decades unless water demand from reticulated supply is reduced.

There are many technological improvements available to assist in water conservation, at the home, neighbourhood and regional scale. In particular one addition to New Zealand homes, the raintank, would make a significant difference to the amount of water required, saving significant amounts of mains water through supplementing non-potable supplies.

Given the immediate improvement in water demand management that could be achieved using raintanks, Beacon Pathway in collaboration with Watercare Services Ltd., undertook an investigation into the course of action required to achieve the mandatory installation of raintanks in new homes. The outcome was focussed on the Auckland Region but also considered water conservation nationally and in forward thinking councils in other regions. The study found that water conservation is poorly represented in legislation and that while related policy initiatives are being undertaken in some places, certainty in achieving solutions such as the inclusion of raintanks in new builds is best achieved through legislation. Currently this legislative pathway is complex, with none of the three key pieces of legislation providing a straight route to mandatory measures.

KEYWORDS:
Water; conservation; raintanks; policy; regulation.

INTRODUCTION

This study explores the gap between the aspiration and the current situation for the mandatory installation of a raintank to supply non-potable uses in all new residential buildings. It attempts to identify the optimum process that can be applied across the Auckland region for removing impediments and amending policy, legislation and regulations to provide for rain tanks mandatory provision and has included consideration of relevant legislation, regulations and policy at all levels.

New Zealand does not have the same legislative environment as Australia, nor the same degree of imperative with respect to water shortages; however there are still many other primary drivers for greater water resource conservation in the Auckland and New Zealand context, being:

The anticipated need to upgrade to accommodate, for example, in Auckland alone by 2026, a further water resource capacity of 80,000m3/day to 100,000m3/day. With water
conservation measures the cost associated with those infrastructure developments could be substantially delayed despite impending population growth. (Watercare Services Ltd, 2006.)

- Reducing energy requirements associated with providing water to potable standard, only about 3% of which is used for drinking
- Water security caused by weather perturbations and climate change
- Managing times of peak use and low rainfall, building further resilience into the system
- A need to show leadership in moderating resource use, being a good global citizen in times of increasing global water scarcity.

Many New Zealanders are familiar with on-site water supply, given their continued widespread use in rural areas. In urban areas on-site water supply can augment a reticulated supply through harvesting of water in rain tanks or recycling water after use in showers and laundries. Of the two options we anticipate that using a rain tank as an auxiliary water source would be the easier option to apply widely and would save the greater amount of reticulated water. It is estimated that using tank water for non-potable uses such as toilets and laundries would result in large savings in household water demand. For example the Beacon NOW Home® uses 66% less potable water than the average in the Auckland region, due to the inclusion of a rain tank to supply non-potable uses, accepting that the Now Home tank is larger than that being suggested in this study (Jacques, 2007).

The goal is to have the provision and use of urban rain tanks included in all new homes so that there is a strong signal to the market that there is certainty around the need for this product. It is anticipated that this will in turn drive some innovation in this product sector in New Zealand to provide for a range of rain tanks suitable for small urban sections and apartments.

The study confined its brief to the use of rain tanks for non-potable uses only to avoid any health related concerns.

**RELEVANT LEGISLATION, POLICY AND REGULATION**

**The Building Act and Code**

The Building Act 2004 is the legislation that governs the building industry in New Zealand. The Act aims to improve control of, and encourage better practices in, building design and construction. The Building Act 2004 repealed the Building Act 1991 and dissolved the Building Industry Authority, which had regulated the building industry under the 1991 Act. Administration of the Building Act then shifted to the Department of Building and Housing, which was established on 1 November 2004. The Act’s new purpose and principles includes requirements for sustainable development and for buildings to help people stay safe, healthy and comfortable. Clause 4(2)(c) states “the need to facilitate the efficient use of water and water conservation in buildings. No specific detail is given within the Act on how the sustainable development principles would be achieved - that would be expected to become more apparent in the Building Code.

Incorporation of specific sustainable development interventions in the Building Code would be the most comprehensive way to address issues of sustainable development in homes throughout the country. The Code requires performance standards to be achieved rather than specific approaches to be taken. It will, however, within the Building Code Compliance and Handbook documents (Section 22 of the Building Act), indicate “acceptable solutions” which could include a specific intervention that if followed will assist or ensure compliance, depending on the circumstance. A direct reference to the use of rain tanks would only be included within the provisions of the Building Code if it was an acceptable solution to meet a performance standard.
The Building Act and Building Code have potential for the adoption of performance standards which could include rain tanks as an acceptable solution as a means to reduce the carbon footprint of a building, or possibly to meet water performance standards relating to the level of supply of potable water or alternatively supplementary supply from a non-potable source. While this would not provide for mandating the use of rain tanks in new homes, it would give considerable encouragement for their uptake across the country. A performance standard at the level proposed for the UK of 125 liters/person/per day for domestic household use would drive the uptake of water conservation measures and give support to the mandatory inclusion of raintanks for new homes.

The Resource Management Act
The RMA (1991) is a means of planning how people use, develop and protect natural and physical resources. The Act places emphasis on the effect a proposed activity will have or might have on the environment and has in practice been less concerned with the conservation/preservation of the resource itself.

Water issues tend to be focussed on ensuring water quality in contributing and receiving waters. Hence the traditional focus has been on stormwater issues and the allocation, mainly rural, of freshwater resources as opposed to municipal water supply and demand management. Consequently in the Auckland region where rain tanks have been proposed, it has mainly been related to stormwater detention rather than to supplementing supply. The issue of water conservation and how that will be addressed, if it is to be considered under the RMA (1991), needs to be subject to a Section 32 analysis which assesses benefits and costs with a focus on environmental outcomes. Generally RMA measures such as District Plan Changes can be a long, time consuming and often costly process and to be successful a good case must be made.

The RMA lays out a guiding principle that must be applied in all resource management frameworks, including:

- National Policy Statements – e.g. the NZ Coastal Policy Statement.
- Regional Policy Statements and the Regional Coastal Plan.
- Optional Regional Plans – on water, land and air.
- District Plans – which are also not to be inconsistent with the regional policy statement and plans.

There is minimal national focus on water conservation for domestic supply. The dominant focus of central government demonstrated through the “Water Programme of Action” has been on rural water abstraction and water quality. The Ministry for the Environment (MfE), are in the process of developing a National Policy Statement under the RMA on water. Beacon strongly believes that this focus should be extended to water conservation of domestic supply, giving weight to the use of raintanks and other water conservation devices.

At the regional level a Regional Policy Statement (RPS) is required to comment on managing the use, development and protection of the natural and physical resources of the region. It sets in place the policy for promoting the sustainable management of these resources. Currently Auckland Regional Council (ARC) is preparing amendments to the RPS but they do not include water supply issues. Regional Councils are also required to do a full review of the RPS every 10 years and are in the process of scoping the review providing an opportunity to raise the issue of water supply and urban water use. If water conservation issues were considered under the RPS the case would need to be made under section 32 of the RMA (1991). The benefit of influencing the ARPS is that the requirements will filter down into District Plan revisions where rules relating to rain tank usage could be made. A good case would need to be made relating to the management of a progressively scarce resource and the impacts of future further abstraction for domestic use.
Each Territorial Authority produces its own plan under the RMA (1991) which is the overarching planning tool under their jurisdiction. All Auckland councils have their plans in place but a number are considering plan changes, requiring a section 32 analysis and being subject to public consultation.

To date Kapiti Coast District Council (KCDC) appears to be the only council that has introduced the mandatory requirement for rain tanks for water conservation. Others have introduced rain tanks for stormwater management; a more frequently considered issue with more obvious local environmental effects. The policy initiative was triggered by the report “Whose water is it? The sustainability of urban water systems on the Kapiti Coast” (PCE, 2001). The report summary states: “Low rainfall, very high per capita usage and a heavy reliance on a single source of supply, the Waikanae River, have created a water crisis on the Kapiti Coast. Simple engineering solutions, such as tapping into new and more remote sources of supply, are no longer appropriate - the solutions must meet the public health needs of growing communities, support commercial development and provide for the ecological health of the environment.”

Since then Kapiti has introduced the mandatory requirement for rain tanks for water conservation through a Section 32 analysis and plan change notification and consultation process where the mandatory inclusion of rain tanks as a water conservation measure is being included as a “Rule” in the District Plan. This is triggered when there is an application for land use change or sub-division. To achieve that plan change KCDC has had a high level of public consultation processes, identification of the issues in the Long Term Council Community Plan (LTCCP) process under the Local Government Act, a Sustainable Management of Water Strategy, newsletters and fact sheets, all of which have prepared the community for mandatory water conservation measures within the District Plan. In making their case for a plan change the council primarily considered resiliency of the system, especially in the light of climate shocks and water use efficiency, using non-potable water where appropriate. Current water supply can meet potable and hygiene requirements but cannot always supply outdoor needs. The message is clear that using rain tanks will help decouple demand from growing population and provide more surplus of supply during dry events.

Objectives, policies methods/rules for addressing sub-division and development activities should be contained in the District Plan. In Auckland one organisation could prepare a Private Plan Change and submit it to each of the local councils to gain consistency across the region.

There are also other documents such as Codes of Practice or Engineering Standards (see Section 4) which are outside of the plan but describe “acceptable solutions” for engineering works associated with sub-division or development activities. Councils can impose conditions on the resource consent using the Code of Practice as a reference document which then become enforceable through the consent process. While this gives a way of introducing rain-tanks into the consenting process, their application would still need justification within the District Plan for them to be an acceptable solution within a Code of Practice and associated Engineering Standards that could sustain legal challenge.

The Local Government Act, 2002
The Local Government Act 2002 (LGA) could address urban rain tanks via the wider sustainability issues of the four well beings of cultural, social, environmental and economic.

Section 10 of the Act states that the purpose of local government is to:

- Enable democratic local decision-making and action by, and on behalf of, communities; and
- Promote the social, economic, environmental and cultural well-being of communities, in the present and for the future.

Under the LGA, there is a requirement for territorial authorities to undertake regular Water and Sanitary Services Assessments (WASSAs). This is an assessment that once prepared requires public consultation for feedback. The LGA explicitly integrates water, wastewater and stormwater issues in new “Water Assessment” provisions.

The WASSA requires councils to describe the means by which water is obtained by residents and communities and also the extent to which water will be supplied by the territorial authority. The assessment must take account of:

- the quality and adequacy of supply of the drinking water available within the community;
- the quality and quantity of wastewater discharged from reticulated sewerage or a sewage treatment system; and
- a statement of current and estimated future demands for water services within its district.

Although the Act states that the assessment must be undertaken from “time to time”, it appears that generally Councils have included it as part of their LTCCP preparation (thus subject to a three yearly review).

The Health Act

Health issues are sometimes cited as reasons why raintanks should not be encouraged. However given that the suggestion is only to use raintanks for non-potable uses, our discussions with the Ministry of Health and the Auckland Regional Public Health Service (ARPAS) indicate that the Health Act (1956) is unlikely to offer any legislative barriers relating to a policy of mandating for rainwater tanks. Drinking water standards only apply to reticulated supply and have no bearing on rainwater tank quality. It is also noted that all non-drinking water pipes should be coloured purple and non-potable water taps labelled as such.

Engineering Standards

In addition to legislative requirements there are several “levels” of engineering standards and different types of engineering guidelines and manuals used throughout the Auckland region and other parts of New Zealand. They give guidance on “how to build”. They are not RMA or Building Act documents but local council infrastructure standards and can be changed by resolution of council. They are normally referred to in the District Plan (e.g. the development must comply with the council engineering standards) but the standards themselves are not part of the plan. In general, the different levels of engineering type standards can be summarised as:

- Council Engineering Manuals/Standards
- Verification Methods and Acceptable Solutions
- Information Pamphlets and Brochures
- Practice Notes/Design Guidelines

In the Auckland region, there are a number of engineering guidelines and standards in the marketplace. While most guidelines/standards follow similar themes, their sizing and installation details vary. While they can’t of themselves provide for the mandatory use of rain tanks, they can positively influence their use. Hence to ease the uptake of rainwater tanks and for overall consistency, especially in Auckland, it is recommended that:

- For consistency across the region, one common urban rainwater tank guideline is produced from the existing Waitakere, North Shore, Auckland and Rodney Council Practice Notes/Design Guidelines documents (Section 4.3.2 above). However, it is
noted that councils will still need to have their own specific documents for individual
issues such as the Auckland City Councils Development Contribution Rebate
Programme for Rainwater Tanks.

- Feedback from councils indicates that they prefer to keep these rainwater tank
guideline documents outside of the more formal "Council Engineering
Manual/Standards" for ease of altering them and using them as a working document.
Also, the Engineering Manual/Standards are only for public infrastructure and do not apply
for what will probably be individual privately owned infrastructure (household
rain water tanks).

- The legal and practical issues around installation, inspection/approval and ongoing
maintenance of private infrastructure (individual household rain tanks) be closely
examined in light of any potential risks to council in planning their own public
infrastructure system based on performance of private infrastructure. (This is an
issue several councils are currently trying to address. The answer is not simple. How
can a council ensure maintenance of private infrastructure?)

- From examination and discussion with local and Australian examples, it is suggested
that the one area lacking in New Zealand documents relates to specific plumbing
requirements. Most of the guideline/design documents produced to date have been
produced by engineers for engineering design issues. However, the installation of
rain tanks is primarily a plumbing issue rather than a design engineering professional
task. (The design sizing of the rain tank is more of an engineering issue, especially
when trying to incorporate both stormwater and water supply benefits to get
maximum value). For instance, Sydney Water has a specific guideline just for
plumbers. Hence, it is recommended that:
  o a. An assessment is made of the different approval processes such as the
     "Producer Statements – Construction Review", PS4 by Chartered
     Professional Engineers, the PS3 drain layer approval or Council in-house
     building inspectors. (NSCC experience to date has been that the requirement
     for a PS4 has not worked well), and
  o b. To aid the plumbers approval process, a plumbing information
      guideline/practice note be produced, in association with the Master Plumbers
      Association.

- Such plumbing guidelines are developed to sit outside the AS/NZS 3500 Plumbing
and Drainage (2003) Standard for the near future, similar to plumbing guidelines
produced by Sydney Water. This is because any formal changes to the AS/NZS
standard would need to be done in agreement with both Australian and New Zealand
bodies and is a formal time-consuming exercise. Changes to the AS/NZS standard
could be a subsequent stage of the rainwater tank guidelines development process.

- Note that all electrical work, such as connecting of the pump, needs to be carried out
by a registered electrician and needs a "Certificate of Compliance" from a registered
electrician.

Consenting Processes
There are two types of consents which are relevant to the residential built environment:
resource and building consents.

Resource consents are required when development infringes a rule set down in the district
plan. Some ways to avoid the need for resource consents in relation to rain tanks are:

- Installing a rain tank which does not contravene Maximum Building Coverage,
  Height-to-Boundary, Outdoor Living Space, Stormwater management Area, Front
  Yard or other Yard Rules.

- Ensure plans avoid modifications to a watercourse.
- Ensure rain tanks are not installed within 20m of a stream.
- Avoid rain tanks on steep slopes.
- Avoid the need to remove vegetation.

In practice this means it is easier to install rain tanks on larger sites. Previous work undertaken by Beacon Pathway Limited (Easton et al, 2006) has identified the desirability (and relative ease) of amending District Plans to exclude rainwater tanks (within certain size constraints) from basic District Plan provisions such as Building Coverage, Yard and Boundary rules – in the same way that generally garden sheds are currently excluded from these rules.

In relation to building consents an issue previously identified in Beacon research was the occasional lack of synergy between various departments within councils. It is critical that the consenting arm of the council with a strong focus on building quality does not work against the strategy arm which may have a greater focus on sustainable development. It is critical that all the required technical documents are easily available to ensure support of the consent process. That being the case:

- Rain tanks for new builds would be included as part of the overall building consent in the plumbing and drainage requirements. Hence there does not need to be a separate building consent for rain tanks.
- We recommend managing the Building Consent process for urban rain tanks through “plumbing & drainage” rather than “producer statements” as rain tanks are a plumbing issue rather than an engineering producer statement issue. The plumber would take responsibility for that aspect of the building consent.

CONCLUSION

Watercare Services Ltd has identified the requirement for a major water supply addition or upgrade in 2026. This will be expensive, and the costs will be impacted on by unknown factors such as the price of “carbon” associated with the energy required in the delivery and treatment of water to a potable standard. There are also climate uncertainties and sound sustainability issues associated with the need to conserve water. Supplementing supply using rain tanks is a safe and effective way of dramatically reducing the need for extra reticulated systems, at least pushing out the need for them well beyond the present anticipated date.

In order to achieve a greater uptake of rain tank use, there needs to be a far greater awareness and appreciation - both fiscal and ecological - within the community of the need for sound water conservation strategies. There is a strong case to take the issue through the various legislative processes under the RMA and LGA. In addition, the principles relating to sustainability in the Building Act needs to be given effect by a Code which specifies “acceptable solutions” which drives sustainability, including water conservation. There is also a raft of non-statutory design guidelines which are often used successfully to promote certain approaches, which achieve them without statutory backing if employed with the understanding that these can be challenged. Ultimately the approach that KCDC has taken provides the most certainty. Their approach has been threefold:

- to identify the issues and undertake consultation through the LTCCP,
- development and use of strategic and operational documents which clearly identify conservation benefits and that demonstrate the technical requirements for rain tanks in new build situations
- incorporating rain tanks as a rule under the District Plan, triggered by an application for a subdivision.

Other policy instruments will also need to be included: for example, economic incentives should favour the use of rain tanks, and there should be sufficient education and information about the benefits of water conservation.
The maintenance of rain tanks, given that they are private rather than public infrastructure, needs to be addressed. Mechanisms similar to those employed by some local councils to ensure the regular maintenance of private septic tank systems should be investigated for suitability in their application to rainwater tanks.

### Table 1

<table>
<thead>
<tr>
<th>Process</th>
<th>Scale of Influence</th>
<th>Likely Timeline</th>
<th>Priority</th>
<th>Likelihood of success</th>
</tr>
</thead>
<tbody>
<tr>
<td>Building Code</td>
<td>National</td>
<td>12 months in current review</td>
<td>High</td>
<td>Dependent on involvement in code review and degree of interaction with DBH.</td>
</tr>
<tr>
<td>National Policy</td>
<td>National</td>
<td>1-3 years</td>
<td>Medium</td>
<td>Low to medium but</td>
</tr>
<tr>
<td>Statement</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Regional Policy Statement</td>
<td>Auckland Region</td>
<td>Revised RPS due in 2009 but would take several more years to filter through to implementation</td>
<td>High</td>
<td>Medium to high, needs good collaboration with ARC.</td>
</tr>
<tr>
<td>District Plan Changes</td>
<td>Local or potentially pan-regional</td>
<td>2-3 years but would benefit from RPS or other policy work to set the scene</td>
<td>Medium</td>
<td>Needs community backing so success would require education and good consultation</td>
</tr>
<tr>
<td>LGA</td>
<td>Local</td>
<td>Next CCP revisions are in 2 years. They would set the scene for District Plan changes, may take 5+ years for take up</td>
<td>Medium</td>
<td>Strong consultation and education required</td>
</tr>
<tr>
<td>Non-statutory approaches such as Codes of Practice</td>
<td>Local or Regional</td>
<td>1+ years</td>
<td>Medium to High but generally in addition to regulatory backing</td>
<td>Medium but eventually require regulatory backing to sustain and ensure legal challenges can be witheld</td>
</tr>
</tbody>
</table>

This issue is much like a jigsaw where several components need to fit together. No one step will give the certainty that urban rain tanks will be mandated for within the Auckland region for water conservation. The different components include:

- Making it easy through standardised guidelines
- Approaching the legislative process through a Building Code imperative with stated acceptable solutions
- Finding the appropriate interception of RMA levels of statements and plans, strengthened through LGA assessments and consultative processes.

**ACKNOWLEDGEMENTS**

The support of Watercare Services Ltd. is acknowledged for this study.

**REFERENCES**

Watercare Services Ltd. 2006. Auckland Water Industry, Annual Performance Review, 2005/06
Te take mō te pūrongo

Purpose of the report

1. To seek approval for local financial matters for the local board agreement 2020/2021, which need to be considered by the Governing Body in the Annual Budget 2020/2021 process.

2. To seek feedback on the proposed regional topics in the Annual Budget 2020/2021.

Whakarāpopototanga matua

Executive summary

3. Our Annual Budget contains 21 local board agreements which are the responsibility of local boards to agree with the governing body. These agreements set out local funding priorities, budgets, levels of service and performance measures.

4. Auckland Council publicly consulted from 21 February to 22 March 2020 to seek community views on the proposed Annual Budget 2020/2021 and local board priorities to be included in the local board agreements (Consultation part 1).

5. Since this consultation was undertaken, the COVID-19 pandemic has exerted significant pressure on the council’s financial position, which will have flow on effects for the proposed budget for the 2020/2021 financial year. The council is now considering what those impacts are likely to be, and plan to ask Aucklanders for their views on certain aspects of Auckland Council’s proposed ‘emergency budget’ in response to the financial impacts of COVID-19 (Consultation part 2).

6. Local boards are required to receive the feedback on the proposals in consultation part 1, which are not affected by the changes being considered by the council and therefore will not be subject to further consultation, and make decisions on them. This must be done before consultation part 2 can get underway, so the scope of consultation part 2 is clear.

7. This report seeks decisions on local financial matters for the local board agreement, including:
   a) any new/amended Business Improvement District (BID) targeted rates
   b) any new/amended local targeted rate proposals
   c) proposed Locally Driven Initiative (LDI) capital projects outside local boards’ decision-making responsibility
   d) release of local board specific reserve funds.

8. The council received feedback in person at community engagement events and through written forms, including online and hard copy forms, emails and letters.

9. This report summarises consultation feedback on the proposed Annual Budget 2020/2021, including on local board priorities for 2020/2021.

Feedback on Waitematā Local Board priorities for 2020/2021

10. The local board consulted on the following priorities:
   - Develop 254 Ponsonby Road as a neighbourhood park
   - Fund practical actions in response to council’s climate emergency declaration
   - Support key providers as they address homelessness issues
   - Support local businesses
• Extend Eastern Bays Songbird Project to Newmarket and Parnell
• Extend agrichemical free maintenance in parks
• Enable Māori stories of our parks to be told
• Deliver on the Urban Ngahere (Forest) Strategy
• Continue with waterway restoration projects
• Continue with the Auckland Performing Arts Centre Partnership (TAPAC)
• Fund arts space coordinator
• Investigate the feasibility of a targeted rate to fund a faster delivery of projects in the Newmarket Laneways Plan.

11. 292 submissions were received from the Waitematā Local Board area.

12. 198 submissions provided a response to the question whether the local board is on the right track with its priorities. The majority of respondents either support most (39 per cent) or support all (35 per cent) of the local board priorities.

13. Local boards are required to endorse any new local targeted rate proposals in their local board area. The Waitematā Local Board consulted on investigating the feasibility of a new local targeted rate to fund a faster delivery of projects in Newmarket Laneways Plan. Waitematā received one response to this proposal which was in support of the proposal.

Feedback on regional proposals in the proposed Annual Budget 2020/2021 from the Waitematā Local Board area

14. This report seeks local board views on the proposed regional Annual Budget topics including:
   • the changes to rates and fees, key proposals:
     o waste management targeted rate
     o refuse collection in former Auckland City and Manukau City
     o Waitākere rural sewerage service and targeted rate
   • the draft Tūpuna Maunga o Tamaki Makaurau Authority – Operational Plan 2020/2021
   • other budget information.

