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

**Date:** Thursday, 16 July 2020  
**Time:** 3:00pm  
**Meeting Room:** St Chads Church and Community Centre  
**Venue:** 38 St Johns Road  
Meadowbank

---

**Ōrākei Local Board**  
**OPEN AGENDA**

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**MEMBERSHIP**

<table>
<thead>
<tr>
<th>Chairperson</th>
<th>Mr Scott Milne, JP</th>
</tr>
</thead>
<tbody>
<tr>
<td>Deputy Chairperson</td>
<td>Sarah Powrie</td>
</tr>
<tr>
<td>Members</td>
<td>Troy Churton</td>
</tr>
<tr>
<td></td>
<td>Colin Davis, JP</td>
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<td></td>
<td>Troy Elliott</td>
</tr>
<tr>
<td></td>
<td>Margaret Voyce</td>
</tr>
<tr>
<td></td>
<td>David Wong, JP</td>
</tr>
</tbody>
</table>

(Quorum 4 members)

Kim Lawgun  
Democracy Advisor  
8 July 2020

Contact Telephone: 021 302 163  
Email: Kim.lawgun@aucklandcouncil.govt.nz  
Website: www.aucklandcouncil.govt.nz

---

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

2 Apologies

At the close of the agenda no apologies had been received.

3 Declaration of Interest

Members are reminded of the need to be vigilant to stand aside from decision making when a conflict arises between their role as a member and any private or other external interest they might have.

4 Confirmation of Minutes

That the minutes of the Ōrākei Local Board ordinary meeting, held on Thursday, 18 June 2020 and the extraordinary minutes of its meeting, held on Thursday, 9 July 2020, be confirmed as true and correct.

5 Leave of Absence

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

6 Acknowledgements

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

7 Petitions

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

8 Deputations

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

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

9 Public Forum

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

9.1 Public Forum - Shirin Brown and Martin Taylor - Election Signage Bylaw

Te take mō te pūrongo

Purpose of the report

1. To deliver a presentation to the Board during the public forum segment of the business meeting.

Whakarāpopototanga matua

Executive summary
2. Shirin Brown, Labour's Candidate for Tāmaki and Martin Taylor, Chair of the Tāmaki Labour Electorate Committee will be in attendance to present to the Board on issues around the election signage bylaw.

Ngā tūtohunga
Recommendation/s
That the Ōrākei Local Board:

a) receive the presentation and thank Shirin Brown and Martin Taylor for their attendance.

9.2 Public Forum - Sathya Mithra Ashok - Social Enterprise Auckland

Te take mō te pūrongo
Purpose of the report
1. To deliver a presentation to the Board during the public forum segment of the business meeting.

Whakarāpopototanga matua
Executive summary
2. Sathya Mithra Ashok, Executive Director, Social Enterprise Auckland will be in attendance to provide information to the Board on the Social Enterprise Auckland project and the work that the organisation provides to the community.

Ngā tūtohunga
Recommendation/s
That the Ōrākei Local Board:

a) receive the presentation and thank Sathya Mithra Ashok for her attendance.

9.3 Public Forum - Ben Fraser - Youth of Ōrākei

Te take mō te pūrongo
Purpose of the report
1. To deliver a presentation to the Board during the public forum segment of the business meeting.

Whakarāpopototanga matua
Executive summary
2. Ben Fraser will be in attendance to introduce the Youth of Ōrākei.

Ngā tūtohunga
Recommendation/s
That the Ōrākei Local Board:

a) receive the presentation and thank Ben Fraser Ashok for his attendance.

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.”
Statement of proposal to amend the Alcohol Control Bylaw

File No.: CP2020/08873

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 the 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 Ōrākei 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 has 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 events¹ and make the Bylaw easier to read and understand. The table below summarises the proposed changes.

Summary of proposed changes to the Alcohol Control Bylaw 2014

<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</td>
<td>more easily enables a preventative approach to alcohol-related crime or disorder at or near event venues used</td>
</tr>
</tbody>
</table>

¹ Council’s Events Policy refers to major events as events having a regional, national and international profile.
## Proposals

| existing event-based temporary alcohol bans made by resolution² for Mount Smart Stadium, Eden Park and Auckland Domain for ‘Christmas in the Park’ and the Lantern Festival. Changes to these existing resolutions would: |
| for Mount Smart Stadium extend the ban to apply to all major events, not just concerts |
| for Eden Park extend the ban to include Eden Park stadium, and two fan trails if they are activated as part of the event³ |
| 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.

- Replace with a related information note clauses about alcohol ban signage, and clauses about legislative decision-making criteria.
- Clarify exceptions to alcohol bans for licensed premises and the transport of alcohol, council’s ability to make temporary alcohol bans and Bylaw wording.

### Reasons for proposals

- for major events
- removes time and cost to process individual requests for event-based temporary alcohol bans where:
  - the event venue has in the past, is currently, and will in the future be used for major events
  - a ban has been used in the past for major events at the event venue.
- creates more consistent event-based temporary alcohol ban times and application.

Replacing some clauses with related information notes and providing clarifications:

- removes provisions that are unnecessary to state in the Bylaw but are useful as extra information
- provides rules that are easier to read and understand.

## 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>
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<tbody>
<tr>
<td>A</td>
<td>Statement of proposal to amend the Alcohol Control Bylaw</td>
<td>15</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>Adam Milina - Relationship Manager - Albert-Eden &amp; Ōrākei 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](http://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.
2 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
3  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>
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</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>
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<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 a ban has been used in the past for major events at the event venue.</td>
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<tr>
<td>- Replace with a related information note clauses about alcohol ban signage, and clauses about legislative decision-making criteria.</td>
<td>- create 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>
</tbody>
</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.

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.
5 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

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<tbody>
<tr>
<td>Findings report</td>
<td>Options report</td>
<td>Proposal developed</td>
<td>Local board input</td>
<td>Proposal finalised</td>
</tr>
<tr>
<td>Review of how well the current bylaw is working (REG/2019/19)</td>
<td>Considered whether to keep the bylaw, improve it, make a new bylaw or have no bylaw (REG/2019/28)</td>
<td>Statement of Proposal developed to amend Alcohol Control Bylaw 2014</td>
<td>Local boards provide formal input on proposal ahead of public consultation</td>
<td>Regulatory Committee finalises proposal and Governing Body adopts it for consultation</td>
</tr>
</tbody>
</table>

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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3 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, To Puni Kōrero 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](http://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](http://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
Whakararata 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 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).

Cover page reformatted and Summary inserted in accordance with Clause 2(2).
Statement of proposal to amend the Alcohol Control Bylaw

Item 11

Attachment A

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**Schedules**

Schedule 1 Event-Based Temporary Alcohol Bans  10
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.

Part 1
Preliminary provisions

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.
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.

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 car parks 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—

“(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—

(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).
Part 3

Controls

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:
  - evidence of a high level of crime or disorder in the area caused by or made worse by alcohol consumption in that same area
  - 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.
- 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.
Item 11

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>
</tr>
</tbody>
</table>

Clause 10 amended in accordance with Clause 2(2).

