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

**Date:** Tuesday, 21 July 2020  
**Time:** 9.30am  
**Meeting Room:** Local Board Chambers  
**Venue:** Pukekohe Service Centre  
82 Manukau Road  
Pukekohe

This meeting is video-conference enabled  
Either a recording or a transcript will be published to the Auckland Council website

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Franklin Local Board  
OPEN AGENDA

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**MEMBERSHIP**

Chairperson  
Andrew Baker

Deputy Chairperson  
Angela Fulljames

Members  
Malcolm Bell  
Alan Cole  
Sharlene Druyven  
Lance Gedge  
Amanda Kinzett  
Matthew Murphy  
Logan Soole

(Quorum 5 members)

Denise Gunn  
Democracy Advisor - Franklin

23 July 2020

Contact Telephone: 021 981 028  
Email: denise.gunn@aucklandcouncil.govt.nz  
Website: www.aucklandcouncil.govt.nz

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

The Chair will open the meeting and welcome everyone present.

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 Franklin Local Board:

a) confirm the ordinary minutes of its meeting, held on Tuesday, 7 July 2020 as true and correct.

5 Leave of Absence

That the Franklin Local Board:

a) approve the request for leave of absence from Member Murphy.

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 Franklin 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 Deputation - Pine Harbour Berth Association regarding marinas in the Auckland Council area

Te take mō te pūrongo
Purpose of the report

1. Graeme Rix, Secretary of the Pine Harbour Berth Holders Association, and Richard Steel, Committee member of the Association, will be in attendance to address the board.

Whakarāpopototanga matua
Executive summary

2. The Pine Harbour Berth Holders Committee wish to highlight some issues related to
the Pine Harbour Marina.

3. More generally they wish to discuss the position of marinas, public ownership and control in the Auckland Council area.

**Ngā tūtohunga**

**Recommendation/s**

That the Franklin Local Board:

a) thank Graeme Rix, Secretary of the Pine Harbour Berth Holders Association, and Richard Steel, committee member of the Association, for their attendance and presentation on the Pine Harbour marina.

8.2 **Deputation: Jane Currie on Beachlands Domain**

**Te take mō te pūrongo**

**Purpose of the report**

1. Jane Currie and Kira Schmidt will be in attendance at the Franklin Local Board meeting to speak about the Beachlands Domain.

**Whakarāpopototanga matua**

**Executive summary**

2. Jane Currie and Kira Schmidt wish to address the local board about Beachlands Domain and floodlights.

**Ngā tūtohunga**

**Recommendation/s**

That the Franklin Local Board:

a) thank Jane Currie and Kira Schmidt for their attendance and presentation on the Beachlands Domain.

9 **Public Forum**

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

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

10 **Extraordinary Business**

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

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

(a) The local authority by resolution so decides; and

(b) The presiding member explains at the meeting, at a time when it is open to the public,-
(i) The reason why the item is not on the agenda; and

(ii) The reason why the discussion of the item cannot be delayed until a subsequent meeting."

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

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

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

   (i) That item is a minor matter relating to the general business of the local authority; and

   (ii) the presiding member explains at the beginning of the meeting, at a time when it is open to the public, that the item will be discussed at the meeting; but

(b) no resolution, decision or recommendation may be made in respect of that item except to refer that item to a subsequent meeting of the local authority for further discussion."
Adoption of the Franklin Local Board Agreement 2020/2021

Te take mō te pūrongo
Purpose of the report

1. To adopt a Local Board Agreement 2020/2021 and a local fees and charges schedule for 2020/2021.

Whakarāpopototanga matua
Executive summary

2. Each financial year, Auckland Council must have a local board agreement between the Governing Body and the local board, for each local board area.

3. From 20 February to 21 March 2020, the council consulted on the Annual Budget 2020/2021 (annual plan) including local board priorities (consultation part 1). Local boards considered this feedback between 4 to 8 May 2020.

4. From 29 May to 19 June 2020, the council carried out further consultation (part 2) on regional topics for the Emergency Budget 2020/2021 (the new name for this year’s annual plan) due to considerable pressure on the council’s financial position caused by the COVID-19 pandemic.

5. Local boards are now considering local content for the Emergency Budget 2020/2021, which includes a local board agreement and a local fees and charges schedule for 2020/2021.

6. Normally the local board agreement would include a message from the chair, local board advocacy and other content. This year due to time constraints caused by COVID-19, the content of the Emergency Budget document, including the Local Board Agreements, is being reduced to only the parts that are a statutory requirement. This includes key projects, levels of service and performance measures, and Financial Impact Statement (FIS).

7. On 30 July 2020, the Governing Body will meet to adopt Auckland Council’s Emergency Budget 2020/2021, including 21 local board agreements.

Ngā tūtohunga
Recommendation/s

That the Franklin Local Board:

a) adopt the Franklin Local Board Agreement 2020/2021, tabled at the meeting, (Attachment A).

b) adopt a local fees and charges schedule for 2020/2021, tabled at the meeting, (Attachment B).

c) delegate authority to the Chair to make any final minor changes to the Local Board Agreement 2020/2021.

d) note:

i) that Local Board Agreement 2020/2021 local activity budgets will be updated to reflect final budget decisions made by the Governing Body on 16 July 2020.

ii) that the resolutions of this meeting will be reported back to the Governing Body when it meets to adopt the Annual Budget 2020/2021 on 30 July 2020.
Horopaki

Context

8. Each financial year, Auckland Council must have a local board agreement between the Governing Body and the local board, for each local board area, outlining local priorities, budgets and intended levels of service. They are informed by the local board plans, which are strategic documents that are developed every three years to set a direction for local boards, by reflecting the priorities and preferences of the communities within the local board area. Local board plans can also provide a basis for local board feedback on regional content in the annual plan (Emergency Budget 2020/2021).

9. Local board chairs have had the opportunity to attend Finance and Performance Committee workshops on key topics and provide local board views on the Emergency Budget 2020/2021 to the Finance and Performance Committee.

10. From 20 February to 21 March 2020, the council consulted with the public on the Annual Budget 2020/2021 (consultation part 1). A hearing was held in the Franklin Local Board area to engage with the community and seek feedback on both regional and local proposals. Feedback was received through written and event channels.

11. A report analysing the feedback on local board priorities, as well as feedback from those living in the local board area related to the regional topics from consultation part 1, was included on the 5 May business meeting agenda.

12. Local boards considered this feedback, and their input on regional topics was reported to the Emergency Committee on 21 May 2020.

13. From 29 May to 19 June 2020, the council carried out further consultation on regional topics for the Emergency Budget 2020/2021 (consultation part 2) due to considerable pressure on the council’s financial position caused by the COVID-19 pandemic.

14. A report analysing the feedback on the regional topics from consultation part 2 (Emergency Budget) was included on the 7 July business meeting agenda.

15. Local boards considered this feedback, and then the local board chairs held discussions with the Finance and Performance Committee on 14 July 2020 on regional proposals in the Emergency Budget. The local board input was also reported to the Finance and Performance Committee on 16 July 2020.

Tātaritanga me ngā tohutohu

Analysis and advice

16. Both staff and the local board have reviewed the feedback received on the Emergency Budget 2020/2021 from both consultations and local boards have received reports analysing the feedback. It is now recommended that local boards adopt a Local Board Agreement 2020/2021 (Attachment A), and a local fees and charges schedule for 2020/2021 (Attachment B).

Tauākī whakaaweawe āhuarangi

Climate impact statement

17. The decisions recommended in this report are procedural in nature and will not have any climate impacts themselves.

18. Some of the proposed projects in the Local Board Agreement may have climate impacts. The climate impacts of any projects Auckland Council chooses to progress with will be assessed as part of the relevant reporting requirements.

19. Some of the proposed projects in the Local Board Agreement will be specifically designed to mitigate climate impact, build resilience to climate impacts, and restore the natural environment.
Ngā whakaaweawe me ngā tirohanga a te rōpū Kaunihera
Council group impacts and views
20. Local boards worked with council departments to develop their local board work programmes for 2020/2021 that will be adopted at August business meetings. The local board work programmes help inform the local board agreements.

Ngā whakaaweawe ā-rohe me ngā tirohanga a te poari ā-rohe
Local impacts and local board views
21. This report seeks local board adoption of its content for the Emergency Budget 2020/2021 and other associated material, including the Local Board Agreement 2020/2021.

Tauākī whakaaweawe Māori
Māori impact statement
22. Many local board decisions are of importance to and impact on Māori. Local board agreements and the annual plan (Emergency Budget 2020/2021) are important tools that enable and can demonstrate the council’s responsiveness to Māori.
23. 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 where relevant the wider Māori community.
24. Of those who submitted on the consultation part 1 including local board priorities from the Franklin Local Board area, 7% (7 total) identified as Māori. Of those who submitted on the consultation part 2 (on the Emergency Budget 2020/2021, 7% (49) identified as Māori. No iwi entities from the Franklin Local Board rohe made submissions on Franklin Local Board priorities through either consultation.
25. Ongoing conversations will assist local boards and Māori to understand each other’s priorities and issues. This in turn can influence and encourage Māori participation in the council’s decision-making processes.

Ngā ritenga ā-pūtea
Financial implications
26. The local board agreement includes the allocation of locally driven initiatives (LDI) funding and asset-based services (ABS) funding to projects and services for the 2020/2021 financial year.
27. LDI funding is discretionary funding allocated to local boards based on the Local Board Funding Policy, which local boards can spend on priorities for their communities. Local boards can also utilise LDI funding to increase local levels of service if they wish to do so.
28. Funding for asset-based services (ABS) is allocated by the Governing Body to local boards based on current levels of service to run and maintain local assets and services including parks, pools and recreation facilities, community facilities, and libraries.
29. Local boards have the decision-making and oversight responsibility in respect of local fees and charges within parameters set by the Governing Body. A local fees and charges schedule for Active Recreation, Community Venues for Hire (including Library rooms for hire) for 2020/2021 is adopted alongside the Local Board Agreement. The fees and charges have been formulated based on region-wide baseline service levels and revenue targets. Where fees and charges are amended by a local board that results in lower revenue for the council, the shortfall will need to be made up by either allocating LDI funds or reducing expenditure on other services to balance overall budgets.
Ngā raru tūpono me ngā whakamaurutanga
Risks and mitigations

30. Decisions on the local content of the Emergency Budget 2020/2021, including the Local Board Agreement 2020/2021 and a local fees and charges schedule for 2020/2021, are required by 24 July 2020 to ensure the Governing Body can adopt the Emergency Budget 2020/2021 at its 30 July 2020 meeting.

Ngā koringa ā-muri
Next steps

31. The resolutions of this meeting will be reported to the Governing Body on 30 July 2020 when it meets to adopt the Annual Budget 2020/2021, including 21 local board agreements.

32. Minor changes may need to be made to the attachments before the Emergency Budget 2020/2021 is adopted, such as correction of any errors identified and minor wording changes. Staff therefore recommend that the local board delegates authority to the Chair to make minor final changes if necessary.

33. Local board agreements set the priorities and budget envelopes for each financial year. Work programmes then detail the activities that will be delivered within those budget envelopes. Work programmes will be agreed between local boards and operational departments at business meetings in August 2020.

Ngā tāpirihanga
Attachments
There are no attachments for this report.

Ngā kaihaina
Signatories

<table>
<thead>
<tr>
<th>Author</th>
<th>Beth Corlett – Advisor Plans and Programmes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Authorisers</td>
<td>Louise Mason – GM Local Board Services</td>
</tr>
<tr>
<td></td>
<td>Carol McKenzie-Rex - Relationship Manager for Franklin and Howick Local Boards</td>
</tr>
</tbody>
</table>
Te take mō te pūrongo

Purpose of the report

1. To update the Franklin Local Board (FLB) about transport related matters in this area including its Local Board Transport Capital Fund.

Whakarāpopototanga matua

Executive summary

2. No decision is required this month. This report contains information about the following:
   - Information about the Local Board Transport Capital Fund (LBTCF).
   - Information about Auckland Transport local and regional projects and activities.

Ngā tūtohunga

Recommendation/s

That the Franklin Local Board:

a) receive the report entitled ‘July 2020 - Auckland Transport monthly update report to the Franklin Local Board’.

Horopaki

Context

3. Auckland Transport (AT) is responsible for all of Auckland’s transport services, excluding state highways. We report on a monthly basis to local boards, as set out in our Local Board Engagement Plan. This monthly reporting commitment acknowledges the important engagement role local boards play in the governance of Auckland on behalf of their local communities.

4. This report updates the local board on AT projects and operations in the Franklin Local Board area. It summarises consultations and Traffic Control Committee decisions and includes information on the status of the Local Board Transport Capital Fund (LBTCF) and Community Safety Fund (CSF).

5. The LBTCF is a capital budget provided to all local boards by Auckland Council and delivered by AT. Local boards can use this fund to deliver transport infrastructure projects they believe are important to their communities but are not part of AT’s work programme. Projects must also:
   - be safe
   - not impede network efficiency
   - be in the road corridor (although projects in parks can be considered if there is a transport outcome).

6. AT’s Community Safety Fund (CSF) sits within AT’s safety budget so the major component of the funding allocation formula is the number of Deaths and Serious Injuries (DSI) in a local board area. The purpose of the fund is to allow local communities to address long-
standing road safety issues that have yet to become regional priorities and have not been addressed by AT.

**Tātaritanga me ngā tohutohu**

**Analysis and advice**

**Local Board Transport Capital Fund (LBTCF)**

7. Council’s original resolutions relating to the Local Board Transport Capital Fund make it very clear that the overall budget allocation for the LCTCF is on the basis that ‘it can be managed by Auckland Transport within its annual budget’. While council’s budget allocation to Auckland Transport will only be finalised when the Emergency Budget is adopted, current indications are that Auckland Transport’s capital budget will be significantly constrained. This being the case, it is highly likely that there will be a negative impact on the Local Board Transport Capital Fund.

8. Until the final budget is complete Auckland Transport will not be able to advise local boards on the funds available in the Local Board Transport Capital Fund. This may have an impact on progressing potential projects.

9. Auckland Transport will update local boards on the status of the Local Board Transport Capital Fund as soon as decisions around the budget are finalised.

**Community Safety Fund (CSF)**

10. The Community Safety Fund is funded from Auckland Transport’s safety budget and is dependent on the level of funding Auckland Transport receives from council. Current indications are that this level of funding will be significantly constrained. Public consultation and the design work informed by this consultation is progressing, with a view to having projects designed and ready to go when money becomes available.

**Responses to Resolutions**

11. The most recent AT related resolution of the Franklin Local Board is recorded below in bold font, with the Auckland Transport response directly below.

**Resolution number FR/2020/47**

b) requests the inclusion of patronage statistics for the Pukekohe-Waiuku bus and Beachlands/Maraetai bus and ferry in each monthly update.

A request for the relevant information has been made, though at the time of the writing of this report, this information had not yet been made available. This information will be provided in the August report to the local board.

**Local Projects and activities**

**Tourist Road-Monument Road intersection electronic warning signage**

12. Prior to the previous business meeting on the 16th June 2020, communication to the local board was that this project was still being progressed. Since that meeting, it now appears that delivery will be impacted by current financial constraints.

13. A firm update to local boards on the status of this project will be provided as soon as decisions around the budget are finalised.

**Road Closures due to storm event**

14. On the evening of 24 June 2020, a 1 in 50-year storm event occurred in the Clevedon area, resulting in the closure of Hunua Rd due to a slip. Traffic management was put in place, with Hunua Road reopened by 3pm on Saturday 27 June 2020.
15. West Rd was also closed due to flooding and reports of flooding on Ara-Kotinga Rd, John Hill Road, Peach Hill Road, Sky High Road, and Cowan Road were also received. We worked with our contractors to resolve these issues as quickly as possible to minimise disruption to local residents and commuters.

Regional Impacts
COVID-19 update: Transport in Auckland under Alert Level 1

16. The Government has announced that New Zealand has moved to Alert Level 1. This means Auckland Transport services are largely returning to normal operations.

17. The Government has advised the general rule for Alert Level 1 is that COVID-19 is contained in New Zealand but still uncontrolled overseas. This means that it is still important for Aucklanders to be prepared and to be vigilant. If someone is feeling sick, they should stay home. They should not go to work or school and not socialise if they are showing symptoms of COVID-19 or are awaiting a COVID-19 test result.

18. Though Alert Level 1 means public transport can return to normal capacity levels due to physical distancing requirements being removed, the Government is asking everyone to keep track of where they have been and who they have seen to assist with quick contact tracing should a new case appear. To help with this recommendation, AT customers using a registered AT HOP card are able to take note of their travel history on public transport by checking their transaction history on the AT Mobile app, or on our website at www.AT.govt.nz/myat.

19. The Government is also asking everyone to continue with public health measures that were encouraged under all Alert Levels such as washing your hands frequently, coughing into your elbow and avoiding touching your face as much as possible.