15. Local board views on these regional matters will be considered by the Governing Body (or relevant committee) before making final decisions on the Annual Budget 2020/2021.

16. Out of the 4,765 submissions received on the proposals in the Annual Budget 2020/2021, 292 submissions were from people living in the Waitematā Local Board area.

17. Waitematā received 119 responses to the proposal to increase the waste management targeted rate, showing that 72 per cent support increasing the targeted rate whereas 24 per cent do not support this.

18. Waitematā received 117 responses to the proposal on the refuse collection in former Auckland City and Manukau City, showing that 72 per cent support increasing the targeted rate for these areas whereas 22 per cent do not support this.

19. Waitematā received 100 responses to the proposal on the Waitākere rural sewerage service and targeted rate. 71 per cent support continuing the service by increasing the targeted rate, 20 per cent support ending the service, and nine per cent support subsidising the service to septic tank users in the Waitākere Ranges local board area from all general ratepayers.

20. Feedback was received from the Waitematā Local Board area on the draft Tūpuna Maunga o Tamaki Makaurau Authority – Operational Plan 2020/2021. Waitematā received six comments on the draft plan. Majority of the comments are concerns about the felling of exotic trees. Some of the feedback support the values of the Tamaki Makaurau Authority but are concerned that the draft plan fails to uphold the values.
21. Waitematā received 14 responses to how pool fencing inspections are charged. 29 per cent of respondents support the proposal of replacing the onsite inspection cost with an annual targeted rate, 57 per cent do not support the proposal and 14 per cent selected other.

22. Auckland Council also consulted on the Council-Controlled Organisations (CCO) Review at the same time. The feedback received on this will be presented at a later date.

Ngā tūtohunga
Recommendation/s
That the Waitematā Local Board:

a) receive consultation feedback on the Waitematā Local Board priorities for 2020/2021.

b) receive consultation feedback on regional proposals in the Annual Budget 2020/2021 from people or organisations based in the Waitematā local board area.

c) recommend any new or amended Business Improvement District targeted rates to the Governing Body.

d) recommend any new or amended local targeted rate proposals to the Governing Body.

e) recommend that the Governing Body approves any proposed Locally Driven Initiative (LDI) capital projects, which are outside local boards’ allocated decision-making responsibility.

f) recommend the release of local board specific reserve funds to the Governing Body.

g) provide feedback on the Annual Budget 2020/2021.

Horopaki
Context

23. Local board agreements form part of the Auckland Council’s Annual Budget and set out local funding priorities, budgets, levels of service and performance measures.

24. Auckland Council publicly consulted from 21 February to 22 March 2020 to seek community views on the proposed Annual Budget 2020/2021 and local board priorities to be included in the local board agreements. This is now referred to as consultation part 1.

25. Since this consultation was undertaken, the COVID-19 pandemic has exerted significant pressure on the council’s financial position, which will have flow on effects for the proposed budget for the 2020/2021 financial year. Work to date on the proposed Annual Budget will need to be adjusted to consider the new financial realities facing Auckland.

26. The financial report presented to the Emergency Committee during April 2020 indicated the need for potential reductions in cash revenue of $350-650m for financial year 2020/2021, depending on the length and extent of the disruption caused by COVID-19. The Emergency Committee requested staff provide further information to the Governing Body on the impacts of the various scenarios modelled against a rates increase of between 0 per cent and 3.5 per cent. They also resolved that further public consultation on the Annual Budget would include considering whether to adopt a 2.5 per cent rather than 3.5 per cent general rates increase for the 2020/2021 financial year, among a suite of other measures aimed at offering support to all ratepayers, including businesses, facing hardship due to the impacts of COVID-19.

27. The council is planning to ask Aucklanders for their views on certain aspects of Auckland Council’s proposed ‘emergency budget’ in response to the financial impacts of COVID-19. It is anticipated this will be carried out from late May until mid-June 2020. This will be in addition to the Annual Budget 2020/2021 consultation we have already carried out from February to March 2020. This is referred to as consultation part 2.
28. Consultation part 2 is unlikely to revisit any of the specific proposals in consultation part 1. Therefore, the local boards and the Governing Body are required to receive the feedback on these proposals and make decisions on them. This must be done before consultation part 2 can get underway so it is clear what decisions have already been made, and what decisions will be made after consultation part 2.

29. Further, some of the proposed changes to fees and charges required a Special Consultative Procedure (SCP) and the requirements for this were met in consultation part 1. It is important to complete this statutory process, especially where consultation part 2 will not be relevant to the decisions on these fees and charges.

30. This report includes analysis of the consultation feedback on the Waitematā Local Board priorities for 2020/2021, and on the regional proposals in the Annual Budget 2020/2021 from people or organisations based in the Waitematā Local Board area.

Local financial matters for the local board agreement

31. This report allows the local board to agree its input and recommend other local financial matters to the Governing Body in May 2020. This is to allow time for the Governing Body to consider these items in the Annual Budget process.

Local targeted rate and Business Improvement District (BID) targeted rate proposals

32. Local boards are required to endorse any new local targeted rate proposals or BID targeted rate proposals in their local board area (noting that any new local targeted rates and/or BIDs must have been consulted on before they can be implemented).

33. Proposed changes to the BID targeted rate in this consultation are not in the Waitematā Local Board area.

34. The Waitematā Local Board consulted on investigating the feasibility of a new local targeted rate to fund a faster delivery of projects in Newmarket Laneways Plan. Waitematā received one response to this proposal which was in support of the proposal.

Funding for Locally Driven Initiatives (LDI)

35. Local boards are allocated funding annually to spend on local projects or programmes that are important to their communities. Local boards can approve LDI capital projects up to $1 million, projects over that amount require approval from the Governing Body.

36. Local boards can recommend to the Governing Body to convert LDI operational funding to capital expenditure for 2020/2021 if there is a specific need to do so. Governing Body approval may be needed for the release of local board specific reserve funds, which are funds being held by the council for a specific purpose.

Local board input on regional plans

37. Local boards have a statutory responsibility for identifying and communicating the interests and preferences of the people in its local board area in relation to the context of the strategies, policies, plans, and bylaws of Auckland Council. This report provides an opportunity for the local board to provide input on the proposed Annual Budget.

38. Local Board Plans reflect community priorities and preferences and are key documents that guide both the development of local board agreements and input into regional plans.

Council-controlled organisation (CCO) review

39. An independent panel was appointed by Auckland Council to examine three areas: (1) the CCO model, roles and responsibilities, (2) the accountability of CCOs, and (3) CCO culture. Local boards had the opportunity to provide input into this in March 2020.

40. Auckland Council also consulted on the review of CCOs during the same period as the Annual Budget, from 21 February to 22 March 2020.
41. After receiving feedback, the panel will report on key issues, community and stakeholder feedback to the council in May 2020.

42. The panel will provide a final report and recommendations to the council in July 2020.

Types of feedback

43. Overall Auckland Council received feedback from 4765 people in the consultation period. This feedback was received through:
   - Written feedback – 3820 hard copy and online forms, emails and letters
   - In person – through 58 Have Your Say events and community events.

Tātaritanga me ngā tohutohu
Analysis and advice

Feedback received on Waitematā Local Board priorities for 2020/2021

44. The Waitematā Local Board consulted on the following priorities:
   - Develop 254 Ponsonby Road as a neighbourhood park
   - Fund practical actions in response to council’s climate emergency declaration
   - Support key providers as they address homelessness issues
   - Support local businesses
   - Extend Eastern Bays Songbird Project to Newmarket and Parnell
   - Extend agrichemical free maintenance in parks
   - Enable Māori stories of our parks to be told
   - Deliver on the Urban Ngahere (Forest) Strategy
   - Continue with waterway restoration projects
   - Continue with the Auckland Performing Arts Centre Partnership (TAPAC)
   - Fund arts space coordinator
   - Investigate the feasibility of a targeted rate to fund a faster delivery of projects in the Newmarket Laneways Plan.

45. Key themes across all feedback received (through written and in person channels) were:
   - Fund the seismic strengthening and restoration of Leys Institute
   - Revitalise St Georges Bay Road
   - More investment needed in environmental programmes
   - More investment needed in Climate change.

Feedback received

46. The Waitematā Local Board held one Have Your Say event at the local board office on 3 March 2020. Ten members of the public presented their feedback to the local board, councillors, and staff.

47. 198 submissions provided a response to whether they support the Waitematā Local Board priorities for 2020/2021, showing that the majority of people either support most (39%) or support all (35%) of the local board’s priorities.
48. People were able to provide comments for their selection but were not required to.
49. Comments from respondents that support all of the priorities (35 per cent) support cycleway projects, support the 254 Ponsonby Road project, and support agrichemical-free maintenance of parks.
50. A third of the comments from respondents that support most of the priorities (39 per cent) object to the closure of Leys Institute and want to see investment in the restoration of the building. There is a strong environment theme in the remaining comments, wanting more budget to be allocated to environment and sustainability including responding to the climate emergency, planting trees, urban farm, the eastern songbird project, recycling, and better organic waste collection and disposal. Some respondents want more walking and cycling projects whilst some do not support cycling projects. A small number of submitters want more focus on improving accessibility in the city centre including footpath improvements and kerb ramps.
51. Comments from respondents that do not support most of the priorities (12 per cent) are that the restoration of Leys Institute should be prioritised, more focus needed on environment initiatives, and need for more separated cycleways. A small number said homelessness is a central government issue, and a small number do not support 254 Ponsonby Road.
52. Over half of the comments from respondents that do not support any of the priorities (13 per cent) are requests for funding towards restoring the Leys Institute. There are no further themes amongst the remaining responses.

Feedback on other local topics

53. Key themes across feedback received on other local topics include:
   - Theme 1: Fund the seismic strengthening and restoration of Leys Institute
   - Theme 2: Revitalise St Georges Bay Road, warehouse area.

Requests for local funding

54. Requests for local funding included:
   - Request 1: Operational funding for The Auckland Performing Arts Centre (TAPAC)
     o The Auckland Performing Arts Centre (TAPAC) received a grant of $85,000 from the Waitematā Local Board in 2019/2020 financial year towards operational costs. TAPAC are requesting ongoing support towards their operational costs.
   - Request 2: $2500 additional funding from Waitematā Local Board for From the Deck
     o From the Deck is received $8,250 from the Waitematā Local Board and $15,000 from the Orakei Local Board in the 2019/2020 financial year towards the Newmarket Stream Community Restoration Project. From the Deck presented at the Orakei Local Board business meeting requesting $15,000 from each local board in the 2020/2021
financial year. They have submitted that they are requesting a further $2,500 from each local board.

**Information on submitters**

55. The tables and graphs below indicate what demographic categories people identified with. This information only relates to those submitters who provided demographic information.

56. 194 submitters that submitted to the Waitematā Local Board as their home board identified their gender. 57 per cent identify as female, 42 per cent identify as male and one per cent identify as gender diverse.

57. 194 submitters who submitted to the Waitematā Local Board as their home board identified their ethnicity. Five per cent of the submitters identify as Māori, 60 per cent identify as Pakeha/ NZ European, 17 per cent identify as Chinese, and 10 per cent identify as Pacific.
58. Of the 292 submissions received to the Waitematā Local Board, 44 of the submissions were identified as submitted from an organisation (which includes residents associations, business associations, businesses, universities, non-profit groups and friends of groups).

<table>
<thead>
<tr>
<th>Ethnicity</th>
<th>Count</th>
<th>Percentage</th>
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</thead>
<tbody>
<tr>
<td>Other Asian</td>
<td>7</td>
<td>4%</td>
</tr>
<tr>
<td>African/Middle Eastern/Latin</td>
<td>0</td>
<td>0%</td>
</tr>
<tr>
<td>Other</td>
<td>5</td>
<td>3%</td>
</tr>
<tr>
<td><strong>Total people providing ethnicity</strong></td>
<td><strong>192</strong></td>
<td><strong>105%</strong></td>
</tr>
</tbody>
</table>

59. The consultation process does not provide specific weighting for submissions from organisations. However, organisations have provided the collective views of people within that organisation and can be considered as such.

60. Eight of the submissions from organisations responded to the question if they support the Waitematā Local Board priorities. The majority of submissions support all of the board’s priorities (25%) or support most of the board’s priorities (50%).

61. The key themes in the submissions received from organisations include:

**Transport**
- Support for Access for Everyone
- Concerns with the transparency of the New Zealand Upgrade Programme that Council is working with central government
- Shortage of designated Goods Service Vehicle parking spaces in the city centre.

**Economy**
- Severe impact on businesses from COVID-19, requests council to consider measures to assist businesses and options to defer rates increases, interim rates relief, accelerating the reduction in the business differential and reviewing the targeted rate for accommodation providers
- Concerns that the impact of COVID-19 may not allow for businesses to fully benefit from the international events such as America’s Cup
- Some business associations do not support the business differential
- Support for development response programmes and that all major projects should have a dedicated budget to ensure impacts to businesses are mitigated.

**Climate change**
- Supportive of council’s emphasis in the Annual Budget on climate change actions

**Community**
- Need for night shelter in the city centre
- Support the board to strengthen relationships with mana whenua, and concerns of Auckland Transport proposal to relocate the city centre bus terminal to Ngati Whātua Ōrakei land
- Little improvements made to provide clean toilets, showers and lockers in the city centre
- Protection to public and residents from dust and noise associated with major projects
- Shortage of quality open space in the city centre and the commercialisation of the space available.
Overview of feedback received on the Annual Budget from the Waitematā Local Board area

62. The proposed Annual Budget 2020/2021 sets out our priorities and how we're going to pay for them. The regional consultation on the proposed Annual Budget focused on changes to rates and fees, the key proposals were:

- waste management targeted rate
- refuse collection in former Auckland City and Manukau City
- Waitākere rural sewerage service and targeted rate.

63. The submissions received from the Waitematā Local Board area on these key issues is summarised below, along with an overview of any other areas of feedback on regional proposals with a local impact.

Waste management targeted rate

64. Aucklanders were asked about a proposal to increase the waste management targeted rate.

**Question 1: Waste management targeted rate**

The cost of responsibly dealing with our kerbside recycling (paper, cardboard and plastics) has increased due to international market conditions.

To pay for this we propose to charge only those who use the service by increasing the targeted rate by $19.97 a year or $0.38 a week (the total cost changing from $121.06 to $141.03 incl. GST).

If we do not do this, we would have to fund the shortfall by increasing general rates for all ratepayers, including those who don’t get a kerbside collection service.

65. The graphs below give an overview of the responses from the Waitematā local board area.

66. Waitematā received 119 responses to this question, showing that 72 per cent support increasing the targeted rate whereas 24 per cent do not support this.

67. People were able to provide comments for their selection but were not required to.

68. Comments from respondents that support increasing the targeted rate (72%) are that the increase is fair, and that it will encourage waste reduction.

69. Comments from respondents that do not support the increase (24%) are that revenue and savings should be sought elsewhere, and this increase will discourage recycling and encourage illegal dumping.

Refuse collection in former Auckland City and Manukau City

70. Aucklanders were asked about a proposal to increase the refuse collection in former Auckland City and Manukau City targeted rate.
Question 2: Refuse collection in former Auckland City and Manukau City

In the old Auckland City and Manukau City Council areas, households pay for rubbish through a targeted rate. In other parts of the city, residents pay for their collection via Pay As You Throw. The targeted rate for the Auckland City and Manukau City Council areas no longer meets the cost of collection.

To cover this extra cost we propose increasing the targeted rate in these areas by $14.23 a year or $0.27 a week for a 120 litre bin (the total cost changing from $129.93 to $144.16 incl. GST), and an additional $6.68 a year or $0.13 a week for a large 240 litre bin (the total cost changing from $191 to $211.91 incl. GST).

If we do not do this, we would have to increase general rates for all ratepayers, including those living outside these two areas who would subsidise residents of old Auckland and Manukau cities.

71. The graphs below give an overview of the responses from the Waitematā Local Board area.

72. Waitematā received 117 responses to this question showing that 72 per cent support increasing the targeted rate for these areas whereas 22 per cent do not support this.

73. Comments from respondents that support the refuse collection targeted rate increase (72%) are that the increase is reasonable and that the user should pay. A small number of comments are that the increase will incentivise people to reduce waste.

74. Comments from respondents that do not support the refuse collection targeted rate increase (22%) are that revenue and savings should be sought elsewhere to cover this cost such as reducing operating costs, or that refuse is the responsibility of everyone and the cost should be subsidised through the general rates. Others preferred a pay-as-you-throw system such as tags as in other areas of Auckland.

Waitākere rural sewerage service and targeted rate

75. Aucklanders were asked about a proposal to increase the Waitākere rural sewerage service and targeted rate.

Question 3: Waitākere rural sewerage service and targeted rate

Last year we consulted on removing the septic tank pumpout service funded by a targeted rate. While feedback indicated a willingness to go ahead with the removal of this service in the Henderson-Massey and Upper Harbour local board areas, residents of the Waitākere Ranges local board area said they wanted to keep the service. The cost of delivering this service is higher than the current targeted rate of $198.43.

Our proposal, for those in the Waitākere Ranges local board area who want the service, is to recover the full cost by increasing the targeted rate to between $260 and $320 a year (incl. GST). This increase would apply from July 2021.
If we do not do this, the council could end the service, or continue to subsidise the cost of the service to septic tank users in the Waitākere Ranges local board area from all general ratepayers, including those who don’t use the service.

76. The graphs below give an overview of the responses from the Waitematā Local Board area.

77. Waitematā received 100 responses to this question. 71 per cent support continuing the service by increasing the targeted rate, 20 per cent support ending the service, and nine per cent support subsidising the service to septic tank users in the Waitākere Ranges local board area from all general ratepayers.

78. Comments from respondents that support increasing the targeted rate (71%) are that it is fair that the user pays. Some comments are concerns that removing the service would have a negative environmental impact.

79. Comments from respondents that support ending the service (20%) are concerns about the fairness of removing the service from other areas whilst not removing the service from west Auckland. A small number of comments are that septic tanks are unsustainable.

80. Comments from respondents that support subsidising the cost of this service through all general ratepayers (9%) are that it is the responsibility of everyone to provide environmental benefits and one commented that he is happy to subsidise the cost. One respondent is concerned of the affordability of increasing the targeted rate.

Other feedback

81. Aucklanders were asked what is important to them and if they had any feedback on any other issues. This could include the key topics of how we charge for pool fencing inspections, and adjusting our fees and charges.

82. Waitematā received 14 responses to how pool fencing inspections are charged. 29 per cent of respondents support the proposal of replacing the onsite inspection cost with an annual targeted rate, 57 per cent do not support the proposal and 14 per cent selected other.
83. There are no themes identified in the comments provided by the respondents to this question. A small number who responded ‘do not support’ misunderstood the proposal and thought that it was proposed that inspections would be held annually as well as the charges.

**Feedback on the draft Tūpuna Maunga o Tamaki Makaurau Authority – Operational Plan 2020/2021**

84. Feedback was received from the Waitematā Local Board area on the draft Tūpuna Maunga o Tamaki Makaurau Authority – Operational Plan 2020/2021.

85. Waitematā received six comments on the draft plan. Many comments are concerns about the felling of exotic trees. Other comments support the values of the Tamaki Makaurau Authority but are concerned that the draft plan fails to uphold the values.

**Feedback on other regional proposals with a local impact**

86. Feedback was received from the Waitematā Local Board area on other regional proposals with a local impact.

87. Waitematā received 66 submissions that requests funding to be prioritised towards seismic strengthening and restoring the Leys Institute.

88. Waitematā received 45 submissions that requested funding towards the revitalisation of St Georges Bay Road warehouse area.

**Tauākī whakaaweawe āhuarangi Climate impact statement**

89. The decisions recommended in this report are procedural in nature. New targeted rates and the release of reserve funds will not have any climate impacts themselves.

90. Some of the proposed projects these would fund may have climate impacts. The climate impacts of any projects Auckland Council chooses to progress with as a result of this, will be assessed as part of the relevant reporting requirements.

91. Some of the proposed projects these would fund will be specifically designed to mitigate climate impact, build resilience to climate impacts, and restore the natural environment.

92. As part of the consultation, the Waitematā Local Board consulted on a priority to deliver actions from its Urban Ngahere (Forest) Strategy. The delivery of this strategy aims to grow and protect the urban forest in the area to mitigate climate impact.

**Ngā whakaaweawe me ngā tirohanga a te rōpū Kaunihera Council group impacts and views**

93. The Annual Budget is an Auckland Council Group document and will include budgets at a consolidated group level. Consultation items and updates to budgets to reflect decisions and new information may include items from across the group.

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

94. Local board decisions and feedback are being sought in this report. Local boards have a statutory role in providing local board feedback on regional plans.

95. Local boards play an important role in the development of the Annual Budget. Local board agreements form part of the Annual Budget. Local board nominees have also attended Finance and Performance Committee workshops on the Annual Budget.
Waitematā Local Board
05 May 2020

Local board decisions and input into the Annual Budget 2020/2021

**Tauākī whakaaweawe Māori**
Māori impact statement

96. Many local board decisions are of importance to and impact on Māori. Local board agreements and the Annual Budget are important tools that enable and can demonstrate council’s responsiveness to Māori.

97. Local board plans, which were developed in 2017 through engagement with the community including Māori, form the basis of local priorities. There is a need to continue to build relationships between local boards and iwi, and the wider Māori community.

98. The analysis included submissions made by mana whenua and the wider Māori community who have interests in the rohe / local board area.

99. Ongoing conversations between local boards and Māori will assist to understand each other’s priorities and issues. This in turn can influence and encourage Māori participation in council’s decision-making processes.

100. Some of the proposed projects these would fund may have impacts on Māori. The impacts on Māori of any projects Auckland Council chooses to progress with as a result of this, will be assessed as part of the relevant reporting requirements.

101. The Waitematā Local Board consulted on a priority to enable the unique Māori stories of its parks to be told. This priority aims to improve outcomes for Māori identity and wellbeing.

**Ngā ritenga ā-pūtea**
Financial implications

102. This report is seeking local board decisions on financial matters in local board agreements that need to then be considered by the Governing Body.

103. Local boards are also providing input to regional plans. There is information in the consultation material for each plan with the financial implications of different options.

**Ngā raru tūpono me ngā whakamaurutanga**
Risks and mitigations

104. Local boards are required to make recommendations on these local financial matters for the Annual Budget by 15 May 2020, to enable the Governing Body to make decisions on them when considering the Annual Budget in May.

**Ngā koringa ā-muri**
Next steps

105. Local boards will approve their local board agreements and corresponding work programmes.

106. Recommendations and feedback from local boards will be provided to the relevant governing body committees for consideration during decision making at the Governing Body meeting.

107. The dates of these meetings are yet to be determined as the impacts of the COVID-19 pandemic and lockdown are taken into account.