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>
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<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</td>
<td>Auckland Domain and 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>Auckland Domain 'Christmas in the Park' alcohol ban</td>
<td>Auckland Domain and 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>
<td>2</td>
</tr>
<tr>
<td>Eden Park major events alcohol ban</td>
<td>Eden Park and Surrounding streets and 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 and 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, and 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>
<td>5</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.
Attachment A

Statement of proposal to amend the Alcohol Control Bylaw
Attachment A

Item 11

Map 2

Auckland Domain - Christmas in the Park

Regional

Hours of Operation: From 4pm on the Friday before the event to 8am on the following Monday after the event.

Alcohol ban does not apply to areas covered by a Sale and Supply of Alcohol Act 2012 licence.
Map 3

Defined Alcohol Ban Area

Alcohol Ban Area

- 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.
Attachment A

Item 11

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.
Attachment A  Item 11

Statement of proposal to amend the Alcohol Control Bylaw

16 July 2020

Item 11

Defined Alcohol Ban Area

Western Springs - Major events

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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<td>Made legacy bylaws about alcohol control¹ (Section 63 Local Government</td>
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<tr>
<td>01 November 2010</td>
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<tr>
<td>22 July 2014</td>
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<td>31 July 2014</td>
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<td>bylaws (GB/2014/70)</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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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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<th>Description</th>
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<td>7</td>
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</tbody>
</table>
## Section 1
### History of Bylaw

<table>
<thead>
<tr>
<th>Action</th>
<th>Description</th>
<th>Date of Decision</th>
<th>Decision Reference</th>
<th>Commencement</th>
</tr>
</thead>
</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>
<tbody>
<tr>
<td>Decision Minutes and Agenda</td>
<td>Decisions on submissions to Statement of Proposal</td>
<td><a href="http://infocouncil.aucklandcouncil.govt.nz/Open/2014/10/GB_20141030_MIN_4575.PDF">http://infocouncil.aucklandcouncil.govt.nz/Open/2014/10/GB_20141030_MIN_4575.PDF</a></td>
</tr>
</tbody>
</table>

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Page 2 of 40
### Auckland Council Whānau Internal Strategy to Minimise Alcohol-related Harm 2016

Establishes overarching direction through a vision, “Auckland Council whānau, actively contributing to a safe, dynamic Auckland free from alcohol-related harm” and includes four outcomes and a detailed programme plan to operationalise the strategy.

[www.aucklandcouncil.govt.nz](http://www.aucklandcouncil.govt.nz)

| Item 11 |
|------------------|------------------|------------------|

### 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>Oversight of regulatory performance</td>
<td>The Regulatory Committee</td>
<td>7 Nov 2013</td>
<td>GB/2013/132 and GB/2016/237</td>
<td>7 Nov 2013</td>
</tr>
<tr>
<td>CI 7 Make, amend revoke permanent(^*1) and temporary(^*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>CI 7 Make, amend revoke permanent(^*1) and temporary(^*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).

---

1 Title

This bylaw is the Alcohol Control Bylaw 2014.

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

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

### Item 11

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

<table>
<thead>
<tr>
<th>Related information about amendments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Council decided on <strong>dd month year</strong> 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:</td>
</tr>
<tr>
<td>- making new event-based (temporary) alcohol bans in Schedule 1</td>
</tr>
<tr>
<td>- using related information notes to replace clauses about alcohol ban signage and to replace clauses that duplicate legislative decision-making criteria</td>
</tr>
<tr>
<td>- clarifying exceptions to alcohol bans for licensed premises and the transport of alcohol, and clarifying council’s ability to make temporary alcohol bans.</td>
</tr>
</tbody>
</table>

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><strong>3</strong> Application</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1) This Bylaw applies to Auckland.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>4</strong> Purpose</th>
</tr>
</thead>
<tbody>
<tr>
<td>The purpose of this bylaw is to control the consumption or possession of alcohol in public places to reduce alcohol related harm.</td>
</tr>
</tbody>
</table>

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

<table>
<thead>
<tr>
<th><strong>5</strong> Interpretation</th>
</tr>
</thead>
<tbody>
<tr>
<td>In this bylaw, unless the context otherwise requires, –</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>5</strong> Interpretation</th>
</tr>
</thead>
<tbody>
<tr>
<td>In this Bylaw, unless the context otherwise requires, –</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Alcohol</strong> has the meaning given by section 5(1) of the Sale and Supply of Alcohol Act 2012.</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th><strong>Alcohol</strong> has the meaning given by <strong>section 5(1)</strong> of the Sale and Supply of Alcohol Act 2012.</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Existing Bylaw</strong></td>
</tr>
<tr>
<td>--------------------</td>
</tr>
</tbody>
</table>
| Explanatory Note: As of 01 April 2014, the definition in section 3(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.”

**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))”.

**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.
<table>
<thead>
<tr>
<th><strong>Existing Bylaw</strong></th>
<th><strong>Bylaw with proposed amendments</strong></th>
</tr>
</thead>
</table>
| **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. | **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 or authorised to act on its behalf.  
Explanatory Note: A list of delegations may be attached to this bylaw for information only purposes. |
| **Council** means the Governing Body of the Auckland Council or any person delegated or authorised to act on its behalf.  
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 car parks as at 30 October 2014 (GB/2014/121)  
- the Regulatory Committee for areas of regional significance as at 30 October 2014 (GB2/2014/121)  
- 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. |
| **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.” |  |
### Existing Bylaw

**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 "..." 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 does not include licensed premises."

### Bylaw with proposed amendments

**Public holiday** has the same meaning given in the [Holidays Act 2003](#).

**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.
<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>
<tr>
<td>Part 2 Control of alcohol</td>
<td>Part 2 Alcohol consumption and possession in public places</td>
</tr>
</tbody>
</table>
### 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 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.

### 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 visitors; or

- (d) the transport of the alcohol from premises next to a 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 (Part 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).
<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) 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

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 (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:
  - 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 11

**Bylaw with proposed amendments**

<table>
<thead>
<tr>
<th>Clause</th>
<th>Proposed Amendments</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1)</td>
<td>Consider the views of the New Zealand Police, and</td>
</tr>
<tr>
<td>(2)</td>
<td>Consider the views of owners, occupiers,</td>
</tr>
<tr>
<td>(3)</td>
<td>Consider the views of residents and other stakeholders,</td>
</tr>
<tr>
<td>(4)</td>
<td>Ensure that the proposed restrictions are targeted and proportionate in light of the evidence.</td>
</tr>
</tbody>
</table>

**Existing Bylaw**

| (i) | The ban to be proportionate and reasonable in light of the evidence. |
| (ii) | Ensure that the proposed restrictions are targeted and proportionate in light of the evidence. |

**Related information about making an alcohol ban sign**

- Members of the public (for example, community groups, businesses and the New Zealand Police) may consider other more appropriate and proportionate in light of the evidence. |

**Clause 8 replaced in accordance with Clause 2(2)**
<table>
<thead>
<tr>
<th>8</th>
<th>Signage</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1)</td>
<td>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:</td>
</tr>
<tr>
<td>(a)</td>
<td>require the council to erect and maintain signs indicating the existence or boundaries of an alcohol ban;</td>
</tr>
<tr>
<td>(b)</td>
<td>describe the placement of the signs</td>
</tr>
<tr>
<td>(c)</td>
<td>prescribe kinds of signs required to be erected and maintained (including, without limitation, content, images, maps, size, lettering, symbols, and colouring).</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Part 3</th>
<th>Enforcement, offences, penalties</th>
</tr>
</thead>
<tbody>
<tr>
<td>9</td>
<td>Enforcement</td>
</tr>
<tr>
<td>(1)</td>
<td>A constable may use their powers under the Local Government Act 2002 to enforce this bylaw.</td>
</tr>
</tbody>
</table>

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.