AT’s Vision Zero road safety goal – any road death or injury is unacceptable

20. New data shows that in 2019, 40 people died on our roads and an additional 567 were seriously injured. Auckland Transport’s executive general manager of safety, Bryan Sherritt, says the sobering data shows that we must do better.

21. “Auckland is a Vision Zero region and no one should lose their life or get seriously injured simply moving around the city.”

22. “Although 14 lives were saved, and 42 serious injuries prevented in 2019 on Tāmaki Makaurau roads compared to 2018, 40 people tragically lost their lives and 567 people were seriously injured. The lives of the loved ones of those 40 people will never be the same again. This is simply unacceptable.”

23. “This is why Auckland Transport (AT) must continue to work hard to keep everyone safe. On 30 June, some roads around Auckland had their speed limit reduced as part of the Speed Limits Bylaw 2019.”

24. Mr Sherritt says the speed limit changes are one piece of the puzzle in AT’s commitment to make the road safer for all Aucklanders - whether they are travelling by vehicle, public transport, scooter, bike, or on foot.

25. Most of the safer speed changes are in the Waitematā, Rodney and Franklin Local Board areas, along with changes to approximately 100 other roads in Auckland.

26. “We must all work together in our commitment towards making our roads safer,” says Mr Sherritt.

27. “When you see the new speed limit signs around Auckland, take care and follow these safer speed limits. If we work together, we can make sure that our loved ones come home to us each night.”

28. To find out where the speeds changed on 30 June, follow the link to our website: https://at.govt.nz/speed
New trains on the tracks

29. The first two of Auckland’s new trains are now up and running. Trains AM 810 and AM 836 have been rolled out on the Onehunga Line.

30. Thirteen more trains are on order from Spain. All 15 new trains are built by the same company which built the original 57 Auckland trains, Construcciones y Auxiliar de Ferrocarriles (CAF).

31. The new trains mean more six-car trains can operate during peak periods and they will help with increasing demand as we return to business as usual across the city.

32. While the new trains look similar to what Aucklanders are used to, there are some small differences. The carpets and lino are darker and there is change to the door operation to reduce the wait time at stations.

33. All 15 trains should arrive during this year but delivery times may be affected by COVID-19.

34. For more on the trains: https://at.govt.nz/projects-roadworks/electric-trains/#

Puhinui Station Interchange main works contract awarded

35. Auckland Transport continues to play its role in helping the economy recover, with new local employment opportunities following confirmation of the Puhinui Station Interchange main works contract.

36. McConnell Dowell and the Built Environments joint venture has been awarded the contract to complete the project, which follows on from their early works contract for a total construction award value of $46.6 million.

37. Although Covid-19 has pushed the completion date out to the second quarter of 2021, the project is still progressing quickly, with a number of key milestones reached in the past few months including the installation of foundations, columns and lift shafts for the station.

38. The next key milestones will be the installation of the concourse bridge deck, stairs and the steel superstructure over the coming months.

39. The Puhinui Station Interchange is being delivered in stages, with the current stage an early improvement within the Airport to Botany Rapid Transit project. This project is led by Auckland Transport and forms part of the wider Southwest Gateway programme.

40. The Southwest Gateway programme involves Waka Kotahi NZ Transport Agency, Auckland Transport and Auckland Airport working together to deliver transport projects that will improve access to the airport and its surrounding area to benefit workers, travelers, tourists and freight movements.

41. For more information please visit: www.at.govt.nz/PuhinuiStation

42. To find out more about the individual projects, please visit:
   - Airport to Botany Rapid Transit – www.at.govt.nz/AtoB
   - 20Connect – www.nzta.govt.nz/20connect

Tauākī whakaaweawe āhuarangi
Climate impact statement

43. AT engages closely with Council on developing strategy, actions and measures to support the outcomes sought by the Auckland Plan 2050, the Auckland Climate Action Plan and Council’s priorities.
44. AT’s core role is in providing attractive alternatives to private vehicle travel, reducing the carbon footprint of its own operations and, to the extent feasible, that of the contracted public transport network.

Ngā whakaaweawe me ngā tirohanga a te rōpū Kaunihera
Council group impacts and views

45. The impact of information (or decisions) in this report is confined to Auckland Transport and does not impact on other parts of the Council group.

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

Auckland Transport consultations

Local Board consultations

46. AT provides the Franklin Local Board with the opportunity to comment on transport projects being delivered in the local board area.

47. The local board’s views on any proposed schemes are taken into account during consultation on those proposals.

48. In the reporting period from June 2020, only one proposal was put forward for comment by the Franklin Local Board. The local board transport representative’s views and ongoing communication are recorded in the table below.

Table 1: Local Board Consultations

<table>
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<tr>
<th>Location</th>
<th>Proposal</th>
<th>Details and Local Board Feedback</th>
</tr>
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<tbody>
<tr>
<td>Paerata Rise Stage 4 and Stage 5 Subdivisions</td>
<td>Stage 4 involves the extension of Jonah Lomu Drive further north to provide access to the relocated Paerata School. Stage 5 involves the formation and vesting of some new local streets to the west of Jonah Lomu Drive.</td>
<td>Circulated to the local board on 25 March 2020. The local board feedback noted its disappointment and concern at the narrow size of the roads, lack of on-street parking and design of the provided parking bays within the subdivision. They also reflected concerns about congestion being exacerbated by the school. In the absence of public transport and parking provision, there will be increased risk to children’s safety at drop-off/ pick-up times. The local board also reflected the need for greater provision of on-street parking (noting the relatively small area of angle parking some distance from the school) closer to the school site, or guarantees that the school site will have significant off-street parking provision. The extent of no stopping at all times is concerning but acknowledge that it is required due to the narrow street design. Overall, the local board were uncomfortable with the proposal. The response from the consultant was that the developer shares the local boards views, but the scope of the current consultation is restricted to the traffic controls that Grafton Downs is required to install and does not extend to other design aspects. Due in part to the feedback the board has made on traffic resolutions in previous stages, the future stages that are currently being designed and consented have slightly wider local streets.</td>
</tr>
</tbody>
</table>
Item 12

The width and design of the streets for these stages was determined some time ago. Council and Auckland Transport approved the design of the streets and construction of these streets is well underway. The developer is required by Council to install traffic controls such as parking restrictions prior to completing the subdivision, and the controls shown on the drawing are in accordance with the design approved by Council. As part of the resolution process the consultant is working with parking specialists from Auckland Transport to maximise the supply of on-street parking by minimising the parking restrictions while still allowing for safe and efficient operation.

In the case of the new Paerata School site, the Ministry of Education is responsible for ensuring that the effects of the school, including effects on road safety and parking, are adequately addressed. At many new and redeveloped school sites in Auckland on-site space is dedicated for staff parking and for child drop-off and pick-up, so the expectation is that the Ministry should provide space within the school site for this purpose.

Traffic Control Committee resolutions

49. Traffic Control Committee decisions within the Franklin Local Board area are reported on a monthly basis. The decisions within the local board area in the period of May 2020 are reflected in Table 4 below:

Table 2: Traffic Control Committee Decisions

<table>
<thead>
<tr>
<th>Street</th>
<th>Type of report</th>
<th>Nature of restriction</th>
<th>Decision</th>
</tr>
</thead>
<tbody>
<tr>
<td>Crisp Avenue / Paerata Road</td>
<td>Permanent Traffic and Parking changes</td>
<td>No Stopping At All Times / Angle Parking / Traffic Island / Flush Median / Edge Line / Give-Way Control</td>
<td>Carried</td>
</tr>
</tbody>
</table>

Tauākī whakaaweawe Māori

Māori impact statement

50. There are no specific impacts on Māori for this reporting period. AT is committed to meeting its responsibilities under Te Tiriti o Waitangi—the Treaty of Waitangi and its broader legal obligations in being more responsible or effective to Māori.

51. Our Maori Responsiveness Plan outlines the commitment to with 19 mana whenua tribes in delivering effective and well-designed transport policy and solutions for Auckland. We also recognise mataawaka and their representative bodies and our desire to foster a relationship with them.

52. This plan in full is available on the Auckland Transport Website - https://at.govt.nz/about-us/transport-plans-strategies/maori-responsiveness-plan/#about
Ngā ritenga ā-pūtea

Financial implications
53. The proposed decision of receiving the report has no financial implications.

Ngā raru tūpono me ngā whakamaurutanga

Risks and mitigations
54. Auckland Council is currently consulting on its Emergency Budget 2020/2021 and we will have more certainty on the impacts to the AT programme when the budget is adopted in July.

55. Our capital and operating budgets are likely to be reduced through this process. Some projects we had planned for 2020/2021 may not be able to be delivered, which will be disappointing to communities that we had already engaged with. Both the Community Safety Fund and the Local Board Transport Capital Fund will be impacted by these budget reductions.

56. The only way to mitigate this risk is to clearly communicate the board’s intentions so staff supporting it may plan ahead, and to make the best use of any available funds.

Ngā koringa ā-muri

Next steps
57. AT will provide an update report to the local board next month.

Ngā tāpirihanga

Attachments
There are no attachments for this report.

Ngā kaihaina

Signatories

<table>
<thead>
<tr>
<th>Author</th>
<th>Kenneth Tuai – Elected Member Relationship Manager, Auckland Transport</th>
</tr>
</thead>
<tbody>
<tr>
<td>Authorisers</td>
<td>Jonathan Anyon – Elected Member Relationship Team Manager, Auckland Transport</td>
</tr>
<tr>
<td></td>
<td>Carol McKenzie-Rex - Relationship Manager for Franklin and Howick Local Boards</td>
</tr>
</tbody>
</table>
Statement of proposal to amend the Alcohol Control Bylaw

File No.: CP2020/08940

Te take mō te pūrongo

Purpose of the report

1. To seek support on the statement of proposal to amend the Te Kaunihera o Tāmaki Makaurau Te Ture a Rohe Whakararata Waipiro 2014 / Auckland Council Alcohol Control Bylaw 2014 before it is finalised for public consultation.

Whakarāpopototanga matua

Executive summary

2. To enable the local board to provide its views on the statement of proposal to amend the Te Kaunihera o Tāmaki Makaurau Te Ture a Rohe Whakararata Waipiro 2014 / Auckland Council Alcohol Control Bylaw 2014, staff have prepared a draft proposal.

3. The draft proposal would continue to enable council to make alcohol bans in certain public places to reduce crime and disorder caused or made worse by alcohol consumed there.

4. The main proposals are to include new temporary alcohol bans for major events at Mount Smart Stadium, Western Springs Stadium, Eden Park and Auckland Domain, and to make the Bylaw easier to read and understand.

5. Staff recommend that the local board provide its views on the draft proposal.

6. There is a reputational risk that the draft proposal or the local board’s views do not reflect the views of people in the local board area. This risk would be partly mitigated by future public consultation processes. The local board will have an opportunity to consider any public feedback and provide formal views to a Bylaw Panel prior to the final decision.

7. The local board’s views will be provided to the Regulatory Committee on 1 September 2020 who will recommend a statement of proposal for public consultation to the 24 September Governing Body meeting. Public consultation is scheduled for October 2020, Bylaw Panel deliberations for March 2021, and a final decision by the Governing Body for April 2021.

Ngā tūtohunga

Recommendation/s

That the Franklin Local Board:

a) support the draft statement of proposal in Attachment A of this agenda report to amend the Auckland Council Alcohol Control Bylaw 2014 for public consultation.

Horopaki

Context

The Alcohol Control Bylaw enables council to make alcohol bans in public places

8. The Te Kaunihera o Tāmaki Makaurau Te Ture a Rohe Whakararata Waipiro 2014 / Auckland Council Alcohol Control Bylaw 2014 (Bylaw) aims to reduce crime or disorder in certain public places caused or made worse by alcohol consumed there.

9. The Bylaw achieves this by providing a framework that enables alcohol bans to be made by resolution of the relevant delegated authorities – the Regulatory Committee, Auckland Domain Committee or local boards. Alcohol bans are enforced by the New Zealand Police.
The Regulatory Committee have decided to amend the Alcohol Control Bylaw

10. The Regulatory Committee requested staff commence the process to amend the Bylaw on 9 May 2019 (REG/2019/28). The process leading to this decision is summarised below.

11 April 2019 (REG/2019/19) Regulatory Committee endorsed the statutory bylaw review findings that:

- a bylaw about the consumption or possession of alcohol in public places is still the most appropriate way to address crime or disorder in certain public places caused or made worse by alcohol consumed there
- the current Bylaw does not give rise to any implications under, and is not inconsistent with, the New Zealand Bill of Rights Act 1990
- the current Bylaw structure and wording could be improved.

9 May 2019 (REG/2019/28) Regulatory Committee instructed staff to draft an amended Bylaw (Option two) after considering four options:

- Option one: status quo – retain Bylaw that makes alcohol bans by resolution
- Option two: amend the current Bylaw – improve the status quo
- Option three: replace the current Bylaw – new bylaw that contains all alcohol bans
- Option four: revoke Bylaw – no bylaw and instead rely on other existing methods.

Staff prepared a proposal in line with decisions of the Regulatory Committee

11. Staff have prepared a draft statement of proposal (draft proposal) to implement the decision of the Regulatory Committee to amend the Bylaw (Attachment A).

12. The draft proposal includes the reasons and decisions leading to the proposed amendments and a comparison between the existing and amended bylaws.

The local board has an opportunity to provide its views on the proposal

13. The local board now has an opportunity to provide its views on the draft proposal in Attachment A by resolution to the Regulatory Committee before it is finalised for public consultation.

14. For example, the local board could support the draft proposal for public consultation, recommend changes before it is finalised, or defer comment until after it has considered public feedback on the proposal.

Tātaritanga me ngā tohutohu
Analysis and advice

The draft proposal makes improvements to the current alcohol control bylaw

15. The draft proposal seeks to improve the use of alcohol bans for major events\(^1\) and make the Bylaw easier to read and understand. The table below summarises the proposed changes.

<table>
<thead>
<tr>
<th>Summary of proposed changes to the Alcohol Control Bylaw 2014</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Proposals</strong></td>
</tr>
<tr>
<td>Make new event-based temporary alcohol bans for all major events at Mount Smart Stadium, Western Springs Stadium,</td>
</tr>
</tbody>
</table>

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\(^1\) Council’s Events Policy refers to major events as events having a regional, national and international profile.
## Item 13: Proposals

<table>
<thead>
<tr>
<th>Eden Park and Auckland Domain in the Bylaw.</th>
<th>Reasons for proposals</th>
</tr>
</thead>
<tbody>
<tr>
<td>• The new event-based temporary alcohol bans will replace existing event-based temporary alcohol bans made by resolution(^2) for Mount Smart Stadium, Eden Park and Auckland Domain for ‘Christmas in the Park’ and the Lantern Festival. Changes to these existing resolutions would:</td>
<td>• more easily enables a preventative approach to alcohol-related crime or disorder at or near event venues used for major events</td>
</tr>
<tr>
<td>o for Mount Smart Stadium extend the ban to apply to all major events, not just concerts</td>
<td>• removes time and cost to process individual requests for event-based temporary alcohol bans where:</td>
</tr>
<tr>
<td>o for Eden Park extend the ban to include Eden Park stadium, and two fan trails if they are activated as part of the event(^3)</td>
<td>o the event venue has in the past, is currently, and will in the future be used for major events</td>
</tr>
<tr>
<td>o for Auckland Domain extend the ban to all major events (not just the Lantern Festival) and extend the times of the ban to start one hour earlier and finish one hour later. The ban for the Auckland Domain ‘Christmas in the Park’ event would remain unchanged.</td>
<td>o a ban has been used in the past for major events at the event venue.</td>
</tr>
<tr>
<td>• Replace with a related information note clauses about alcohol ban signage, and clauses about legislative decision-making criteria.</td>
<td>• creates more consistent event-based temporary alcohol ban times and application.</td>
</tr>
<tr>
<td>• Clarify exceptions to alcohol bans for licensed premises and the transport of alcohol, council’s ability to make temporary alcohol bans and Bylaw wording.</td>
<td>Replacing some clauses with related information notes and providing clarifications:</td>
</tr>
<tr>
<td></td>
<td>• removes provisions that are unnecessary to state in the Bylaw but are useful as extra information</td>
</tr>
<tr>
<td></td>
<td>• provides rules that are easier to read and understand.</td>
</tr>
</tbody>
</table>

### The draft proposal complies with statutory requirements

16. The draft proposal has been prepared in accordance with statutory requirements and best practice drafting guidelines:

- The proposed inclusion of event-based temporary alcohol bans for major events at certain venues in the Bylaw is a reasonable limitation on people’s rights and freedoms because the bans only apply temporarily to a limited area for large scale events.

- The amended Bylaw is a more appropriate form of bylaw because the inclusion of event-based temporary alcohol bans for major events at certain venues enables a preventative approach to alcohol-related crime or disorder.\(^4\) The amended Bylaw would also be easier to read and understand.

- The amended Bylaw has no implications under, and is not inconsistent with, the New Zealand Bill of Rights Act 1990 (the Act). There are potential limitations to freedoms protected by the Act of expression, peaceful assembly, movement, security against unreasonable search and seizure, and to not be arbitrarily arrested. These limitations are justified because alcohol bans help prevent harm to the public, and because council’s ability to make alcohol bans is subject to legislative criteria which ensures any ban is justified, appropriate and proportionate.