**Ngā tāpirihanga**
Attachments

There are no attachments for this report.
**Ngā kaihaina**  
**Signatories**

<table>
<thead>
<tr>
<th>Role</th>
<th>Name</th>
<th>Position</th>
</tr>
</thead>
<tbody>
<tr>
<td>Author</td>
<td>Caroline Teh - Local Board Advisor</td>
<td>Waitematā</td>
</tr>
<tr>
<td>Authoriser</td>
<td>Trina Thompson - Relationship Manager/Senior Advisor</td>
<td>Waitematā Local Board</td>
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Waitematā Local Board feedback on the draft Government Policy Statement on Land Transport for 2020/21 – 2030/31

File No.: CP2020/04657

Te take mō te pūrongo
Purpose of the report

Whakarāpopototanga matua
Executive summary
3. The draft National Rail Plan (NRP) is open for public submission over the same period.
4. GPS2021 sets out the government’s priorities for expenditure from the National Land Transport Fund over the next 10 years. The GPS2021 identifies four strategic priorities for land transport – Safety, Better Travel Options, Improving Freight Connections and Climate Change.
5. The GPS2021 sets out the government’s priorities for expenditure from the National Land Transport Fund over the next 10 years. It guides the allocation of around $4 billion a year from the fund by the New Zealand Transport Agency, setting out how funding is allocated between high-level activities such as road safety policing, state highways, local roads, public transport and other modes of transport. It is not locally-specific. Council’s Long-term Plan and the Regional Land Transport Plan are where local specific decisions will be made and where local boards input into these decisions.
6. The strategic priorities for GPS 2021 are:
   • Safety: Develop a transport system where no-one is killed or seriously injured
   • Better Travel Options: Provide people with better travel options to access places for earning, learning, and participating in society
   • Improving Freight Connections: Improve freight connections to support economic development
   • Climate Change: Transform to a low carbon transport system that supports emission reductions aligned with national commitments, while improving safety and inclusive access.
7. The NRP establishes the government’s vision and strategic investment priorities for rail for the next 10 years. It provides the context for a Rail Network Investment Programme to be developed by KiwiRail.
8. The NRP supports the government’s intent for a longer-term outlook for planning and funding for rail.
9. These investment priorities are generally well aligned with Council’s priorities identified in the Auckland Plan 2050.
10. Local boards have opportunity to provide feedback on this policy statement. Local board feedback will be attached to the council submission when it goes to Government.
11. The table below sets out the key timeframes for local board input into the Draft GPS 2021:
Waitematā Local Board feedback on the draft Government Policy Statement on Land Transport for 2020/21 – 2030/31

### Item 16

<table>
<thead>
<tr>
<th>Date</th>
<th>Action</th>
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<tbody>
<tr>
<td>15 April 2020</td>
<td>Deadline for local board formal feedback so it can be reported at the 30 April Emergency Committee.</td>
</tr>
<tr>
<td>30 April 2020</td>
<td>Report to the Emergency Committee</td>
</tr>
<tr>
<td>10 May 2020</td>
<td>Deadline for local board formal feedback so it can be appended to the final Auckland Council submission</td>
</tr>
<tr>
<td>11 May 2020</td>
<td>Closing date for submissions</td>
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**Ngā tūtohunga**  
**Recommendation/s**

That the Waitematā Local Board:


**Ngā tāpirihanga**  
**Attachments**

There are no attachments for this report.

**Ngā kaihaina**  
**Signatories**

<table>
<thead>
<tr>
<th>Author</th>
<th>Carlos Rahman - Senior Engagement Advisor</th>
</tr>
</thead>
<tbody>
<tr>
<td>Authoriser</td>
<td>Trina Thompson - Relationship Manager/Senior Advisor Waitematā Local Board</td>
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Local board feedback for inclusion in Auckland Council submissions

File No.: CP2020/03957

Te take mō te pūrongo
Purpose of the report

1. To recommend that the Waitematā Local Board delegate authority to the local board chair to submit the local board’s formal views for inclusion in Auckland Council submissions to Central Government and other councils, where this feedback is due before a local board meeting.

Whakarāpopototanga matua
Executive summary

2. Central Government (and other councils) seek feedback through public consultation on bills, inquiries and other key matters. The consultation timeframes vary between four and eight weeks.

3. The Governing Body is responsible for making official submissions to Central Government on most matters except for submissions to government on legislation where it specifically relates to a local board area. Where the Governing Body decides to make an official submission on a Central Government matter, staff work to develop a draft submission for consideration by the Governing Body and will call for local board input so it can be incorporated. The Auckland Council submission needs to be approved within the consultation timeframes set by Central Government.

4. Local board input is required to be approved by the local board. Where local boards are unable to make these decisions at a local board meeting due to the constrained timeframes, another mechanism is required. In situations where local boards prefer not to use the urgent decision process, local boards sometimes provide informal feedback that is endorsed at the next business meeting. This is not considered best practice because the local board input can be challenged or changed at ratification or approval stage, which leads to reputational risk for the council.

5. In situations where timeframes don’t allow reporting to formal business meetings, staff recommend that the local board either uses the urgent decision process or delegates authority to the chair to approve and submit the local board’s input into Auckland Council submissions. Both options provide an efficient way to ensure that local board formal input is obtained when external parties set submission deadlines that don’t allow formal input to be obtained from a local board business meeting.

Ngā tūtohunga
Recommendation/s

That the Waitematā Local Board:

a) delegate authority to the chair to approve and submit the local board’s input into Auckland Council submissions on formal consultation from government departments, parliament, select committees and other councils.

b) note that the local board can continue to use its urgent decision process to approve and submit the local board’s input into Auckland Council submissions on formal consultation from government departments, parliament, select committees and other councils, if the chair chooses not to exercise the delegation sought in recommendation (a).
c) note that this delegation will only be exercised where the timeframes do not allow for local board input to be considered and approved at a local board meeting.

d) note all local input approved and submitted for inclusion in an Auckland Council submission is to be included on the next local board meeting agenda for the public record.

Horopaki

Context

6. Government departments, parliament, select committees and other councils seek feedback on issues using both formal and informal consultation opportunities. Auckland Council has an ongoing opportunity to provide advocacy on public policy matters and this is often done by making a public submission. Submissions can be provided on other council’s plans, on policy and legislative reviews or on an agency’s proposed strategy.

7. Council submissions are the formal responses to the public consultation opportunities that are open to everyone, including all Aucklanders.

8. Under the Local Government (Auckland Council) Act 2009 the Governing Body must consider any views and preferences expressed by a local board, where a Governing Body decision affects or may affect the responsibilities or operation of the local board or the well-being of communities within its local board area.

9. Under the current allocation of decision-making responsibility, the Governing Body is allocated decision-making responsibility for “submissions to government on legislation including official submissions of Auckland Council incorporating local board views”. Local boards are allocated decision-making for “submissions to government on legislation where it specifically relates to that local board area only”.

10. Central Government agencies set the deadlines for submissions which are generally between four to eight weeks. These timeframes do not usually allow for formal reporting to local boards to input into the council submission. In situations where local boards prefer not to use the urgent decision process, local boards can sometimes provide informal feedback that is endorsed at the next business meeting. This is not considered best practice because the local board input can be challenged or changed at ratification or approval stage, which leads to reputational risk for council.

11. Providing a delegation for Central Government submissions provides local boards with another option to give formal local views within prescribed timeframes.

Tātaritanga me ngā tohutohu

Analysis and advice

12. There are five options available to local boards to approve their formal views and input on submissions to Central Government. Where this input is sought within a time constrained process and is due before a meeting of the local board, only four of these options will be available.

Table 1: Options for mechanisms through which the local boards can approve their formal views on Auckland Council submissions to Central Government and other councils

<table>
<thead>
<tr>
<th>Options</th>
<th>Pros</th>
<th>Cons</th>
</tr>
</thead>
</table>
| 1. Local board input approved at a business meeting | • Decision is made and adopted in a public meeting (transparency of decision making).  
• All local board members have the opportunity to make the formal decision. | • Local board meeting schedules and agenda deadlines often don’t align with external agency deadlines. |
<table>
<thead>
<tr>
<th>Options</th>
<th>Pros</th>
<th>Cons</th>
</tr>
</thead>
</table>
| 2. Local board input approved at an extraordinary meeting of the local board | • Provides a mechanism for local boards to provide their formal views where submission deadlines do not align with local board meeting schedules.  
• Decision is made and adopted in a public meeting (transparency of decision making).  
• All local board members have the opportunity to make the formal decision. | • Extraordinary meeting needs to be called by a resolution (requires anticipation by the local board) or requisition in writing delivered to the Chief Executive. The process usually requires a minimum of three clear working days.  
• There are additional costs incurred to run an unscheduled meeting.  
• It may be difficult to schedule a time when enough local board members can attend to achieve a quorum. |
| 3. Local board input approved using urgent decision mechanism (staff recommend this option) | • It provides a mechanism for local boards to provide their formal views where submission deadlines do not align with local board meeting schedules.  
• Local board input can be submitted once the Chair, Deputy Chair and Relationship Manager have received the report providing the local board views and input.  
• The urgent decision needs the sign-off from two local board members (ie the Chair and Deputy Chair), rather than just one. | • The decision is not made in a public meeting. It may be perceived as non-transparent decision-making because it is not made by the full local board.  
• Chair and deputy may not have time to properly consult and ascertain view of the full local board. |
| 4. Local board input approved by the chair who has been delegated authority from the local board (staff recommend this option where local boards choose not to use the urgent decision process) | • It provides a mechanism for local boards to provide their formal views where submission deadlines do not align with local board meeting schedules and local boards don’t want to use the urgent decision process.  
• Local board input can be submitted as soon as possible after the local board views and input have been collated and discussed by the local board members. | • Decision is not made in a public meeting. It may be perceived as non-transparent decision-making because it is not made by the full local board.  
• The chair who has the delegated authority may not have time to properly consult and ascertain views of the full local board. |
13. Options one, two and three are already available to local boards and can be utilised as required and appropriate. Option one should always be used where timeframes allow reporting. Option four requires a delegation in order for a local board to utilise this mechanism and should be used only when timeframes don’t allow reporting to a business meeting.

14. Local boards who wish to utilise option four are requested to delegate to the chair as this fits within the leadership role of the chair and they are more likely to be available because the chair is a full-time role. The role of this delegated member will be to attest that the approved and submitted input constitutes the views of the local board. The input should then be published with the agenda of the next formal business meeting of the local board to provide transparency. The delegate may choose not to exercise their delegation if the matter is of a sensitive nature and is something that the full board should consider at a business meeting.

15. Each local board will be in charge of its own process for considering and developing their local board input that will be approved by the delegated member. This can include discussions at workshops, developing ideas in a small working group or allocating it to an individual member to draft.

16. Where local boards do not wish to delegate the views to the chair, the recommended option is to use the urgent decision mechanism (where deadlines don’t align with local board reporting timeframes). The mechanism requires a staff report and the decision to be executed by three people (the Chair, Deputy Chair and the Relationship Manager). Local board input can be submitted within one to two days after the local board views and input have been collated and discussed by the local board members.

17. Option five is not considered best practice and local boards are strongly discouraged from using this.

**Tauākī whakaaweawe āhuarangi**

**Climate impact statement**

18. This decision is procedural in nature and any climate impacts will be negligible. The decision is unlikely to result in any identifiable changes to greenhouse gas emissions.
Ngā whakaaweawe me ngā tirohanga a te rōpū Kaunihera
Council group impacts and views

19. This report proposes a delegation to ensure that staff can undertake the preparation of submissions in a timely manner, while receiving formal local board input on matters that are of local board importance.

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

20. This report seeks to establish a specific delegation for the local board chair.

21. Any local board member who is delegated responsibilities should ensure that they represent the wider local board views and preferences on each matter before them.

Tauākī whakaaweawe Māori
Māori impact statement

22. A decision of this procedural nature is not considered to have a positive or negative impact for Māori.

Ngā ritenga ā-pūtea
Financial implications

23. A decision of this procedural nature is not considered to have financial implications on Auckland Council.

Ngā raru tūpono me ngā whakamaurutanga
Risks and mitigations

24. If local boards choose to delegate to provide their formal views on Auckland Council submissions, there is a risk that this mechanism is perceived as non-transparent decision-making because it is not made by the full local board. This can be mitigated by publishing the submitted local board input on the next agenda.

25. There is also a risk that the chair who has the delegated authority may not have time to properly consult and ascertain views of the full local board. This can be mitigated by encouraging the local board to collectively discuss and agree their input before it is submitted by the member who has been delegated authority.

Ngā koringa ā-muri
Next steps

26. On those occasions where it is required, the delegation will be used to approve and submit the local board’s input into Auckland Council submissions on formal consultation from government departments, parliament, select committees and other councils.

Ngā tāpirihanga
Attachments
There are no attachments for this report.

Ngā kaihaina
Signatories

<table>
<thead>
<tr>
<th>Author</th>
<th>Carol Stewart - Senior Policy Advisor</th>
</tr>
</thead>
<tbody>
<tr>
<td>Authoriser</td>
<td>Trina Thompson - Relationship Manager/Senior Advisor Waitematā Local Board</td>
</tr>
</tbody>
</table>
Waitematā Local board feedback on the Rating of Whenua Maori Amendment Bill

File No.: CP2020/04899

Te take mō te pūrongo
Purpose of the report
1. To seek local board feedback for the Auckland Council submission on the Local Government (Rating of Whenua Māori) Amendment Bill.

Whakarāpopototanga matua
Executive summary
2. Central Government has released the Local Government (Rating of Whenua Māori) Amendment Bill (the Bill) for feedback.
3. This Bill intends to support the development of housing on Māori land and modernise rating legislation affecting Māori land. The Bill proposes legislative amendments to:
   - expand the categories of non-rateable Māori land
   - empower council to write off arrears that cannot be recovered
   - enable users of a part of a Māori freehold land rating unit to be rated separately and to access the rates rebate scheme
   - treat rating units of Māori freehold land used as a single economic unit as a single unit for rating purposes to reduce the number of fixed charges that apply
   - require council to consider offering rates remissions for Māori freehold land being developed
   - protect Māori freehold land that was converted to general land under the Māori Affairs Amendments Act 1967 (MAAA 1967)
5. A summary of the legislative amendments, compared to the current legislative position, and council’s own rates policies, can be found in Attachment B to this report.
7. The Bill is currently with the Māori Affairs Select Committee. The submission period has now been extended to 17 May 2020. This allows the opportunity for local boards to submit feedback on the Bill.
8. In the Waitematā Local Board area there are 9 Māori freehold land properties – these were general native endowments/reserves created in the 19th century. There is also one customary land property (customary land is land that has never had freehold title issued) and one general land property.
9. None of the above properties are in arrears.
10. Formal feedback from local boards will be appended to the council's submission (draft attached as attachment A). Feedback from boards is required by 12 noon on 8 May 2020. A report will be presented to the council Emergency Committee in mid May 2020.

11. The closing date for submissions is 17 May. A copy of final council submission will be circulated to Governing Body members, local board members and the Independent Māori Statutory Board on 19 May.

Ngā tūtohunga

Recommendation/s

That the Waitematā Local Board:

a) provide the Waitematā Local Board feedback on the Local Government (Rating of Whenua Māori) Amendment Bill

b) delegate to the chair of the Waitematā Local Board to authorise any minor amendments and corrections to the submission.

Ngā tāpirihanga

Attachments

<table>
<thead>
<tr>
<th>No.</th>
<th>Title</th>
<th>Page</th>
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<tr>
<td>B</td>
<td>Comparison of Amendments to Current Legislation and Council Policy</td>
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<td>C</td>
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</tbody>
</table>

Ngā kaihaina

Signatories

<table>
<thead>
<tr>
<th>Author</th>
<th>Carlos Rahman - Senior Engagement Advisor</th>
</tr>
</thead>
<tbody>
<tr>
<td>Authoriser</td>
<td>Trina Thompson - Relationship Manager/Senior Advisor Waitematā Local Board</td>
</tr>
</tbody>
</table>
Auckland Council submission

Local Government (Rating of Whenua Māori) Amendment Bill

17 April 2020
Auckland Council’s submission on Local Government (Rating of Whenua Māori) Amendment Bill

1. Auckland Council welcomes the opportunity to make a submission on the Local Government (Rating of Whenua Māori) Amendment Bill.

2. This submission has been approved by council’s Emergency Committee. The address for service is Auckland Council, Private Bag 92300, Victoria Street West, Auckland 1142.

3. Please direct any enquiries to Kevin Ramsay, Acting Group Chief Financial Officer, at Kevin.Ramsay@aucklandcouncil.govt.nz and/or on 021-656-884
Introduction

Executive summary

1. Auckland Council supports the proposed amendments set out in the Local Government (Rating of Whenua Māori) Amendment Bill (the Bill). The proposals align with the council’s current policies regarding Māori land rates. The Bill also provides council with new powers that will enable us to address long standing issues with rating Māori land.

2. In particular, Auckland Council supports the proposed amendments to:
   - expand the categories of non-rateable Māori land
   - empower local authorities to write off arrears
   - treat rating units of Māori freehold land used as a single economic unit as a single unit for rating purposes to reduce the number of fixed charges that apply
   - enable Māori freehold land to be apportioned on request into separate rating areas so that separate occupiers of the land can be rated directly only for the portion of the land they use
   - enable occupiers of Māori freehold land to access the rates rebate scheme by establishing them as ratepayers for separate rating areas
   - increase protection for Māori freehold land that was converted to general title under the Māori Affairs Amendment Act 1967 (MAAA 1967).

3. Auckland Council recommends that the following changes are included in the Bill:
   - that an unused residual rating area of a Māori freehold land rating unit be treated as non-rateable, in the case where the unit has been apportioned into separate rating areas
   - that fixed charges applied on a per Separately Used or Inhabited Part (SUJP) only be applied to a residual rating area if the residual rating area is identified as a separately used part of the underlying rating unit
   - require notification of a change in circumstances that alter the ratepayer for separate rating areas
   - that land that in general title that has either been returned for cultural redress or that was converted under the MAA 1967 and remains in the same ownership, be treated as non-rateable where it is unused
   - that separate rating areas be able to be established for land in general title that was converted under the MAA 1967 and remains in the same ownership
   - that residents of Māori and social housing that use licence to occupy tenancies be able to access rates rebates.
Submission

Māori land in Auckland

4. Auckland Council has 265 properties in Māori freehold land title, covering 8,600 hectares of land. This represents less than 0.1% of the Auckland rating base.

Amendments to the Local Government (Rating) Act 2002

5. The following sections set out Auckland Council’s response to the proposed amendments to the Local Government (Rating) Act 2002 (the Rating Act.)

Amendments to Schedule One: Categories of non-rateable land

6. Auckland Council supports the proposed amendments to Schedule One to make the following land non-rateable:
   - marae
   - urupā
   - meeting houses on Māori freehold land
   - unused Māori freehold land
   - land that is subject to a Ngā Whenua Rāhui covenant.

7. Land used for marae, urupā or protected by Ngā Whenua Rāhui covenants provide benefits to the community and is not able to generate income to cover rates. Unused Māori freehold land is a consequence of barriers to development including multiple owners, lack of succession, poor land quality and lack of road access. As rates are a wealth tax it is appropriate to recognise the limited economic potential of such land.

8. Auckland Council already achieves much of the effects of this proposal through its rates remission for Māori land. This provides a full remission of rates for Māori land that is:
   - undeveloped or unused (includes land that is subject to a Ngā Whenua Rāhui covenant)
   - used for a marae or urupā

Definition of unused Māori freehold land

9. Auckland Council seeks clarification whether section 4A (b)(iii) of the Bill excludes whanau camping and maintenance of the land. These activities could be considered to be consistent with section 4A (b) that “the entire rating unit is used in a similar manner to a reserve or conservation area.” Many reserves and some conservation areas allow visitors to camp, and more remote properties may not be accessible if camping is not permitted.

10. Auckland Council uses a similar definition for unused land as proposed in the Bill but also includes whanau camping and maintenance. The definition used by council allows the following uses:
   - the maintenance of the cultural traditions associated with the land, including visiting, cultural use, whanau camping, and the collection of kai, kai moana, medicinal, and cultural material
   - maintaining or improving the natural or historic heritage value of the land.

11. The ability to maintain the land was raised as a concern in submissions to the council’s remission scheme for unused Māori land.
Application to part of a rating unit

12. Auckland Council recommends the Bill be amended to treat any residual Rating Area that is unused as non-rateable for Māori land that has been divided into separate rating areas.

13. The Bill proposes that only rating units that are entirely unused are to be treated as non-rateable. The Bill also proposes to enable occupiers or owners of Māori freehold land to request the property be apportioned into separate rating areas so they can be rated directly only for the part of the property they use. This process may create a residual rating area. If this residual rating area is entirely unused, then it should be treated as non-rateable.

14. The Auckland Council remission scheme for unused land can be applied to a part of the property. This has been used in circumstances where large parts of the property are in bush. In Auckland, 15 properties currently receive a remission for unused Māori land for part of the property.

15. In general, most categories of land use that qualify as non-rateable under Schedule One of the Local Government (Rating) Act 2002 can be applied to part of a property. Auckland Council frequently apportions properties where the non-rateable use applies to part of the property.

16. The option of treating unused parts of a property as non-rateable was not recommend by the DIA due to the potential administrative burden and risk to finances for some local authorities. As Māori land only makes up a very small part of the Auckland rating base, this is not an issue for Auckland Council. Auckland Council acknowledges that districts with larger amounts of Māori freehold land may face greater difficulties in assessing parts of properties as non-rateable.

17. The administrative burden and financial risk could be reduced by limiting the application of non-rateability to unused residual Rating Areas for properties that have been apportioned into separate rating areas. The approach would have the following advantages:

- additional administration would be minimal, as the unused part of the property would be assessed when the separate rating areas are created
- provides an incentive for occupiers of Māori freehold land to establish separate rating areas, and enter into a rating relationship with council
- provides an incentive for land to be brought into part use without the risk of the whole property becoming rateable. This may result in a reduction of the number of fully unused rating units and an increase in the rating base.

Application to land not in Māori freehold land title

18. Auckland Council recommends that unused land in general title is treated as non-rateable where that land

- meets the criteria of the section 62 A (1) and (2) of the Bill for land converted to general title under the Māori Affairs Amendment Act 1967;
- was returned for cultural redress under an act of Settlement.
19. Auckland Council’s Māori land Rates Remission and Postponement Policy can be applied to land that is not in Māori freehold title, but which has similar characteristics to this land. The policy requires such land to be in multiple ownership by Māori and held in accordance with tikanga Māori values. This enables the policy to apply to:

- marae on general title land
- land that was formerly Māori freehold land, but which was converted to general title in 1967 under the Māori Affairs Amendment Act

20. Auckland Council has identified five general land properties within its region that were returned under settlement for cultural redress that is fully rateable but currently unused. Of these properties, three are landlocked, and one an islet, so have significant barriers to development. There are a further three properties that are unused; one of which is landlocked, that may meet the criteria of land converted to general title under the Māori Affairs Amendment Act 1967 (MAAA 1967). Whether these properties are still held by descendants of the original owners would need to be determined.

21. The Bill proposes to protect former Māori freehold land converted to general title under the MAAA 1967 from rating sales. It also seems unlikely that councils could successfully pursue such action for land returned for cultural redress. Given this, it would simplify administration and ensure equity of treatment if this land was treated the same as Māori freehold land where it is unused.

Empowering local authorities to write off arrears

22. Auckland Council supports the provision of powers to write off uncollectible arrears to local authorities. The total assessed rates for the 265 Māori freehold land rating units in Auckland was $910,000 in the current year. Most Māori landowners pay their rates. Currently 57 Māori freehold land properties in Auckland are in arrears. The total arrears for Māori freehold land in Auckland are $2.8 million, the majority of which is rates penalties.

23. Auckland Council offers a remission scheme for arrears on Māori land, where arrears will be written off if the current rates are paid for three years. This has encouraged a small number of landowners to enter into payment arrangements with council. However, feedback has been received that large arrears amounts are a barrier to landowners connecting with council. The power to write off uncollectable arrears will assist council with this issue.