<table>
<thead>
<tr>
<th>Part 4</th>
<th>Enforcement powers, offences and penalties</th>
</tr>
</thead>
<tbody>
<tr>
<td>9</td>
<td>Police can use statutory powers and other methods to enforce this Bylaw</td>
</tr>
<tr>
<td>(1)</td>
<td>A Police constable may use their powers under the Local Government Act 2002 to enforce this Bylaw.</td>
</tr>
</tbody>
</table>

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).

<table>
<thead>
<tr>
<th>10</th>
<th>Offences and penalties</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1)</td>
<td>Every person who breaches this bylaw commits an offence.</td>
</tr>
<tr>
<td>(2)</td>
<td>Every person who commits an offence under this bylaw is liable to a penalty under the Local Government Act 2002.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>10</th>
<th>A person can be penalised for not complying with this Bylaw</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1)</td>
<td>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.</td>
</tr>
</tbody>
</table>

Related information about penalties
### Attachment A

#### Item 11

<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**

<table>
<thead>
<tr>
<th>Item</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>11</td>
<td>Existing resolutions continue to apply</td>
</tr>
<tr>
<td></td>
<td>(1) This clause applies to all resolutions made under this Bylaw prior to amendments in clause 2(2) coming into force.</td>
</tr>
<tr>
<td></td>
<td>(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).</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Item</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>12</td>
<td>Existing inquiries to be completed under this Bylaw</td>
</tr>
<tr>
<td></td>
<td>(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).</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>‘Christmas in the Park’</td>
<td>Auckland Domain</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Auckland Domain ‘Christmas in the Park’ alcohol ban</td>
<td>Associated carpark areas, sports fields and surrounding streets</td>
<td></td>
<td></td>
</tr>
<tr>
<td></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>
<td></td>
<td></td>
</tr>
<tr>
<td>Eden Park major events alcohol ban</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></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>Mt Smart Stadium major events alcohol ban</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></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>Western Springs major events alcohol ban</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>
<tr>
<td></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>
</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 Mt 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. This report provides the Ōrākei Local Board with highlights of Auckland Tourism, Events and Economic Development’s (ATEED) activities in the Ōrākei Local Board area as well as ATEED’s regional activities for the six months from 1 July 2019 to 31 December 2019.

2. This report should be read in conjunction with ATEED’s Quarter One and Quarter Two reports to Auckland Council (available at www.aucklandnz.com). Although these reports focus primarily on the breadth of ATEED’s work at a regional level, much of the work highlighted has significant local impact.

Whakarāpopototanga matua

Executive summary

3. This report provides the Ōrākei Local Board with relevant information on the following ATEED activities:

- Supporting local business growth
- Filming activity
- Young Enterprise Scheme
- Youth connections
- Local and regional destination management and marketing
- Delivered, funded and facilitated events.

4. Further detail on these activities is listed under Analysis and advice.

Ngā tūtohunga

Recommendation/s

That the Ōrākei Local Board:

a) receive ATEED’s update to the Ōrākei Local Board – March 2020.

Horopaki

Context

5. ATEED has two areas of focus:

- **Economic Development** – including business support, business attraction and investment, local economic development, trade and industry development, skills employment and talent and innovation and entrepreneurship.

- **Destination** - supporting sustainable growth of the visitor economy with a focus on destination marketing and management, major events, business events (meetings and conventions) and international student attraction and retention.

6. These two portfolios also share a common platform relating to the promotion of the city globally to ensure that Auckland competes effectively with other mid-tier high quality of life cities.

7. ATEED works with local boards, Auckland Council and CCOs to support decision-making on local economic growth, and facilitates or co-ordinates the delivery of local economic
development activity. ATEED ensures that the regional activities that ATEED leads or delivers are fully leveraged to support local economic growth and employment.

8. In addition, ATEED’s dedicated Local Economic Development (LED) team works with local boards who allocate locally-driven initiatives (LDI) budget to economic development activities. The LED team delivers a range of services\(^5\) such as the development of proposals, including feasibility studies that enable local boards to directly fund or otherwise advocate for the implementation of local initiatives.

9. ATEED delivers its services at the local level through business hubs based in the north, west and south of the region, as well as its central office at 167B Victoria Street West.

10. Additional information about ATEED’s role and activities can be found at [www.aucklandnz.com/ateed](http://www.aucklandnz.com/ateed).

### Tātaritanga me ngā tohutohu

#### Analysis and advice

11. As at 31 December 2019\(^6\), 1876 businesses had been through an ATEED intervention or programme. Of these, 88 businesses were in the Ōrākei Local Board area – 32 businesses went through Destination-related programmes and 56 businesses went through Economic Development-related programmes.

### Economic Development

#### Supporting Local Business Growth

12. This area is serviced by the Business and Enterprise team in the Central office, located at 167B Victoria Street West, Auckland CBD. The team comprises of two Business and Innovation Advisors and administration support. The role of this team is to support the growth of Auckland’s key internationally competitive sectors and to support to provide quality jobs.

13. A key programme in achieving this is central government’s Regional Business Partnership Network (RBPN). This is delivered by ATEED’s nine Business and Innovation Advisors (BIA), whose role is to connect local businesses to resources, experts and services in innovation, R&D, business growth and management.

14. ATEED’s BIAs engage 1:1 with businesses through a discovery meeting to understand their challenges, gather key data, and provide connections / recommendations via an action plan.

15. Where businesses qualify (meet the programme criteria and/or align to ATEED’s purpose as defined in the SOI) the advisors facilitate government support to qualifying businesses, in the form of:

- Callaghan Innovation R&D grants (including Getting Started, project and student grants [https://www.callaghaninnovation.govt.nz/grants](https://www.callaghaninnovation.govt.nz/grants))
- Callaghan Innovation subsidised innovation programmes [https://www.callaghaninnovation.govt.nz/innovation-skills](https://www.callaghaninnovation.govt.nz/innovation-skills)
- RBPN business capability vouchers (NZTE), where the business owner may be issued co-funding up to $5,000 per annum for business training via registered service providers. Voucher co-funding is prioritised to businesses accessing this service for the first time, in order to encourage more businesses to engage with experts to assist their management and growth.
- NZTE services such as Export Essentials [https://workshop.exportessentials.nz/register/](https://workshop.exportessentials.nz/register/)
- Referrals to NZ Business Mentors via The Chamber of Commerce.

---

55 This activity is subject to local boards prioritising local economic development, and subsequently allocating funding to local economic development through their local board agreements.

6 Q2 FY 2019/20 result for ATEED’s SOI KPI2
16. During the reporting period, ATEED Business and Innovation Advisors met with 105 businesses in the Ōrākei Local Board area, 0 for innovation advice and services and 66 for business growth and capability advice and services. From these engagements:

- 0 connections were made to Callaghan Innovation services and programmes
- 8 RBPN vouchers were issued to assist with business capability training
- 3 referrals were made to Business Mentors New Zealand
- 1 connection was made to ATEED staff and programmes
- 62 connections were made to other businesses or programmes.