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\(^2\) MT/2017/144 (Mt Smart); AE/2015/119 (Eden Park); RBC/2015/41 and WTM/2016/110 (Christmas in the Park); ADC/2017/43 (Lantern Festival).

\(^3\) There are two Eden Park Fan Trails designed for fans to walk to Eden Park. One starts at Ponsonby Road (activated on ‘match days’) and one starts from Queen Elizabeth Square (last used during the 2011 Rugby World Cup).

\(^4\) Section 147A of the Local Government Act 2002.
Staff recommend the local board consider providing its views on the proposal

17. Staff recommend that the local board consider the draft proposal and whether it wishes to provide its views to the Regulatory Committee.

Tauākī whakaaweawe āhuarangi
Climate impact statement

18. There are no implications for climate change arising from this decision.

Ngā whakaaweawe me ngā tirohanga a te rōpū Kaunihera
Council group impacts and views

19. The draft proposal impacts the operation of units across the council group involved in events, processing alcohol ban requests and alcohol ban signage. Those units are aware of the impacts of the proposal and their implementation role.

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

20. The Bylaw is important to local boards as they have the delegated authority to make local alcohol bans, and because alcohol bans help to improve public safety in their local areas.

21. The main view of local board members during the bylaw review was to retain local board decision-making authority for local alcohol bans. The proposal supports this by retaining the current decision-making authority. The process for the local board to make alcohol bans by resolution will remain the same.

22. The local board has an opportunity in this report to provide its views on the proposal to the Regulatory Committee.

23. The local board will also have further opportunity to provide its views to a Bylaw Panel on any public feedback to the proposal from people in the local board area.

Tauākī whakaaweawe Māori
Māori impact statement

24. The Bylaw has significance for Māori as users and kaitiaki / guardians of public space. Māori are also over-represented in alcohol-related hospital visits, the criminal justice system and as victims of crime.

25. Māori health advocacy organisations, Te Puni Kōkiri and the Maunga Authority support the use of alcohol bans as a tool to reduce alcohol-related harm.

26. The draft proposal supports this view by retaining the ability for council to use alcohol bans.

Ngā ritenga ā-pūtea
Financial implications

27. There are no financial implications to the local board for any decision to support the draft proposal for public consultation. The Governing Body at a later date will consider any financial implications associated with public notification and signage.

Ngā raru tūpono me ngā whakamaurutanga
Risks and mitigations

28. There is a reputational risk that the draft proposal or the local board’s views do not reflect the views of people in the local board area. This risk would be partly mitigated by future public consultation processes. The local board will have an opportunity to consider any public feedback and provide its formal views to a Bylaw Panel prior to the final decision.
Ngā koringa ā-muri

Next steps

29. Staff will present a proposal and any local board views to the Regulatory Committee on 1 September 2020. The next steps are shown in the diagram below.

Ngā tāpirihanga

Attachments

<table>
<thead>
<tr>
<th>No.</th>
<th>Title</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>A0</td>
<td>Statement of proposal to amend the Alcohol Control Bylaw</td>
<td>27</td>
</tr>
</tbody>
</table>

Ngā kaihaina

Signatories

<table>
<thead>
<tr>
<th>Author</th>
<th>Elizabeth Osborne - Policy Analyst</th>
</tr>
</thead>
<tbody>
<tr>
<td>Authorisers</td>
<td>Paul Wilson - Team Leader Bylaws</td>
</tr>
<tr>
<td></td>
<td>Carol McKenzie-Rex - Relationship Manager for Franklin and Howick Local Boards</td>
</tr>
</tbody>
</table>
Helping to protect the public

Reducing alcohol-related crime and disorder

Enabling alcohol bans to be made that prohibit alcohol in certain public places where crime or disorder is caused or made worse by alcohol consumed there.

Statement of Proposal to amend the Auckland Council Alcohol Control Bylaw 2014. Public consultation takes place from [date] to [date].
1 Have your say

Helping to protect the public

Aucklanders drink alcohol in public places every day, for example at a family picnic, licensed venue or concert. Most people drink responsibly and without having any negative impact on others.

Sometimes drinking in public places can cause or worsen crime or disorder there. For example, drinkers may make too much noise, leave litter or graffiti, urinate in public, commit vandalism or theft, intimidate or assault others, trespass, or use vehicles recklessly. This can negatively affect nearby residents’ sleep, reduce the recreational or visual amenity of the place, make people feel unsafe, and place drinkers or those around them in danger of physical harm.

How Auckland Council keeps you safe

We use a bylaw to enable us to make alcohol bans that prohibit alcohol in certain public places (for example a park).

The current ability to make alcohol bans is included in the Te Kaunihera o Tāmaki Makaurau Te Ture ā-Rohe Whakararata Waipiro 2014 / Auckland Council Alcohol Control Bylaw 2014.

Improving how we make alcohol bans

We recently checked how the rules are working and identified improvements.

We propose changes to the Bylaw that would:

- make new event-based temporary alcohol bans for major events at Mount Smart Stadium, Western Springs Stadium, Eden Park and the Auckland Domain in the Bylaw
- use related information notes to replace clauses about alcohol ban signage and to replace clauses that duplicate legislative decision-making criteria
- clarify exceptions to alcohol bans for licensed premises and the transport of alcohol, and to clarify council’s ability to make temporary alcohol bans
- make the Bylaw wording easier to read and understand.

Other key aspects of the current Bylaw and its implementation will remain unchanged, for example:

- all local boards, the Auckland Domain Committee and the Regulatory Committee will continue to have delegated authority to make alcohol bans
- no changes to current alcohol bans (except for the event-based temporary alcohol bans above).

We want to know what you think

Starting on [date] through to [date], we want you to tell us what you think about the proposed amendments to the Auckland Council Alcohol Control Bylaw 2014.

Visit www.aucklandcouncil.govt.nz/have-your-say for more information, to give your feedback and to find out where you can drop in to a ‘have your say’ event.
What is the Bylaw

The Te Kaunihera o Tāmaki Makaurau Te Ture ā-Rohe Whakararata Waipiro 2014, Auckland Council Alcohol Control Bylaw 2014, was made on 30 October 2014.

The purpose of the Bylaw is to reduce crime or disorder in certain public places that is caused or made worse by alcohol consumed there. The Bylaw seeks to achieve this by enabling council to make alcohol bans that prohibit alcohol in those public places (including in a vehicle).

Alcohol Control Bylaw 2014 framework
What council proposes to change

Improving how we make alcohol bans

We recently checked how the rules are working and identified improvements.

Council is proposing to better reduce alcohol-related crime and disorder in public places by making amendments to the Alcohol Control Bylaw 2014. The proposed amendments are listed below.

<table>
<thead>
<tr>
<th>Proposals</th>
<th>Reasons for proposals</th>
</tr>
</thead>
<tbody>
<tr>
<td>Make new event-based temporary alcohol bans for all major events at Mount Smart Stadium, Western Springs Stadium, Eden Park and Auckland Domain in the Bylaw.</td>
<td>Including new event-based temporary alcohol bans made in the Bylaw:</td>
</tr>
<tr>
<td>The new event-based temporary alcohol bans will replace existing event-based temporary alcohol bans made by resolution1 for Mount Smart Stadium, Eden Park and Auckland Domain for 'Christmas in the Park' and the Lantern Festival. Changes to these existing resolutions would:</td>
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<td>o for Mount Smart Stadium extend the ban to apply to all major events, not just concerts</td>
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<td>o for Auckland Domain extend the ban to all major events (not just the Lantern Festival) and extend the times of the ban to start one hour earlier and finish one hour later.</td>
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<td></td>
<td>• provides rules that are easier to read and understand.</td>
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</table>

If you want to know more, Appendix A shows what the proposed amended Alcohol Control Bylaw would look like. Appendix B provides a copy of the existing Alcohol Control Bylaw 2014. Appendix C provides a summary of the differences between the existing and amended bylaw.

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1 MT/2017/144 (Mt Smart), AE/2015/119 (Eden Park), RBC/2015/41 and WTM/2016/110 (Christmas in the Park), ADC/2017/43 (Lantern Festival).

2 There are two Eden Park Fan Trails designed for fans to walk to Eden Park. One starts at Ponsonby Road (activated on ‘match days’) and one starts from Queen Elizabeth Square (last used during the 2011 Rugby World Cup).
4 How we implement the Bylaw

Making decisions using evidence

Council uses evidence to decide whether to make, amend or replace an alcohol ban by resolution.

Before making an alcohol ban by resolution, the Local Government Act 2002 requires council to be satisfied that there is evidence of a high level of crime or disorder in the area which has been caused by or made worse by alcohol consumption in that same area.

Evidence can include witness accounts of crime or disorder, photos of litter or damage, and callouts to council noise control and the Police. The Local Government Act 2002 also requires any alcohol ban to be appropriate and proportionate in terms of the nature and scale of the crime or disorder and justifiable as a reasonable limitation on people’s rights and freedoms.

Erecting and maintaining signage

Council erects and maintains alcohol ban signage. Signage informs people of the alcohol ban area and hours. An internal policy guides the form and placement of alcohol ban signage.

Police enforcement of alcohol bans

The New Zealand Police are responsible for enforcing alcohol bans made under the Bylaw.

Anyone can report a breach of an alcohol ban to the Police. Police respond to reports of alcohol ban breaches as soon as possible depending on the nature of the issues and other priorities.

Police may use powers of search, seizure and arrest under the Local Government Act 2002 to enforce alcohol bans. For breaches of alcohol bans, the Police may issue an infringement fee of $250.
How we got here

Decisions leading to the proposed changes

The Local Government Act 2002 requires the council to review its bylaws periodically to determine whether they are effective, efficient and still necessary to address the problem. We also check that the Bylaw is not inconsistent with the New Zealand Bill of Rights Act 1990.

Auckland Council reviewed the existing Bylaw by engaging with stakeholders and undertaking research. Council reported its findings and considered options in response to the findings at meetings in April and May 2019.

This statement of proposal was approved for public consultation by the Governing Body in September 2020. This begins the formal process to make amendments to the Alcohol Control Bylaw 2014.

Bylaw review and approval process

Go to: www.aucklandcouncil.govt.nz/have-your-say if you would like to view more information about the above decisions, including the findings from the statutory bylaw review and options we considered to respond to those findings.

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Council engaged with a range of stakeholders including the Tūpuna Maunga Authority, the New Zealand Police, Alcohol Harm Watch, Health Promotion Agency, Auckland Regional Public Health Service, Te Puni Kōkiri and Māori public health advocates.
6 We want your input

You have an opportunity to tell us your views.

We would like to know what you think about the proposed amendments to the Alcohol Control Bylaw. Anyone can give feedback on the proposal, including individuals, organisations and businesses.

Give us your feedback

Starting on #month 2020 through to #month 2020 we are asking for feedback on proposed amendments to the Auckland Council Alcohol Control Bylaw 2014. Anyone can give feedback.

You can give your feedback:

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

Visit www.aucklandcouncil.govt.nz/Have-your-say for more information.

*Online services are available at our libraries.*

*Your name and feedback will be available to the public in our reports and online. All other personal details will remain private.*
Appendix A: Proposed amended Auckland Council Alcohol Control Bylaw 2020
Te Ture ā-Rohe
Whakararara Waipiro 2014
Alcohol Control Bylaw 2014

(as at dd month 2021)

made by the Governing Body of Auckland Council

in resolution GB/2014/121

on 30 October 2014

Bylaw made under sections 145 and 147 of the Local Government Act 2002.
Summary
This summary is not part of the Bylaw but explains the general effects.

Sometimes drinking in public places can cause or worsen crime or disorder there. For example, drinkers may make too much noise, leave litter or graffit, urinate in public, commit vandalism or theft, intimidate or assault others, trespass, or use vehicles recklessly.

This can negatively affect nearby residents’ sleep, reduce the recreational or visual amenity of the place, make people feel unsafe, and place drinkers or those around them in danger of physical harm.

The purpose of this Bylaw is to reduce crime or disorder in certain public places that is caused or made worse by alcohol consumed there, by –

- using alcohol bans to prohibit people from consuming, bringing or possessing alcohol in certain public places at certain times (clause 6)
- setting out how council may make a new alcohol ban by resolution (clauses 7 and 8)
- specifying event-based temporary alcohol bans (Schedule 1)
- referencing the full list of alcohol bans and maps (viewable on council’s website)

Other parts of this Bylaw assist with its administration by –

- stating its name, when it comes into force and where it applies (clauses 1, 2 and 3)
- stating the purpose of this Bylaw and defining key terms (clauses 4 and 5)
- referencing the powers of the New Zealand Police to enforce this Bylaw, including the issue of $250 infringement fines (Part 4)
- ensuring existing resolutions continue to apply and incomplete enforcement action can continue where relevant (Part 5).

Cover page reformatted and Summary inserted in accordance with Clause 2(2).
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<td>Commencement</td>
<td>4</td>
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<tr>
<td>3</td>
<td>Application</td>
<td>4</td>
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</tbody>
</table>

#### Part 1

**Preliminary provisions**

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<td>Purpose</td>
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<tr>
<td>5</td>
<td>Interpretation</td>
<td>4</td>
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</tbody>
</table>

#### Part 2

**Alcohol consumption and possession in public places**

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<tr>
<th>Clause</th>
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</thead>
<tbody>
<tr>
<td>6</td>
<td>Alcohol prohibited in public places where an alcohol ban applies</td>
<td>6</td>
</tr>
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</table>

#### Part 3

**Controls**

<table>
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<tr>
<th>Clause</th>
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<tbody>
<tr>
<td>7</td>
<td>Council may make an alcohol ban</td>
<td>7</td>
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<tr>
<td>8</td>
<td>Procedure for making an alcohol ban</td>
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#### Part 4

**Enforcement powers, offences and penalties**

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<tr>
<th>Clause</th>
<th>Description</th>
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<tbody>
<tr>
<td>9</td>
<td>Police can use statutory powers and other methods to enforce this Bylaw</td>
<td>8</td>
</tr>
<tr>
<td>10</td>
<td>A person can be penalised for not complying with this Bylaw</td>
<td>8</td>
</tr>
</tbody>
</table>

#### Part 5

**Savings and transitional provisions**

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<th>Clause</th>
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<tbody>
<tr>
<td>11</td>
<td>Existing resolutions continue to apply</td>
<td>9</td>
</tr>
<tr>
<td>12</td>
<td>Existing inquiries to be completed under this Bylaw</td>
<td>9</td>
</tr>
</tbody>
</table>

**Schedules**

<table>
<thead>
<tr>
<th>Description</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Schedule 1 Event-Based Temporary Alcohol Bans</td>
<td>10</td>
</tr>
</tbody>
</table>
1 Title

(1) This Bylaw is the Te Ture ā-Rohe Whakararata Waipiro 2014, Alcohol Control Bylaw 2014.

Clause 1 amended in accordance with Clause 2(2).

2 Commencement

(1) This Bylaw comes into force on 18 December 2014.

(2) Amendments to this Bylaw by resolution GB/####/### come into force on 01 June 2021.

Related information about amendments

Council decided on dd month year to make various amendments to the Bylaw. The majority of the amendments were to make the Bylaw easier to read and understand. Key changes included:

- making new event-based temporary alcohol bans in Schedule 1
- using related information notes to replace clauses about alcohol ban signage and to replace clauses that duplicate legislative decision-making criteria
- clarifying exceptions to alcohol bans for licensed premises and the transport of alcohol, and clarifying council’s ability to make temporary alcohol bans.

A comparison of the Bylaw before and after the amendments were made can be viewed in Item # of the Auckland Council Governing Body meeting agenda dated dd month year.

Clause 2 amended in accordance with Clause 2(2).

3 Application

(1) This Bylaw applies to Auckland.

4 Purpose

(1) The purpose of this Bylaw is to reduce crime or disorder in certain public places that is caused or made worse by alcohol consumed there.

Clause 4 amended in accordance with Clause 2(2).

5 Interpretation

(1) In this Bylaw, unless the context otherwise requires, –

Alcohol has the meaning given by section 5(1) of the Sale and Supply of Alcohol Act 2012.

Auckland has the meaning given by section 4(1) of the Local Government (Auckland Council) Act 2009.
Christmas / New Year holiday period means Christmas Eve (the day before Christmas Day) to the day after New Year’s Day as determined by the Holidays Act 2003.

Council means the Governing Body of the Auckland Council or any person delegated or authorised to act on its behalf.

Related information about who can make an alcohol ban
Council has delegated the making of alcohol bans by resolution under clause 7 to –
- local boards for local parks, streets and carparks as at 30 October 2014 (GB/2014/121)
- the Regulatory Committee for areas of regional significance as at 30 October 2014
  (GB/2014/121)
- the Auckland Domain Committee for the Auckland Domain as at 1 November 2016
  (GB/2016/237).