Rating units of Māori freehold land used as a single economic unit to be treated as single unit for rating purposes

24. Auckland Council supports the amendment to enable Māori freehold land rating units that are used as a single economic unit to be treated as a single rating unit for the application of fixed charges. The council already achieves this outcome by offering a remission of fixed charges to Māori land used as a single unit. This is part of a general remission scheme that is also available to rating units used as a single economic farm.
Separate Rating Areas

25. Auckland Council supports the proposal to enable the creation of separate rating areas for parts of Māori land that are occupied or used separately from the remainder of the rating unit. Separate rating areas would enable council to establish a relationship with those using the land and to invoice them directly for an appropriate share of the rates. It would also enable the occupiers of such land to access the rates rebate scheme.

26. The council seeks clarification of how section 98B (d) interacts with section 98 (f) of the Bill. 98B (d) specifies that if a fixed charge is set on a per Separately Used or Inhabited Part (SUIP) basis, then the charge should be applied to each of the separate rating areas, and to the residual.

27. Section 98 (f) then specifies that the “the sum of the apportionments of all rates for the separate rating areas and any residual rating area must equal the sum of all rates that would apply to the underlying rating unit without apportionment”. It may be the case that without the apportionments, the residual part of the property would not attract a fixed charge on per SUIP basis.

28. For example, a property mostly in bush that has a cleared area with two dwellings would attract two UAGCs under Auckland Council’s rating policy. If two separate rating areas are to be created for the dwellings, with the bush area as the residual, section 98B (d) suggests that council should apply three UAGC charges, one for each Separate Rating Area, and one for the residual. This is then inconsistent with section 98 (f).

29. Auckland Council recommends that the fixed charges applied on a per SUIP basis are only applied to the residual rating area if that area is identified as a separately used part of the underlying rating unit.

Notification of change in circumstances

30. Sections 30 to 33 of the Local Government (Rating) Act 2002 require the owner and/or ratepayer to notify the local authority of any change circumstance that will alter the ratepayer for the property. Until notice of the change in circumstance is given, the ratepayer remains liable for rates under section 34.

31. The Bill does not propose any amendments to the above sections of the Rating Act. Auckland Council submits that a section should be added requiring the owner or ratepayer to give notice should there be a change in the person using the Separate Rating Area, or if the part of the property ceases to be used separately.

Remission of rates for Māori freehold land under development

32. Auckland Council does not offer a rates remission for Māori freehold land under development. This issue was considered during the development of Auckland Council’s rates remission policy for Māori land. At this time council considered grants to be a more effective mechanism for supporting Māori development. This is because grants offer greater flexibility in terms of the level and timing of support that is provided. They also offer greater transparency, as section 38 of the Local Government (Rating) Act 2002 restricts public access to information on individual remissions.

33. Auckland Council currently provides a grants programme specifically for marae and papakāinga (Māori housing) development through its Cultural Initiatives Fund. This provides grants of up to $150,000 per applicant to support:
34. The grants are available to a range of not for profit Māori organisations and can also be used for development on land that is not in Māori freehold title. With rates for Māori freehold land rating units currently averaging $3,400, grants allow council to provide greater assistance, targeted towards the specified activities that enable development of marae and papakāinga.

Increased protection for Māori freehold land made general land under the Maori Affairs Amendment Act 1967

31 Auckland Council supports the proposal to protect Māori freehold land made general land under the Maori Affairs Amendment Act 1967 from rating sales. It is a step in rectifying the negative effects of the Maori Affairs Amendment Act 1967 on the retention of Māori land.

32 Auckland Council has identified 14 properties in Auckland that may fit the above criteria. The council has adopted a conservative approach in dealing with such land, largely treating it as it does Māori freehold land. Further clarification of the legal status of this land is welcome.

33 Auckland Council recommends be given to further alignment of rating of this class of land with Māori freehold land. Such land that remains in Māori ownership as set out in section 52A(1)(b) of the Bill, faces similar impediments to its use and development as Māori freehold land. These include multiple owners, lack of succession of owners and access issues.

34 If council is similarly proscribed from pursuing rating sales, then it would seem equitable to offer similar mechanisms for preventing the accumulation of arrears on both classes of land. Consideration should be given to whether such land should be:

- treated as non-rateable if the land is unused
- able have separate rating areas established where the land is used by separate occupiers.

35 Auckland Council notes that it can be difficult to identify whether land meets the criteria set out in section 62A(1) of the Bill. Any assistance that can be provided will be appreciated.

Amendments to Other Acts

Amendments to Rates Rebate Act 1973

36 The council considers that the Bill should be amended to provide for the residents of Māori housing developments (such as papakāinga) held under a licence to occupy to have access to the rates rebate scheme.

37 Auckland Council notes that in 2018 the Rates Rebate (Retirement Village Residents) Amendment Bill was enacted. This Bill enabled residents of retirement villages who occupied their properties under a licence to occupy tenancy to access the central government’s rates rebate scheme.
38 In Auckland, there is increasing use of licence to occupy tenancies for new papakāinga development, and for social housing developments. Currently residents of such properties are unable to access the rates rebate scheme, even if the tenants are liable for rates under their tenancy agreement. Auckland Council submits that the situation for these tenants is directly comparable to residents of retirement villages and the different treatment is inequitable.

**Implementation and administration by council**

39 Auckland Council is able to implement and administer the proposed legislative amendments. The amendments will require changes to the council’s rating system. Auckland Council submits that the adoption of the Bill allows for a lead time of at least 6 months before the start rating year in which the changes will take effect.
Appendix B: Comparison of Amendments to Current Legislation and Council Policy

1. The following tables summarises the key amendments proposed in Local Government (Rating of Whenua Māori) Bill. It also sets out the current legislative position and Auckland Council’s policy approach to the issue.

Amendments Proposed to the Local Government (Rating) Act 2002

<table>
<thead>
<tr>
<th>Proposed Amendments</th>
<th>Current Legislative Position</th>
<th>Auckland Council approach</th>
</tr>
</thead>
<tbody>
<tr>
<td>The Bill makes the following categories of land fully non-rateable:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- marae and urupā</td>
<td>Only marae on Māori reservations or Māori freehold land are non-rateable. Only the first two hectares of marae and urupā are non-rateable.</td>
<td>Auckland Council’s remission policy for Māori land offers a full remission for marae, urupā and unused Māori land. The remission for unused land also applies to Ngā Whenua Rāhui covenants.</td>
</tr>
<tr>
<td>- Māori freehold land rating units that are entirely unused</td>
<td></td>
<td>Remission can apply to Māori land not in Māori freehold title. The remission for unused land can apply to part of a property</td>
</tr>
<tr>
<td>- land that is subject to a Ngā Whenua Rāhui covenant</td>
<td></td>
<td></td>
</tr>
<tr>
<td>The Bill empowers local authorities to write off uncollectable arrears on land in general, not just Māori land</td>
<td>Uncollectable arrears outstanding more than six years must be written off. Local authorities can remit arrears before six years if they have a policy to do this. Rates cannot be written off in other circumstances. Local elected representatives are personally liable under the Local Government Act if the “local authority has intentionally or negligently failed to enforce the collection of money it is lawfully entitled to receive”.</td>
<td>Auckland Council’s remission policy for Māori land will remit all arrears on a Māori land rating unit if the current rates are paid for three years.</td>
</tr>
<tr>
<td>Proposed Amendments</td>
<td>Current Legislative Position</td>
<td>Auckland Council approach</td>
</tr>
<tr>
<td>-----------------------------------------------------------------------------------</td>
<td>-------------------------------------------------------------------------------------------------</td>
<td>--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>The Bill enables separate rating areas to be established for Māori freehold land where parts of the land are being used separately. Local Authorities will then be able to invoice the users of the land for their share of the rates. The Bill also amends the Rates Rebate Act 1973 so that the ratepayer of separate rating area can access the rebates scheme.</td>
<td>The introduction of the Rating Act in 2002 removed council's ability to create separately rated apportionments for part of a property. Rates must be invoiced to the owner of the property unless there is a registered lease in place.</td>
<td>Auckland Council is currently limited in its ability to assist the users of Māori land where they are not the ratepayer for the land.</td>
</tr>
<tr>
<td>The Bill proposes that where rating units of Māori freehold land are used as a single economic unit, for example a farm, they can be treated as a single rating unit for the setting of rates. This will reduce the number of fixed charges that will apply to these properties.</td>
<td>Multiple rating units are treated as a single unit for rating purposes where the land is in the same ownership and the land is adjoining or only separated by a road or a stream. Māori land often fails this test as ownership differs between blocks.</td>
<td>Auckland Council remits additional fixed charges for Māori land on multiple rating units that is used as a single economic unit through its general rates remission policy. This scheme is also available to farms generally.</td>
</tr>
</tbody>
</table>
| Council will be required to consider applications for remissions for Māori freehold land that is being developed. The council may choose to remit some or all of the rates after considering whether the development will benefit Auckland by creating housing, employment or providing support for marae. | Auckland Council must have a rates remission and postponement policy for Māori land. Legislation does not prescribe what remissions options must be considered in deciding on the form of the policy. | Auckland Council does not currently offer rates remissions to support development of Māori land. The council instead offers grants programmes for marae and papakāinga development through its Cultural Initiatives Fund. This provides grants of up to $150,000 per applicant to support:  
- development of new papakāinga and marae by assisting with planning and evaluation costs  
- existing marae by assisting with improvements and / or extensions to core marae infrastructure. |

| Attachment B | Item 18 |

Page 146
<table>
<thead>
<tr>
<th>Proposed Amendments</th>
<th>Current Legislative Position</th>
<th>Auckland Council approach</th>
</tr>
</thead>
<tbody>
<tr>
<td>Provide protection to Māori freehold land made general land under the Maori Affairs Amendment Act 1967 (MAAA 1967). The MAAA 1967 required Māori freehold land with less than four owners to have its status changed to general land. This change in status was made without owner knowledge or consent. The MAAA 1967 was repealed in 1973 but affected land remained as general land. The current Bill proposes that where former Māori freehold land converted under the MAAA 1967 continues to be owned by the original landowner or their descendants, this land will be protected from rating sales by local authorities in the same way Māori freehold land is protected.</td>
<td>The introduction of the Rating Act in 2002 removed council’s ability to create separately rated apportionments for part of a property. Rates must be invoiced to the owner of the property unless there is a registered lease in place.</td>
<td>Auckland Council has identified fourteen properties that possibly fit the above criteria. Such land is able to qualify for remission under the council’s remission policy for Māori land. Officers have adopted a cautious approach to such land, deferring action until land status and ownership can be clarified.</td>
</tr>
</tbody>
</table>
Appendix C: Māori Land in Auckland

Land status determined by the Māori Land Court

1. The following table shows properties whose land status has been determined by the Māori Land Court to be Māori land under the Te Ture Whenua Rating Act 1993 and which have been included in the Māori Land Online database.

<table>
<thead>
<tr>
<th>Māori Land Status</th>
<th>Rating Units</th>
<th>Land Area (Hectares)</th>
<th>Total Assessed Rates 2019/2020</th>
</tr>
</thead>
<tbody>
<tr>
<td>Māori Freehold Land</td>
<td>265</td>
<td>8604</td>
<td>$910,000</td>
</tr>
<tr>
<td>Customary Land</td>
<td>29</td>
<td>107*</td>
<td>0</td>
</tr>
<tr>
<td>General land owned by Māori</td>
<td>2</td>
<td>33</td>
<td>0</td>
</tr>
</tbody>
</table>

*A third of customary land properties have not been surveyed so are not included in the land area.

2. Māori Freehold Land is land where the beneficial ownership has been determined by the Māori Land Court by freehold order.

3. Customary land is land that is held by Māori in accordance with tikanga Māori. It is land that has never had freehold title. Customary land in Auckland consists of offshore rocks and small islets mainly around Great Barrier Island. It is fully non-rateable.

4. General land owned by Māori is land in general title that is beneficially owned by a Māori or by a group of persons of whom a majority are Māori. The above table only includes such land which has been formally recognised and recorded by the Māori Land Court. Māori owned land described in the next section would also be classified as general land owned by Māori.

Other Māori Land

5. Rates officers have also identified a small number of Māori land properties in general title as shown below. This list is not a complete list of Māori owned general land in Auckland. It is instead land that has been identified for rating purposes, for example because it is non-rateable, or eligible for rates remission.

<table>
<thead>
<tr>
<th>Land in General Title</th>
<th>Rating Units</th>
<th>Land Area (Hectares)</th>
<th>Total Assessed Rates 2019/2020</th>
</tr>
</thead>
<tbody>
<tr>
<td>Crown land reserved for Māori</td>
<td>3</td>
<td>1</td>
<td>$6,800</td>
</tr>
<tr>
<td>Land returned for Cultural Redress</td>
<td>13</td>
<td>77</td>
<td>$4,100</td>
</tr>
<tr>
<td>Former Māori Freehold Land in Māori ownership – possibly converted under MAAA 1967</td>
<td>14</td>
<td>286</td>
<td>$16,800</td>
</tr>
<tr>
<td>Maunga</td>
<td>12</td>
<td>204</td>
<td>$123,700</td>
</tr>
<tr>
<td>Urupū/Marae/Papakāinga/Māori Community Use</td>
<td>7</td>
<td>12</td>
<td>$28,700</td>
</tr>
<tr>
<td>Crown owned Māori land</td>
<td>3</td>
<td>42</td>
<td>$8,200</td>
</tr>
</tbody>
</table>
Māori freehold land by Local Board

6. The table below shows Māori freehold land in each local board area that has such land.

<table>
<thead>
<tr>
<th>Local Board</th>
<th>Rating units</th>
<th>Land Area (Hectares)</th>
<th>Total Assessed Rates 2019/2020</th>
</tr>
</thead>
<tbody>
<tr>
<td>Franklin</td>
<td>56</td>
<td>1,146.5</td>
<td>$119,016</td>
</tr>
<tr>
<td>Great Barrier</td>
<td>27</td>
<td>1,642.9</td>
<td>$32,466</td>
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Urgent Decision - Waitematā Local Board feedback on Accessible Streets Regulatory Package

File No.: CP2020/05031

Te take mō te pūrongo
Purpose of the report
1. To receive the decision made under urgency to approve the local board feedback on the Accessible Streets Regulatory Package.

Whakarāpopototanga matua
Executive summary
2. Waka Kotahi NZ Transport Agency is consulting on a collection of rule changes known as the Accessible Streets Regulatory Package.
3. The package consists of nine proposals intended to support and improve accessible and affordable transport, safety and liveable cities.
4. The package will clarify:
   • the types of vehicles and devices allowed on footpaths, shared paths, cycle paths and cycle lanes
   • how devices can use these spaces
   • how road controlling authorities may regulate pedestrians, devices and spaces like footpaths
   • propose changes to the priority given to a range of road users to remove barriers to walking, device use and cycling.
5. The package generally aligns with the strategic direction of the Council as set out in the Auckland Plan 2050 and other plans such as the draft Te Tāruke-ā-Tāwhiri: Auckland’s Climate Action Framework.
6. The Waitematā Local Board plan 2017 included the objective ‘To improve road safety for all users’. This objective sits under outcome five ‘An accessible, connected and safe transport network with well-designed streets’, with a key initiative to advocate to NZTA to ‘change the give way rule at side street crossings to favour pedestrians.’ This was also a key advocacy area in the 2019/2020 Waitematā Local Board Agreement.
7. Submissions on the package closed on Wednesday, 22 April 2020.
8. Local board views were requested by Friday 17 April so that they could be appended to the council submission to the Waka Kotahi NZ Transport Agency.
9. The agreed urgent decision process under local board resolution (WTM/2019/259) was followed to enable the timely approval of local board feedback. This was required because the deadline for local board submissions was 17 April 2020 and the next local board meeting was not scheduled until 5 May 2020. …

Ngā tūtohunga
Recommendation/s
That the Waitematā Local Board:

a) receive the urgent decision dated 15 April 2020 for approval of the Waitematā Local
Board feedback on the Accessible Streets Regulatory Package

Ngā tāpirihanga
Attachments

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Ngā kaihaina
Signatories

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<tr>
<th>Author</th>
<th>Carlos Rahman - Senior Engagement Advisor</th>
</tr>
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<tr>
<td>Authoriser</td>
<td>Trina Thompson - Relationship Manager/Senior Advisor Waitematā Local Board</td>
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URGENT DECISION OF THE
Waitematā Local Board

Approve feedback on Accessible Streets Regulatory Package

AUTHORITY TO EXECUTE THIS URGENT DECISION

Urgent Decision Process WTM/2019/259

a) That the Waitematā Local Board:
   i) adopt the urgent decision-making process for matters that require a decision where it is not practical to call the full board together and meet the requirements of a quorum

b) delegate authority to the chair and deputy chair, or any person acting in these roles, to make urgent decisions on behalf of the local board

c) agree that the relationship manager, chair and deputy chair (or any person/s acting in these roles) will authorise the urgent decision-making process by signing off an authorisation memo

d) note that all urgent decisions will be reported to the next ordinary meeting of the local board

e) agree that every effort will be made to ascertain the views of all board members prior to approving an urgent decision.

EXECUTIVE SUMMARY

1. Waka Kotahi NZ Transport Agency is consulting on a collection of rule changes known as the Accessible Streets Regulatory Package. The package consists of nine proposals intended to support and improve accessible and affordable transport, safety and liveable cities.

2. The package will clarify:
   • the types of vehicles and devices allowed on footpaths, shared paths, cycle paths and cycle lanes
   • how devices can use these spaces
   • how road controlling authorities may regulate pedestrians, devices and spaces like footpaths
   • propose changes to the priority given to a range of road users to remove barriers to walking, device use and cycling.

3. Local board feedback is requested by Friday 17 April and will be appended to the council submission to the Waka Kotahi NZ Transport Agency.

RECOMMENDATIONS

That the Waitematā Local Board:

a) approve the Waitematā Local Board feedback on Accessible Streets Regulatory Package as per attachment A.

REASON FOR URGENCY

5. The Waitematā Local Board’s next business meeting is not scheduled until the 5 May 2020. The deadline for submissions is 22 April 2020.
6. The urgent decision will be reported to the local board at its 5 May 2020 meeting.

GENERAL

7. The recommendation contained in this report falls within the local board’s delegated authority.

DECISION

AUTHORISED FOR RELEASE

Authorisation of the urgent decision-making process

Signed by Trina Thompson
Relationship Manager, Waitematā Local Board Date 15 April 2020

Approval to use the urgent decision-making process

Richard Northey
Chair, Waitematā Local Board Date 15 April 2020
Waitematā Local board Resolution/s

That the Waitematā Local Board:

a) approve the Waitematā Local Board feedback on Accessible Streets Regulatory Package as per attachment A.

Kerrin Leoni
Deputy Chair, Waitematā Local Board Date 15 April 2020

Richard Northe
Chair, Waitematā Local Board Date 15 April 2020

Kerrin Leoni
Deputy Chair, Waitematā Local Board Date 15 April 2020
Waitematā Local Board Feedback on Accessible Streets Regulatory Package

Context/Background

1. Waka Kotahi NZ Transport Agency is consulting on a collection of rule changes known as the Accessible Streets Regulatory Package. The package consists of nine proposals intended to support and improve accessible and affordable transport, safety and liveable cities.

2. The package will clarify:
   - the types of vehicles and devices allowed on footpaths, shared paths, cycle paths and cycle lanes
   - how devices can use these spaces
   - how road controlling authorities may regulate pedestrians, devices and spaces like footpaths
   - propose changes to the priority given to a range of road users to remove barriers to walking, device use and cycling.

3. The package generally aligns with the strategic direction of the council as set out in the Auckland Plan 2050 and other plans such as the draft Te Tāruke-ā-Tāwhiri: Auckland’s Climate Action Framework.

4. Waitematā Local Board identified the objective ‘To improve road safety for all users’ in its current local board plan 2017. This objective sits under outcome five ‘An accessible, connected and safe transport network with well-designed streets’, with a key initiative to advocate to NZTA to ‘change the give way rule at side street crossings to favour pedestrians.’ This was also a key advocacy area in the 2019/20 Waitematā local board agreement.

Local Board feedback

The Waitematā Local Board supports most of the proposals as outlined in the local board feedback below.

Proposal 1A: Pedestrians and powered wheelchair users

1. Do you agree that powered wheelchairs should be treated as pedestrians? Why/why not?
   - The Waitematā Local Board is supportive of this proposal.
   - Powered wheelchairs are important mobility device for those who require them. It is important that they be legally allowed to use the most appropriate surface / lane for their device.

Proposal 1B: Changing wheeled recreational devices

2. Do you agree with the proposal to replace wheeled recreational devices with new categories for unpowered and powered transport devices? Why/why not?
   - The Waitematā Local Board is supportive of this proposal, subject to changes.
3. What steps should the Transport Agency take before declaring a vehicle not to be a motor vehicle?

   - No comments

4. If the Transport Agency declares a vehicle not to be a motor vehicle, do you think it should be able to impose conditions? If yes, should such conditions be able to be applied regardless of the power output of the device?

   - The Transport Agency should consider the creation of a new category “Micro Motor Vehicle” into which any powered transport device falls.
   - These devices could then be able to use footpaths at speeds of under 15kph.

5. We propose to clarify that:
   a. low powered vehicles that have not been declared not to be motor vehicles by the Transport Agency (e.g. hover boards, e-skateboards and other emerging devices) are not allowed on the footpath.
   b. these vehicles are also not allowed on the road under current rules, because they do not meet motor vehicle standards
   c. if the Transport Agency declares any of these vehicles not to be motor vehicles in the future, they will be classified as powered transport devices and will be permitted on the footpath and the road (along with other paths and cycle lanes).

   Do you agree with this proposed clarification? Why/why not?

   - The Waitematā Local Board is not supportive of this proposal, unless as per point (c) the Transport Agency declares them to be powered transport devices.
   - Without point (c), this clarification effectively bans e-skateboards etc from both the footpath and the road, rendering them useless as transport devices.

Proposal 1C: Clarifying cycles and e-bikes

6. Do you agree with the proposal that:
   • Small-wheeled cycles that are propelled by cranks be defined as cycles, and
   • Small-wheeled cycles that are not propelled by cranks, such as balance bikes, be defined as transport devices?

   Why/why not?

   - The Waitematā Local Board is supportive of this proposal.
   - It will enable smaller bikes to use a range of surfaces and lanes.

Proposal 1D: Mobility devices

7. Mobility devices have the same level of access as pedestrians but will have to give way to pedestrians and powered wheelchairs under the proposed changes. Do you agree? Why/why not?

   - The Waitematā Local Board is supportive of this proposal.
   - As the most vulnerable road users, it’s important to protect pedestrians and enforcing these give way provisions are critical.

8. Do you think there will be any safety or access-related problems with mobility devices operating in different spaces? Please explain.

   - Given that they are required by those with mobility issues, it is important that they be legally allowed to use the most appropriate surface/ lane for their device.

9. We intend to review the mobility device category at a later date. What factors do you think we need to consider?

   - No comments
Alternative proposal

10. We have outlined an option to not change vehicle definitions. This means we would make changes at a later date instead. Do you prefer this option to our proposal to change vehicle definitions now (see proposals 1A, 1B, 1C, 1D for more details)? Why/why not?
   - The Waitematā Local Board is supportive of changing definitions now.

Proposal 2: Establish a national framework for the use of footpaths

11. Our proposed changes will allow mobility devices, transport devices, and cycles on the footpath - provided users meet speed, width and behavioural requirements. Do you support this? Why/why not? Should there be any other requirements?
   - The Waitematā Local Board is supportive of this proposal.
   - It is important that low-speed, low-risk cycling/riding is legally allowed on footpaths, to allow parents to ride with children, and for cyclists/riders to avoid high-risk roads that have poor cycling facilities.