Other support for new businesses
17. During the period, ATEED also ran workshops and events aimed at establishing or growing a new business and building capability. 4 people from the Ōrākei Local Board area attended an event below:

- Starting off Right workshop - 3
- Business clinic – 1
- Innovation clinic – 0

Filming activity within the Ōrākei Local Board area
18. ATEED’s Screen Auckland team facilitates, processes and issues film permits for filming activity in public open space. This activity supports local businesses and employment, as well as providing a revenue stream to local boards for the use of local parks.

19. Between 1 July and 31 December 2019, a total of 300 film permits were issued in the Auckland region, 12 of these permits were issued in the Ōrākei Local Board area.

20. The Ōrākei Local Board area’s share of film permit revenue was $859.78 for the period (total for all boards combined was $38,208.55).

21. Some of the key film productions that were issued permits to film in the Ōrākei Local Board area were:

- The Wilds
- BNZ Locals TV commercial
- Delta TV commercial
- National Geographic Tourism Show.

Young Enterprise Scheme (YES)
22. The Auckland Chamber of Commerce has delivered the Lion Foundation Young Enterprise Scheme (YES) since January 2018. ATEED maintains a strategic role. During the period, there were 58 schools participating in the Auckland YES programme, representing 1364 students completing the programme. There are currently three schools from the Ōrākei Local Board area participating in the YES programme.

Local Jobs and Skills Hubs
23. ATEED is the regional partner for the network of Auckland Jobs and Skills Hubs. These multi-agency hubs support employers at developments where there is a high and sustained demand for local labour and skills development. The Auckland network includes Ara (Auckland Airport development), CBD (Wynyard Quarter and city centre development), and Tāmaki hubs. The new Manukau and Northern hubs launched in August of 2019 with new initiatives underway. ATEED-established City Centre Hub reports a total of 480 people into...
employment, 2,092 training outcomes and 14 apprenticeships facilitated as at 28 February 2020. ATEED is the backbone organisation for the CBD Jobs and Skills Hub, where Māori represented over a third (36 per cent) of job placements towards a 40 per cent target.

24. ATEED provided funding to CRL Progressive Employment programme for at risk youth supporting training and developing capability within businesses. Five of six youth graduated the 18-week programme in October into jobs; evaluation report received which shows programme delivered excellent results.

Offshore talent attraction

25. The Auckland Smart Move Q1-Q2 campaign, launched in July with Immigration New Zealand resulted in 2,126 tech and construction job applications from high-skilled offshore migrants, reaching more than 121,000 offshore high-skilled professionals.

Destination

North, West, South East and Gulf area destination management and marketing activity

26. Over the period, the ATEED Tourism Innovation Team has cemented its highly effective regional cluster and program development. The city is managed on a North/West and Great Barrier area and South/East/Central and Waiheke area. This is a proactive programme that is generating success and clustering of businesses capability, skills and delivery across the entire city.

27. Results are visible and reported, including:
   - East/South and North/West visitor maps
   - A Tourism Innovation Partnership Fund which identifies and focuses on capability building and content & product development
   - Groups include the Franklin Tourism Group, now closely aligned with East Auckland Tourism, the Waiheke Tourism Cluster, the Matakana Cluster and the Waitakere Ranges Cluster as well as more bespoke groups on Great Barrier and specific territories.
   - Project & opportunity awareness for operators
   - Regional showcase days, product awareness and updates, site familiarity visits (Famils), and opportunity discussions
   - Innovation sessions with topics such as capability building for smaller operators, common issues and themes, key takeaways, and networking opportunities.

28. The Auckland Visitor Survey Insights Report is the culmination of significant development in qualitative and quantitative data capture across all of Auckland. The report identifies the region by main areas, north, south, east, west, and gulf islands, and delivers a valuable and timely insight into visitors’ characteristics, behaviour, experience and perceptions of the Auckland region. This report will be available for local board access in the New Year.

Regional destination management and marketing activity

29. Auckland cruise ship activity for the year 2018/19 reported growth for Auckland with visitor expenditure of $192.5m (note: this is not the GDP figure previously taken from Cruise NZ as it is no longer available). This is up from $145m in 2017/18. Passenger numbers in 2018/19 were up to 238,000 from 211,000 in 2017/18

30. It was a strong six months of highly visible activities designed to attract visitors from overseas and around New Zealand to Auckland using various platforms:
   - Social media including Instagram @Visitauckland
   - Media and PR including Auckland Insider article, Best escapes for a long weekend, Appetite for Auckland and Online Food stories.
• Marketing Programs such as the Australian ‘Short Break to Auckland’ campaign in October 2019
• Collateral to continue in the AA Auckland Visitor Summer Guide 2019 -2020
• Creating a B-roll of striking footage and images of Tāmaki Makaurau for free use by tourism operators and promoters across the Auckland region and the Gulf
• Focus was also given to Trade and Content development including Elemental AKL 2020.

Māori Tourism Development activity that may be relevant to local boards
31. ATEED continued to support and advocate for the development of new Māori tourism experiences and unique marketing opportunities in support of the priorities contained in the Destination AKL 2025 strategy.

Maori Tourism Innovation Partnership Programme – Pilot
32. In alignment to the Destination AKL Strategy, ATEED has development a new Tourism Innovation Partnership fund to enable and support sustainable growth of Maori Tourism in Tāmaki Makaurau. Funding is available to Iwi, Hapū, Marae, Urban Māori Authorities and Māori Tourism collectives to apply for during the 19/20 financial year. So far, we have supported the following two initiatives:
• Ngai Tai ki Tāmaki/Te Haerenga have been awarded $25,000 to develop and promote day tours to Rangitoto and Motutapu through walking and e-bike tours.
• Te Manu Taupua (with support from the Tupuna Maunga Authority & Nuu Limited) have been awarded $20,000 to grow digital capacity and capability to amplify the cultural narratives of Tāmaki Makaurau. These resources will then be used to educate and develop cultural competency within Auckland’s tourism industry.

33. Examples of separate local board area activity includes:
• Waitematā - Feasibility study for a Māori Cultural Centre
  RFA, ATEED and Panuku in partnership with mana whenua (in particular, Ngāti Whātua Ōrākei, Ngāti Pāoa and Te Kawerau a Maki) are in the final stages of finalising a feasibility study for a Māori Cultural Centre, with a penultimate draft being circulated internally. The cultural centre is closely linked to the City centre work being undertaken by the Auckland Design Office.
• Ōtara-Papatoetoe - Elemental – Te Ahi Kōmāu Event
  ATEED, in collaboration with Panuku are supporting The Cause Collective and Papatūānuku Marae in the delivery and marketing of an indigenous food and cultural storytelling event as apart of Elemental 2020 programme.
• Albert-Eden – Whau Café
  In collaboration with the Tūpuna Maunga Authority, ATEED supported the marketing and promotion of a new Māori centred café and visitor centre called Whau Café located in the historic kiosk on Maungawhau. Whau Café officially opened to the public in December 2019 and has been successfully operating since.
• Rodney - Capability Development
  ATEED is supporting Te Hana Community Development Charitable Trust with the re-prioritising of their commercial tourism aspirations and product development. ATEED is also involved in the Auckland Council working group, to support Te Hana with renewing and re-accessing the lease model as well and supporting further community engagement focused initiatives.