The Governing Body of Auckland Council is responsible for making alcohol bans in all other public places, and for any alcohol bans in Schedule 1.

Public holiday has the same meaning given in the Holidays Act 2003.

Public place has the meaning given by section 147 of the Local Government Act 2002.

Related information
The Local Government Act 2002 (as reprinted on 1 July 2018) states a public place –
(a) means a place that is open to or is being used by the public, whether free or on payment of a charge, and whether any owner or occupier of the place is lawfully entitled to exclude or eject any person from it; but
(b) does not include licensed premises.

Vehicle has the meaning given by section 2(1) of the Land Transport Act 1998.

(2) Related information does not form part of this Bylaw and may be inserted, changed or removed without any formality.

(3) The Interpretation Act 1999 applies to this Bylaw.

Clause 5 amended in accordance with Clause 2(2).
Part 2

Alcohol consumption and possession in public places

6 Alcohol prohibited in public places where an alcohol ban applies

(1) A person must not consume, bring or possess alcohol in any public place or in any vehicle in any public place where—

(a) an alcohol ban made by council in accordance with clause 7 of this Bylaw applies; or

(b) an alcohol ban in a Schedule of this Bylaw applies.

(2) However, subclause (1) does not apply in those circumstances described in section 147(4) or section 147(1)(b) of the Local Government Act 2002.

Related information about alcohol bans
A list of all alcohol bans made using clause 7 and related maps is attached at the end of this Bylaw for information only, and can be viewed on council’s website.

Related information about exceptions – Transport of alcohol
In section 147(4) of the Local Government Act 2002 (as reprinted on 26 March 2020), an alcohol ban does not apply in the case of alcohol in an unopened container to,—

“(a) the transport of the alcohol from licensed premises next to a public place, if—

(i) it was lawfully bought on those premises for consumption off those premises; and

(ii) it is promptly removed from the public place; or

(b) the transport of the alcohol from outside a public place for delivery to licensed premises next to the public place; or

(c) the transport of the alcohol from outside a public place to premises next to a public place by, or for delivery to, a resident of the premises or his or her bona fide visitor; or

(d) the transport of the alcohol from premises next to a public place to a place outside the public place if—

(i) the transport is undertaken by a resident of those premises; and

(ii) the alcohol is promptly removed from the public place.”

This may include for example, transporting alcohol from a supermarket to your home, from your home to a BYO restaurant or from your home to a friend’s house.

Related information about exceptions – Licensed premises
In section 147(1)(b) of the Local Government Act 2002 (as reprinted on 26 March 2020), exceptions apply to an alcohol ban where a licence is held under the Sale and Supply of Alcohol Act 2012 (Subpart 1 of Part 2). This may include for example, buying alcohol at an event at a park that holds a special licence or dining on the footpath at a restaurant that holds an on-licence providing for BYO alcohol.

Clause 6 amended in accordance with Clause 2(2).
7 Council may make an alcohol ban

(1) Council may make an alcohol ban for the purpose of prohibiting or otherwise regulating or controlling, either generally or for one or more specified periods, any or all of the following:
   (a) the consumption, bringing or possession of alcohol in public places; and
   (b) in conjunction with (a), the presence or consumption of alcohol in vehicles, or vehicles of stated kinds or descriptions, in public places.

(2) Council may amend, replace or revoke an alcohol ban in accordance with clause 8 with all necessary modifications.

Clause 7 amended in accordance with Clause 2(2).

8 Procedure for making an alcohol ban

(1) Council must, before making an alcohol ban in clause 7 –
   (a) comply with decision-making requirements under the Local Government Act 2002; and
   (b) consider using one of the following standard times where appropriate in relation to the requirements in subclause 2(a) –
      (i) 24 hours, 7 days a week (at all times alcohol ban);
      (ii) 7pm to 7am daily (evening alcohol ban);
      (iii) 10pm to 7am daylight saving and 7pm to 7am outside daylight saving (night-time alcohol ban);
      (iv) 7pm on the day before to 7am on the day after any weekend, public holiday or Christmas / New Year holiday period (weekend and holiday alcohol ban).

Related information about making an alcohol ban

- Council may make a permanent or temporary alcohol ban by resolution in clause 7 or by making a bylaw. The process to amend, replace or revoke an alcohol ban is similar to the process that made the ban.
- The Local Government Act 2002 (as reprinted on 26 March 2020) prescribes the criteria to make an alcohol ban in sections 147B (for resolutions) and 147A (for bylaws). The criteria cannot be changed by council.
- For permanent alcohol bans by resolution or in a bylaw, the statutory criteria requires:
  o evidence of a high level of crime or disorder in the area caused by or made worse by alcohol consumption in that same area
  o the ban to be appropriate and proportionate in light of the crime or disorder
  o the ban to be justified as a reasonable limitation on people’s rights and freedoms.
- For temporary alcohol bans in Schedule 1, the statutory criteria requires the alcohol ban to be justified as a reasonable limitation on people’s rights and freedoms.
Before making a decision, council must also comply with the general decision-making requirements under Subpart 1 of Part 6 of the Local Government Act 2002 (as reprinted on 26 March 2020). This could include considering:
- complementary or alternative solutions to an alcohol ban, for example locking gates, public bars, lighting, CCTV and Māori or Pacific Wardens
- views of people likely to be affected by or interested in the alcohol ban, for example nearby residents or businesses, community groups, and the New Zealand Police
- the nature, severity and frequency of alcohol-related crime or disorder
- whether the crime or disorder is a result of displacement from an existing alcohol ban
- whether an alcohol ban would result in displacement of the crime or disorder
- whether a Crime Prevention through Environmental Design assessment is needed.

Council must under clause 8 consider standard times to improve consistency in Auckland, however it may also consider other times more appropriate and proportionate in light of evidence.

Related information about making an alcohol ban – making a request
- Members of the public (for example community groups, businesses and the New Zealand Police) may request council to make an alcohol ban at any time, with supporting evidence.

Related information about alcohol ban signage
- Council uses alcohol ban signage to inform, educate and assist with enforcement.
- The Governor General may use section 147C of the Local Government Act 2002 (as reprinted on 26 March 2020) to make rules about alcohol ban signage. No rules have been made to date.

Clause 8 replaced in accordance with Clause 2(2).

Part 4
Enforcement powers, offences and penalties

9 Police can use statutory powers and other methods to enforce this Bylaw

(1) A Police constable may use their powers under the Local Government Act 2002 to enforce this Bylaw.

Related information about enforcement
The New Zealand Police are responsible for enforcing alcohol bans and have powers relating to search, seizure and arrest under sections 169 and 170 of the Local Government Act 2002 (as reprinted on 26 March 2020).

Clause 9 amended in accordance with Clause 2(2).
10 **A person can be penalised for not complying with this Bylaw**

(1) A person who fails to comply with Part 2 of this Bylaw commits an offence and is liable to a penalty under the *Local Government Act 2002*.

<table>
<thead>
<tr>
<th>Related information about penalties</th>
</tr>
</thead>
<tbody>
<tr>
<td>A person who breaches an alcohol ban commits an offence and is liable to an infringement fee of $250 under section 4 of the Local Government (Alcohol Ban Breaches) Regulations 2013 (as printed on 18 December 2013).</td>
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Clause 10 amended in accordance with Clause 2(2).

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**Part 5**

**Savings and transitional provisions**

11 **Existing resolutions continue to apply**

(1) This clause applies to all resolutions made under this Bylaw prior to amendments in clause 2(2) coming into force.

(2) Every resolution made continues to apply as if made after the amendments to this Bylaw until the expiration date specified in the resolution or until amended, replaced or revoked by council, whichever comes first.

Clause 11 inserted in accordance with Clause 2(2).

12 **Existing inquiries to be completed under this Bylaw**

(1) Any compliance or enforcement action by council under this Bylaw that was not completed prior to amendments in clause 2(2) coming into force will continue to be actioned under this Bylaw as if the amendments had not been made.

Clause 12 inserted in accordance with Clause 2(2).
### Schedule 1

**Event-Based Temporary Alcohol Bans**

[Attached maps will be formatted to council communication standards prior to notification]

In this Schedule, "major events" has the same meaning as "large scale events" in section 147A of the Local Government Act 2002.

<table>
<thead>
<tr>
<th>Name</th>
<th>Alcohol Ban Area</th>
<th>Operative Time</th>
<th>Map number</th>
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<td>Auckland Domain major events alcohol ban (excluding 'Christmas in the Park')</td>
<td>Auckland Domain Associated carpark areas and sports fields</td>
<td>6am on the day of any major event at Auckland Domain to 6am on the day after that event</td>
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<tr>
<td>Auckland Domain 'Christmas in the Park' alcohol ban</td>
<td>Auckland Domain Associated carpark areas, sports fields and surrounding streets</td>
<td>4pm on the Friday before any 'Christmas in the Park' event at the Auckland Domain to 8am on the following Monday after that event</td>
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</tr>
<tr>
<td>Eden Park major events alcohol ban</td>
<td>Eden Park Surrounding streets Fan Trail if activated as part of the event</td>
<td>12 hours before any major event at Eden Park to 12 hours after that event</td>
<td>3</td>
</tr>
<tr>
<td>Mt Smart Stadium major events alcohol ban</td>
<td>Mt Smart Stadium Surrounding streets</td>
<td>6am on the day of any major event at Mt Smart Stadium to 6am on the day after that event</td>
<td>4</td>
</tr>
<tr>
<td>Western Springs major events alcohol ban</td>
<td>Western Springs Stadium Western Springs Lakeside Western Springs Outer Fields Surrounding streets</td>
<td>6am on the day of any major event at Western Springs Stadium to 6am on the day after that event</td>
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### Related information about event-based (temporary) alcohol bans

- More information on major events can be found in council’s [Events Policy](#). The policy describes major events as events that have a regional, national and international profile. Examples of major events where a temporary alcohol ban could apply include concerts (Six60 at Western Springs), festivals (Lantern Festival at Auckland Domain), and sporting events (Warriors at Mount Smart).
- There are two Eden Park Fan Trails. One is a 2.3 kilometre walking route to Eden Park activated on ‘match days’, starting at Western Park on Ponsonby Road. The second was activated last during the 2011 Rugby World Cup and is a 4 kilometre walking route to Eden Park from Queen Elizabeth Square.
Auckland Domain - Major events (excluding Christmas in the Park)
Regional
Hours of Operation: 6am on the first day of the event until 6am on the day after the event
Alcohol ban does not apply to areas covered by a Sale and Supply of Alcohol Act 2012 licence.
Item 13

Eden Park - Major events

Regional
Hours of Operation: 12 hours before and after an event.

Alcohol ban does not apply to areas covered by a Sale and Supply of Alcohol Act 2012 licence.
Statement of proposal to amend the Alcohol Control Bylaw

Mt Smart Stadium - Major events

Regional
Hours of Operation: 6am on the day of the event to 6am the day after the event

Alcohol ban does not apply to areas covered by a Sale and Supply of Alcohol Act 2012 licence.
Regional
Hours of Operation: 6am on the day of the event to 6am on the day after the event.

Alcohol ban does not apply to areas covered by a Sale and

NB: Event could be at one or more of the following Western Springs locations:
- Western Springs Stadium
- Western Springs Outer Fields
- Western Springs Lakeside.
### Related information, Bylaw history

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<th>Description</th>
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<tr>
<td>01 November 2010</td>
<td>Commencement of legacy bylaws about alcohol control (Section 63, Local</td>
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<td>22 July 2014</td>
<td>Review of legacy bylaws about alcohol control completed (R6C/2014/27)</td>
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<tr>
<td>31 July 2014</td>
<td>Proposal to make new bylaw about alcohol control and to revoke legacy</td>
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<td>bylaws (GB/2014/70)</td>
</tr>
<tr>
<td>30 October 2014</td>
<td>Made the Auckland Council Alcohol Control Bylaw 2014 (GB/2014/121)</td>
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<td><strong>dd month year</strong></td>
<td>Public notice of making of the Auckland Council Alcohol Control Bylaw</td>
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<tr>
<td></td>
<td>2014 and revocation of legacy bylaws</td>
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<tr>
<td>18 December 2014</td>
<td>Commencement of Auckland Council Alcohol Control Bylaw 2014 and revocation</td>
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<td></td>
<td>of legacy bylaws (GB/2014/121)</td>
</tr>
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<td>11 April 2019</td>
<td>Review of Auckland Council Alcohol Control Bylaw 2014 completed (REG/2019/19)</td>
</tr>
<tr>
<td>24 September 2020</td>
<td>Proposal to make a new bylaw about alcohol control (GB/2020/#)</td>
</tr>
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<td>## April 2021</td>
<td>Amended the Auckland Council Alcohol Control Bylaw 2014 (GB/2021/#)</td>
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<tr>
<td>TBC</td>
<td>Public notice of amending the Auckland Council Alcohol Control Bylaw 2014</td>
</tr>
<tr>
<td>01 June 2021</td>
<td>Commencement of amendments to the Auckland Council Alcohol Control Bylaw</td>
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<td>2014 (GB/2021/#)</td>
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### Related information, next bylaw review

This Bylaw must be reviewed by 11 April 2029. If not reviewed by this date, the Bylaw will expire on 11 April 2031.
Alcohol Control Bylaw 2014

Te Ture a Rohe Whakararata Waipiro 2014

(as at 30 October 2014)

Made by Governing Body of Auckland Council

Resolution in Council

30 October 2014

Pursuant to section 145 and 147 of the Local Government Act 2002, the Governing Body of Auckland Council makes the following bylaw about alcohol control matters.
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</table>
Part 1
Preliminary provisions

1 Title
   (1) This bylaw is the Alcohol Control Bylaw 2014.

2 Commencement
   (1) This bylaw comes into force on 18 December 2014.

3 Application
   (1) This bylaw applies to Auckland.

4 Purpose
   (1) The purpose of this bylaw is to control the consumption or possession of alcohol in public places to reduce alcohol related harm.

5 Interpretation
   (1) In this bylaw, unless the context otherwise requires, -

   Auckland has the meaning given by the Local Government (Auckland Council) Act 2010.

   Explanatory Note: As at 20 September 2011, the definition in section 4 of the Local Government (Auckland Council) Act 2009 "...means the area within the boundaries determined by the Local Government Commission under section 33(1) (as that determination is given effect to by Order in Council under section 35(1))".

   Alcohol has the meaning given by section 5(1) of the Sale and Supply of Alcohol Act 2012.

   Explanatory Note: As at 01 April 2014, the definition in section 5(1) of the Sale and Supply of Alcohol Act 2012 "... means a substance—
   (a) that—
      (i) is or contains a fermented, distilled, or spirituous liquor; and
      (ii) at 20°C is found on analysis to contain 1.15% or more ethanol by volume; or
   (b) that—
      (i) is a frozen liquid, or a mixture of a frozen liquid and another substance or substances; and
      (ii) is alcohol (within the meaning of paragraph (a)) when completely thawed to 20°C; or
   (c) that, whatever its form, is found on analysis to contain 1.15% or more ethanol by weight in a form that can be assimilated by people."

   Christmas / New Year holiday period means Christmas Eve (the day before Christmas Day) to the day after New Year’s Day as determined by the Holidays Act 2003.

   Explanatory Note: As at 01 April 2014, section 45 of the Holidays Act 2003 specifies that where the public holiday falls on a Saturday or Sunday, the
public holiday must be treated as falling on the following Monday or Tuesday respectively.

Community-focused solutions mean alternative or complementary measures to an alcohol ban to reduce alcohol related harm. Examples include crime prevention through environmental design, local community initiatives, discussions with nearby licensees, youth and leadership development programmes, and partnering with Police, Ministry of Justice, sports clubs and town centre / business associations.

Council means the Governing Body of the Auckland Council or any person delegated to act on its behalf.

Explanatory Note: A list of delegations may be attached to this bylaw for information only purposes.

Licensed premises has the meaning given by section 5(1) of the Sale and Supply of Alcohol Act 2012.

Explanatory Note: As at 01 April 2014, the definition in section 5(1) of the Sale and Supply of Alcohol Act 2012 "... means any premises for which a licence [under the Sale and Supply of Alcohol Act 2012] is held."

Public holiday has the same meaning given in the Holidays Act 2003.

Explanatory Note: As at 01 January 2014, the definition of public holiday in section 44 of the Holidays Act 2014 means "...
(a) Christmas Day;
(b) Boxing Day;
(c) New Year's Day;
(d) 2 January;
(e) Waitangi Day;
(f) Good Friday;
(g) Easter Monday;
(h) ANZAC Day;
(i) the birthday of the reigning Sovereign (observed on the first Monday in June);
(j) Labour Day (being the fourth Monday in October);
(k) the day of the anniversary of a province or the day locally observed as that day."

Public place has the meaning given by section 147 of the Local Government Act 2002.

Explanatory Note: As at 01 April 2014, the definition in section 147 of the Local Government Act 2002 "...
(a) means a place that is open to or is being used by the public, whether free or on payment of a charge, and whether any owner or occupier of the place is lawfully entitled to exclude or eject any person from it; but
(b) does not include licensed premises."
(2) The Interpretation Act 1999 applies to this bylaw.