12. We have outlined two alternative options to address cycling on the footpath. These are:
   a. allow cyclists up to 16 years of age to use the footpath; or
   b. Continue the status quo, where most cyclists are not allowed to use the footpath.
   Do you prefer either of these options instead of allowing cyclists on the footpath?
   - The Waitematā Local Board prefers the original proposal, allowing cyclists on the footpath.

13. Would you support an age limit for cycling on the footpath? What age would you prefer?
   - The Waitematā Local Board would not support an age limit.
   - Ability and confidence is not linked to age in every situation, and older riders may not feel comfortable on certain roads.

14. Our proposal allows road controlling authorities to restrict cycle or device use on certain footpaths or areas of footpaths to suit local communities and conditions. Do you agree with this proposal? Why/why not? Do you have any comments on the proposed process?
   - The Waitematā Local Board is supportive of this proposal.
   - It is important for local authorities to control this, particularly in busy urban areas.

15. We envisage that local authorities will make decisions to regulate the use of paths by resolution, rather than by making a bylaw. Should this be specified in the Land Transport Rule: Paths and Road Margins 2020 to provide certainty? Why/why not?
   - No comments

16. We’re proposing that road controlling authorities consider and follow criteria in addition to their usual resolution processes if they want to restrict devices from using the footpath. Do you agree with this proposal and the proposed criteria? Why/why not?
   - The Waitematā Local Board is not supportive of this proposal.
   - The proposal would require a longer timeframe (consultation etc) meaning that there may be delay in actioning urgent issues.

17. We have also outlined an option to maintain current footpath rules. Would you prefer this option instead of the proposed framework with speed and width requirements? Why/why not?
   - A new framework is required, to ensure the most vulnerable road users are protected. Pedestrians must not be put at risk by these changes.

Proposal 2A: Users on the footpath will operate vehicles in a courteous and considerate manner, travel in a way that isn’t dangerous and give right of way to pedestrians

18. We propose that pedestrians should always have right of way on the footpath. Do you agree with this proposal? Why/why not?
• The Waitematā Local Board is supportive of this proposal.
• Pedestrians are the most vulnerable road corridor users and must be protected.

19. This proposal sets out three behavioural requirements; that footpath users will:
• operate vehicles in a courteous and considerate manner,
• travel in a way that isn’t dangerous, and
• give right of way to pedestrians.
Do you agree with these three requirements? Are there any others we should consider?

• The Waitematā Local Board is supportive of this proposal.

Proposal 2B: Default 15km/h speed limit for vehicles using the footpath

20. Do you agree with the proposed default speed limit of 15km/h for footpaths? Why/why not? Do you think the proposed speed limit should be higher/lower?

• The Waitematā Local Board is supportive of the standard speed limit being 15kph on footpaths.
• However, we note it is difficult to measure speeds – most micro-mobility vehicles do not measure speed, it is hard to measure slower speeds and there is minimal enforcement of footpaths. An approach based more on whether cycling or micromobility use is dangerous may be better and adapt more fluidly to situations. 15kph is too fast in a crowd, but very slow (and hard to judge) on a long empty pavement in an industrial area.

21. Do you agree with the proposal that road controlling authorities will be able to lower the default speed limit for a footpath or areas of footpaths? Why/why not?

• The Waitematā Local Board is supportive of this proposal.
• Local authorities need to be able to act quickly and independently to solve local issues.

22. Are there other ways, that you can think of, to improve footpath safety? Please explain.

• The Waitematā Local Board suggests that where there are accidents there be a default assumption that the person obliged to give way has been negligent and is at fault, and may be penalised in some way.
• Micromobility users should also operate vehicles in a "defensive" manner, leaving a wide berth around pedestrians and other users, and when negotiating street corners, front gates and driveways. It may be helpful if there is an expectation for vehicle users to stay on the road side of the street. This may require an information campaign so it is easier to predict rider behaviour.
• The Waitematā Local Board also suggests a framework that where micromobility use is heavy or impeding the pedestrian amenity of the footpath, road authorities should be obliged to consider installing a separated cyclistway.
• Separated cycle ways on arterial roads would improve footpath safety and the Waitematā Local Board advocates for a connected cycle network across Auckland.
• 30kph road speeds, particularly around schools and town centres will remove some pressure from footpaths as cyclists and scooter users will be safer on the roads.
• Street trees, seating, planter boxes and other pedestrian amenities may also make the pathways safer by creating a "traffic calming" effect and making it clear that pedestrians have priority on footpaths.

Proposal 2C: 750mm width restriction for vehicles that operate on the footpath

23. Do you agree with the proposed maximum width measurement of 750mm (except for wheelchairs) for devices on the footpath? Should this maximum width limit be wider/narrower?

• The Waitematā Local Board is supportive of this proposal.
• A standard width bicycle trailer is under 600mm wide, so 750mm seems adequate for parents who wish to ride on the footpath while their children are in a trailer.

24. Do you use a mobility device? If yes, what is the width of your device? Would the proposed width restriction impact you?

• No comments.
25. Should the maximum width limit apply to mobility devices? Why/why not?
   - No, as some users may require wider devices because of health reasons.

26. We propose that people who already own a device wider than 750mm could apply for an exemption. This document also considers three alternative approaches to mitigate the impact on existing device owners:
   - mobility devices purchased before the rule changes could be automatically exempt from the width limit.
   - The Transport Agency could declare certain wider devices to be mobility devices under section 168A of the Land Transport Act, and exclude them from width requirements, or
   - Apply a separate width limit to mobility devices.
   Which is your preferred option? Do you have any comments on these alternatives?
   - Option B is preferred.

Proposal 3: Establish a national framework for the use of shared paths and cycle paths

27. Do you agree that road controlling authorities should be able to declare a path a shared path or a cycle path? What factors should be considered when making this decision?
   - The Waitematā Local Board is supportive of this proposal.
   - Local authorities need to be empowered to make changes that are appropriate to their populace and urban form.

28. Do you agree with the behavioural requirements we are proposing? Should there be other requirements or rules to use a shared path or cycle path?
   - The Waitematā Local Board is supportive of this proposal.
   - The user priority table is appropriate and should be implemented.

29. Do you agree that all users be required to give way to pedestrians when using a shared path? Why/why not?
   - The Waitematā Local Board is supportive of this proposal.
   - Pedestrians are the most vulnerable corridor users and must be protected.

30. Do you agree with the proposed speed limits for shared paths and cycle paths and the ability of road controlling authorities to change these limits? Please explain.
   - The Waitematā Local Board is supportive of this proposal.
   - Local authorities need to be empowered to make changes that are appropriate to their populace and urban form.

31. Do you think that the Transport Agency should be able to investigate and direct road controlling authorities to comply with the required criteria? Why/why not?
   - The Waitematā Local Board is not supportive of this proposal.
   - Local authorities need to be empowered to make changes that are appropriate to their populace and urban form.

Proposal 4: Enable transport devices to use cycle lanes and cycle paths

32. Do you agree that devices other than cycles should be allowed to use cycle lanes and/or cycle paths? Why/why not?
   - The Waitematā Local Board is supportive of this proposal.
   - The rise of micro-mobility devices means that more cycle lanes and shared paths are required, and these devices must be able to use them legally.

33. Do you agree that road controlling authorities should be able to exclude powered transport devices or unpowered transport devices from cycle lanes and/or cycle paths? Why/why not?
• The Waitematā Local Board is not supportive of this proposal.
• The increased variety of devices may lead to fragmentation of the definitions of powered / non-powered devices. The identification of each may also become difficult.

**Proposal 5: Introduce lighting and reflector requirements for powered transport devices at night**

34. Do you agree with the proposal that powered transport devices must be fitted with a headlamp, rear facing position light, and be fitted with a reflector (unless the user is wearing reflective material) if they are used at night? Why/why not?

• The Waitematā Local Board is partially supportive of this proposal.
• We agree that a front-facing light and a rear-facing light are required.
• We do not agree that a reflector is always required, as some devices may not have adequate surfaces for a reflector. This would then require the user to have reflective clothing, which is a barrier to use.

35. Do you think these requirements are practical? For example, if you own a powered transport device, will you be able to purchase and attach a reflector or lights to your device or yourself?

• Many powered transport devices will already have front and rear facing lights.
• Front-facing lights are relatively easy to attach to handlebars.
• Rear facing lights may be more difficult to attach e.g. on an e-scooter.
• Reflectors may not be able to be attached to devices where there are limited or thin surface areas.

36. Do you think unpowered transport device users should be required to meet the same lighting and reflector requirements as powered transport device users at night time? Why/why not?

• If they are travelling on the road, then they must have lights.

**Proposal 6A: Allow cycles and transport devices to travel straight ahead from a left turn lane**

37. Do you agree that cyclists and transport device users should be able to ride straight ahead from a left turn lane at an intersection, when it is safe to do so? Why/why not?

• The Waitematā Local Board is supportive of this proposal.
• It is safer for users to stay in the left lane to go straight ahead.

**Proposal 6B: Allow cycles and transport devices to carefully pass slow-moving vehicles on the left, unless a motor vehicle is indicating a left turn**

38. Do you agree that cyclists and transport devices should be allowed to carefully ‘undertake’ slow-moving traffic? Why/why not?

• The Waitematā Local Board is supportive of this proposal.
• Cyclists are often able to move at a higher average speed than peak traffic, and removing that ability disincentives the use of bicycles.

**Proposal 6C: Give cycles, transport devices and buses priority over turning traffic when they’re travelling through an intersection in a separated lane**

39. Do you agree that turning traffic should give way to users travelling straight through at an intersection from a separated lane? Why/why not?

• The Waitematā Local Board is supportive of this proposal.
• Road users going straight ahead, including cyclists and pedestrians, should have priority over all turning traffic, as it is safer and ensures turning traffic travels at a safer speed.

40. Our proposed change will introduce a list of traffic control devices used to separate lanes from the roadway to help you understand what a separated lane is and if the user has right of way at an intersection. Is such a list necessary? Why/why not?

• The Waitematā Local Board is supportive of this proposal.
• Education for all road users is an important part of these changes, and traffic control devices can aid this.
41. Should the definition of a separated lane include the distance between the lane and the road? Why/why not?
   - No comments

Proposal 6D: Give priority to footpath, shared path and cycle path users over turning traffic where the necessary traffic control devices are installed

42. Do you agree that turning traffic should give way to path users crossing a side road with the proposed markings? Why/why not?
   - The Waitematā Local Board is supportive of this proposal.
   - Road users going straight ahead, including cyclists and pedestrians, should have priority over all turning traffic, as it is safer and ensures turning traffic travels at a safer speed.

43. Do you think that the proposed minimum markings are appropriate?
   - Yes, the proposed markings are appropriate.

44. We are proposing future guidance for additional treatments. Is there any guidance that you would like to see or recommend?
   - No comments

Proposal 7: Mandate a minimum overtaking gap for motor vehicles passing cycles, transport devices, horses, pedestrians and people using mobility devices on the road

45. Do you agree with the proposal for a mandatory minimum overtaking gap for motor vehicles of 1 metre (when the speed limit is 60km/h or less), and 1.5 metres (when the speed limit is over 60km/h) when passing pedestrians, cyclists, horse riders, and users of other devices? Why/why not?
   - The Waitematā Local Board is supportive of making a passing gap mandatory proposal, with two important changes.
   - 1.5 metres is required at all speeds unless there is insufficient room to pass in which case drivers should slow to 30kph.
   - When passing a horse, it is suggested to continue to follow the official NZ road code: “drivers must slow down as much as possible, give horse and rider plenty of room, or risk being charged with careless or dangerous driving”. The proposed change is dangerous.

Proposal 8: Clarify how road controlling authorities can restrict parking on berms

46. Do you agree with the proposal that road controlling authorities should be able to restrict berm parking without the use of signs and instead rely on an online register? Why/why not?
   - The Waitematā Local Board is supportive of this proposal.
   - It is important for local authorities to enforce their own streets without relying on central government.
   - Additional signage is costly and unsightly.

47. Would it be helpful if information on berm parking restrictions was available in other places, like at a local library, i-SITE, or a local council?
   - No comments

Proposal 9: Give buses priority when exiting bus stops

48. Do you agree that traffic should give way to indicating buses leaving a bus stop on a road with a speed limit of 60km/h or less? Why/why not?
   - The Waitematā Local Board is supportive of this proposal.
   - Increasing efficiency of public transport is a high priority for the Auckland region.
49. Should traffic give way to buses in other situations? For example, when a bus is exiting a bus lane and merging back into traffic lanes? Why/why not?

- Buses should have right of way over all other vehicles (except emergency vehicles).
Te take mō te pūrongo
Purpose of the report
1. To enable the local board to receive the decision made under urgency to alter the time for the additional meeting to be held on 5 May 2020 at 4.30pm [WTM/2020/57] to the earlier start time of 1.00pm.

Whakarāpopototanga matua
Executive summary
2. The Waitematā Local Board agreed at the 17 March 2020 business meeting to add an additional meeting into the 2019-2022 meeting schedule for the 5 May at 4.30pm.

3. The purpose of the additional meeting was to accommodate the Annual Budget 2020/2021 timeframes.

4. At the time the decision was made it was anticipated that the scheduled meeting would only involve one agenda item on the Annual Budget. It was therefore agreed that the meeting would start at the later time of 4.30pm.

5. At 11.59pm Wednesday 25 March the country entered into lockdown in response to the COVID-19 pandemic.

6. Due to there not being any critical or significant decisions on the agenda for the 21 April 2020 business meeting the chair agreed to cancel the scheduled meeting and defer the items to the next scheduled meeting of the 5 May 2020.

7. This would also allow the council to assess and trial the required technology that would enable the business meeting to be undertaken virtually and meet the legislative requirements outlined in the COVID-19 Response (Urgent Management Measures) Legislation Act 2020 (the Act).

8. To accommodate an extended agenda on the 5 May 2020 it was recommended that the meeting time be changed from 4.30pm to 1pm which would also align with the normal meeting times for the Waitematā Local Board.

9. It was also recommended that the venue location be changed from the Waitematā Local Board office at 52 Swanson Street, Auckland Central to the Town Hall, Council Chamber. The larger council chamber would accommodate the ability to achieve the required 2m physical distancing if physical meetings were to be allowed.

10. It is now known that New Zealand will be at level 3 on 5 May 2020 and therefore the meeting will be undertaken virtually via Skype for business.
Ngā tūtohunga
Recommendation/s
That the Waitematā Local Board:

a) receive the urgent decision dated 7 April 2020 to alter resolution WTM/2020/57 and change the start time of the 5 May 2020 business meeting to 1pm.

Ngā tāpirihanga
Attachments

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Ngā kaihaina
Signatories

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<tr>
<th>Author</th>
<th>Priscila Firmo - Democracy Advisor</th>
</tr>
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<tbody>
<tr>
<td>Authoriser</td>
<td>Trina Thompson - Relationship Manager/Senior Advisor Waitematā Local Board</td>
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Memo

6 April 2020

To: Trina Thompson, Waitematā Local Board Relationship Manager

From: Liz Clemm, Democracy Adviser Waitematā

Subject: Urgent decision request of the Waitematā Local Board to alter resolution WTM/2020/57

Purpose

Urgent Decision Process WTM/2019/259

The purpose of this memo is to initially seek the local board relationship manager’s authorisation to commence the urgent decision-making process and if granted, seek formal approval from the chair and deputy chair (or any person acting in these roles) to use the process to make an urgent decision.

The decision required, and the supporting information are included within this memo. The urgent decision being sought needs to be authorised by the chair and deputy chair (or any person acting in these roles) by signing this memo. This memo will be reported as an information item at the next business meeting if the urgent decision-making process proceeds.

Reason for the urgency

A request to consider the report under urgency is sought for the following reasons:

- The next scheduled business meeting is planned for the 5 May 2020.
- In response to the Central Government COVID 19 national lockdown and an assessment of the planned agenda items it was determined by the local board chair that as there were no time critical or significant decisions on the agenda the scheduled 21 April 2020 business meeting was to be cancelled and all items to be deferred to the 5 May 2020 business meeting.
- The 5 May 2020 business meeting is an additional meeting that was added to the schedule to accommodate the Annual Budget timeframes.
- A decision is sought to alter the start time of the 5 May 2020 meeting from 4.30pm to 1pm to accommodate an anticipated larger agenda due to the cancellation of the 21 April meeting and to change the venue from 52 Swanson Street to the Town Hall Council Chamber to accommodate the 2 meter physical distancing required in response to COVID 19.

Decision sought from the chair and deputy chair (or any person acting in these roles)

That the Waitematā Local Board:

a) Agree to alter part of the resolution WTM/2020/1:

   a) approve one meeting date to be added to the 2019-2022 Waitematā Local Board meeting schedule to accommodate the Annual Budget 2020/2021 timeframes as follows:

   i) Tuesday, 5 May 2020
ii) note the venue for the meeting will be at the Waitematā Local Board office, 52 Swanson Street, Auckland Central, starting at 4.30pm.

to:
a) approve one meeting date to be added to the 2019-2022 Waitematā Local Board meeting schedule to accommodate the Annual Budget 2020/2021 timeframes as follows:
ii) Tuesday, 5 May 2020
ii) note the venue for the meeting will be at the Town Hall, Council Chamber, Auckland Central, starting at 1.00pm.

Background

The Waitematā Local Board agreed at the 17 March 2020 business meeting to add an additional meeting into the 2019-2022 meeting schedule for the 5 May at 4.30pm.

The purpose of the additional meeting was to accommodate the Annual Budget 2020/2021 timeframes.

At the time the decision was made it was anticipated that the scheduled meeting would only involve one agenda item on the Annual Budget. It was therefore agreed that the meeting would start at the later time of 4.30pm.

At 11.59pm Wednesday 25 March the country entered into lockdown in response to the COVID-19 pandemic.

Due to there not being any critical or significant decisions on the agenda for the 21 April 2020 business meeting the chair agreed to cancel the scheduled meeting and defer the items to the next scheduled meeting of the 5 May 2020.

This would also allow the council to assess and trial the required technology that would enable the business meeting to be undertaken virtually and meet the legislative requirements outlined in the COVID-19 Response (Urgent Management Measures) Legislation Act 2020 (the Act).

To accommodate an extended agenda on the 5 May 2020 it is recommended that the meeting time is changed from 4.30pm to 1pm which would also align with the normal meeting times for the Waitematā Local Board.

It is also recommended that the venue location be changed from the Waitematā Local Board office at 52 Swanson Street, Auckland Central to the Town Hall, Council Chamber. The larger council chamber would accommodate the ability to achieve the required 2 meter physical distancing.

Authorisation of the urgent decision-making process

Signed by Trina Thompson
Relationship Manager, Waitematā Local Board Date: 7 April 2020
Approval to use the urgent decision-making process

Richard Northey
Chair, Waitematā Local Board  Date: 7 April 2020

Kerrin Leoni
Deputy Chair, Waitematā Local Board  Date: 7 April 2020

Waitematā Local Board Resolution/s

That the Waitematā Local Board:

1. Agree to alter part of resolution WTM/2020/2:
   a) approve one meeting date to be added to the 2019-2022 Waitematā Local Board meeting schedule to accommodate the Annual Budget 2020/2021 timeframes as follows:
      i) Tuesday, 5 May 2020
      ii) note the venue for the meeting will be at the Waitemata Local Board office, 52 Swanson Street, Auckland Central, starting at 4.30pm.
   to:
   a) approve one meeting date to be added to the 2019-2022 Waitematā Local Board meeting schedule to accommodate the Annual Budget 2020/2021 timeframes as follows:
      i) Tuesday, 5 May 2020
      ii) note the venue for the meeting will be at the Waitemata Local Board office, 52 Swanson Street, Auckland Central, starting at 1.00pm.

Richard Northey
Chair, Waitematā Local Board  Date: 7 April 2020

Kerrin Leoni
Deputy Chair, Waitematā Local Board  Date: 7 April 2020
Te take mō te pūrongo / Purpose of the report
1. To provide an update on projects, meetings and other initiatives relevant to the local board’s interests.

Ngā tūtohunga / Recommendation
That the Waitematā Local Board:
a) receive the Chair’s report for the period March – April 2020.

Ngā tāpirihanga / Attachments

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Ngā kaihaina / Signatories

<table>
<thead>
<tr>
<th>Author</th>
<th>Priscila Firmo - Democracy Advisor</th>
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<tbody>
<tr>
<td>Authoriser</td>
<td>Trina Thompson - Relationship Manager/Senior Advisor Waitematā Local Board</td>
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Waitematā Local Board Chair Richard Northey’s Report to the May 5th, 2020 Waitematā Local Board Meeting

Roles

My Waitematā Local Board official roles are:

Chair of the Waitematā Local Board

Local Government New Zealand National Councillor, representing the Auckland Local Boards

Deputy-Chair of the Auckland Council Joint Governance Working Party

Board representative on the Auckland City Centre Advisory Board

Portfolio Holder for Community Development and Community Facilities

Deputy Portfolio Holder for Parks, Sport and Recreation

Portfolio Holder for Alcohol Licensing Applications

Board representative on the Ponsonby Community Centre Committee

Board representative on the committee of Heart of the City BID

Deputy board representative on the Karangahape Road Business Association

Board representative on the working group on alcohol and community safety in the central city.

Liaison board member for the Central City Residents’ Group

Liaison board member for the Citizens’ Advice Bureaux

Board member for the Community Liaison Group for construction of the Karangahape Road station of the CRL.

Deputy board member for the Ports of Auckland Community Liaison Group.

Major Issues

Because of the Covid-19 lockdown the Board Members and Staff of the Waitematā Local Board have been working entirely from home since the 23rd of March. The Board Office has been closed from that date and is unlikely to reopen for a month or so. Board members and staff are working well together by phone, email and skype meetings. The 21 April meeting of the Board was postponed until the 5th May and will be held by skype. It is likely that the 19 May meeting will also occur by this means.
Once we are at a lower alert level, we will hold Board meetings, starting from 16 June, in large meeting rooms in the Town Hall to ensure social distancing for all those present. An article from me on our Facebook page about this is attached.

Board Members have been working closely with their communities and local business associations during the Lockdown. Much of this work has been about informing and advising local businesses on issues relating to how best to survive and sustain themselves and their staff during this period and successfully to recover in an appropriate manner and form. We have dealt with queries about the nature of the restrictions during the lockdown and its effective enforcement. In our grants programme and our local board plan we intend that a priority will be Covid-19 recovery and developing planning and resilience for similar challenges in the future, whether they be pandemics, extreme weather events or natural or manmade disasters.

The Waitakere Local Board has continued to work on its proposed Annual Budget for the 2020/21 Financial year and on our Local Board Plan for the next three years. I drafted an updated version of the Chair’s introduction to the draft Board Budget and wrote the first draft of my proposed introduction to the three-year Local Board Plan (attached). We are particularly actively seeking out the views of people and groups that do not normally participate in such consultations. Because of the impact of the lockdown for the Covid-19 pandemic, which has cost the Auckland Council about $450 million in revenue, there will be a further round of public consultation on the Council’s and Board’s budget. We will all need to communicate our views about whether and by how much to cut particular Council and Board services and projects. In order to remain as many valued services and projects as possible it will probably be appropriate to advocate to retain the long-term plan’s 3.5% rate rise provided appropriate rates postponement and relief policies are implemented as well. There will be proposals for rates postponement and relief, including for business owners and on the appropriate rates level. Residents and businesses can postpone paying the current quarterly rate demand until 31 August. This further consultation will take place in late May and the final budget decisions made by the end of July.