Delivered, funded and facilitated events
34. During the period, the inaugural Elemental AKL winter festival was held from 1 to 31 July 2019. There were 67 events across the region, and 120 restaurants that took part through Elemental Feast. The new festival generated more than 1000 media stories.
35. ATEED delivered the Auckland Diwali Festival which was held at Aotea Square and Upper Queen Street from 12-13 October 2019. Approximately 65,000 people attended, up 9 per cent from an estimated 59,990 in 2018. The festival had more than 40 food stallholders, more than 50 hours’ live entertainment and over 200 performances.

36. ATEED led the cross-council communications and programme implementation of the 2019 New Year’s Eve coverage to alert Aucklanders and visitors to the road closures, extra public transport options, event highlights and TV viewing options, with positive feedback received.

37. During the period, residents of the Albert-Eden Local Board area were also able to enjoy events funded or facilitated by ATEED across the Auckland region, including the New Zealand International Film Festival, ASB Auckland Marathon, the Virgin Australia Supercars Championship, The Food Show, New Zealand Fashion Week, the ITM Auckland SuperSprint, Taste of Auckland, EQUITANA Auckland, 19/20 Nacra/49ers Class Sailing World Champs, Wondergarden, Auckland On Water Boat Show.

38. A full schedule of major events is available on ATEED’s website, aucklandnz.com.

Go With Tourism

39. Go with Tourism (GWT) is a jobs-matching platform that targets young people (18-30 years) and encourages them to consider a career in Tourism. In 2019, Go with Tourism was rolled out nationally with launches in Queenstown and Wanaka. The platform signed over 300 businesses for the first time in the six months between July 2019 and December 2019.

40. The most popular industries in the GWT programme in Auckland (as classified by ANZSIC code) were Accommodation and Food Services (61 per cent), Arts and Recreation Services (19 per cent), Transport, Postal and Warehousing (5 per cent), and Administrative and Support Services (5 per cent).

41. In Ōrākei Local Board, six businesses have signed up to use the platform out of a total of 165 in the Auckland region.

Tauākī whakaaweawe āhuarangi
Climate impact statement

42. The proposed decision to receive the six-monthly report has no impact on emissions or climate change. ATEED assesses and responds to any impact that our initiatives may have on the climate on a case-by-case basis.

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

43. ATEED assesses and manages our initiatives on a case-by-case basis and engages with the Council group where required.

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

44. Local Board views are not sought for the purposes of this report. Local Board views were sought for some of the initiatives described in this report.

Tauākī whakaaweawe Māori
Māori impact statement

45. The proposed decision to receive the six-monthly report has no impact on Māori. ATEED assesses and responds to any impact that our initiatives may have on Māori on a case-by-case basis.
Financial implications

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

Risks and mitigations

47. The proposed decision to receive the six-monthly report has no risk. ATEED assesses and manages any risk associated with our initiatives on a case-by-case basis.

Next steps

48. ATEED will provide the next six-monthly report to the Local Board in August 2020 and will cover the period 1 January to 30 June 2020.

Attachments

There are no attachments for this report.

Signatories

<table>
<thead>
<tr>
<th>Author</th>
<th>Stephanie Sole - Strategy and Planning (ATEED)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Authorisers</td>
<td>Quanita Khan - Manager Operational Strategy and Planning (ATEED)</td>
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<td></td>
<td>Adam Milina - Relationship Manager - Albert-Eden &amp; Ōrākei Local Boards</td>
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Te take mō te pūrongo
Purpose of the report
1. To receive the Auckland Transport report to the Ōrākei Local Board for July 2020.

Whakarāpopototanga matua
Executive summary
2. Each month, Auckland Transport provides an update to the Ōrākei Local Board on transport-related matters and relevant consultations in its area, Local Board Transport Capital Fund (LBTCF) projects and decisions of Auckland Transport’s Traffic Control Committee.
3. The Auckland Transport update for July 2020 report is attached to this report.

Ngā tūtohunga
Recommendation/s
That the Ōrākei Local Board:
 a) receive the Auckland Transport July 2020 update report.

Ngā tāpirihanga
Attachments

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Ngā kaihaina
Signatories

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<td>Kim Lawgun - Democracy Advisor</td>
<td>Adam Milina - Relationship Manager - Albert-Eden &amp; Ōrākei Local Boards</td>
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</table>
July 2020: Auckland Transport monthly update to the Ōrākei Local Board

Te take mō te pūrongo

Purpose of the report
1. An update for the Ōrākei Local Board about transport related matters in their area, including the Local Board Transport Capital Fund (LBTCF).

Whakarāpopotanga 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 Ōrākei Local Board:
   a) Receive the Auckland Transport July 2020 monthly update report.

Horopaki

Context
3. AT is responsible for all of Auckland’s transport services, excluding state highways. AT reports on a monthly basis to local boards, as set out in the Local Board Engagement Plan. This monthly reporting commitment acknowledges the important engagement role local boards play within and on behalf of their local communities.
4. This report addresses transport-related matters in the board’s area and includes information on the status of the Local Board Transport Capital Fund projects.

Tātaritanga me ngā tohutohu

Analysis and advice
5. This section of the report contains information about local projects, issues and initiatives. It provides summaries of the detailed advice and analysis provided to the local board during workshops and briefings.

Local Board Transport Capital Fund
6. The LBTCF is a capital budget provided to all local boards by Auckland Council and delivered by Auckland Transport (AT). Local boards can use this fund to deliver transport infrastructure projects that they believe are important but are not part of AT’s work programme.
7. Any LBTCF projects selected must be safe, must not impede network efficiency, and must be in the road corridor or on land controlled by AT (though projects running through parks can be considered if there is a transport outcome).
8. The Ōrākei Local Board has previously been advised that there would be approx. $5.38 million of LBTCF to spend in the current (2019-2022) electoral term.

9. 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.

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

11. 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

12. 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

13. The most recent resolutions of the Ōrākei Local Board are recorded below in bold font, with Auckland Transport contained below each resolution.

Resolution number OR/2020/72

That the Ōrākei Local Board:

b) request that should the budget for the Community Safety Fund be altered as part of the Emergency Budget, the Board has the opportunity to reprioritise projects in discussion with Auckland Transport.

The above resolution is noted by Auckland Transport. Work has been undertaken on the projects proposed and designs are likely to be consulted on shortly. However, delivery will be affected by the outcome of the emergency budget (please note paragraph 13 of this report, above, regarding the general status of the CSF) and once this information is known then AT will be in a position to have a discussion with the Board around the reprioritisation of these projects and delivery.

Local Updates

Public Transport on Demand - Stonefields

14. Auckland Transport (AT) is considering Stonefields as one of the potential locations for trialing it is on-demand rideshare service. The purpose of this is to address the gaps in public transport, high car dependence in our suburban communities and to act upon AT’s ongoing obligation to address underperforming bus routes.

15. Stonefields is a relatively new, medium density suburb. AT is looking for a cost-effective solution for providing transport solutions for the Stonefields area. The current bus route 747 which connects to both Panmure and Glen Innes train stations has been consistently falling short of its Regional Public Transport Plan (RPTP) patronage target. There is potentially an opportunity for AT to test on-demand service as a ‘replacement’ service while enhancing the connectivity to Rapid/ Frequent Transit Network (RTN/FTN).
16. AT is currently working with suppliers to understand the catchment size and passenger demand and propose a cost-effective alternative. Parallel to this, AT plans to engage with the community to understand their transport needs and design the on-demand rideshare service to best meet their needs.

Proposal Outcome: Meadowbank Road & Tahapa Crescent, Orakei

17. In March, AT sought feedback on a proposal to improve parking conditions in this area, in response to requests from local businesses and residents to increase parking turn-over.