(3) Explanatory notes and additional information attached at the end of this bylaw are for information purposes only, do not form part of this bylaw, and may be made, amended, revoked or replaced by the council at any time without a formal process.

Part 2
Control of alcohol

6 Alcohol bans

(1) Every person is prohibited from consuming, bringing into, or possessing alcohol in any public place (including in a vehicle) in contravention of an alcohol ban made by the council in accordance with clause 7(1).

Explanatory note: As at 01 April 2014 under section 147(4) of the Local Government Act 2002, the prohibition in clause 6(1) does not apply to alcohol in an unopened container in the following circumstances “...
(a) the transport of the alcohol from licensed premises next to a public place, if—
   (i) it was lawfully bought on those premises for consumption off those premises; and
   (ii) it is promptly removed from the public place; or
(b) the transport of the alcohol from outside a public place for delivery to licensed premises next to the public place; or
(c) the transport of the alcohol from outside a public place to premises next to a public place by, or for delivery to, a resident of the premises or his or her bona fide visitors; or
(d) the transport of the alcohol from premises next to a public place to a place outside the public place if—
   (i) the transport is undertaken by a resident of those premises; and
   (ii) the alcohol is promptly removed from the public place.”

7 Making alcohol bans

(1) The council may make an alcohol ban for the purpose of prohibiting or otherwise regulating or controlling, either generally or for one or more specified periods, any or all of the following:
   (a) the consumption, bringing into or possession of alcohol in public places; and
   (b) in conjunction with (a), the presence or consumption of alcohol in vehicles, or vehicles of stated kinds or descriptions, in public places.

(2) The council must, before making an alcohol ban in clause 7(1) –
   (a) be satisfied that the alcohol ban gives effect to the purpose of the bylaw; and
   (b) comply with the decision-making requirements under Subpart 1 of Part 6 of the Local Government Act 2002; and
(c) comply with the criteria under section 147B of the Local Government Act 2002 as follows:
   (i) be satisfied that there is documented evidence that the area to which the alcohol ban will apply has experienced a high level of crime or disorder that can be shown to have been caused or made worse by alcohol consumption in the area; and
   (ii) be satisfied that the alcohol ban is appropriate and proportionate in light of the evidence and can be justified as a reasonable limitation on people’s rights and freedoms; and

(e) investigate and where appropriate, implement community-focused solutions as an alternative to or to complement an alcohol ban; and

(f) consider the views of the New Zealand Police; and

(g) consider the views of Maori; and

(h) consider the views of owners, occupiers, or persons that council has reason to believe are representative of the interests of owners or occupiers, of premises within the area to which the alcohol ban will apply; and

(i) consider the following times, where appropriate and not contrary to the requirements in subclause (2)(c) –
   (i) 24 hours, 7 days a week (at all times alcohol ban);
   (ii) 7pm to 7am daily (evening alcohol ban);
   (iii) 10pm to 7am daylight saving and 7pm to 7am outside daylight saving (night time alcohol ban);
   (iv) 7pm on the day before to 7am on the day after any weekend, public holiday or Christmas / New Year holiday period (weekend and holiday alcohol ban).

Explanatory note: The times in clause 7(2)(f) are a guide to improve consistency in times across Auckland, but recognises that in some instances use of the times specified may be clearly disproportionate to the evidence of the problem and therefore contrary to the statutory requirements in clause 7(2)(c) that requires alcohol bans be proportionate in light of the evidence.

(3) The council may, at any time, amend or revoke an alcohol ban in accordance with clause 7(1) and 7(2) with the necessary modifications.

8 Signage

(1) The council may make controls on any or all of the following in relation to signage for alcohol ban areas subject to compliance with any regulations under section 147C of the Local Government Act 2002:
   (a) require the council to erect and maintain signs indicating the existence or boundaries of an alcohol ban;
   (b) describe the placement of the signs
   (c) prescribe kinds of signs required to be erected and maintained (including, without limitation, content, images, maps, size, lettering, symbols, and colouring).
Part 3
Enforcement, offences, penalties

9 Enforcement
(1) A constable may use their powers under the Local Government Act 2002 to enforce this bylaw.

(2) In addition to their general powers under sections 169 and 170 of the Local Government Act 2002, the Police may exercise the power under section 170(2) of that Act (to search a container or vehicle immediately and without further notice) on specified dates or in relation to specified events notified in accordance with section 170(3) of that Act.

Explanatory note: As at 01 April 2014 under section 169 and 170 of the Local Government Act 2002, a constable has powers of arrest, search and seizure in relation to alcohol bans.

10 Offences and penalties
(1) Every person who breaches this bylaw commits an offence.

(2) Every person who commits an offence under this bylaw is liable to a penalty under the Local Government Act 2002.

Explanatory note: As at 29 October 2013 the penalty for breaching an alcohol ban is an infringement fee of $250 under the Local Government (Alcohol Ban Breaches) Regulations 2013.
Additional Information to
Alcohol Control Bylaw 2014

This document contains matters for information purposes only and does not form part of any bylaw. It includes matters made pursuant to a bylaw and other matters to assist in the ease of understanding, use and maintenance of a bylaw. The information contained in this document may be updated at any time.

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### Section 1
#### History of Bylaw

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</table>
| Make   | Following liquor control bylaws in force on 31 Oct 2010 deemed to have been made by Auckland Council  
- Auckland City Council, Part 14 Liquor Control in Public Places  
- Franklin District Council, Liquor Control Bylaw 2008  
- Manukau City Council, Chapter 11 Liquor Control  
- North Shore City Council, Part 24 Control of consumption of liquor  
- Papakura District Council, Liquor Control in Public Places Bylaw 2008  
- Rodney District Council, Chapter 16 Liquor Bylaw  
| Lapse  | Previous liquor control bylaws (and consequently any resolutions made pursuant to those bylaws) to be allowed to lapse. | 30 Oct 2014 | GB/2014/121 | 31 Oct 2015 |
| Make   | Review of liquor control bylaws resulted in replacing the seven previous liquor control bylaws with the Alcohol Control Bylaw 2014. | 30 Oct 2014 | GB/2014/121 | 18 Dec 2014 |

### Section 2
#### Related Documents

<table>
<thead>
<tr>
<th>Document Title</th>
<th>Description of Document</th>
<th>Location of Document</th>
</tr>
</thead>
</table>
### Section 3
Delegations for matters contained in bylaw

<table>
<thead>
<tr>
<th>Function, Duty, Power to be Delegated</th>
<th>Delegated Authority</th>
<th>Date of Delegation Decision</th>
<th>Decision Reference</th>
<th>Commencement of Delegation</th>
</tr>
</thead>
<tbody>
<tr>
<td>n/a Oversight of regulatory performance</td>
<td>The Regulatory Committee</td>
<td>7 Nov 2013</td>
<td>GB/2013/132 and GB/2018/237</td>
<td>7 Nov 2013</td>
</tr>
<tr>
<td>CI 7 Make, amend revoke permanent<em>¹ and temporary</em>² alcohol ban.</td>
<td>Regulatory Committee in relation to any public place described in *³</td>
<td>30 Oct 2014</td>
<td>GB/2014/121</td>
<td>18 Dec 2014</td>
</tr>
<tr>
<td>Make, amend or revoke permanent<em>¹ and temporary</em>² alcohol ban.</td>
<td>Local boards in relation to any public place excluding those public places described in *³</td>
<td>30 Oct 2014</td>
<td>GB/2014/121</td>
<td>18 Dec 2014</td>
</tr>
</tbody>
</table>
Permanent means an alcohol ban that applies for an indefinite period (e.g. 24/7, daily 9pm to 6am, public holidays).

A temporary alcohol ban applies on specified dates or in relation to specified events (e.g. Christmas in the park). Decisions on temporary alcohol bans may authorise the use of enhanced search provisions under section 170(2) of the Local Government Act 2002.

The Regulatory and Bylaws Committee has decision-making responsibility in relation to alcohol bans on –
(a) Any public place for which the Governing Body retains decision-making for non-regulatory activities as contained in the Long Term Plan.
(b) Any regional park, including any associated park, road, beach or foreshore area.
(c) All Tūpuna Maunga over which the Tūpuna Maunga o Tāmaki Makaurau Authority is the administering authority, including the Tūpuna Maunga vested in the Tūpuna Taonga o Tāmaki Makaurau Trust under the Ngā Mana Whenua o Tāmaki Makaurau Collective Redress Act 2014.

Section 4
Register of current alcohol bans

Refer to council website for all alcohol ban maps (https://www.aucklandcouncil.govt.nz/licences-regulations/alcohol-bans-policies/Pages/alcohol-ban-maps.aspx).

Section 5
Enforcement powers for matters contained in bylaw

<table>
<thead>
<tr>
<th>Legislative Provision</th>
<th>Description of Legislative Provision</th>
</tr>
</thead>
<tbody>
<tr>
<td>Section 169 and 170 of the Local Government Act 2002</td>
<td>A constable has powers of arrest, search and seizure in relation to alcohol bans.</td>
</tr>
</tbody>
</table>

Section 6
Offences and penalties for matters contained in bylaw

<table>
<thead>
<tr>
<th>Provision</th>
<th>Description of Offence</th>
<th>Fine</th>
<th>Infringement Fee</th>
<th>Other Penalty</th>
</tr>
</thead>
<tbody>
<tr>
<td>cl 6</td>
<td>Breach of bylaw</td>
<td>n/a</td>
<td>$250*</td>
<td>n/a</td>
</tr>
</tbody>
</table>

* Local Government (Alcohol Ban Breaches) Regulations 2013

Section 7
Monitoring and review for matters contained in bylaw

<table>
<thead>
<tr>
<th>Performance Indicator</th>
<th>Measured By</th>
<th>Target</th>
</tr>
</thead>
</table>

* None attached at this time.
Appendix C: Comparison of existing Alcohol Control Bylaw and proposed amended Bylaw

The table below shows the current text of the Bylaw compared with proposed amendments.

<table>
<thead>
<tr>
<th>Existing Bylaw</th>
<th>Bylaw with proposed amendments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pursuant to section 145 and 147 of the Local Government Act 2002, the Governing Body of Auckland Council makes the following bylaw about alcohol control matters.</td>
<td>Bylaw made under sections 145 and 147 of the Local Government Act 2002.</td>
</tr>
</tbody>
</table>

Summary
This summary is not part of the Bylaw but explains the general effects.
Sometimes drinking in public places can cause or worsen crime or disorder there. For example, drinkers may make too much noise, leave litter or graffiti, urinate in public, commit vandalism or theft, intimidate or assault others, trespass, or use vehicles recklessly.
This can negatively affect nearby residents' sleep, reduce the recreational or visual amenity of the place, make people feel unsafe, and place drinkers or those around them in danger of physical harm.
The purpose of this Bylaw is to reduce crime or disorder in certain public places that is caused or made worse by alcohol consumed there, by –
- using alcohol bans to prohibit people from consuming, bringing or possessing alcohol in certain public places at certain times (clause 6)
- setting out how council may make a new alcohol ban by resolution (clauses 7 and 8)
- specifying event-based temporary alcohol bans (Schedule 1)
- referencing the full list of alcohol bans and maps (viewable on council's website).
Other parts of this Bylaw assist with its administration by –
- stating its name, when it comes into force and where it applies (clauses 1, 2, and 3)
- stating the purpose of this Bylaw and defining key terms (clauses 4 and 5)
- referencing the powers of the New Zealand Police to enforce this Bylaw, including the issue of $250 infringement fines (Part 4)
- ensuring existing resolutions continue to apply and incomplete enforcement action can continue where relevant (Part 5).

<table>
<thead>
<tr>
<th>1</th>
<th>Title</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1)</td>
<td>This bylaw is the Alcohol Control Bylaw 2014.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>1</th>
<th>Title</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1)</td>
<td>This Bylaw is the Te Ture a-Rohe Whakararata Waipiro 2014, Alcohol Control Bylaw 2014.</td>
</tr>
</tbody>
</table>

Clause 1 amended in accordance with Clause 2(2).
## Attachment A

### Item 13

<table>
<thead>
<tr>
<th>Existing Bylaw</th>
<th>Bylaw with proposed amendments</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>2 Commencement</strong>&lt;br&gt;(1) This bylaw comes into force on 18 December 2014.</td>
<td><strong>2 Commencement</strong>&lt;br&gt;(1) This Bylaw comes into force on 18 December 2014.</td>
</tr>
<tr>
<td><strong>3 Application</strong>&lt;br&gt;(1) This bylaw applies to Auckland.</td>
<td><strong>(2) Amendments to this Bylaw by resolution GB/####/## come into force on 01 June 2020.</strong></td>
</tr>
</tbody>
</table>

#### Related Information about amendments

Council decided on **dd month year** to make various amendments to the Bylaw. The majority of the amendments were to make the Bylaw easier to read and understand. Key changes included:
- making new event-based (temporary) alcohol bans in Schedule 1
- using related information notes to replace clauses about alcohol ban signage and to replace clauses that duplicate legislative decision-making criteria
- clarifying exceptions to alcohol bans for licensed premises and the transport of alcohol, and clarifying council’s ability to make temporary alcohol bans.

A comparison of the Bylaw before and after the amendments were made can be viewed in Item 7 of the Auckland Council Governing Body meeting agenda dated **dd month year**.

Clause 2 amended in accordance with Clause 2(2).

### Part 1 Preliminary provisions

<table>
<thead>
<tr>
<th>Item</th>
<th>Existing Bylaw</th>
<th>Bylaw with proposed amendments</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>4 Purpose</strong>&lt;br&gt;(1) The purpose of this bylaw is to control the consumption or possession of alcohol in public places to reduce alcohol related harm.</td>
<td><strong>4 Purpose</strong>&lt;br&gt;(1) The purpose of this Bylaw is to reduce crime or disorder in certain public places that is caused or made worse by alcohol consumed there.</td>
<td></td>
</tr>
<tr>
<td><strong>5 Interpretation</strong>&lt;br&gt;(1) In this bylaw, unless the context otherwise requires, –</td>
<td><strong>5 Interpretation</strong>&lt;br&gt;(1) In this Bylaw, unless the context otherwise requires, –</td>
<td></td>
</tr>
</tbody>
</table>

Alcohol has the meaning given by section 5(1) of the Sale and Supply of Alcohol Act 2012.  
Alcohol has the meaning given by **section 5(1)** of the Sale and Supply of Alcohol Act 2012.
<table>
<thead>
<tr>
<th>Existing Bylaw</th>
<th>Bylaw with proposed amendments</th>
</tr>
</thead>
</table>
| Explanatory Note: As at 01 April 2014, the definition in section 5(1) of the Sale and Supply of Alcohol Act 2012 \( \ldots \) means a substance—  
(a) that—  
(i) is or contains a fermented, distilled, or spirituous liquor; and  
(ii) at 20°C is found on analysis to contain 1.15% or more ethanol by volume; or  
(b) that—  
(i) is a frozen liquid, or a mixture of a frozen liquid and another substance or substances; and  
(ii) is alcohol (within the meaning of paragraph (a)) when completely thawed to 20°C; or  
(c) that, whatever its form, is found on analysis to contain 1.15% or more ethanol by weight in a form that can be assimilated by people.”  
Auckland has the meaning given by the Local Government (Auckland Council) Act 2010.  
Explanatory Note: As at 20 September 2011, the definition in section 4 of the Local Government (Auckland Council) Act 2009 \( \ldots \) means the area within the boundaries determined by the Local Government Commission under section 33(1) as that determination is given effect to by Order in Council under section 35(1)).  
Auckland has the meaning given by section 4(1) of the Local Government (Auckland Council) Act 2009.  
Related Information  
The Local Government (Auckland Council) Act 2009 enabled the Local Government Commission to determine Auckland’s boundaries in a map titled [LGC-AK-R1]. The boundaries were formally adopted by Order in Council on 15 March 2010, and came into effect on 1 November 2010.  
|
### Attachment A  
### Item 13