In terms of the Local Board Plan our initial thinking is to give specific recognition and priority to Māori identity, participation, stories and culture in our outcomes and objectives. Connected communities, urban design, environment, transport, and prosperity are proposed to be our other outcomes. We also propose to infuse the need for action on the climate heating emergency not merely in our environmental objectives but throughout our Board Plan. We intend also to recognise the need for planning and provision for future extreme weather events, pandemics, and disasters.
The sudden closure of the Leys Institute Library and Gymnasium late in December was a major shock for me and the other Board members. It was the result of a decision by expert Council staff for public safety reasons. We quickly passed an emergency resolution to provide a public library service as soon as practicable in Three Lamps at 14 Jervois Road. It will be called the Little Leys Library. It should operate from there for at least the next three years and will have the same opening hours as the Leys Institute Library had. All Board Members have agreed with me that they are keen that the Leys Institute buildings be retained by Council and be fully restored for public use. We are planning to receive a report at our 16 June Board meeting about options for the future for these buildings. The Board very much hopes this can and will lead to the restoration and re-use of the buildings.

Because of the resulting greater use of the Freemans Bay Community Hall the Ponsonby Community Centre Committee has decided in principle in favour of taking up the future role of governance of the Freemans Bay Community Hall.

The Waitematā Local Board has spent a lot of time and local consultation about the appropriate future of the group of pine trees at the eastern end of Western Springs Park. Board members have committed themselves to seeking out all the information and insights that they require before they make an appropriate informed decision about these pine trees at a future meeting. A media statement on this is attached.

Community Portfolio Activities

Some activities under this heading have been.

10, 16, 17, 18, 19 March Exercise programme at the Pitt St YMCA until it closed.

11 March Launch of the Writers’ Festival, which was later cancelled. Opening Night of The Book of Mormon courtesy of its producers.

12 March Annual Meeting of the Central City Labour Party branch - I reported to the meeting under its agenda item Waitematā Local Board issues. Arts Festival Ballet: Snow White

13 March Arts Festival NZ Opera performance: Eight Songs for a Mad King, at the Ellen Melville Centre.

14 March Arts Festival theatrical performance of the Aboriginal / Maori co-production: Black Ties. Lots of fun and I got to dance with my two favourite Aboriginal actresses on the wedding red carpet at the end. In contrast participated in the vigil at St Matthew's reflecting on the anniversary of the Christchurch mosque massacre.

16 March Reported on Waitematā board activities to the Auckland Central Labour members.

17 March meeting with Paul Bragwanath re future of St David’s church. 17 March meeting of the Local Board

22 March I was at the Grey Lynn Farmers Market and, with Councillor Pippa Coom, spoke to its manager and the Grey Lynn Community Centre manager about future issues.

23 March spoke to Michael Richardson, Karangahape Road Business Association about security and business continuity issues as a consequence of the Covid-19 pandemic.

28 March Fabian Society Zoom Discussion about a Job Guarantee Scheme.

31 March Met Luke Niue re the proposed Erebus Memorial and other Parnell issues.

1 April Karangahape Road Business Association Zoom Meeting from which I communicated the key issues raised on to our staff. Auckland Community Housing Association Microsoft Teams meeting.

8 April Karangahape Road Business Association Zoom Meeting.

9 April Heart of the City Zoom Meeting.

16 April Karangahape Road Business Association Zoom meeting.

20 April Briefed the Auckland Central Labour Party members on Waitemata Board and Council budget issues.

23 April Karangahape Road Business Association Committee; YMCA Zoom Meeting; Central City Network Meeting.

24 April Superdiversity Institute meeting re racism and Covid-19; Heart of the City Committee meeting.

Parks, Sports and Recreation Activities and Liquor Licence Applications

In this period these have included:

14 March Took part in the Symonds Street Cemetery open day. Talked with Trish Reade about current issues, accompanied historian David Verran on a tour of the western half of the cemetery, and talked with the enthusiastic Healthy Waters staff member about the clean-up and replanting around the Waiparuru Stream.
17 March An approach was made about the possible use of a building in the Symonds Street cemetery.

27 March Responded to complaints about people playing on play equipment in Cox’s Bay Reserve, Grey Lynn Park, Myers Park and Thomas Bloodworth Park.

30 March and 3, 12 and 22 April Scouting activities on lockdown compliance in Western Park.

5 April Scouting what people were doing in Grey Lynn Park.

8 April Responded to a Landowner Approval Application from Auckland Transport to use land in Jagger’s Bush fronting Meola Road to use as machinery storage for building the Point Chevalier and Meola Road cycleway. Responded to complaints about the felling of trees with Dutch Elm disease, threatening power lines or affecting walkways.

**Waitematā Local Board General Activities**

During this period, the Waitemata Local Board activities I have taken part in have included:

9 March Chairs and Deputy-Chair’s Meeting with Board staff. Public Meeting convened by Nikki Kaye re Traffic Issues in Collingwood St and Freemans Bay.

10 March Waitematā Local Board Workshop.

11 March Waitematā Local Board public consultation Climate Change Workshop

12 March Made a Submission opposing the breaking up of the Auckland Design Office team. Meeting re the proposed 37 George Street Private Plan Change. Meeting with Kainga Ora on local housing projects. Issued media statement about the current problem of pollution of streams flowing into Hobson Bay

13 March, Issued Waitemata Local Board March e-Bulletin. Took part in Kura Kawana training on Obligations to Maori.

16 March Chair’s run through of board meeting draft resolutions.

18 March Enjoyed a lunch meeting of Waitematā Local Board members hosted by the Panuku Development CCO board. Met with staff to initiate changes in our work, workshops, and meetings as a result of the Covid-19 Virus. Issued a media statement about our meeting’s interim decisions on the Western Springs pines issue.
19 March Waitematā board members were hosted by Panuku on a walking tour of Wynyard Quarter Developments. We heard on site presentations from Willis Bond, the apartment developers, the Hyatt Hotel, and the America’s Cup related preparations.

20 March I compiled my April article for the Ponsonby News (attached). I had a meeting with the Ministry of Culture and Heritage.

22 March Consultation with Phil Wilson and then with Trina Thompson about how the Board will meet during the Covid-19 pandemic.

23 March Meeting of board chair with staff. Training on the use of Skype for future meetings and workshops.

24 March Waitemata Local Board workshop carried out entirely by skype.

25 March Skype Meeting with Alex Bonham to draft a Notice of Motion for consideration by the Local Board concerning the environment and biodiversity in the Hauraki Gulf. Further drafting was undertaken on 27 March.

26 March Discussion with Viv Beck about sustaining businesses during the Covid-19 Pandemic. Discussion with Trina Thompson about forthcoming issues.

27 March Briefing by NZTA about their consultation about the Northern Pathway project, formerly called the Skypath.

30 March Chaired the weekly Chair’s meeting with board staff by skype. Helped draft the Waitematā Local Board Newsletter. Consulted on the picture for the cover of the Waitematā Local Board Plan. Discussed the possible deferral of the Ponsonby Park Project.

31 March Updated and completed the Board’s Submission on the CCO Review. Chaired a Waitematā Local Board skype workshop on the Waitematā Board’s Transport Capital Fund and the West Waitematā Community Facilities Project. There was particular reference to the restoration of the Leys’ Institute Library and Gymnasium on which the Board will receive a report in June.

2 April Meetings with Dee Sims re communications and with Trina Thompson re future meeting issues.

3 April Wrote a detailed Facebook note on Waitematā board activities in light of the Covid-19 Level 4 lockdown.

4 April Carried out drafting of the Waitematā Local Board Plan

5 April Reviewed the Waitematā Board’s advocacy positions.
6 April Chaired a planning meeting with Waitematā Board Staff. Discussed the content of the Waitemata Local Board Plan with Caroline Teh.

7 April Chaired a Waitematā Local Board Workshop. We considered the impacts of the Covid-19 lockdown and how to respond; and the draft Waitemata Local Board Plan 20 /23.

10 April Drafted a Chair’s message for the draft Waitemata Local Board Plan 2020 / 2023.

15 April Approved the Urgent Decision on the Board’s Feedback on the Government’s Accessible Streets proposal. Spoke to NZTA about progress on their Northern Pathway consultation, particular about its connection at Northcote Point.

16 April Drafted the article for the May edition of the Ponsonby News.

17 April Council briefing of Local Board Chairs about responding to the COVID-19 pandemic and about Council financial issues including changes that will be required to next year’s budget. Compiled and circulated an account of the COVID-19 briefing to all Board members. Introductory skype workshop by Resilient Organisations for Waitemata Local Board area businesses.

19 April Compiled and circulated an account of the board Chairs’ briefing on budget issues to all Board members.

20 April Weekly meeting of Board Chair and Deputy Chair with Board staff. Revised and forwarded monthly article to the Ponsonby News (attached).

21 April Waitematā Local Board workshop re feedback on the consultation on the Budget and advocacy issues.

22 April Meeting with communications adviser. Work on a submission on the Local Government (Rating of Whenua Maori) Bill.

23 April Board members were briefed and provided immediate responses on Auckland Transport’s proposals for enabling social distancing for pedestrians on main streets in the ward. These involved increasing the proportion of time for pedestrians to cross at intersections with traffic lights and effectively widening the pedestrian space in those streets.

Auckland Council and National Activities

In this period the meetings and events I took part in included:
9 March Local board chairs meeting with manawhenua re Te Kete Rukuruku. Local Board Chairs Meeting where I spoke to our Board's draft submission on Council's CCO review.

10 March I was elected Deputy-Chair of the Council's Joint Governance Working Party. Informal Meeting of Members of the Auckland City Centre Advisory Board.

13 March I chaired the first meeting ever of the Auckland Zone of Local Government New Zealand.

16 March Local Board Members Cluster Forum.

20 March Flew to Wellington to participate in my first meeting of the Local Government New Zealand National Council. Because of Covid-19 concerns they decided to cancel their Conference in July and to postpone their Annual General Meeting until November.

26 March Local Board Chairs’ Weekly Covid-19 skype briefing.

27 March Problem Gambling Foundation Board briefing via Microsoft Teams.

1 April Problem Gambling Foundation Executive meeting via Microsoft Teams.

2 April Local Board Chairs meeting and briefing by Skype.

6 April Chaired Peace Foundation Committee teleconference call.

8 April Auckland City centre Advisory Board members meeting.

9 April Auckland Council Local Board Chair’s Briefing. I compiled a summary and circulated it to Waitemata Board Members and staff.

21 April Local Government New Zealand National Council Meeting by zoom concerning elected member remuneration issues.

22 April Informal meeting of the Auckland City Centre Advisory Board; PGF Board Zoom meeting.

23 April Briefing by Auckland Council for Local board chairs of latest development in the response by Council to COVID-19, particularly the freeing up or restoration of some activities, including an extra two hours per day for construction activities. We were also briefed by Watercare of the likely need for water restrictions as a consequence of the drought.

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<td>Waitematā Board Chair Richard Northey’s April Facebook Note</td>
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<td>2</td>
<td>Draft Message from the Chair for the 20/23 Waitematā Local Board Plan</td>
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<td>3</td>
<td>Ponsonby News Chair’s Article April 2020</td>
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<td>5</td>
<td>Western Springs pine tree removal delayed email communication</td>
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Attachment 1

Waitematā Local Board Chair Richard Northeys April Facebook Note

Tena Kotou Katoa.

I am drafting this note to you on my home computer in my apartment in Freeman’s Bay. I haven’t been able to visit the Waitemata Local Board Office since March 23, and neither have any other Board members or staff. Nevertheless, we are all working for you from our homes, including using Skype to meet each other when needed. This Wednesday alone I had four such Skype meetings. I am still following up on all the queries and concerns that you are raising with me on email richard.northeys@aucklandcouncil.govt.nz. All of our staff and Board Members can be reached readily on waitematalocalboard@aucklandcouncil.govt.nz. Our individual contact details are on the Auckland Council website.

For exercise I have been in the living room doing the Les Mills gym exercises on TV! At 9am. Before lunch Robyn and I go for a local walk – Karangahape Road, Ponsonby Road or Western Park - waving at people from over two metres away. It has been good to see people staying off the Western Park playground as its hard surfaces would spread Covid-19 viruses for three days after someone else used it. There is still a toilet open in that park and you can check the Council website for the toilets still open if you need to use one while getting some fresh air.

I have been working with some of our local business associations to find out the gaps in the assistance from government to sustain local businesses and jobs. I have been sending on the concerns and possible solutions that have come from local businesses on to the Mayoral Business Advisory Group and to ATEED. ATEED is carrying out a systematic survey on how businesses are coping and what they still need. If your business has a particular concern you are very welcome to contact any of them for advice.

The Waitemata Local Board continues to have a workshop by Skype every Tuesday. As our scheduled 21 April meeting would have been during the scheduled lockdown we have postponed it until 5 May at 1pm. We hope to be able to hold it in the Reception Lounge of the Town Hall so you can physically come along. We are looking into how you could view and make submissions to that meeting if Level 4 of the Covid-19 Lockdown is still in force and we have meet by Skype. We will be considering our budget spending for the 2020/2021 financial year in the light of the feedback you have given us. I personally believe that this is not the time for cutbacks and austerity and, in particular, we should act to help keep people in jobs and businesses to be sustained and to recover. Any families or businesses that can’t afford to pay their rates will get
an empathetic hearing from Council staff if they need to apply to have some or all of their forthcoming rates payments postponed.

Waitemata Local Board Members are asking questions on your behalf about the future of the Leys institutes Buildings. Our questions will help ensure that the reports staff are researching and compiling on how best to restore those buildings for public use, which will come to our June Meeting and lead to a clear way forward. We will also be making decisions in May on our Local Community Grant applications. Our Local Board Plan drafting will continue for public consultation in the second half of the year.

We are all very much dependent on each other to get through this COVID-19 Crisis. Please stay at home except for exercise and essential purchases. When you are out keep two metres away from everyone else and don’t touch play equipment or any solid surface. Do this to save lives. Above all - stay kind.
Attachment 2

Draft Message from the Chair for the 20/23 Waitemata Local Board Plan

Waitemata is the heart and soul of Tamaki Makaurau, where many people choose to live, work, study, visit, play and be entertained. It is vital that the passion, energy, and creativity of all is advanced.

Waitemata has seen dramatic changes and immense growth, challenges, and opportunities. The city centre is undergoing major transformation, we have declared a climate emergency and COVID-19 has brought uncertainty. We want to make sure Waitemata will continue to be a place where our businesses thrive, our communities feel safe and connected and our environment is healthy as we respond effectively and resiliently to climate changes, major construction works, disasters and pandemics.

It is my privilege to present our Waitemata Local Board Plan 2020-2023, taking into account the previous plan, the Parnell Plan and new play and park development plans. This draft plan presents our vision and aspirations for the next three years. Let us know if you think we have got it right.

A new focus we propose for the three years ahead is empowering Māori and celebrating identity and culture. We will continue to strengthen our partnerships with mana whenua and work together to integrate Māori values and history into our planning and decision-making and showcase the rich heritage through design, public art, signage, and park names.

It is important that everyone who lives in Waitemata has a place to call home, feel safe and be connected. We will focus on providing opportunities that are inclusive and accessible, promote gender equity participation, empower women and girls as well as all ages, ethnicities, and abilities.

We have heard from you that housing affordability and homelessness are significant issues and we will advocate for solutions to end homelessness. Events, arts, and recreation creates a vibrant, healthy, and connected community as well as create local jobs and we will continue to support local events and community arts programmes.

A high-quality urban development includes accessible, versatile and sustainable public and private spaces. We are committed to creating additional open spaces and want to see the community's vision of a park on Ponsonby Road become reality. With your support we will activate our public spaces and implementing park improvements. You have been very clear that the Leys Institute building is an important community asset and we will advocate for the restoration of the public library.
We remain committed to the environment and propose to continue our focus on restoring our waterways, combating air pollution, and responding to the climate emergency. We will continue to support community-led projects to reduce carbon emissions. Together with our communities, we will grow our vital tree cover, support local gardens and composting, and continue agrichemical-free maintenance in our parks.

We need a sustainable transport network that is safe, accessible and provides sustainable choices. We propose to extend our greenways, connect our cycleways, and design streets as public spaces that prioritise pedestrians and active transport. We propose that safety is a key priority and will focus on improving safety, particularly around schools.

Waitematā is the major centre for employment and business in Auckland. We aspire for a sustainable and innovative Waitematā economy that thrives whilst responding to climate change, transformation projects and disasters. We will continue to work on placemaking with our BIDs to improve connectivity and streetscapes. Our creative industries and the spaces they work from will continue to be supported.

Some initiatives and services we are proposing are dependent on finance or resource, and we will need to secure funding. We also acknowledge the challenges our city faces in maintaining services levels and keeping rates rises at acceptable levels while faced with a time of uncertainty as we recover together from the impact of COVID-19.

We are fortunate to have engaged and passionate communities that influence our local board projects. We look forward to receiving your feedback on this plan to ensure we have a final plan that enables us to continue working with you over the next three years. By working together, we can achieve our aspiration to make Waitematā the best place it can be.
The COVID-19 pandemic has dramatically changed the work and daily lives of us all. For the Waitematā Local Board it means more work for both board members and board staff but most of this work will now be done from our homes. I can still be contacted readily at 021534546 or richard.northey@aucklandcouncil.govt.nz and the staff at waitematalocalboard@aucklandcouncil.govt.nz.

We are already having board Members and staff joining meetings by skype and we are exploring options on how public can safely input into our board meetings. Our April board meeting will be moved to the Town Hall Reception Room with a larger meeting room to contain all interested members of the public but at a socially safe distance from each other. We will concentrate on urgent and vital business so some issues may need to be delayed until the COVID-19 crisis is over. Please be kind, understanding and patient with us as we now all need to be with each other.

The Waitematā Local Board members continue to receive messages from members of the public concerned about the sudden closure of the Leys Institute Library and Gymnasium. I and the other board members are strongly opposed to demolishing or selling the buildings. The board made an urgent decision just before Christmas to lease premises for the library at 14 Jervois Road for 3 years. It was planned to open the Little Leys Library on 31 March, however following the Mayors announcement on the temporary closure of libraries, pools, recreation centres and major venues in response to COVID-19, the Little Leys Library will now open when all other libraries re-open. The Council is ensuring the old buildings are cleaned and maintained, graffiti is removed, clear signage is provided about the situation and where the alternative services are provided. We very much hope that these buildings can be restored to their former glory and to public use.
We have been engaging actively with the community about our proposed Budget and seeking early input into the drafting of the Local Board Plan. We talked to lots of people at our successful Myers Park Medley event, at Uptown Sounds in Basque Park, a youth hui called Seeding Our Future, the Central City Network, our Beating the Bounds event where board members walked and chatted with residents the whole length of the board area, and a Climate Change workshop. We held formal hearings on the Annual Budget with community groups on 3 March. As well as progressing the Ponsonby Park Project, we are keen to support community action on the climate heating emergency, combatting homelessness, parks development, cleaning up streams and environmental enhancement and contribute to mitigating the effects of COVID-19.

Our March Waitematā Local Board meeting considered a report on the proposed Western Springs Native Bush Restoration Project. Some members wanted to make sure that the method and timing of removing the remaining century old pines was the right one, so the board sought more information about that. We are agreed that we want to restore the area to be a healthy native bush park and with restored public access and use.

The Board meeting endorsed Council’s proposed Auckland Climate Action framework. We added support for local composting systems, requested priority for water management and retention issues, and making the scheduling and retention of notable trees easier. We strongly supported Western Springs College’s application for funding to build an additional indoor sports court for public use. After I and our transport spokesperson Graeme Gunthorpe took part in a public meeting about traffic issues in Collingwood Street and Freeman’s Bay, we urged Auckland Transport to act on these issues as soon as possible. We made a submission on Council’s CCO review urging that most of the roles of the CCOs be returned to Auckland Council and Local Boards and to improve transparency and democratic accountability.
The COVID-19 pandemic has drastically changed the work and daily lives of us all. For the Waitematā Local Board it has meant a lot of work for both board members and board staff. The board office has been closed until further notice and all our work and most of our daily activities are now being done from our homes. As I can’t go to the YMCA, I am keeping fit doing the Les Mills exercises every day at 9am on TV1. I can still be contacted at 021 534 546 or richard.northeay@aucklandcouncil.govt.nz and the staff at waitematalocalboard@aucklandcouncil.govt.nz.

We are now having board members and staff meeting each other by Skype. Our frequent meetings with other groups and individuals are happening by phone, Zoom and Microsoft Teams. Our April business meeting was postponed to 5 May as well as holding the normal 19 May business meeting. These have been moved to the Town Hall, as it contains meeting rooms large enough to contain all interested members of the public but at a physically safe distance from each other. If the COVID-19 level remains too high for face to face meetings, we have new legislation allowing us to meet by Skype, and we are organising for those public deputations giving notice to submit to us by this means. We will concentrate on urgent and vital business so some issues may need to be delayed until the COVID-19 crisis is over.

We know that the pandemic has limited your lives, threatened your incomes, and placed severe stress on households. Please be kind, understanding and patient with each other as we now all need to be to recover well from this pandemic. The ban on using play and exercise equipment or touching park seating is all purely to stop the spread of the virus, which survives on such surfaces for three days. Similarly, the ban on boating, long car drives and other potentially risky activities is to keep medical and emergency services free to deal effectively with eliminating the virus.
The Waitematā Local Board members continue to receive messages from members of the public concerned about the sudden closure of the Leys Institute Library and Gymnasium. I and the other board members are strongly opposed to demolishing or selling the buildings. The board made an urgent decision to lease premises for the library at 14 Jervois Road for three years. The Little Leys Library will open with the same hours and at the same time as the other Council libraries. The Council is ensuring the old buildings are cleaned, maintained, and protected. Council staff are researching how best to restore these buildings and the services they provided. This is complex work and the options for doing this work will be presented to us in public at our business meeting on 16 June. We very much hope that these beautiful buildings can be restored to their former glory and to public use.

We have been engaging actively with the community about our proposed Annual Budget and Local Board Plan, which is part of the Council Annual Plan consultation. Because the impacts of COVID-19 have reduced Council income by $450million, even with a 3.5% rate rise there will be substantial cuts to the infrastructure projects, maintenance and services provided by the Council. Provided these projects stack up, I believe, as does the Government and most business organisations, that we should maintain services to keep people in jobs and aid the recovery of businesses whose survival is otherwise very much at risk. We are concerned that cuts may result in the postponement or cancellation of the Ponsonby Park project at 254 Ponsonby Road and cuts in valued Council services, which we will certainly advocate to retain on your behalf.
We are very much aware that some people will find it difficult to pay their rates this year. However, Council has developed policies for postponement and rebates to help, and people in this situation should not hesitate to contact Council to apply for this relief. Council is also providing food parcels and advice for those who have unexpectedly lost their income. Ring 0800 22 22 96 if you need this.
Attachment 5

Hi Richard,

Here it is below and online here:

Western Springs pine tree removal delayed
Published: 18 March 2020

Waitematā Local Board has voted to delay the implementation of a resource consent to remove a stand of pine trees at Western Springs Lakeside Park.

The local board has asked for council staff to further explore alternative methods of managing tree removal including sectional tree felling.

The board’s decision follows the granting of a publicly notified resource consent that was required to enable the removal of the trees. The proposed removal of the pines in March/April 2020 would have enabled progression of the Western Springs Native Bush Restoration project.

The stand of approximately 200 remaining pine trees, aged around 100 years old, is in poor health and 23 of the trees are dead. Auckland Council has monitored the pines since 2005, documenting the degeneration of the stand which originally comprised around 700 trees.