18. We proposed P120 (2 hour) parking time restrictions between businesses and a retirement home on Meadowbank Road and Tahapa Crescent, Orakei. Following feedback, we have implemented two changes: Additional P120 parking restrictions on the north and south side of Tahapa Crescent.

19. The proposed time restrictions would be in effect from Monday to Friday, 8am to 6pm and would involve 37 parking spaces. In addition, we proposed painting broken yellow lines on the corner of Meadowbank Road and Tahapa Crescent to prevent people from parking illegally on this corner.

20. These changes are expected to improve parking availability for customers visiting the shops or the retirement home by restricting parking to 2 hours.

21. A summary of community feedback and our responses to community questions (and more information on this project) can be found on our website, by clicking here.

22. This work will happen between June and August 2020, but we will advise if there are further changes or delays. Our contractors will send notices to affected residents 48-hours prior to construction starting.

Proposal outcome: Buttle Street, Remuera - Broken Yellow Lines

23. AT recently sought feedback on a proposal to install broken yellow lines (no stopping at all times) in Buttle Street, Remuera. The purpose of this proposal was to improve visibility and vehicle access into Buttle Street, we proposed to extend the broken yellow lines on one side of Buttle Street, Remuera.

24. After reviewing this feedback and all other supporting evidence, AT have made minor changes to the design based on community feedback. Changes include extending the broken yellow lines from Buttle Street onto Arney Road. Thank you to everyone who responded to our proposal which gave us the chance to better understand community concerns.

25. A summary of community feedback and our responses to community questions (and more information on this project) can be found on our website, by clicking here.

26. These works are planned between August and October 2020, but we will advise if there are further changes or delays. Our contractors will send notices to affected residents 48-hours prior to construction starting.

Proposal Status: Shore Road, Remuera – Raised Zebra Crossing

27. AT recently sought feedback on a proposal to upgrade the pedestrian crossing to a raised zebra crossing at 15 Shore Road in Remuera. The raised zebra crossing is expected to improve road safety for people walking in the area by slowing approaching traffic and prioritising pedestrians. This location has been identified through Road Safety investigations into crossing locations where pedestrian safety improvements are needed.

28. Proposal feedback closed on the Monday 15 June, and over 70 submissions on this proposal were received. We are currently working through all the feedback and any changes needed as a result will be reported on.
St John’s Road and Felton Mathew Avenue Intersection
29. It was anticipated that the intersection upgrade at St John’s Road and Felton Mathew Avenue go live date would be Tuesday 30 June 2020.
30. Unfortunately, the go live date has had to be pushed back due to the delay on the installation of a power meter, required to help the signals function correctly.
31. The new go live date is now anticipated as Friday 17 July 2020.

Recently Completed Projects
32. Improvements to the walkway between Findlay Street and Hewson Street is now complete, with the final inspection taking place on Monday 29 June 2020. Improvements here include: trimming of pittosporum hedge & bed covered with black chip, light pole arms extended to hang over the footpath, improved light spread luminaries installed, and removing the concrete footpath to install a wider path.
33. The installation of Wayfinding Signage on the Ellerslie side of the Greenlane Train Station was completed on Friday 26 June 2020.

Regional Transport Updates
COVID-19 update: Transport in Auckland under Alert Level 1
34. The Government has announced that New Zealand has moved to Alert Level 1. This means Auckland Transport services are largely returning to normal operations.
35. 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.
36. 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 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.
37. 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
38. 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.
39. "Auckland is a Vision Zero region, and no one should lose their life or get seriously injured simply moving around the city."
40. "Although 14 lives were saved, and 42 serious injuries prevented in 2019 on Tamaki Makaurau roads compared to 2018, 40 people tragically lost their lives and 567 people were seriously injured. The lives of the loved ones of these 40 people will never be the same again. This is simply unacceptable. No one should lose their life simply getting around our city."
41. “This is why Auckland Transport (AT) must continue to work hard to keep everyone safe. On 30 June, some roads around Auckland have had their speed limit reduced as part of the Speed Limits Bylaw 2019.”

42. 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.

43. 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.

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

45. “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.”

46. 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

47. 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.

48. 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).

49. 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.

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

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

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

Pets get the final okay

53. The trial of pets on Auckland’s trains has become permanent. Auckland Transport has carried out two trials and has surveyed train customers. Most people who completed the survey support having pets on trains, with only 12 per cent opposed.

54. Pets can go on trains between nine in the morning and three in the afternoon and after 6:30 at night. They can travel all-day on weekends and on public holidays.

55. All dogs must either be wearing an approved muzzle and lead or can be travelling in an approved pet carrier.

56. Full details and conditions:

   • Pets can only travel on trains at off-peak times (9am-3pm and 6.30pm–end of service on weekdays, and all-day weekends and public holidays)
   • All dogs must either be wearing an approved muzzle and lead or can be travelling in an approved pet carrier
   • Domestic pets are to be enclosed in a suitable pet carrier that is small enough to be stored securely under the seat or held on the passenger’s lap
   • Passengers travelling with domestic pets are responsible for their pet and must keep them caged and under control at stations, getting on or off the train, and while onboard trains
Passengers travelling with domestic pets are responsible for all pet mess and must ensure that any pet mess is cleaned up before they get off the train.

Passengers may be refused entry to board the train if the train is crowded.

Passengers may be asked to leave the train with their domestic pet if the animal is causing or likely to cause a safety risk or nuisance to other customers.

Domestic pets travel free of charge on our services.

**Tauākī whakaaweawe āhuarangi**

**Climate impact statement**

57. Auckland Transport 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.

58. Auckland Transport’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**

59. The impact of information (or decisions) in this report are confined to AT and do 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**

60. The local board have been consulted on the following project(s) over the reporting period:

.a) N/A – no specific projects have been consulted on over this reporting period.

**Tauākī whakaaweawe Māori**

**Māori impact statement**

61. 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.

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

63. This plan in full is available on the Auckland Transport Website - [https://at.govt.nz/about-us/transport-plans-strategies/māori-responsiveness-plan/#about](https://at.govt.nz/about-us/transport-plans-strategies/māori-responsiveness-plan/#about)

**Ngā ritenga ā-pūtea**

**Financial implications**

64. The proposed decision of receiving the report has no financial implications.
Ngā raru tūpono me ngā whakamaurutanga
Risks and mitigations

65. 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.

66. Our capital and operating budgets will 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 likely be impacted by these budget reductions.

67. 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

68. AT will provide another update report to the board at the next meeting in August 2020.

Ngā tāpirihanga
Attachments

69. There are no attachments for this report.

Ngā kaihaina
Signatories

<table>
<thead>
<tr>
<th>Author</th>
<th>James Ralph, Elected Member Relationship Manager</th>
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<tbody>
<tr>
<td>Authoriser</td>
<td>Jonathan Anyon, Manager, Elected Member Relationship Unit</td>
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Governing Body Members' update

File No.: CP2020/09051

Te take mō te pūrongo
Purpose of the report

1. To update the Ōrākei Local Board on activities that the local ward Governing Body Members have been involved with since the previous local board meeting.

Whakarāpopototanga matua
Executive summary

2. To provide an opportunity for the local ward Governing Body Members to update their local board counterparts on regional matters.

Ngā tūtohunga
Recommendation/s

That the Ōrākei Local Board:

a) receive the Governing Body Members' update.