<table>
<thead>
<tr>
<th>Existing Bylaw</th>
<th>Bylaw with proposed amendments</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Christmas / New Year holiday period</strong> means Christmas Eve (the day before Christmas Day) to the day after New Year’s Day as determined by the Holidays Act 2003.</td>
<td><strong>Christmas / New Year holiday period</strong> means Christmas Eve (the day before Christmas Day) to the day after New Year’s Day as determined by the <a href="#">Holidays Act 2003</a>.</td>
</tr>
<tr>
<td><strong>Explanatory Note:</strong> As at 01 April 2014, section 45 of the Holidays Act 2003 specifies that where the public holiday falls on a Saturday or Sunday, the public holiday must be treated as falling on the following Monday or Tuesday respectively.</td>
<td></td>
</tr>
<tr>
<td><strong>Community-focused solutions</strong> mean alternative or complementary measures to an alcohol ban to reduce alcohol related harm. Examples include crime prevention through environmental design, local community initiatives, discussions with nearby licensees, youth and leadership development programmes, and partnering with Police, Ministry of Justice, sports clubs and town centre / business associations.</td>
<td></td>
</tr>
<tr>
<td><strong>Council</strong> means the Governing Body of the Auckland Council or any person delegated to act on its behalf.</td>
<td><strong>Council</strong> means the Governing Body of the Auckland Council or any person delegated or authorised to act on its behalf.</td>
</tr>
</tbody>
</table>
| **Explanatory Note:** A list of delegations may be attached to this bylaw for information only purposes. | **Related information about who can make an alcohol ban**  
Council has delegated the making of alcohol bans by resolution under clause 7 to:  
- local boards for local parks, streets and carparks as at 30 October 2014 (GB/2014/121)  
- the Regulatory Committee for areas of regional significance as at 30 October 2014 (GB/2014/121)  
- the Auckland Domain Committee for the Auckland Domain as at 1 November 2016 (GB/2016/237).  
The Governing Body of Auckland Council is responsible for making alcohol bans in all other public places, and for any alcohol bans in Schedule 1. |
<p>| <strong>Licensed premises</strong> has the meaning given by section 5(1) of the Sale and Supply of Alcohol Act 2012. | |</p>
<table>
<thead>
<tr>
<th>Existing Bylaw</th>
<th>Bylaw with proposed amendments</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Public holiday</strong> has the same meaning given in the Holidays Act 2003.</td>
<td></td>
</tr>
<tr>
<td><em>Explanatory Note:</em> As at 01 January 2014, the definition of public holiday in section 44 of the Holidays Act 2014 means &quot;...</td>
<td></td>
</tr>
<tr>
<td>(a) Christmas Day.</td>
<td></td>
</tr>
<tr>
<td>(b) Boxing Day.</td>
<td></td>
</tr>
<tr>
<td>(c) New Year’s Day.</td>
<td></td>
</tr>
<tr>
<td>(d) 2 January.</td>
<td></td>
</tr>
<tr>
<td>(e) Waitangi Day.</td>
<td></td>
</tr>
<tr>
<td>(f) Good Friday.</td>
<td></td>
</tr>
<tr>
<td>(g) Easter Monday.</td>
<td></td>
</tr>
<tr>
<td>(h) ANZAC Day.</td>
<td></td>
</tr>
<tr>
<td>(i) the birthday of the reigning Sovereign (observed on the first Monday in June).</td>
<td></td>
</tr>
<tr>
<td>(j) Labour Day (being the fourth Monday in October).</td>
<td></td>
</tr>
<tr>
<td>(k) the day of the anniversary of a province or the day locally observed as that day.&quot;</td>
<td></td>
</tr>
<tr>
<td><strong>Public place</strong> has the meaning given by section 147 of the Local Government Act 2002.</td>
<td></td>
</tr>
<tr>
<td><em>Explanatory Note:</em> As at 01 April 2014, the definition in section 147 of the Local Government Act 2002 &quot;...</td>
<td></td>
</tr>
<tr>
<td>(a) means a place that is open to or is being used by the public, whether free or on payment of a charge, and whether any owner or occupier of the place is lawfully entitled to exclude or eject any person from it; but</td>
<td></td>
</tr>
<tr>
<td>(b) does not include licensed premises.&quot;</td>
<td></td>
</tr>
<tr>
<td><strong>Vehicle</strong> has the meaning given by section 2(1) of the Land Transport Act 1998.</td>
<td></td>
</tr>
<tr>
<td><strong>Public place</strong> has the meaning given by <a href="#">section 147</a> of the Local Government Act 2002.</td>
<td></td>
</tr>
</tbody>
</table>

**Related Information:**

The Local Government Act 2002 (as reprinted on 1 July 2018) states a public place –
(a) means a place that is open to or is being used by the public, whether free or on payment of a charge, and whether any owner or occupier of the place is lawfully entitled to exclude or eject any person from it; but
(b) does not include licensed premises.
## Attachment A

### Item 13

<table>
<thead>
<tr>
<th>Existing Bylaw</th>
<th>Bylaw with proposed amendments</th>
</tr>
</thead>
<tbody>
<tr>
<td>(2) The Interpretation Act 1999 applies to this bylaw.</td>
<td>(2) Related information does not form part of this Bylaw and may be inserted, changed or removed without any formality.</td>
</tr>
<tr>
<td>(3) Explanatory notes and additional information attached at the end of this bylaw are for information purposes only, do not form part of this bylaw, and may be made, amended, revoked or replaced by the council at any time without a formal process.</td>
<td>(3) The Interpretation Act 1999 applies to this Bylaw. Clause 5 amended in accordance with Clause 2(2).</td>
</tr>
</tbody>
</table>

### Part 2

<table>
<thead>
<tr>
<th>Control of alcohol</th>
<th>Alcohol consumption and possession in public places</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>
6 Alcohol bans

(1) Every person is prohibited from consuming, bringing into, or possessing alcohol in any public place (including in a vehicle) in contravention of an alcohol ban made by the council in accordance with clause 7(1).

Explanatory note: As at 01 April 2014 under section 147(4) of the Local Government Act 2002, the prohibition in clause 6(1) does not apply to alcohol in an unopened container in the following circumstances:

(a) the transport of the alcohol from licensed premises next to a public place, if—
   (i) it was lawfully bought on those premises for consumption off those premises; and
   (ii) it is promptly removed from the public place;
(b) the transport of the alcohol from outside a public place for delivery to licensed premises next to the public place;
(c) the transport of the alcohol from outside a public place to premises next to a public place by, or for delivery to, a resident of the premises or his or her bona fide visitors;
(d) the transport of the alcohol from premises next to a public place outside the public place if—
   (i) the transport is undertaken by a resident of those premises; and
   (ii) the alcohol is promptly removed from the public place.

6 Alcohol prohibited in public places where an alcohol ban applies

(1) A person must not consume, bring or possess alcohol in any public place or in any vehicle in any public place where—
   (a) an alcohol ban made by council in accordance with clause 7 of this Bylaw applies; or
   (b) an alcohol ban in a Schedule of this Bylaw applies.

(2) However, subclause (1) does not apply in those circumstances described in section 147(4) or section 147(1)(b) of the Local Government Act 2002.

Related information about alcohol bans

A list of all alcohol bans made using clause 7 and related maps is attached at the end of this Bylaw for information only, and can be viewed on council’s website.

Related information about exceptions – Transport of alcohol

In section 147(4) of the Local Government Act 2002 (as reprinted on 26 March 2020), an alcohol ban does not apply in the case of alcohol in an unopened container to,—

(a) the transport of the alcohol from licensed premises next to a public place, if—
   (i) it was lawfully bought on those premises for consumption off those premises; and
   (ii) it is promptly removed from the public place;
(b) the transport of the alcohol from outside a public place for delivery to licensed premises next to the public place;
(c) the transport of the alcohol from outside a public place to premises next to a public place by, or for delivery to, a resident of the premises or his or her bona fide visitors;
(d) the transport of the alcohol from premises next to a public place outside the public place if—
   (i) the transport is undertaken by a resident of those premises; and
   (ii) the alcohol is promptly removed from the public place.

This may include for example, transporting alcohol from a supermarket to your home, from your home to a BYO restaurant or from your home to a friend’s house.

Related information about exceptions – Licensed premises

In section 147(1)(b) of the Local Government Act 2002 (as reprinted on 26 March 2020), exceptions apply to an alcohol ban where a licence is held under the Sale and Supply of Alcohol Act 2012 (Support 1 of Part 2). This may include for example, buying alcohol at an event at a park that holds a special licence or dining on the footpath at a restaurant that holds an on-licence providing for BYO alcohol.

Clause 6 amended in accordance with Clause 2(2).
## Attachment A

### Item 13

<table>
<thead>
<tr>
<th>Existing Bylaw</th>
<th>Bylaw with proposed amendments</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Part 3 Controls</td>
</tr>
</tbody>
</table>

Statement of proposal to amend the Alcohol Control Bylaw
7 Making alcohol bans

(1) The council may make an alcohol ban for the purpose of prohibiting or otherwise regulating or controlling, either generally or for one or more specified periods, any or all of the following:
(a) the consumption, bringing into or possession of alcohol in public places; and
(b) in conjunction with (a), the presence or consumption of alcohol in vehicles, or vehicles of stated kinds or descriptions, in public places.

(2) The council must, before making an alcohol ban in clause 7(1)–
(a) be satisfied that the alcohol ban gives effect to the purpose of the bylaw, and comply with the decision-making requirements under Subpart 1 of Part 6 of the Local Government Act 2002; and
(b) compliance with the criteria under section 147B of the Local Government Act 2002 as follows:
(i) be satisfied that there is documented evidence that the area to which the alcohol ban will apply has experienced a high level of crime or disorder that can be shown to have been caused or made worse by alcohol consumption in the area; and
(ii) be satisfied that the alcohol ban is appropriate and proportionate in light of the evidence and can be justified as a reasonable limitation on people’s rights and freedoms; and
(e) investigate and where appropriate, implement community-focused solutions as an alternative to or to complement an alcohol ban; and

7 Council may make an alcohol ban

(1) Council may make an alcohol ban for the purpose of prohibiting or otherwise regulating or controlling, either generally or for one or more specified periods, any or all of the following:
(a) the consumption, bringing into or possession of alcohol in public places; and
(b) in conjunction with (a), the presence or consumption of alcohol in vehicles, or vehicles of stated kinds or descriptions, in public places.

(2) Council may amend, replace or revoke an alcohol ban in accordance with clause 8 with all necessary modifications.

Clause 7 amended in accordance with Clause 2(2).

8 Procedure for making an alcohol ban

(1) Council must, before making an alcohol ban in clause 7–
(a) comply with decision-making requirements under the Local Government Act 2002; and
(b) consider using one of the following standard times where appropriate in relation to the requirements in subclause 2(a)–
(i) 24 hours, 7 days a week (at all times alcohol ban);
(ii) 7pm to 7am daily (evening alcohol ban);
(iii) 10pm to 7am daylight saving and 7pm to 7am outside daylight saving (nighttime alcohol ban);
(iv) 7pm on the day before to 7am on the day after any weekend, public holiday or Christmas / New Year holiday period (weekend and holiday alcohol ban).

Related information about making an alcohol ban
- Council may make a permanent or temporary alcohol ban by resolution in clause 7 or by making a bylaw. The process to amend, replace or revoke an alcohol ban is similar to the process that made the ban.
- The Local Government Act 2002 (as reprinted on 26 March 2020) prescribes the criteria to make an alcohol ban in sections 147B (for resolutions) and 1476 (for bylaws). The criteria cannot be changed by council.
- For permanent alcohol bans by resolution or in a bylaw, the statutory criteria requires:
  - evidence of a high level of crime or disorder in the area caused by or made worse by alcohol consumption in that same area.
### Attachment A

#### Item 13

<table>
<thead>
<tr>
<th>Existing Bylaw</th>
<th>Bylaw with proposed amendments</th>
</tr>
</thead>
</table>
| (f) consider the views of the New Zealand Police, and | - the ban to be appropriate and proportionate in light of the crime or disorder  
- the ban to be justified as a reasonable limitation on people's rights and freedoms. |
| (g) consider the views of Maori; and | - For temporary alcohol bans in Schedule 1, the statutory criteria requires the alcohol ban to be justified as a reasonable limitation on people's rights and freedoms.  
- Before making a decision, council must also comply with the general decision-making requirements under Subpart 1 of Part 6 of the Local Government Act 2002 (as reprinted on 26 March 2020). This could include considering:  
  - complementary or alternative solutions to an alcohol ban, for example locking gates, public bins, lighting, CCTV and Mono or Pacific Wardens.  
  - views of people likely to be affected by or interested in the alcohol ban, for example nearby residents or businesses, community groups, and the New Zealand Police.  
  - the nature, severity and frequency of alcohol-related crime or disorder. |
| (h) consider the views of owners, occupiers, or persons that council has reason to believe are representative of the interests of owners or occupiers, of premises within the area to which the alcohol ban will apply; and | - whether the crime or disorder is a result of displacement from an existing alcohol ban.  
- whether an alcohol ban would result in displacement of the crime or disorder.  
- whether a Crime Prevention through Environmental Design assessment is needed. |
| (i) consider the following times, where appropriate and not contrary to the requirements in subclause (2)(c) – | - Council must under clause 8 consider standard times to improve consistency in Auckland, however may consider other times more appropriate and proportionate in light of evidence. |
| (i) 24 hours, 7 days a week (at all times alcohol ban); | | Related information about making an alcohol ban – making a request |
| (ii) 7pm to 7am daily (evening alcohol ban); | - Members of the public (for example community groups, businesses and the New Zealand Police) may request council to make an alcohol ban at any time, with supporting evidence. |
| (iii) 10pm to 7am daylight saving and 7pm to 7am outside daylight saving (night time alcohol ban); | Related information about alcohol ban signage |
| (iv) 7pm on the day before to 7am on the day after any weekend, public holiday or Christmas / New Year holiday period (weekend and holiday alcohol ban). | - Council uses alcohol ban signage to inform, educate and assist with enforcement. |

Explanatory note: The times in clause 7(2)(i) are a guide to improve consistency in times across Auckland, but recognises that in some instances use of the times specified may be clearly disproportionate to the evidence of the problem and therefore contrary to the statutory requirements in clause 7(2)(c) that requires alcohol bans be proportionate in light of the evidence.

(3) The council may, at any time, amend or revoke an alcohol ban in accordance with clause 7(1) and 7(2) with the necessary modifications.

Clause 8 replaced in accordance with Clause 2(2).
### Existing Bylaw

<table>
<thead>
<tr>
<th></th>
<th>Signage</th>
</tr>
</thead>
<tbody>
<tr>
<td>8</td>
<td>(1) The council may make controls on any or all of the</td>
</tr>
<tr>
<td></td>
<td>following in relation to signage for alcohol ban areas</td>
</tr>
<tr>
<td></td>
<td>subject to compliance with any regulations under</td>
</tr>
<tr>
<td></td>
<td>section 147C of the Local Government Act 2002:</td>
</tr>
<tr>
<td></td>
<td>(a) require the council to erect and maintain signs indicating the</td>
</tr>
<tr>
<td></td>
<td>existence of boundaries of an alcohol ban;</td>
</tr>
<tr>
<td></td>
<td>(b) describe the placement of the signs</td>
</tr>
<tr>
<td></td>
<td>(c) prescribe kinds of signs required to be erected and maintained,</td>
</tr>
<tr>
<td></td>
<td>including, without limitation, content, images, maps, size,</td>
</tr>
<tr>
<td></td>
<td>lettering, symbols, and colouring.</td>
</tr>
</tbody>
</table>

### Bylaw with proposed amendments

<p>| | |</p>
<table>
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</table>

### Part 3

#### Enforcement, offences, penalties

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>(1)</td>
<td>A constable may use their powers under the Local Government Act 2002 to enforce this bylaw.</td>
</tr>
<tr>
<td>(2)</td>
<td>In addition to their general powers under sections 169 and 170 of the Local Government Act 2002, the Police may exercise the power under section 170(2) of that Act (to search a container or vehicle immediately and without further notice) on specified dates or in relation to specified events notified in accordance with section 170(3) of that Act.</td>
</tr>
</tbody>
</table>

**Explanatory note:** As at 01 April 2014 under section 169 and 170 of the Local Government Act 2002, a constable has powers of arrest, search and seizure in relation to alcohol bans.

### Part 4

#### Enforcement powers, offences and penalties

<p>| | |</p>
<table>
<thead>
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<tbody>
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</tbody>
</table>

(1) A Police constable may use their powers under the Local Government Act 2002 to enforce this Bylaw.

**Related information about enforcement:**
The New Zealand Police are responsible for enforcing alcohol bans and have powers relating to search, seizure and arrest under sections 169 and 170 of the Local Government Act 2002 (as reprinted on 26 March 2020).

Clause 9 amended in accordance with Clause 2(2).

<p>| | |</p>
<table>
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### Item 13

<p>| | |</p>
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</table>

(1) Every person who breaches this bylaw commits an offence.

(2) Every person who commits an offence under this bylaw is liable to a penalty under the Local Government Act 2002.