Waitematā Local Board chair Richard Northey says while the board were agreed on the vision of a healthy, thriving native forest and a park area safe for all users, some members felt more information was needed before they could be certain on a decision to remove the pines.

“We hope to make a timely decision so that the native forest can begin to grow and the area can be reopened for all to enjoy,” he said.

The area of the park where the pine trees are located has been closed since 2018 for safety reasons. The area will remain closed while the local board considers the future of the tree stand and until the area is considered safe for the public to access.

Nāku iti noa, nā I Yours sincerely,
Dee Sims | Local Communications Specialist | Communications Department
Waitematā, Waiheke and Aotea / Great Barrier Local Boards
Waitematā and Gulf Ward
Auckland Council

Visit us: aucklandcouncil.govt.nz | facebook.com/Waitemata
| facebook.com/WaihekeLB | facebook.com/GreatBarrierLB
Board member reports

File No.: CP2020/04717

Whakarāpopototanga matua / Executive summary
1. An opportunity is provided for board members to update the board on projects/issues they have been involved with since the last meeting.

Ngā tūtohunga / Recommendation/s
That the Waitematā Local Board:

a) receive the written reports from members A Avendaño Christie, A Bonham and G Gunthorp, and the verbal board member reports for the period March - April 2020.

Ngā tāpirihanga / Attachments

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<td>Authoriser</td>
<td>Trina Thompson - Relationship Manager/Senior Advisor Waitematā Local Board</td>
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Waitemata Local Board
Business meeting: May 5th

Adriana Avendano Christie Board Member Report

Roles assigned by the local board:
- Parks Sports and Rec.
- Deputy Chair of the Auckland Domain Committee

General/assigned roles update:
- Auckland Domain Committee workshops and meetings with the Chair of The Domain Committee.
- Meeting with AT Liaison in regards to pedestrian safety

Meetings/events attended

This month I have mainly had to deal with Constituents who send us emails to raise issues.

Topics have been:
- Economic support to Business Associations
  - Have presented alternatives such as Winz support.
- Treescape cutting Trees
- NZ Stuff contacted me and I stated:
  “Number of diseased elms are being removed from Sarsfield St and Pt Erin Reserve, Herne Bay, commencing Tuesday April 7 (weather dependant). The larger trees are situated beside the access road to the pool, behind the pool and at 3 sites along Sarsfield St.

  All trees are confirmed to have died or are dying due to Dutch Elm Disease (DED). Auckland Council’s contractor will be carrying out this essential work, under The Biosecurity Act 1993, Auckland Council’s Regional Pest Management Plan 2020 and the Health and Safety at Work Act.”

- Responding To Erebus Memorial Concerns

Conferences/member development
Waitemata Local Board
Business meeting: May 5th
- Been attending webinars
  - Women in Urbanism – Housing Affordability and Maori Influence.
  - The Marama – Maori Gardening Practices.

Disclosures
- I am a candidate for the seat of Epsom with The Opportunities Party.
- I am moving to live in Parnell once lockdown is over.

Recommendation
That this report be received.
Alexandra Bonham Board Member Report

This report covers my Waitematā Local Board Activities from 5 March to 24 April 2020. My roles include: Planning and Heritage portfolio (lead); Culture and the Arts portfolio (second); Domain Committee member; liaison for the Karangahape Road Business Association and Herne Bay Residents Group.

Portfolio Report: Heritage and Planning

I keep track of resource consent applications for buildings, structures, and tree pruning and removal as they are received by Council, requesting further information, plans and Assessments of Environmental Effects for applications of interest. Significant applications are referred to the relevant residents’ associations for their input which I then relay to planners as part of the Local Board’s input. I particularly keep a look out for tree removals, helicopter pad requests, digital billboards facing residential buildings, impact on heritage buildings and places and more than minor breaches of the unitary plan. The Waitematā Local Board recognises the amenity value of trees and has adopted the Nga Here Urban Forest Strategy. Where it is possible to keep trees we advocate for them. Sometimes trees may be removed for the building of transport and energy infrastructure that reduces congestion and locks in lower carbon emissions in the future. Where trees are removed our position is that there should be more trees planted than are removed. Good urban design and spatial planning can make a huge difference to the quality of a neighbourhood. Considering new developments through a climate change lens is also necessary. The council has committed to halving emissions by 2030 which will impact decision-making across all departments.

Covid 19 and Housing

Emergency housing has been offered to the homeless during covid-19 and the great majority have taken this offer up. The Kainga Ora development in Grey’s Ave will continue construction at level 3. There is a deep desire from the local board that the covid-19 response will make secure quality accessible housing more widespread and not less and this is one of our priority advocacy issues.
Waitematā Local Board  
5 May 2020 (submitted 24th April)  
**Resource Consents**

19 King Street Grey Lynn Auckland 1021  
TRE60352982  
The works propose the removal of protected trees, unprotected vegetation and shrubs and works within the rootzone of protected trees, including level changes. I have asked for more information and await a reply.

17 Laurie Ave, Parnell  
SUB60352440  
Unit Title subdivision of a new dwelling, including 2 PUs and 8 AUs on a single house zone. Report promised but was not received by report deadline (again).

57 St Georges Bay Road Parnell Auckland 1052  
SUB60351443  
LUC60351442  
This resource consent was presented as a construction of five new dwellings and associated earthworks on a MHU vacant site with a five residential lot plus one JOAL subdivision (8 lot) to follow.  
It appears this is not a vacant site but a site on which stands a 150-year-old heritage villa that various community members are trying to register as heritage.  
I got the response below from the consenting team:  
“The 'title' is misleading as the proposal does involve the demolition of the existing buildings and replaced by five townhouses. In principal, the latter is envisaged by the Unitary Plan.  
In terms of processing we have received correspondence that forms part of our considerations.  
In terms of the villa, it is not scheduled under the AUP (OP) and its removal and / or demolition can be carried out as of right. Given its age (pre-1900), authority from Heritage New Zealand will be needed. This is administered under separate legalisation.  
The consent itself is also a Restricted Discretionary Activity with consents required covering 5 dwellings, a non-compliance to height in relation to boundary, land disturbance, transport, vegetation alteration and subdivision.  
During the processing of the application, there was a nomination put forward for it to be scheduled. This was subsequently withdrawn.  
We are in the process of finalising the application.
Waitemata Local Board
5 May 2020 (submitted 24th April)
My response was as follows:

We have asked for triggers with regard heritage – to call a site vacant when there is a
heritage house on the site is more than misleading. The demolition of a heritage building
should have been directly brought to the local board’s attention. This is just one of the issues
here:

1. This is a very old and fine example of a heritage building with a good deal of history
attached to it.
2. There is a heritage overlay in this area and heritage is of a good deal of importance
to people in Parnell and is part of the character and value of Parnell as Auckland’s
oldest suburb.
3. There is non-compliance with regard land disturbance, ground coverage, height to
boundary, transport, vegetation alteration and subdivision.

It is the view of the Waitemata Local Board that the unitary plan is there to guide
developments and sets boundaries for what can and can’t be done. Exceptions can be made
where the positives outweigh the negatives. This does not seem to be the case here. The
ersors in the process here, are the sort to infuriate communities and damage trust in the
council.

I have asked to be kept informed on what happens next and have recommended public
notification. While intensification is encouraged in the plan, a balance needs to be struck with
appropriate heritage protection, and proper process should be followed, not got around. The
development is on the edge of Alberton Park and this is what is proposed:
Waitematā Local Board
5 May 2020 (submitted 24th April)

22-28 Customs Street East Auckland Central Auckland 1010
LUC60353697
LUC60353726

Two separate applications, by Tattico Limited on behalf of Cooper & Company ("the applicant") have been received by the Council for the same site and both applications relate to the same western façade of the Excelsior House Building which occupies the site at 22-28 Customs Street East, corner of Customs Street East and Commerce Street. The Excelsior House Building is scheduled Category B under the Auckland Unitary Plan – Operative in Part, excluding the interior. The building is registered with the Heritage New Zealand (HNZ) as a Category II heritage item.

Application LUC60353697 proposes the installation of a mural by artist Shane Cotton and is envisaged as a public artwork. The proposed work comprises a collection of differently shaped pots arranged and painted over the entire surface of the western façade. Each pot is proposed to feature a range of different elements, including the name of different Maunga that have been important to the artist in both his whakapapa and in his life. The pots refer to a number of things. Vessels similar to these were used by early European explorers on their travels, and to transport exotic trees and other possessions to Aotearoa. They were also depicted in some of the first Whareniu painted by 19th Century Maori artists who had adopted European painting techniques. Hence, the pots are also a representation of cross-cultural exchange. This permanent work of art is being installed in conjunction with the largest exhibition of contemporary Maori art in a generation. Called “Toi Tū Toi Ora”, the exhibition will open in the Auckland Art Gallery in March 2021 and at satellite exhibition locations, the Britomart Precinct being one of those locations.

Application LUC60353726 relates to the applicant’s intention to install a new door and signage on the western façade along the Commerce Street frontage of the heritage building. It is proposed to replace the existing red wooden door with a new glass pivot door. A separate metal signage board mounted to the masonry wall adjacent to the new door is also proposed. The metal signage plate is proposed to contain either single text, or text that is integrated into the metal plate. In addition, the signage displayed on the metal plate is proposed to be fixed to the masonry wall, with concealed fixings. In a letter dated 3 February 2020 Heritage New Zealand has given its written approval for the proposal. The trust advise that as the current entry and door is not of heritage significance and the new design is suitably restrained so that it does not compete with the heritage features of the building, the proposed change to new doors and the recessed entry threshold incorporating signage is supported.

1-4/61-87 Cook Street Auckland Central Auckland 1010
LUC60353604

Replace an existing wall-mounted static billboard on the southern façade of the building with a 6.5m wide by 6m high digital billboard. The proposal is to replace an existing wall-mounted static, illuminated billboard situated on the southern façade of the building at the corner of
Waitematā Local Board
5 May 2020 (submitted 24th April)
Cook and Nelson Streets, with a new wall-mounted digital display billboard of the same dimensions. The existing associated support lighting structure would be removed. I have asked what the effects may be on existing or planned residential buildings. The applicants have put this application on hold indefinitely.

117 Quay Street Auckland Central Auckland 1010
CST60354639

To erect a structure occupying the coastal marine area involving displaying the fully rigged NZL60 winning yacht from the 2000 Americas Cup. This will be quite exciting to see.

ROAD Quay Street Auckland Central Auckland 1010
CST60354750
LUC60354751

The proposal is for the construction of a new stormwater outfall within the Quay Street road reserve and through the existing sea wall, between Queens and Marsden Wharfs in the vicinity of the Quay and Commerce Street intersections. This will be a good outcome but will mean some construction activity; and noise and vibration associated with construction.

187-189 Queen Street Auckland Central Auckland 1010
LUC60355384

There will be internal fit out works to the fourth and sixth floors of a heritage building (the Auckland Electric Board Building). Details have been requested.

18 William Denny Avenue Westmere Auckland 1022
LUC60355470
SUB60355471

The applicant seeks a combined land use (LUC) and subdivision (SUB) Resource Consent to construct two new dwellings on the site at No. 18 William Denny Avenue, Westmere. The existing dwelling will be retained in its current location, therefore resulting in a total of three dwellings on the site on completion. A freehold title is proposed around each as part of the subdivision component. I have queried the application to ensure that the subdivision is possible with the available land and am waiting to hear.

314-390 Khyber Pass Road Newmarket Auckland 1023
LUC60355496
WAT60355497
Waitematā Local Board
5 May 2020 (submitted 24th April)

Auckland Council Healthy Waters (ACHW) is proposing to install a new stormwater connection between the UoA Khyber Pass site and the existing David Crescent stormwater tunnel on Kingdon Street in Newmarket. The proposed works are required to address current flooding issues on the UoA site, by providing additional capacity that will be able to convey the 100 year Annual Recurrence Interval (ARI) to the existing stormwater network on Kingdon Street.

154-174 Beach Road Auckland Central Auckland 1010

LUC60355487

NZTA have purchased three adjoining parcels of land on Beach Road which they intend to be used for future road widening. All the buildings and structures on site are to be demolished. The road widening is not likely to happen for another 15-20 years and they intend to use the space as a carpark in the interim.

Arts Portfolio
I was very much looking forward to Pasifika and the Auckland International Arts Festival that was cut short by Covid19. I am quite sure though that the creative community will play a central role at building community as we come out of lockdown.

Herne Bay Issues
The Herne Bay Residents Group drew my attention in February to the number of street trees that are under extreme stress with the drought, also how certain tree pits that allow easy watering can help. I have committed to looking into how well trees are doing across the city, with particular regard to new plantings. A meeting will be set up for the board with the community facilities team to look into street management. Because of the Covid-19 Emergency this meeting is yet to happen but, as the drought continues, this issue continues to be recognised as of high importance and I have introduced a Notice of Motion to support investment in good water management in the May business meeting.

There have also been concerns around whether there needs to be a parking facility in Westhaven or Herne Bay for people visiting the Northern Pathway which has been consulted upon in the last few weeks. I respect their viewpoint but I also wonder whether a specific parking facility is ideal and perhaps the focus should be on encouraging people not to drive to the bridge to walk the Northern pathway so that there are carparks on the streets for people who need them. I would welcome continuing the conversation from those in agreement and disagreement with me.

As we return to level 3, construction activity returns to Herne Bay, as with other areas of the city. There has been pressure to ensure that there will be safe physical distancing possible
in busy streets and AT has responded to this with some extra road allocation to pedestrians and cyclists.

The importance of the Leys Institute has been reiterated by communities, as has been the desire to enhance the St George’s Bay area. While funding will be reduced across the council it is clear that these two projects are very important for communities.

Meetings / events attended
- 7 March - Silo Park Wynyard Edge Family Day
- 9 March – International Women’s Day Celebration Hosted by Zonta (here with award winner Pania Newton)

- 11 March – The Local Board Plan Climate Change Workshop
- 13 March – Local Government NZ Auckland Zone Meeting
- 13 March – At the Auckland International Arts Festival Performance Limbo Unhinged (complimentary tickets kindly given by the festival)
- 14 March – Symonds Street Cemetery Open Day

- 14 March – Black Ties at the Auckland International Arts Festival (paid my own way - here with another audience member)
Waitematā Local Board
5 May 2020 (submitted 24th April)

- 18 March – Lunch with the Panuku Board
- 19 March – Visit to the Wynyard Quarter
- 1 April – Zoom meeting with Karangahape Road Business Association
- 8 April – Zoom meeting with Karangahape Road Business Association
- 18 April – Zoom meeting with Karangahape Road Business Association
- 17 April – Zoom call to introduce resiliency workshop to BIDs
- 23 April – Zoom meeting with Karangahape Road Business Association

During the lockdown I have put more focus into supporting the local economy and am glad to support the roll out of a pilot programme of resiliency workshops through Waitemata. I am shopping local online.

Conferences / member development
- Kura Kawana – Obligations to Māori

Disclosures
I am doing a PhD in the Dance Department of the University of Auckland, studying the potential roles of playful arts practices in coproducing the Playful City. I am a member of Women in Urbanism, an occasional walking tour guide with Auckland Free Walking Tours and a parent trustee on the Richmond Road School board. My husband is director of dog walking company Fetch.

In the last month I have accepted tickets to Limbo Unhinged presented by the Auckland International Arts Festival.

Finally
I am very pleased to report that the Waitemata Local Board advocated strongly for the creation of more temporary bicycle lanes with Covid19 and AT has installed a number of them through Auckland. In addition there has been strong advocacy to complete the CRL and road projects and a number of “shovel-ready” projects have been put forward to be considered by the government. Waitemata projects in the top ten included the CRL, the downtown ferry basin and waterfront improvements. Environmental projects put forward
Waitemata Local Board
5 May 2020 (submitted 24th April)
include urban farms for food security, restoration of the Hauraki Gulf and the increase of pest control and tree plantings within and outside of Waitemata. I am very concerned about the drought in Waitemata and the state of trees planted last year.

I am on Facebook and I have set up a website alexbonham.co.nz in which I discuss some of the issues that are crossing our desks and give more information and links on engagement with council. Julie Sandilands and I are leading a pilot “local government TV on Facebook”, which aims to engage the community with issues that may matter to them – including a call for more cycle lanes to enable movement during Covid19! Anyone living in Waitemata is very welcome to get in touch with me. When we are out of lockdown it will also be possible to come and meet me between 10 and 11am at the Grey Lynn Farmers Market on the last Sunday of the month.

Recommendation
That this report be received.
Graeme Gunthorp – Board Member Report

COVID-19 Response

The lockdown has proved difficult to every facet of our lives, and I am proud of New Zealand’s response to this unprecedented challenge.

Whilst the majority of public facilities are closed, I’ve been heartened by the camaraderie (at a safe distance) and adherence to the level 4 rules that I’ve seen. On my cycles around the western half of the Waitematā local board area I have seen some problematic areas, such as lack of social distancing on Karangahape Road and the Grey Lynn Pump Track, but for the most part the community spirit has been excellent.

Rebuilding our economy will pose many tough choices, but I agree with the government’s strategy of public stimulus to drive private activity, and Auckland Council should take the same approach. Making savings will be required, but austerity would only destroy an already fragile economic eco-system.

The projects that are prioritised must also be climate positive, with focus on active transport, public transport, community facilities and social infrastructure.

Transport – Portfolio Lead

- Advocating for AT to ensure footpaths and streets are safe for pedestrians and micro-mobility users and enabling them to keep social distancing. This follows on from the vote carried at our last Business Meeting asking AT to investigate emergency cycle lanes for immediate deployment.
- Following discussion with the Board, I have submitted feedback on Waka Kotahi’s proposed Accessible Streets Regulatory Package (included as an attachment to this report).
- As part of the Local Board Transport Capital Fund, I have completed a first draft of a safety proposal for Freemans Bay Primary School / Wellington Street. I am now sharing this draft with relevant stakeholders including Freemans Bay Primary School (Principal, Deputy Principal and Board of Trustees), Freemans Bay Residents Association, City Centre Residents Group, and SugarTree Apartments Community Group.
Ponsonby Park

We had hoped to present to the Finance & Performance Committee to request funding of $5.5m in order to continue with the project. Unfortunately, due to COVID-19, all non-essential projects have been put on hold.

We have agreed to cancel the design procurement phase for now. We hope this will be restarted soon, however funding is a major concern in the short/medium term. We have proposed this to be funded as part of the government’s ‘shovel-ready infrastructure’ stimulus package.

Western Springs Pine Forest – Proposal for Removal

At our Business Meeting on 17 March 2020, the local board voted on the removal of the Western Springs Pine Forest. I voted for the motion, given the high health and safety risk that exists. My speech on the issue is included as an attachment to this report.

The motion to remove the trees was defeated 3-4, meaning a temporary stay while staff prepare a report outlining potential alternative removal methodology.

Meetings / events attended

- 9 March Collingwood Street traffic issues – hosted by Auckland Central MP Nikki Kaye
  - Highlighted the serious traffic issues on Collingwood Street, and the requirement for AT to implement urgent safety improvements, and for Police to monitor speeding
  - I followed up with Central Auckland Police, who advised they would monitor Collingwood Street as resources allowed
- 13 March Auckland Transport – Residential Parking Zones
  - Met with AT’s RPZ Lead to discuss the mechanics of the existing schemes, and plans for future schemes (Hermes Bay in particular)
- 13 March Local Government NZ – zone meeting
- 16 March Ponsonby Park PCG
- 17 March Zilch car share – meeting with Kirsten Corson & Simon Prentice
  - Discussed current AT car share policy
- 18 March Panuku – lunch with Board of Director of Panuku Development Auckland
  - Highlighted the WLW focus on climate change, transport orientated development, high quality urban spaces
- 26 March Newmarket Business Association – monthly meeting
- 30 March WLW Chair’s catch-up – to discuss Ponsonby Park
- 1 April Ponsonby Park PCG
- 6 April Northern Pathway – social impact interview with Project Manager Beca

Conferences / member development

- 15 April BID Resilience Training
Graeme Gunthorp • Waitematā Local Board
Business Meeting 5 May 2020 • Submitted 21 April 2020

Disclosures

- None

Recommendation

- That this report be received
Attachment: Accessible Streets Regulatory Package 2020 Submission

Waitematā Local Board Feedback on Accessible Streets Regulatory Package

Context/Background
1. Waka Kotahi NZ Transport Agency is consulting on a collection of rule changes known as the Accessible Streets Regulatory Package. The package consists of nine proposals intended to support and improve accessible and affordable transport, safety and liveable cities.
2. The package will clarify:
   - the types of vehicles and devices allowed on footpaths, shared paths, cycle paths and cycle lanes
   - how devices can use these spaces
   - how road controlling authorities may regulate pedestrians, devices and spaces like footpaths
   - propose changes to the priority given to a range of road users to remove barriers to walking, device use and cycling.
3. The package generally aligns with the strategic direction of the council as set out in the Auckland Plan 2050 and other plans such as the draft Te Taruko-a-Tawhiri: Auckland’s Climate Action Framework.
4. Waitematā Local Board identified the objective ‘To improve road safety for all users’ in its current local board plan 2017. This objective sits under outcome five ‘An accessible, connected and safe transport network with well-designed streets’, with a key initiative to advocate to NZTA to ‘change the give way rule at side street crossings to favour pedestrians.’ This was also a key advocacy area in the 2019/20 Waitematā local board agreement.

Local Board feedback

Proposal 1A: Pedestrians and powered wheelchair users

1. Do you agree that powered wheelchairs should be treated as pedestrians? Why/why not?
   - The Waitematā Local Board is supportive of this proposal.
   - Powered wheelchairs are important mobility device for those who require them. It is important that they be legally allowed to use the most appropriate surface / lane for their device.

Proposal 1B: Changing wheeled recreational devices

2. Do you agree with the proposal to replace wheeled recreational devices with new categories for unpowered and powered transport devices? Why/why not?
   - The Waitematā Local Board is supportive of this proposal, subject to changes.
   - The rise of micro-mobility devices means that footpaths will be increasingly used by non-pedestrians, and a framework is required to ensure the safety of all users, especially pedestrians.
   - We believe all micro-mobility devices should be able to use footpaths at low speed.

3. What steps should the Transport Agency take before declaring a vehicle not to be a motor vehicle?
   - No comments

4. If the Transport Agency declares a vehicle to not be a motor vehicle, do you think it should be able to impose conditions? If yes, should such conditions be able to be applied regardless of the power output of the device?
   - The Transport Agency should consider the creation of a new category “Micro Motor Vehicle” into which any powered transport device falls.
   - These devices could then be able to use footpaths at speeds of under 15kph.

5. We propose to clarify that:
   a. low powered vehicles that have not been declared not to be motor vehicles by the Transport Agency (e.g. hover boards, e-scooters and other emerging devices) are not allowed on the footpath
b. these vehicles are also not allowed on the road under current rules, because they do not meet motor vehicle standards

c. If the Transport Agency declares any of these vehicles not to be motor vehicles in the future, they will be classified as powered transport devices and will be permitted on the footpath and the road (along with other paths and cycle lanes).

**Do you agree with this proposed clarification? Why/why not?**
- The Waitematā Local Board is not supportive of this proposal, unless as point (c) the Transport Agency declares them to be powered transport devices.
- Without point (c), this clarification effectively bans e-skateboards etc from both the footpath and the road, rendering them useless as transport devices.