Ngā tāpirihanga
Attachments

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</table>
General update / Executive summary

- Annual Budget 2020/21 Emergency Budget process
  - Public consultation from 29 May – 19 June
  - 16 July: Decision making meeting for final Annual Budget
- Applications to the second tranche of Waka Kotahi NZ Transport Agency’s Innovating Streets for People pilot fund submitted on 3 July. As Deputy Chair of Planning Committee, Councillor Bartley assisted in approving final list of projects.
  - Submitted project in Ōrākei Local Board area: School Pavement Artwork (submitted by Auckland Transport).
- As Deputy Chair of Planning Committee, Councillor Bartley approved Auckland Council’s submission on the COVID-19 Recovery (Fast-track consenting) Bill
- As Disability Advisory Panel liaison councillor, Councillor Bartley helped interviews and select panel members.
- “Together We Can” communications campaign to encourage Aucklanders to submit on the Emergency Budget.

Committee meetings and workshops

- Tūpuna Maunga Authority Hui (28 May)
- Confidential Finance and Performance Committee workshop (27 May): Annual Budget 2020/2021 – draft Consultation Material/Supporting Information
- Governing Body meeting (28 May):
  - Adoption of 21 May 2020 Emergency Committee recommendations on rates and fees issues for the Emergency Budget 2020/21
  - Adoption of 21 May 2020 Emergency Committee recommendations on the Annual Budget 2020/21 Emergency Budget consultation approach
  - Adoption of Consultation Material for Emergency Budget Annual Budget 2020/21
- Joint Environment and Climate Change/Planning Committee workshop (3 June): Transport initiatives within the indicative Council climate action package
- Planning Committee meeting (4 June)
  - Approval of project proposals for the joint Auckland Transport and Auckland Council bid to the second round of the Innovating Street pilot fund
  - Approval of process for Auckland Council submission to COVID-19 Recovery (Fast-track Consenting) Bill
- Finance and Performance Committee workshop (10 June): Annual Budget 2020/2021 Emergency Budget – Regional Stakeholder session
- Parks, Arts, Community and Events Committee meeting (11 June)
- Governing Body workshop (17 June): Annual Budget 2020/2021 Emergency Budget – Mana Whenua feedback
- Finance and Performance Committee meeting (18 June):
  - Approved Auckland War Memorial Museum 2020/21 levy
- Regulatory Committee meeting (23 June):
  - Appointed hearing commissioners for Private Plan Change 37 (668 Great South Rd, Ellerslie)
  - Findings of the Signage Bylaw 2015 review
  - Water Supply and Wastewater Network Bylaw Review options

Ward Councillor Report – 26/05/2020
• Environment and Climate Change Committee workshop (24 June): Review of draft Te Tāruke-a-Tawhirī: Auckland’s Climate Plan
• Confidential Finance and Performance Committee workshop (24 June): Annual Budget 2020/2021 – Emergency Budget – Regional Capital Work Programmes
• Confidential Finance and Performance Committee workshop (25 June): Annual Budget 2020/2021 – Emergency Budget – Scene setting; Asset recycling
• Confidential Finance and Performance Committee workshop (30 June): Annual Budget 2020/2021 – Emergency Budget – Healthy Waters; Auckland Council Parent, Regional Facilities Auckland
• Parks, Arts, Community and Events Committee workshop (01 July): Regional Parks Management Plan review
• Confidential Governing Body workshop (01 July): Watercare - Water Resilience
• Planning Committee meeting (2 July)
  o Accepted Drury East private plan change requests
• Confidential Finance and Performance Committee Workshop (2 July): Annual Budget 2020/2021 – Emergency Budget

Upcoming Meetings
• 7, 8, 9, 14, 15 July: Confidential Finance and Performance Committee workshops: Annual Budget 2020/2021 – Emergency Budget
• 16 July Finance and Performance Committee - Extraordinary meeting (Annual Budget 2020/2021 Emergency Budget); Extraordinary Governing Body meeting - Annual Budget: Mayoral Proposal and Decision-making

Events and other meetings
• 27/05/2020: Disability Advisory Panel Virtual Assessment Session 1
• 02/06/2020: Watercare briefing to Councillors
• 03/06/2020: Disability Advisory Panel Virtual Assessment Session 2
• 04/06/2020: Presentation to Justice Committee on the Inquiry into the 2019 Local Elections and Liquor Licensing Trust Elections, and Recent Energy Trust Elections.
• 09/06/2020: Emergency Budget: Online Community Webinar Central
• 08/06/2020: Disability Advisory Panel candidate interviews, Disability Advisory Panel Virtual Assessment Session 3
• 08/06/2020: Meeting regarding Council submission on COVID19 Recovery (Fast-track Consenting) Bill
• 14/06/2020: Emergency Budget: Online Community Webinar South
• 15/06/2020: Received petition from E to Cleaners and the Living Wage
• 23/06/2020: NZTA Innovating Streets fund round two meeting with AT and Council officers.
• 26/06/2020: Selection of Disability Advisory Panel members
• 29/06/2020: Site Visit – Michaels Ave Reserve redevelopment project
• 01/07/2020: NZTA Innovating Streets fund - meeting to approve final submission for round 2

Constituent Issues
• Michaels Ave Reserve development – Emergency Budget funding query
• Congestion issues – Parnure-Ellerslie Highway
• Ellerslie tunnel: Lights needing to be repaired and graffiti removed
• Queries regarding Watercare handling of drought, America’s Cup

Ward Councillor Report – 26/05/2020
Media Reports


Recommendation

That this report be received.

Ward Councillor Report – 26/05/2020
Chairman and Board Member July 2020 report

File No.: CP2020/09119

Te take mō te pūrongo
Purpose of the report
1. To provide the Ōrākei Local Board Chairman and Members with the opportunity to provide an update on projects, activities and issues in the local board area.

Ngā tūtohunga
Recommendation/s
a) That the Chairman and Board Member July 2020 report be received.

Ngā tāpirihanga
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Chairman and Board Member Report
16 July 2020

General / assigned roles update

Transport – Scott Milne

- The Board has welcomed James Ralph from Auckland Transport (AT) who has taken the liaison position formerly occupied by Bruce Thomas.
- The Board has been invited to participate in a substantial design, development and implementation project being undertaken by AT to improve public and elected representatives’ communication around all current and future traffic projects in the Board area. This substantial piece of work aims to reduce workloads and increase transparency, accuracy and efficacy by giving board members and the public access to real-time maps showing all road works in progress or anticipated.
- The Board has had a number of workshops on the Emergency Budget and is required to find substantial savings in all areas, particularly transport. These cuts and deferrals will affect the timing and delivery of many projects across the total portfolio of works the Board undertakes.
- The Board submitted the local connections to the Stage II GI2TD Cycle/walkway as a shovel ready project for consideration by central government. This was not successful and the Board Chair has met with the CEO of Auckland Transport and is meeting with the Deputy Minister of Transport and the Minister for the Environment to re-state the case for the One Local Initiative (OLI).

Environment – Lead: Margaret Voyce

- Environment activity throughout the Ōrākei Local Board area is essentially back to normal. Now in Level 1, most activities are back on track albeit with delay due to both Covid restrictions, but most importantly that the harsh drought experienced since November 2019 has eased.