**Related information about penalties**
<table>
<thead>
<tr>
<th>Existing Bylaw</th>
<th>Bylaw with proposed amendments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Explanatory note: As at 29 October 2013 the penalty for breaching an alcohol ban is an infringement fee of $250 under the Local Government (Alcohol Ban Breaches) Regulations 2013.</td>
<td>A person who breaches an alcohol ban commits an offence and is liable to an infringement fee of $250 under section 4 of the Local Government (Alcohol Ban Breaches) Regulations 2013 (as printed on 18 December 2013). Clause 10 amended in accordance with Clause 2(2).</td>
</tr>
</tbody>
</table>

Part 5
Savings and transitional provisions

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
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</thead>
<tbody>
<tr>
<td>11</td>
<td>Existing resolutions continue to apply</td>
</tr>
<tr>
<td>(1)</td>
<td>This clause applies to all resolutions made under this Bylaw prior to amendments in clause 2(2) coming into force.</td>
</tr>
<tr>
<td>(2)</td>
<td>Every resolution made continues to apply as if made after the amendments to this Bylaw until the expiration date specified in the resolution or until amended, replaced or revoked by council, whichever comes first. Clause 11 inserted in accordance with Clause 2(2).</td>
</tr>
</tbody>
</table>

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
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</tr>
</thead>
<tbody>
<tr>
<td>12</td>
<td>Existing inquiries to be completed under this Bylaw</td>
</tr>
<tr>
<td>(1)</td>
<td>Any compliance or enforcement action by council under this Bylaw that was not completed prior to amendments in clause 2(2) coming into force will continue to be actioned under this Bylaw as if the amendments had not been made. Clause 12 inserted in accordance with Clause 2(2).</td>
</tr>
</tbody>
</table>

Schedule 1
Event-Based (Temporary) Alcohol Bans

[Attached maps will be formatted to council communication standards prior to notification]

In this Schedule, “major events” has the same meaning as “large scale events” in section 147A of the Local Government Act 2002.

<table>
<thead>
<tr>
<th>Name</th>
<th>Alcohol Ban Area</th>
<th>Operative Time</th>
<th>Map number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Auckland Domain major events alcohol ban (excluding)</td>
<td>Auckland Domain Associated carpark areas and sports fields</td>
<td>6am on the day of any major event at Auckland Domain to 6am on the day after that event</td>
<td>1</td>
</tr>
<tr>
<td>Existing Bylaw</td>
<td>Bylaw with proposed amendments</td>
<td></td>
<td></td>
</tr>
<tr>
<td>---------------------------------------------------</td>
<td>-------------------------------------------------------------------------------------------------</td>
<td></td>
<td></td>
</tr>
<tr>
<td>&quot;Christmas in the Park&quot;)</td>
<td>4pm on the Friday before any &quot;Christmas in the Park&quot; event at the Auckland Domain to 8am on the following Monday after that event</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Auckland Domain &quot;Christmas in the Park&quot; alcohol ban</td>
<td>• Auckland Domain</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>• Associated carpark areas, sports fields and surrounding streets</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Eden Park major events alcohol ban</td>
<td>12 hours before any major event at Eden Park to 12 hours after that event</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>• Eden Park</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>• Surrounding streets</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>• Fan Trail if activated as part of the event</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Mt Smart Stadium major events alcohol ban</td>
<td>6am on the day of any major event at Mt Smart Stadium to 6am on the day after that event</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>• Mt Smart Stadium</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>• Surrounding streets</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Western Springs major events alcohol ban</td>
<td>6am on the day of any major event at Western Springs Stadium to 6am on the day after that event</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>• Western Springs Stadium</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>• Western Springs Lakeside</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>• Western Springs Outer Fields</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>• Surrounding streets</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Related information about event-based (temporary) alcohol bans

- More information on major events can be found in council’s Events Policy. The policy describes major events as events that have a regional, national and international profile. Examples of major events where a temporary alcohol ban could apply include concerts (Six60 at Western Springs), festivals (Lantern Festival at Auckland Domain), and sporting events (Warriors at Mount Smart).
- There are two Eden Park Fan Trails. One is a 2.3 kilometre walking route to Eden Park activated on match days, starting at Western Park on Ponsonby Road. The second was activated last during the 2011 Rugby World Cup and is a 4 kilometre walking route to Eden Park from Queen Elizabeth Square.
Te take mō te pūrongo
Purpose of the report
1. To seek approval from the Franklin Local Board to name two new private roads, being two commonly owned access lots (COAL), created by way of a subdivision development known as Paerata Rise, at 741 & 801 Paerata Rise, Pukekohe, by Grafton Downs Limited.

Whakarāpopototanga matua
Executive summary
2. Auckland Council’s road naming guidelines set out the requirements and criteria of the Council for proposed road names. These requirements and criteria have been applied in this situation to ensure consistency of road naming across the Auckland Region.
3. The applicant, Chris Johnston of Grafton Downs Limited, has proposed the names presented in the table below for consideration by the local board.
4. Any of the six proposed road name options would be acceptable for the local board to approve for use in this location, having been assessed to ensure that they meet Auckland Council’s Road Naming Guidelines and the National Addressing Standards for road naming. All technical standards are met and the names are not duplicated anywhere else in the region. Mana Whenua were also consulted.
5. The proposed names for the two new private roads at 741 & 801 Paerata Rise, Pukekohe, are:

<table>
<thead>
<tr>
<th>COAL 504 (part of Paerata Rise Stage 2)</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Applicant’s Preferred Name</td>
<td>Heaphy Lane</td>
</tr>
<tr>
<td>First Alternative</td>
<td>Tutu Court</td>
</tr>
<tr>
<td>Second Alternative</td>
<td>Tieke Lane</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>COAL 1 (part of Paerata Rise Stage 5)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Applicant’s Preferred Name</td>
</tr>
<tr>
<td>First Alternative</td>
</tr>
<tr>
<td>Second Alternative</td>
</tr>
</tbody>
</table>

Ngā tūtohunga
Recommendation/s
That the Franklin Local Board:

a) approve two (2) names for the following new private roads (commonly owned access lots) within stages 2 and 5 of the Paerata Rise subdivision at 741 & 801 Paerata Rise, Pukekohe, in accordance with section 319(1)(j) of the Local Government Act 1974 (resource consent reference SUB60338930 and BUN60338879):
I) COAL 504 (Paerata Rise Stage 2): **Heaphy Lane**
II) COAL 1 (Paerata Rise Stage 5): **Routeburn Lane**

**Horopaki Context**

6. Paerata Rise is a large-scale housing development owned by Grafton Downs Limited, set across 286ha of land surrounding Wesley College in Paerata, Auckland. The development will ultimately provide for 4500-5000 new homes over a 10-year period, with 1000 proposed for the first stage of development, which is already underway.


8. Road names have been drawn from many themes, including those that acknowledge the history of the land, Wesley College, the Methodist Church, and many that have been sourced from mana whenua involved in the development - especially for public roads.

9. Due to the volume of roads that require names within this development, broader themes are deemed acceptable for minor roads because so many locally sourced names have already been provided in the wider development.

10. The two minor private roads that are the subject of this report are commonly owned access lots that will remain in private ownership; COAL 504 from Stage 2 of the development and COAL 1 from Stage 5.

11. In accordance with the National Addressing Standards for road naming (AS/NZS 4819-2011), these two COALs require road names because they each serve more than five lots.

12. Site and location plans of the development and the two COALs can be found in Attachments A and B respectively, wherein it can be seen that the roads are minor in comparison to the scale of the development.

**Tātaritanga me ngā tohutohu**

**Analysis and advice**

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

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

15. **Themes**: The volume of new road names required in this development has meant that the pool of ‘locally themed’ names has become more limited over time. Whilst the subject proposed names are not strictly ‘local’, numerous other roads already approved within the development are ‘locally themed’ and have been extensively researched. It is therefore considered acceptable to include names relating to famous New Zealand walking tracks, and native flora and fauna, as although these are not strictly ‘local’ they still reflect the road naming criteria in terms of paying homage to landscape, environmental and biodiversity themes.
16. Furthermore, the theme of national pride has been drawn upon by the developer. ‘Jonah Lomu Drive’ has already been approved by the Franklin Local Board for this development and is a name that New Zealanders can connect with on a national scale. The road name is being mentioned in TV marketing advertisements as the flagship road for the development. Since Jonah’s career is often connected with feelings of national pride, the developer has drawn on this theme to come up with the names ‘Heaphy Lane’ and ‘Routeburn Lane’, as these are famous walking tracks that are also a source of pride for New Zealand.

17. The road naming guidelines encourage the use of Māori names, therefore the developer’s other proposed road name options are Te Reo names for native flora and fauna. These names represent New Zealand’s unique environment and native ecology which is also part of our national pride.

18. Chris Johnston of Grafton Downs Limited (who is also General Secretary of Wesley College Trust Board) has made the following comments regarding the theme and context of the names: “in the entire project of developing Paerata Rise we will need around 200 road names. We have sought names from the Methodist Church, Wesley Historical Society, Te Taha Maori, Kingiitanga, Wesley College, the bible, native trees and birds, and our historical assessment. We continue to request more names for our road naming toolbox and welcome any suggestions”.

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

<table>
<thead>
<tr>
<th>Table 2: Paerata Rise Proposed Road Name Meanings</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>COAL 504 (Stage 2) Proposed Names</strong></td>
</tr>
<tr>
<td>Heaphy Lane (Applicant's Preferred Name)</td>
</tr>
<tr>
<td>Tutu Court</td>
</tr>
<tr>
<td>Tieke Lane</td>
</tr>
<tr>
<td><strong>COAL 1 (Stage 5) Proposed Names</strong></td>
</tr>
<tr>
<td>Routeburn Lane (Applicant’s Preferred Name)</td>
</tr>
<tr>
<td>Akapuka Court</td>
</tr>
</tbody>
</table>
everywhere from lowland to high hills or forest or shrub land.

| Pōkākā Lane | Pōkākā is a name of Māori origin for a native forest tree of New Zealand. It is a cold tolerant plant and can be found from valley floors to mountainous areas. Pōkākā is a small tree with distinct small narrow glossy olive-green and brown wavy leaves, white flowers, and dark purple fruit. |

20. **Assessment:** The names proposed by the Applicant have been assessed to ensure that they meet Auckland Council’s Road Naming Guidelines and the National Addressing Standards for road naming. All technical standards are met and the names are not duplicated anywhere else in the region, aside from the minor similarities described below.

21. **Confirmation:** Land Information New Zealand (LINZ) has confirmed that all of the proposed names are acceptable and not duplicated elsewhere in the region, aside from two minor similarities noted below:

   18.1) There is an existing ‘Akapuka Lane’ in Waterview, however this is approximately 34km away from the subject site and has a different road type, so ‘Akapuka Court’ is acceptable to use for this development.

   18.2) There is an existing ‘Heaphy Street’ located in Blockhouse Bay approximately 30km away, however, this is enough separation and has a different road type, so ‘Heaphy Lane’ is acceptable to use for this development.

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

**Tauākī whakaaweawe āhuarangi**

**Climate impact statement**

23. The naming of roads has no effect on climate change. Relevant environmental issues have been considered under the provisions of the Resource Management Act 1991 and the associated approved resource consent for the development.

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

**Council group impacts and views**

24. The decision sought for this report has no identified impacts on other parts of the council group. The views of council controlled organisations were not required for the preparation of the report’s advice.

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

**Local impacts and local board views**

25. The decision sought for this report does not trigger any significant policy and is not considered to have any immediate local impact beyond those outlined in this report.

**Tauākī whakaaweawe Māori**

**Māori impact statement**

26. The naming of roads is linked to the Auckland Plan Outcome “A Māori identity that is Auckland’s point of difference in the world”. The use of Māori names for roads, buildings and other public places is an opportunity to publicly demonstrate Māori identity.

27. To aid Local Board decision making, the ‘Auckland Council Road Naming Guidelines’ includes the objective of recognising cultural and ancestral linkages to areas of land by engagement with mana whenua and the allocation of road names as appropriate, and a Principle that Māori road names are actively encouraged.
28. Four Te Reo Māori road name options have been proposed by the applicant, in consultation with the three main iwi groups involved in this development. The ongoing relationship between the applicant and iwi is outlined below.

29. **Mana whenua engagement:** The Applicant has undertaken extensive consultation with mana whenua as part of the Paerata Rise development, from the early planning stages and throughout the development process:
   - Consultation with local iwi groups Ngāti Tamaoho, Ngāti Te Ata Waiohua and Te Ākitai Waiohuai was carried out by the Applicant, starting in 2014, before the re-zoning of the land occurred. All three iwi groups agreed to produce a cultural values assessment (CVA) of the site and surrounding area as part of the zone change process. Two other iwi groups declined the CVA option, instead opting to support the views of the three main iwi.
   - In February 2015 the Applicant met with King Tūheitia Paki and discussed the development plans with him and gained his support.
   - The Applicant held a hui in order to develop a name for the development and the new town being created, and this meeting was attended by both mana whenua groups, as members of Te Taha Māori, and representatives from the Franklin region. The name Paerata Rise was decided upon in 2016, with support from local iwi and the hui participants.
   - Ngāti Tamaoho, Ngāti Te Ata Waiohua and Te Ākitai Waiohuai have visited the site before earthworks began and continue to visit at least once every 6 – 8 months, or when requested by the Applicant. Another iwi site visit was scheduled in June 2020.
   - In March 2018 Kaumātua of Ngāti Tamaoho lead the Blessing of the first precinct road, ‘Jonah Lomu Drive’.
   - Of the 14 road names in Stage 1, three roads have Māori heritage or origin and three roads are named after people with Pacifica ethnicity. The remainder are connected to Wesley College and the Methodist church. However, it is acknowledged with the volume of roads to be named for the future stages of development, that the proposed names will not always be ‘strictly’ local, and alternative names are sought. The applicant advised that they are always open for suggestions to be included in their road naming toolbox, and mana whenua feedback from the three main iwi groups involved throughout the whole development have been sought for every name proposed. The applicant places a strong emphasis on ongoing mana whenua consultation and considers this to be a key factor in the Paerata Rise development.

**Ngā ritenga ā-pūtea**

**Financial implications**

30. The road naming process does not raise any financial implications for the council.

**Ngā raru tūpono me ngā whakamaurutanga**

**Risks and mitigations**

31. There are no significant risks to council as road naming is a routine part of the subdivision development process, with consultation being a key part of the process.

**Ngā koringa ā-muri**

**Next steps**

32. Approved road names are notified to Land Information New Zealand which records them on its New Zealand wide land information database which includes street addresses issued by local councils.
Approval for two new private road names at 741 & 801 Paerata Rise, Pukekohe, by Grafton Downs Limited

Ngā tāpirihanga
Attachments

<table>
<thead>
<tr>
<th>No.</th>
<th>Title</th>
<th>Page</th>
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</thead>
<tbody>
<tr>
<td>A</td>
<td>Attachment A - Location Plan</td>
<td>85</td>
</tr>
<tr>
<td>B</td>
<td>Attachment B - Site Plans</td>
<td>87</td>
</tr>
</tbody>
</table>

Ngā kaihaina
Signatories

<table>
<thead>
<tr>
<th>Author</th>
<th>Authorisers</th>
</tr>
</thead>
<tbody>
<tr>
<td>Andrea Muhme - Planner</td>
<td>David Snowdon - Team Leader Subdivision</td>
</tr>
<tr>
<td></td>
<td>Carol McKenzie-Rex - Relationship Manager for Franklin and Howick Local Boards</td>
</tr>
</tbody>
</table>
Attachment A: Location plan for 801 Paerata Rise, Pukekohe

The area outlined in red shows the whole development proposed at 801 Paerata Rise.
Attachment B – Site Plan for 801 Paerata Rise, Pukekohe

COAL 504 – Stage 2: Road shown in blue

COAL 1 – Stage 5: Road shown in blue
Franklin Local Board workshop records
File No.: CP2020/08783

Te take mō te pūrongo
Purpose of the report
1. To receive the Franklin Local Board workshop records for workshops held on 2, 4, 9, 16, 23 and 30 June.

Whakarāpopototanga matua
Executive summary
2. The Franklin Local Board holds weekly workshops to facilitate oversight and delivery of projects in their work programme or that have significant local implications.
3. The local board does not make decisions at these workshops.
4. Workshops are not open to the public, but records of what was discussed and presented at the workshop are reported retrospectively.
5. Workshop records for the Franklin Local Board are attached for 2, 4, 9, 16, 23 and 30 June.

Ngā tūtohunga
Recommendation/s
That the Franklin Local Board:
   a) receive the Franklin Local Board workshop records for 2, 4, 9, 16, 23 and 30 June.

Ngā tāpirihanga
Attachments

<table>
<thead>
<tr>
<th>No.</th>
<th>Title</th>
<th>Page</th>
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</thead>
<tbody>
<tr>
<td>A</td>
<td>2 June 2020 Franklin Local Board workshop record</td>
<td>91</td>
</tr>
<tr>
<td>B</td>
<td>4 June 2020 Franklin Local Board workshop record</td>
<td>93</td>
</tr>
<tr>
<td>C</td>
<td>9 June 2020 Franklin Local Board workshop record</td>
<td>95</td>
</tr>
<tr>
<td>D</td>
<td>16 June 2020 Franklin Local Board workshop record</td>
<td>97</td>
</tr>
<tr>
<td>E</td>
<td>23 June 2020 Franklin Local Board workshop record</td>
<td>99</td>
</tr>
<tr>
<td>F</td>
<td>30 June 2020 Franklin Local Board workshop record</td>
<td>101</td>
</tr>
</tbody>
</table>

Ngā kaihaina
Signatories

<table>
<thead>
<tr>
<th>Author</th>
<th>Denise Gunn - Democracy Advisor - Franklin</th>
</tr>
</thead>
<tbody>
<tr>
<td>Authoriser</td>
<td>Carol McKenzie-Rex - Relationship Manager for Franklin and Howick Local Boards</td>
</tr>
</tbody>
</table>
Franklin Local Board Workshop Record

Workshop record of the Franklin Local Board held via Skype for Business on 2 June 2020, commencing at 9.30am.