**Proposal 1C: Clarifying cycles and e-bikes**

6. Do you agree with the proposal that:
   - Small-wheeled cycles that are propelled by cranks be defined as cycles, and
   - Small-wheeled cycles that are not propelled by cranks, such as balance bikes, be defined as transport devices?
   **Why/why not?**
   - The Waitematā Local Board is supportive of this proposal.
   - It will enable smaller bikes to use a range of surfaces and lanes.

**Proposal 1D: Mobility devices**

7. Mobility devices have the same level of access as pedestrians but will have to give way to pedestrians and powered wheelchairs under the proposed changes. Do you agree? Why/why not?
- The Waitematā Local Board is supportive of this proposal.
- As the most vulnerable road users, it’s important to protect pedestrians and enforcing these give way provisions are critical.

8. Do you think there will be any safety or access-related problems with mobility devices operating in different spaces? Please explain.
- Given that they are required by those with mobility issues, it is important that they be legally allowed to use the most appropriate surface / lane for their device.

9. We intend to review the mobility device category at a later date. What factors do you think we need to consider?
- No comments

**Alternative proposal**

10. We have outlined an option to not change vehicle definitions. This means we would make changes at a later date instead. Do you prefer this option to our proposal to change vehicle definitions now (see proposals 1A, 1B, 1C, 1D for more details)? Why/why not?
- The Waitematā Local Board is supportive of changing definitions now.

**Proposal 2: Establish a national framework for the use of footpaths**

11. Our proposed changes will allow mobility devices, transport devices, and cycles on the footpath - provided users meet speed, width and behavioural requirements. Do you support this? Why/why not? Should there be any other requirements?
- The Waitematā Local Board is supportive of this proposal.
- It is important that low-speed, low-risk cycling/ding is legally allowed on footpaths, to allow parents to ride with children, and for cyclists/riders to avoid high-risk roads that have poor cycling facilities.

12. We have outlined two alternative options to address cycling on the footpath. These are:
Waitematā Local Board 05 May 2020

Graeme Gunthorp • Waitematā Local Board
Business Meeting 5 May 2020 • Submitted 21 April 2020

Item 22
Attachment C

a. allow cyclists up to 16 years of age to use the footpath; or
b. Continue the status quo, where most cyclists are not allowed to use the footpath.

Do you prefer either of these options instead of allowing cyclists on the footpath?
- The Waitematā Local Board prefers the original proposal, allowing cyclists on the footpath.

13. Would you support an age limit for cycling on the footpath? What age would you prefer?
- The Waitematā Local Board would not support an age limit.
- Ability and confidence is not linked to age in every situation, and older riders may not feel comfortable on certain roads.

14. Our proposal allows road controlling authorities to restrict cycle or device use on certain footpaths or areas of footpaths to suit local communities and conditions. Do you agree with this proposal? Why/why not? Do you have any comments on the proposed process?
- The Waitematā Local Board is supportive of this proposal.
- It is important for local authorities to control this, particularly in busy urban areas.

15. We envisage that local authorities will make decisions to regulate the use of paths by resolution, rather than by making a bylaw. Should this be specified in the Land Transport Rule: Paths and Road Margins 2020 to provide certainty? Why/why not?
- No comments

16. We’re proposing that road controlling authorities consider and follow criteria in addition to their usual resolution processes if they want to restrict devices from using the footpath. Do you agree with this proposal and the proposed criteria? Why/why not?
- The Waitematā Local Board is not supportive of this proposal.
- The proposal would require a longer timeframe (consultation etc) meaning that there may be delay in acting on urgent issues.

17. We have also outlined an option to maintain current footpath rules. Would you prefer this option instead of the proposed framework with speed and width requirements? Why/why not?
- A new framework is required, to ensure the most vulnerable road users are protected. Pedestrians must not be put at risk by these changes.

Proposal 2A: Users on the footpath will operate vehicles in a courteous and considerate manner, travel in a way that isn’t dangerous and give right of way to pedestrians

18. We propose that pedestrians should always have right of way on the footpath. Do you agree with this proposal? Why/why not?
- The Waitematā Local Board is supportive of this proposal.
- Pedestrians are the most vulnerable road corridor users and must be protected.

19. This proposal sets out three behavioural requirements; that footpath users will:
- operate vehicles in a courteous and considerate manner,
- travel in a way that isn’t dangerous, and
- give right of way to pedestrians.

Do you agree with these three requirements? Are there any others we should consider?
- The Waitematā Local Board is supportive of this proposal.

Proposal 2B: Default 15km/h speed limit for vehicles using the footpath

20. Do you agree with the proposed default speed limit of 15km/h for footpaths? Why/why not? Do you think the proposed speed limit should be higher/lower?
- The Waitematā Local Board is supportive of the standard speed limit being 15kph on footpaths.
However, we note it is difficult to measure speeds – most micro-mobility vehicles do not measure speed, it is hard to measure slower speeds and there is minimal enforcement of footpaths. An approach based more on whether cycling or micromobility use is dangerous may be better and adapt more fluidly to situations. 15kph is too fast in a crowd, but very slow (and hard to judge) on a long empty pavement in an industrial area.

21. Do you agree with the proposal that road controlling authorities will be able to lower the default speed limit for a footpath or areas of footpaths? Why/why not?
   • The Waitematā Local Board is supportive of this proposal.
   • Local authorities need to be able to act quickly and independently to solve local issues.

22. Are there other ways, that you can think of, to improve footpath safety? Please explain.
   • The Waitemata Local Board suggests that where there are accidents there be a default assumption that the person obliged to give way has been negligent and is at fault, and may be penalised in some way.
   • Micromobility users should also operate vehicles in a “defensive” manner, leaving a wide berth around pedestrians and other users, and when negotiating street corners, front gates and driveways. It may be helpful if there is an expectation for vehicle users to stay on the road side of the street. This may require an information campaign so it is easier to predict rider behaviour.
   • The Waitemata Local Board also suggests a framework that where micromobility use is heavy or impeding the pedestrian amenity of the footpath, roading authorities should be obliged to consider installing a separated cycleway.
   • Separated cycle ways on arterial roads would improve footpath safety and the Waitemata Local Board advocates for a connected cycle network across Auckland.
   • 30kph road speeds, particularly around schools and town centres will remove some pressure from footpaths as cyclists and scooter users will be safer on the roads.
   • Street trees, seating, planter boxes and other pedestrian amenities may also make the pathways safer by creating a “traffic calming” effect and making it clear that pedestrians have priority on footpaths.

Proposal 2C: 750mm width restriction for vehicles that operate on the footpath

23. Do you agree with the proposed maximum width measurement of 750mm (except for wheelchairs) for devices on the footpath? Should this maximum width limit be wider/narrower?
   • The Waitematā Local Board is supportive of this proposal.
   • A standard width bicycle trailer is under 600mm wide, so 750mm seems adequate for parents who wish to ride on the footpath while their children are in a trailer.

24. Do you use a mobility device? If yes, what is the width of your device? Would the proposed width restriction impact you?
   • No comments.

25. Should the maximum width limit apply to mobility devices? Why/why not?
   • No, as some users may require wider devices because of health reasons.

26. We propose that people who already own a device wider than 750mm could apply for an exemption. This document also considers three alternative approaches to mitigate the impact on existing device owners:
   a. mobility devices purchased before the rule changes could be automatically exempt from the width limit.
   b. The Transport Agency could declare certain wider devices to be mobility devices under section 168A of the Land Transport Act, and exclude them from width requirements, or
   c. Apply a separate width limit to mobility devices.
   Which is your preferred option? Do you have any comments on these alternatives?
   • Option B is preferred.
Proposal 3: Establish a national framework for the use of shared paths and cycle paths

27. Do you agree that road controlling authorities should be able to declare a path a shared path or a cycle path? What factors should be considered when making this decision?
   - The Waitematā Local Board is supportive of this proposal.
   - Local authorities need to be empowered to make changes that are appropriate to their populace and urban form.

28. Do you agree with the behavioural requirements we are proposing? Should there be other requirements or rules to use a shared path or cycle path?
   - The Waitematā Local Board is supportive of this proposal.
   - The user priority table is appropriate and should be implemented.

29. Do you agree that all users be required to give way to pedestrians when using a shared path? Why/why not?
   - The Waitematā Local Board is supportive of this proposal.
   - Pedestrians are the most vulnerable corridor users and must be protected.

30. Do you agree with the proposed speed limits for shared paths and cycle paths and the ability of road controlling authorities to change these limits? Please explain.
   - The Waitematā Local Board is supportive of this proposal.
   - Local authorities need to be empowered to make changes that are appropriate to their populace and urban form.

31. Do you think that the Transport Agency should be able to investigate and direct road controlling authorities to comply with the required criteria? Why/why not?
   - The Waitematā Local Board is not supportive of this proposal.
   - Local authorities need to be empowered to make changes that are appropriate to their populace and urban form.

Proposal 4: Enable transport devices to use cycle lanes and cycle paths

32. Do you agree that devices other than cycles should be allowed to use cycle lanes and/or cycle paths? Why/why not?
   - The Waitematā Local Board is supportive of this proposal.
   - The rise of micro-mobility devices means that more cycle lanes and shared paths are required, and these devices must be able to use them legally.

33. Do you agree that road controlling authorities should be able to exclude powered transport devices or unpowred transport devices from cycle lanes and/or cycle paths? Why/why not?
   - The Waitematā Local Board is not supportive of this proposal.
   - The increased variety of devices may lead to fragmentation of the definitions of powered / non-powered devices. The identification of each may also become difficult.

Proposal 5: Introduce lighting and reflector requirements for powered transport devices at night

34. Do you agree with the proposal that powered transport devices must be fitted with a headlamp, rear facing position light, and be fitted with a reflector (unless the user is wearing reflective material) if they are used at night? Why/why not?
   - The Waitematā Local Board is partially supportive of this proposal.
   - We agree that a front-facing light and a rear-facing light are required.
   - We do not agree that a reflector is always required, as some devices may not have adequate surfaces for a reflector. This would then require the user to have reflective clothing, which is a barrier to use.
35. Do you think these requirements are practical? For example, if you own a powered transport device, will you be able to purchase and attach a reflector or lights to your device or yourself?
   - Many powered transport devices will already have front and rear facing lights.
   - Front facing lights are relatively easy to attach to handlebars.
   - Rear facing lights may be more difficult to attach e.g. on an e-scooter.
   - Reflectors may not be able to be attached to devices where there are limited or thin surface areas.

36. Do you think unpowered transport device users should be required to meet the same lighting and reflector requirements as powered transport device users at night time? Why/why not?
   - If they are travelling on the road, then they must have lights.

Proposal 6A: Allow cycles and transport devices to travel straight ahead from a left turn lane

37. Do you agree that cyclists and transport device users should be able to ride straight ahead from a left turn lane at an intersection, when it is safe to do so? Why/why not?
   - The Waitematā Local Board is supportive of this proposal.
   - It is safer for users to stay in the left lane to go straight ahead.

Proposal 6B: Allow cycles and transport devices to carefully pass slow-moving vehicles on the left, unless a motor vehicle is indicating a left turn

38. Do you agree that cyclists and transport devices should be allowed to carefully ‘undertake’ slow-moving traffic? Why/why not?
   - The Waitematā Local Board is supportive of this proposal.
   - Cyclists are often able to move at a higher average speed than peak traffic, and removing that ability disincentives the use of bicycles.

Proposal 6C: Give cycles, transport devices and buses priority over turning traffic when they’re travelling through an intersection in a separated lane

39. Do you agree that turning traffic should give way to users travelling straight through at an intersection from a separated lane? Why/why not?
   - The Waitematā Local Board is supportive of this proposal.
   - Road users going straight ahead, including cyclists and pedestrians, should have priority over all turning traffic, as it is safer and ensures turning traffic travels at a safer speed.

40. Our proposed change will introduce a list of traffic control devices used to separate lanes from the roadway to help you understand what a separated lane is and if the user has right of way at an intersection. Is such a list necessary? Why/why not?
   - The Waitematā Local Board is supportive of this proposal.
   - Education for all road users is an important part of these changes, and traffic control devices can aid this.

41. Should the definition of a separated lane include the distance between the lane and the road? Why/why not?
   - No comments

Proposal 6D: Give priority to footpath, shared path and cycle path users over turning traffic where the necessary traffic control devices are installed

42. Do you agree that turning traffic should give way to path users crossing a side road with the proposed markings? Why/why not?
   - The Waitematā Local Board is supportive of this proposal.
   - Road users going straight ahead, including cyclists and pedestrians, should have priority over all turning traffic, as it is safer and ensures turning traffic travels at a safer speed.
43. Do you think that the proposed minimum markings are appropriate?
   - Yes, the proposed markings are appropriate.

44. We are proposing future guidance for additional treatments. Is there any guidance that you would like to see or recommend?
   - No comments

Proposal 7: Mandate a minimum overtaking gap for motor vehicles passing cycles, transport devices, horses, pedestrians and people using mobility devices on the road

45. Do you agree with the proposal for a mandatory minimum overtaking gap for motor vehicles of 1 metre (when the speed limit is 60km/h or less), and 1.5 metres (when the speed limit is over 60km/h) when passing pedestrians, cyclists, horse riders, and users of other devices? Why/why not?
   - The Waitematā Local Board is supportive of making a passing gap mandatory proposal, with two important changes:
     - 1.5 metres is required at all speeds unless there is insufficient room to pass in which case drivers should slow to 30kph.
     - When passing a horse, it is suggested to continue to follow the official NZ road code: “drivers must slow down as much as possible, give horse and rider plenty of room, or risk being charged with careless or dangerous driving”. The proposed change is dangerous.

Proposal 8: Clarify how road controlling authorities can restrict parking on berms

46. Do you agree with the proposal that road controlling authorities should be able to restrict berm parking without the use of signs and instead rely on an online register? Why/why not?
   - The Waitematā Local Board is supportive of this proposal.
   - It is important for local authorities to enforce their own streets without relying on central government.
   - Additional signage is costly and unsightly.

47. Would it be helpful if information on berm parking restrictions was available in other places, like at a local library, i-SITE, or a local council?
   - No comments

Proposal 9: Give buses priority when exiting bus stops

48. Do you agree that traffic should give way to indicating buses leaving a bus stop on a road with a speed limit of 60km/h or less? Why/why not?
   - The Waitematā Local Board is supportive of this proposal.
   - Increasing efficiency of public transport is a high priority for the Auckland region.

49. Should traffic give way to buses in other situations? For example, when a bus is exiting a bus lane and merging back into traffic lanes? Why/why not?
   - Buses should have right of way over all other vehicles (except emergency vehicles).
Attachment: Western Springs Pine Forest – Graeme Gunthorp speech

“We must act as good governors of our community, protecting people, property and environment. On occasion, it is not possible to protect all three at the same time, and difficult decisions must be made. I have asked myself several questions to render a verdict, based on facts and on risk, not emotion.

Is there a risk?

We have been presented by council officers with a risk, and this has been disputed by opponents. They highlight that many of the trees are either sick, dying, dead, have insect tunnelling, or are at risk of having their root structure exposed causing toppling. I do not doubt these findings. The fact that up to 10 trees are falling per year indicates that these trees are without doubt a risk to people and property, and something must be done before someone is killed. The fact that two companies declined sectional felling, and that helicopter removal is not feasible, shows that the private sector deems these trees as a high risk. We must ask ourselves – having been presented with a high risk, if someone was killed tomorrow, have we done our duty as a governors?

How to apply the risk management hierarchy?

Now given that I accept these pines are a risk to people and property, as good governors, we must apply the risk management hierarchy in finding a solution:

1. Controls
   a. Restricting access to the forest - not a suitable option
   b. It is not stopping people from accessing the forest, as the locks have already been cut.
   c. It prevents this community asset from being used by the community, potentially for up to 50 years.
   d. The fall path of the outer pines is onto public and private property, meaning that controls are ineffective, as there is currently a risk of death

2. Isolation
   a. Pushing out the cordon beyond the fall path - not a suitable option
   b. Evacuation of private property
   c. Closure of parts of the zoo and other community facilities

3. Substitution
   a. No alternative mature trees can planted immediately - not a suitable option

This leaves only

4. Elimination - removal of the hazards

What is the best method of elimination?

A staged elimination would require the forest to be closed for decades longer until all pines have fallen naturally, which is unacceptable. The Environment Court has come to a mediated settlement on the method of elimination, and I support that agreement. The outcome is to leave the pine trunks on the ground to degrade, and therefore not require a metalled road for removal.
Opponents have claimed this will increase fire risk and lower the amount of exposed ground from which native bush can regenerate, however this is what they negotiated for at the Environment Court. I find this to be a bad faith argument, and it should not be used as a backhanded way to prevent the outcome.

Has due process been followed?

This is in two parts: has the process been sufficient, and has it been appropriate? It is sufficient in a legal sense, as confirmed by independent counsel. It may be that a review identifies areas that could have been done better, but it fulfils the obligations legally. And has it been appropriate? This is somewhat subjective, and there is disagreement on this point. Consultations with affected parties have been undertaken, and there has been mediation overseen by the Environment Court.

I intend to vote for the resource consent to go ahead.”
Governance Forward Work Calendar

File No.: CP2020/04718

Whakarāpopototanga matua / Executive summary
1. Attached is a copy of the governance forward work calendar for the Waitematā Local Board which is a schedule of items that will come before the local board at future business meetings.

Ngā tūtohunga / Recommendation/s
That the Waitematā Local Board:
a) receive the governance forward work calendar May 2020 attached to the agenda.

Ngā tāpirihanga / Attachments

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Ngā kaihaina / Signatories

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<tbody>
<tr>
<td>Author</td>
<td>Priscila Firmo - Democracy Advisor</td>
</tr>
<tr>
<td>Authoriser</td>
<td>Trina Thompson - Relationship Manager/Senior Advisor Waitematā Local Board</td>
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<td>Water supply and wastewater bylaw review</td>
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<td>Define board position and feedback</td>
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<tr>
<td>TBC</td>
<td>Open Space Management Framework (2020 tbc, no date set)</td>
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<td>TBC</td>
<td>Define board position and feedback</td>
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Waitematā Local Board Workshop Records

File No.: CP2020/04713

Te take mō te pūrongo / Purpose of the report

1. The purpose of this report is to present the Waitematā Local Board workshop records to the board. Attached are copies of the proceeding records taken from the workshops held on:
   - 24 March 2020
   - 31 March 2020
   - 7 April 2020
   - 21 April 2020

Ngā tūtohunga / Recommendation/s

That the Waitematā Local Board:

   a) receive the workshop proceeding records for the meetings held on 24 March 2020, 31 March 2020, 7 April 2020, 21 April 2020, 28 April 2020.

Ngā tāpirihanga / Attachments

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Ngā kaihaina / Signatories

<table>
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<tr>
<th>Authors</th>
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<tr>
<td>Authorisers</td>
<td>Trina Thompson - Relationship Manager/Senior Advisor Waitematā Local Board</td>
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### Waitematā Local Board Workshop Record

Workshop record of the Waitematā Local Board held in the Waitematā Local Board Office, 52 Swanson Street, Auckland Central on **Tuesday, 24 March 2020** commencing at 9.30am

**PRESENT**
- **Chair:** Richard Northey
- **Deputy Chair:** Kerrin Leoni
- **Members:** Adriana Avendaño Christie, Alexandra Bonham, Graeme Gunthorp, Julie Sandilands, Sarah Trotman

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<th>Workshop Item</th>
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<tr>
<td>Parks, Sports &amp; Recreation - Zero Waste in Parks trial</td>
<td>Setting direction, priorities and budgets</td>
<td>To discuss the reallocation of funds allocated to the Zero Waste Parks Pilot Project (line item WTM/556)</td>
</tr>
<tr>
<td>Parks, Sports &amp; Recreation - Symonds Street Cemetery</td>
<td>Setting direction, priorities and budgets</td>
<td>To provide an overview of the management of the cemetery and a report on the activities for the past year (2019/2020), and to identify activities for next year (2020/2021)</td>
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<tr>
<td>General ATEED Update</td>
<td>Oversight and Monitoring</td>
<td>To provide a general update on ATEED</td>
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<tr>
<td>Local Economic Development</td>
<td>Oversight and monitoring</td>
<td>To provide an update on Local Economic Development</td>
</tr>
<tr>
<td>Sustainability Kick Start Programme update</td>
<td>Oversight and monitoring</td>
<td>To present the Sustainability Kick Start Programme 19/20 Evaluation Report</td>
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<tr>
<td>The Road To 2021</td>
<td>Oversight and monitoring</td>
<td>To provide information on AC36 and the wider 2021 programme</td>
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<tr>
<td>Screen Auckland</td>
<td>Oversight and monitoring</td>
<td>To introduce the function and purpose of Screen Auckland – Film Facilitation</td>
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<tr>
<td>ATEED’s Local Board Engagement Plan 2019</td>
<td>Oversight and monitoring</td>
<td>To present the ATEED Local Board Engagement Plan and explain the guiding principles for interactions between local boards and ATEED.</td>
</tr>
<tr>
<td>DPO - Myers Park stage two project</td>
<td>Setting direction, priorities and budgets</td>
<td>To seek feedback on the staff recommendation to contribute $202,000 from the renewals budget towards the upgrade of the Myers Park Mayoral Drive/Queen Street entrance stairs as part of the Myers Park stage two project.</td>
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<tr>
<td>To report back on the success of the A4E trial in High Street.</td>
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Waitematā Local Board Workshop Record

Workshop record of the Waitematā Local Board held in the Waitematā Local Board Office, 52 Swanson Street, Auckland Central on Tuesday, 31 March 2020 commencing at 9.30am

PRESENT
Chair: Richard Northey
Deputy Chair: Kerrin Leoni
Members: Adriana Avendaño Christie
Alexandra Bonham
Graeme Gunthorp
Julie Sandilands
Sarah Trotman

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<td>Auckland Transport – Local Board Transport Capital Fund (LBTCF)</td>
<td>Setting direction, priorities, budgets</td>
<td>To consider the allocation of the Local Board Transport Capital Fund</td>
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<td>Service, Strategy and Integration (SS&amp;I) – West Waitematā Service Provision</td>
<td>Keeping informed</td>
<td>To re-present the findings from the West Waitematā Current State Analysis of Community Services.</td>
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# Waitematā Local Board Workshop Record

Workshop record of the Waitematā Local Board held in the Waitematā Local Board Office, 52 Swanson Street, Auckland Central on **Tuesday, 7 April 2020** commencing at **9.30am by Skype**.

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**PRESENT**

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<th>Chair:</th>
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<td><strong>Local Board Plan 2020</strong></td>
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<td>Consider feedback and recommendations from phase 1 engagement and review the draft Waitematā Local Board Plan 2020</td>
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<td>Review Waitematā Local Board’s advocacy initiatives for the 2020/2021 Local Board agreement.</td>
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Waitematā Local Board Workshop Record

Workshop record of the Waitematā Local Board held in the Waitematā Local Board Office, 52 Swanson Street, Auckland Central on Tuesday, 21 April 2020 commencing at 9.38am by Skype.

PRESENT
Chair: Richard Northey
Deputy Chair: Kerrin Leoni
Members: Adriana Avendaño Christie
          Alexandra Bonham
          Graeme Gunthorp – absent from 10.43am
          Julie Sandilands
          Sarah Trotman

<table>
<thead>
<tr>
<th>Workshop Item</th>
<th>Governance role</th>
<th>Summary of Discussions</th>
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<tr>
<td>Preliminary review consultation feedback and advocacy</td>
<td>Setting direction, priorities and budgets</td>
<td>Discuss and consider the initial analysis of the Annual Budget 2020/2021 consultation feedback.</td>
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