PRESENT
Chairperson: Andrew Baker
Members: Angela Fulljames, Alan Cole, Sharlene Druyven, Amanda Kinzett, Lance Gedge, Logan Soole, Matthew Murphy
Apologies: Malcolm Bell
Also present: Carol McKenzie-Rex, Relationship Manager Georgina Gilmour Senior Advisor; Denise Gunn Democracy Advisor, Orrin Kapua, Advisor, Lucy Stallworthy Engagement Advisor, Lynn Birch PA/Liaison, Arlene Fredericks RPM

<table>
<thead>
<tr>
<th>Item</th>
<th>Governance role</th>
<th>Summary of Discussions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Community Facilities</td>
<td>Oversight and monitoring</td>
<td>The board received a monthly update on projects, with an update on how the work programme and expenditure is tracking for the year.</td>
</tr>
<tr>
<td>Eli Ewens, Manager Area Operations</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Direction Setting</td>
<td>Keeping informed/Setting direction</td>
<td>The ‘together we can’ campaign was discussed with the board. Some direction on local delivery was provided. The board were briefed on the opportunity to participate in the Weed Management Political Advisory Group. The board considered a proposed change to the July business meeting schedule. The board were given information on an issue being managed by the land advisory team involving a stopbank on the Wairoa River reserve. The board noted that mana whenua should be engaged in developing advice on resolving the issue as the river is a site of significance to iwi.</td>
</tr>
<tr>
<td>Lisah Henry, Communications Orrin Kapua, Advisor Denise Gunn, Democracy Advisor Georgina Gilmour, Senior Advisor</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Chair and Relationship Manager update</td>
<td>Keeping informed</td>
<td>The Relationship Manager and Chair updated the board on a range of issues including office occupancy at this stage of the COVID-19 response.</td>
</tr>
<tr>
<td>Andrew Baker, Chair Carol McKenzie-Rex, Relationship Manager</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

The workshop concluded at 10.45am
Franklin Local Board Workshop Record

Workshop record of the Franklin Local Board held via Skype for Business on 4 June 2020, commencing at 1.30pm.

PRESENT
Chairperson: Andrew Baker
Members: Angela Fulljames, Alan Cole, Malcolm Bell, Logan Soole, Matthew Murphy
Apologies: Sharlene Druyven, Amanda Kinzett, Lance Gedge
Also present: Carol McKenzie-Rex Relationship Manager, Georgina Gilmour Senior Advisor; Denise Gunn Democracy Advisor, Orrin Kapua Advisor, Lucy Stallworthy Engagement Advisor

<table>
<thead>
<tr>
<th>Item</th>
<th>Governance role</th>
<th>Summary of Discussions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Emergency Budget financial considerations</td>
<td>Setting direction, priorities, budgets</td>
<td>The board were provided an overview of the overall financial implications of the COVID-19 situation, and guided through various possible savings scenarios that may need to be implemented. Workshop 5 will provide an opportunity to consider specific actions for the local board to apply. The board have some principles to guide this process, which will be made available to the Lead Financial Advisor.</td>
</tr>
</tbody>
</table>

The workshop concluded at 2.05pm
Franklin Local Board Workshop Record

Workshop record of the Franklin Local Board via Skype and in the Local Board Chambers, Pukekohe Service Centre on 9 June 2020, commencing at 9.30am.

PRESENT

Chairperson: Andrew Baker

Members: Angela Fulljames, Alan Cole, Sharlene Druyven, Amanda Kinzett, Malcolm Bell, Lance Gedge, Logan Soole, Matthew Murphy

Apologies: Nil

Also present: Carol McKenzie-Rex, Relationship Manager Georgina Gilmour Senior Advisor; Denise Gunn Democracy Advisor, Orrin Kapua Advisor, Lucy Stallworthy Engagement Advisor, Coral Timmins Strategic Broker

<table>
<thead>
<tr>
<th>Item</th>
<th>Governance role</th>
<th>Summary of Discussions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Panuku update – Unlock Pukekohe</td>
<td>Oversight and monitoring</td>
<td>Panuku staff provided an overview of the programme progress post-COVID-19, including a masterplan update, the regeneration strategy and project staging. Further information on the Innovating Streets work was provided, with staff noting that the board have provided a feedback memo for the funding application.</td>
</tr>
<tr>
<td>Direction Setting</td>
<td>Setting direction, priorities, budget</td>
<td>Member Fulljames noted a Wairoa project proposal by Friends of Te Wairoa that could fit the ‘One million trees’ fund. A letter of support from the board was suggested.</td>
</tr>
<tr>
<td>Grants Quick Response Round and Coastal Rescue fund review</td>
<td>Setting direction, priorities, budget</td>
<td>The board reviewed applications to the Quick Response Round and the Coastal Rescue Fund, prior to a report coming to the business meeting. More information was requested on some items and funding availability.</td>
</tr>
<tr>
<td>Alcohol Bylaw Review</td>
<td>Input into regional decision-making</td>
<td>The board reviewed the proposed amendments to the bylaw, and staff clarified some of the detail in the options provided.</td>
</tr>
<tr>
<td>Item</td>
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<tr>
<td>Chair and Relationship Manager updates Andrew Baker, Chair Carol McKenzie-Rex, Relationship Manager</td>
<td>The board discussed how to manage meetings going forward using both technology and in-person presence, post-Covid-19 restrictions. Some concern with reliable technology in rural areas was expressed, but also the savings possible through less travel for elected members was noted as a benefit. The Chair shared the Chairs Forum topics of discussion. The Relationship Manager noted the work underway to reduce costs in the Local Board Services and Governance area.</td>
<td></td>
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</tbody>
</table>

The workshop concluded at 12.20 pm
Franklin Local Board Workshop Record

Workshop record of the Franklin Local Board held in the Local Board Chambers, Pukekohe Service Centre on 16 June 2020, commencing at 10.48am.

PRESENT
Chairperson: Andrew Baker
Members: Angela Fulljames, Alan Cole, Sharlene Druyven, Amanda Kinzett, Malcolm Bell, Lance Gedge, Logan Soole, Matthew Murphy
Apologies: Nil
Also present: Carol McKenzie-Rex, Relationship Manager Georgina Gilmour
Senior Advisor; Denise Gunn Democracy Advisor Orrin Kapua, Advisor; Lucy Stallworthy Engagement Advisor, Coral Timmins Strategic Broker

<table>
<thead>
<tr>
<th>Item</th>
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<tbody>
<tr>
<td>Direction Setting</td>
<td>Setting direction</td>
<td>Residual Art Broker funds - options for redirection and use this financial year were discussed with the board.</td>
</tr>
<tr>
<td>Orrin Kapua, Advisor</td>
<td></td>
<td>Clevedon A&amp;P Show in November – the board discussed the best way to use this opportunity. Staff will explore co-hosting the site.</td>
</tr>
<tr>
<td>Georgina Gilmour, Advisor</td>
<td></td>
<td>Workshop 5 work programme review for 2020/2021 – spreadsheets will be provided to ease of viewing. The way other boards manage community support will be explored by staff.</td>
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<td></td>
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<td>The board support attending a Hauraki District Council meeting to promote the Hunua Trail project.</td>
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<td>Glenbrook Vintage Railway are seeking a letter of support for their wage subsidy application.</td>
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<td>Various meetings with related local boards and neighbouring councils will be re-booked.</td>
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<tr>
<td>Item</td>
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<td>Summary of Discussions</td>
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<tr>
<td>Chair and Relationship Manager updates</td>
<td>Keeping informed</td>
<td>The Relationship Manager discussed ways of working post-Covid-19, where productivity was maintained via electronic meetings and communication. Workshops are all video-enabled. Improvements to technology and re-shaping the meeting room layout is to be explored. Business meeting legislation expires on 25 June 2020. Quorums in person will then be required as per Standing Orders. Meetings will continue to be recorded, and videoconferencing will remain available. The board consider that technology needs further refinement. The board would like deputations to be able to log in from rural wifi centres to overcome time and distance issues. The Chair discussed the Franklin Arts Centre re-opening, as well as rural halls. Further discussions are to take place. Venue bookings are also being impacted, which needs follow-up.</td>
</tr>
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</table>

The workshop concluded at 11.59am
Franklin Local Board Workshop Record

Workshop record of the Franklin Local Board held in the Local Board Chambers, Pukekohe Service Centre on 23 June 2020, commencing at 12.30pm.

PRESENT
Chairperson: Andrew Baker
Members: Angela Fulljames, Alan Cole, Malcolm Bell, Logan Soole, Matthew Murphy; Shariene Druyven, Lance Gedge, Amanda Kinzett
Also present: Councillor Bill Cashmore, Carol McKenzie-Rex, Relationship Manager; Denise Gunn Democracy Advisor, Orrin Kapua Advisor, Lucy Stallworthy Engagement Advisor, David Kemays, Communications, Nichola Painter Advisor Howick, Koro Dickinson, Executive Officer Customer & Community Services, Taryn Crewe, Commercial Manager, Lisa Tocker, GM Service Stragy & Integration, Justine Havies, Head of Service & Asset Planning

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<tr>
<th>Item</th>
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<tbody>
<tr>
<td>Workshop 5 – Emergency Budget 20/21 work programme planning (Section A)</td>
<td>Setting direction, priorities, budgets</td>
<td>Senior department managers of Customer &amp; Community Services attended to brief the local board on work underway to plan for the next financial year (pending the outcome of the Emergency Budget public consultation and resulting Annual Plan decisions by the Governing Body).</td>
</tr>
<tr>
<td>Georgina Gilmour, Franklin Senior Local Board Advisor</td>
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<tr>
<td>Faithe Smith, Lead Financial Advisor</td>
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<tr>
<td>Claudia Wyss, Director Customer &amp; Community Services</td>
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<tr>
<td>Kevin Marriott, Manager Community Places</td>
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<tr>
<td>Rod Sheridan, GM Community Facilities</td>
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<tr>
<td>Mace Ward, GM Parks Sport &amp; Recreation</td>
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<tr>
<td>Kim Taunga, Head of Community Libraries South and East</td>
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<tr>
<td>Eli Ewens, Franklin LB Area Operations Manager (Community Facilities)</td>
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<td>Item</td>
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<tr>
<td><strong>Workshop 5 – work programme review Section B</strong></td>
<td>Setting direction, priorities, budgets</td>
<td>Staff presented draft 20/21 work programmes that have been reconfigured to reflect likely operational and capital expenditure scenarios for the coming financial year. Feedback from the local board was provided and staff will return with a final draft programme in late July 2020.</td>
</tr>
</tbody>
</table>

Georgina Gilmour, Franklin Senior Local Board Advisor  
Faithe Smith, Lead Financial Advisor  
Eli Ewens, Franklin LB Area Operations Manager (Community Facilities)  
Helen Biffin, Work Programme Lead Community Facilities  
Prasanthi Cottingham, Relationship Advisor Infrastructure & Environmental Services  
Debra Langton, Portfolio Manager, Parks Sport & Recreation  
Craig Cairncross, Team Leader Planning, Plans and Places  
Jonathan Sudworth, Local Economic Development Advisor, ATEED  
Dhaya Haran, Specialist Advisor Youth Employment, TSI  
Coral Timmins, Strategic Broker, Arts Community and Events work programme lead.

The workshop concluded at 3.26pm
Franklin Local Board Workshop Record

Workshop record of the Franklin Local Board held in the Local Board Chambers, Pukekohe Service Centre on 30 June 2020, commencing at 9.30am.

PRESENT
Chairperson: Andrew Baker
Members: Angela Fulljames, Alan Cole, Sharlene Druyven, Amanda Kinzett, Malcolm Bell, Lance Gedge, Logan Soole, Matthew Murphy
Apologies: Nil
Also present: Carol McKenzie-Rex, Relationship Manager; Georgina Gilmour Senior Advisor; Denise Gunn Democracy Advisor; Orrin Kapua, Advisor

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<tr>
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</thead>
<tbody>
<tr>
<td>Engagement Plan for the Special Consultative Plan</td>
<td>Engagement</td>
<td>The Engagement Advisor outlined plans for collecting feedback from the public during the special consultative period for the Local Board Plan.</td>
</tr>
<tr>
<td>Lucy Stallworthy, Engagement Advisor</td>
<td></td>
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</tr>
<tr>
<td>Rural halls discussion</td>
<td>Setting direction, priorities, budget</td>
<td>The board discussed proposals for funding rural halls for the next year, and provided further direction for staff to work on.</td>
</tr>
<tr>
<td>Jane Cain, Rural Hall Advisor (Franklin)</td>
<td></td>
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<tr>
<td>Community Facilities update</td>
<td>Oversight and monitoring</td>
<td>The board were updated on various storm event repairs in the board area, and staff noted some ongoing maintenance issues.</td>
</tr>
<tr>
<td>Eli Ewens, Manager Area Operations</td>
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</tr>
<tr>
<td>Community Facilities – lease renewals update</td>
<td>Setting direction, priorities, budget</td>
<td>Several leases due for renewal were revised and information was provided to staff to enable document finalisation, prior to reports or memos being provided to the board.</td>
</tr>
<tr>
<td>Christine Benson, Community Lease Specialist</td>
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<tr>
<td>Eli Ewens, Manager Area Operations</td>
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Item 15

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<thead>
<tr>
<th>Item</th>
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<th>Summary of Discussions</th>
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</thead>
<tbody>
<tr>
<td>Auckland Transport – community safety</td>
<td>Kenneth Tuai, Elected Member Relationship Manager Antony Hing, Traffic Engineer Melanie Alexander, Traffic Operations Manager Sol Hessell, Traffic Engineering Team Leader South Pete Moth, Service Network Development Manager</td>
<td>Staff reviewed several proposals for pedestrian crossings in the board area. Feedback was provided for staff to review and respond to consultation. A verbal update on public transport was also provided. A further workshop will be booked with the board to review this service.</td>
</tr>
</tbody>
</table>

The workshop concluded at 12.33pm
Purpose of the report

1. To present the Franklin Local Board with a governance forward work calendar.

Executive summary

2. This report contains the governance forward work calendar, a schedule of items that will come before the Franklin Local Board at business meetings and workshops over the coming months. The governance forward work calendar for the local board is included in Attachment A.

3. The calendar aims to support local boards’ governance role by:
   - ensuring advice on agendas and workshop material is driven by local board priorities
   - clarifying what advice is required and when
   - clarifying the rationale for reports.

4. The calendar will be updated every month. Each update will be reported back to business meetings and distributed to relevant council staff. It is recognised that at times items will arise that are not programmed. Local board members are welcome to discuss changes to the calendar.

Recommendation/s

That the Franklin Local Board:

a) note the governance forward work calendar dated July 2020 (Attachment A).

Attachments

<table>
<thead>
<tr>
<th>No.</th>
<th>Title</th>
<th>Page</th>
</tr>
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<tbody>
<tr>
<td>A1</td>
<td>Franklin Local Board Governance Forward Work Calendar July 2020</td>
<td>105</td>
</tr>
</tbody>
</table>

Signatories

<table>
<thead>
<tr>
<th>Author</th>
<th>Denise Gunn - Democracy Advisor - Franklin</th>
</tr>
</thead>
<tbody>
<tr>
<td>Authoriser</td>
<td>Carol McKenzie-Rex - Relationship Manager for Franklin and Howick Local Boards</td>
</tr>
<tr>
<td>Meeting (workshop or business meeting)</td>
<td>Month</td>
</tr>
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<td>--------------------------------------</td>
<td>------------------------</td>
</tr>
<tr>
<td>Workshop on hold. New timeline TBC</td>
<td>GFR - service levels</td>
</tr>
<tr>
<td>Workshop on hold. New timeline TBC</td>
<td>Auckland Waters Strategy</td>
</tr>
<tr>
<td>Workshop 21 July</td>
<td>Annual planning (LBA) workshop 7 discuss final local board agreements</td>
</tr>
<tr>
<td>Workshop 28 July</td>
<td>Annual planning (LBWP) workshop 8 finalise work programmes</td>
</tr>
<tr>
<td>Workshop August</td>
<td>Navigation safety bylaw review</td>
</tr>
<tr>
<td>Business Meeting 21 July</td>
<td>Annual planning (LBA) adopt local board agreements, and fees and charges schedule</td>
</tr>
<tr>
<td>Business Meeting 21 July</td>
<td>Alcohol Control Bylaw Review</td>
</tr>
<tr>
<td>Business Meeting 25 August</td>
<td>Annual planning (LBWP) approve work programmes</td>
</tr>
<tr>
<td>Business Meeting 22 September</td>
<td>Navigation safety bylaw review</td>
</tr>
<tr>
<td>Business Meeting TBC - September or beyond</td>
<td>Water tank Plan Change</td>
</tr>
</tbody>
</table>