Environment

- Environmental Forum: Will reconvene later in the year, in a different format than previously discussed, as an example, we would like to explore a way forward on War on Privet (WOP) across the Board area.
- Commenced interest in Friends of Dingle Dell (FO): meeting with Council staff and interested parties planned for later this month (July).
- Containing with Track and Trace sheet for some operational issues, that is useful as monitoring tool (progress on specific issues).
- Excellent progress being made with Churchill Park, Tahuna Torea and Wilsons Walkway, operational maintenance issues, signs, pest plant removal and the walkway being made safe. Volunteers and residents are pleased to see progress.
- Planting days have commenced and will continue till mid spring.
• Commencing mid-July, a monthly catch up meeting has been initiated with Council staff from Parks and Environment for Ōrākei Local Board project updates (issues and developments).
• Discussions with Council staff on Abbots Road resource consent application to direct new development storm water (two units) into Waiaatarua Wetlands (Ōrākei Local Board Reserve land). Discussions are on-going.

Watercare
• Water Restrictions: continuing.
• Weekly updates from Healthy Waters on dry weather testing from Newmarket streams. Full report and analysis report are delayed to 14 July.
• Hapua Thrive have called an afternoon meeting in late August to update residents on the Hobson Bay water issue.

Civil Defence
• Nothing to report.

Remuera Residents Association
• Rekindle meeting due mid-July.
• Remuera Residents Association raised emergency road closure, in Manawa Road, due to Torno being formed (concerns raised at a lack of signage).

Supplementary Issues
• Traffic consultation on Shore Road shops (opposite Thomas Bloodworth park): Board members met with local businesses who sent in submissions to lobby AT against the removal of nine car parks.
• Traffic issues: Local resident living near Saint Kentigern School raised an issue about car/pedestrian risks. Board members will be following up on this issue with the school and Council staff who have been charged with co-ordinating a suburb-wide school safety traffic review.

Arts and Libraries – Lead: Colin Davis
• Exterior painting and other maintenance work is being done at the St Heliers library.

Economic Development – Lead: Sarah Prowie
• America’s Cup planning is progressing, the application to ATEED to assist with funding for our Summer in the Bays events has been completed and we are waiting on the outcome.
• Planning of the Ōrakei Business Network Events are underway. We have partnered with Remuera Golf Club for an August event, which will include speakers who will supply information and support, specifically for our local small businesses. We are also working on a community event in September.
• Ellerslie – upgrade of the main square in the township being formulated.
• Meetings for the Ellerslie and St Heliers Business Associations have been held via Zoom, all associations have shared up-to-date information about the requirements of conducting business through the various alert levels due to the Covid-19 pandemic.
Resource Consenting and Regulatory – Lead: Troy Churton
- Local Government Auckland Council Act submissions on 78 Orakei Road continue.
- The Ōrākei Local Board presented submissions on Plan Change 22 for Heritage Protection in Remuera.

Events, Landowner Approvals and Leases – Lead: David Wong
- Ōrākei Local Board have received landowner requests for several events including:
  o NG Car Club Charity Christmas.
  o North Shore Rod & Customer Club toy run.
  o Waterfront Half Marathon.
  o Peoples Triathlon.
  o Mission Bay Art & Crafts.
  o Round the Bays 2021.
  o Bean Rock Swim.
- Initial feedback on Whatawhata Reserve – request from applicant to adjoin stormwater pipes to infrastructure within the Reserve. Key consideration is to ensure Healthy Waters engineers have reviewed and assessed maintenance obligations are met by the applicant.
- Continued liaison with Member Churton on the environmental impacts of 78 Orakei Road development and the need to present to the Planning commissioner (Sect 15A Local Government Auckland Act) – given proximity to Waiata Reserve.
- Continued neighbourhood concerns on the delay on Felton Mathew traffic lights; needing to understand sequencing of project and responsibility with AT.
- Assessing proposed development of new care facility - St Andrews Retirement Village; Glendowie.
- On-going discussions at the East City Community Trust Board (ECCRB) (Barfoot and Thompson Stadium). The Ministry of Education have withdrawn the draft Licence (licence expired April 2018) they tabled some time ago. They have asked the Selwyn Board to liaise with the ECCRB and then to let them know the terms upon which both parties agree to proceed. The Selwyn BOT will discuss this at their next meeting and will be in touch with the ECCRB shortly.
- The Board is concerned about significant height infringements in the application of 223 Kohimarama Road (retirement village proposal) and the negative affect of these on community well-being. The community has reason to expect a built environment of no more than three stories in this MHU Zone area. There are 6 proposed buildings that infringe the height limits. The application is on hold under Section 92 of the Resource Management Act (RMA).

Community – Lead: Sarah Powrie
- Mission Bay – working on upgrading changing facilities and the playground space.
- Eastern Bays Network Meeting held via Zoom, with interesting updates from the local community, including the Wildlink initiative.
- Ongoing work and engagement via social media to format the Annual Plan.
- Working with Bike Tamaki on areas of Tamaki Drive considered unsafe for shared use.
Working with the group from Meadowbank regarding the formation of a community garden.

Heritage – Lead: Colin Davis

- On 1 July planning commissioners board submissions on Plan Change 31, which is a proposed plan change for the addition of historic heritage places to Schedule 14 of the Auckland Unitary Plan.
- The Ōrākei Local Board funded historic heritage evaluations for several properties within the local board area. The properties that are included in this plan change are:
  - Glenholm, 37 Portland Road, Remuera
  - Remuera Primary School War Memorial Gates, 25-33 Dromorne Road, Remuera
  - Remuera Post Office, 358-364 Remuera Road
  - Upland Village Historic Heritage Area, parts of Remuera Road, Upland Road and Minto Road, Remuera
- On 21 May 2020 the Board resolved to support the overall intention of Plan Change 31 to the Auckland Unitary Plan and in particular:
  1. the Upland Village Historic Heritage Area on the basis of the June 2018 Historic Heritage Evaluation undertaken by The Heritage Studio on behalf of the Auckland Council’s Heritage Unit
  2. the Remuera Primary School War Memorial Gates on the basis of the May 2018 Historic Heritage Evaluation undertaken by The Heritage Studio on behalf of the Auckland Council’s Heritage Unit
  3. Glenholm, 37 Portland Road, Remuera, on the basis of the June 2018 Historic Heritage Evaluation undertaken by the Auckland Council’s Heritage Unit
  4. the former Remuera post office building because of its considerable context value as a conspicuous landmark within the Remuera townscape and is a good representative example of a former post office building.
- In accordance with the Board’s further resolution Board Member Churton attended the hearing and made submissions in support of the Board’s resolution.

Communications and Engagement – Lead: Scott Milne

- The Draft Local Board Plan has been signed off by the Board and will be shortly be available for public consultation.
- Board Members met with officers and representatives of many of the user groups at The Landing and have begun the establishment of a User Group Committee that will work with the Board Steering group to progress the implementation of the “Pathways to the Sea” plan of 2013.

Other Board matters

- Emergency Budget: hundreds of man hours have been spent on all Local Board budgets since the announcement from the Governing Body that the city was facing an income shortfall of $540 million (Projected) for the 2020/2021 year. The overall depth of cuts will depend substantially on the rate increase level set by the Governing Body. If the city’s rates are struck as a 3.5 per cent increase then budgets will be cut
by 10 per cent. If the lower consulted increase level of 2.5 per cent is struck, the reduced city income will mean budgets will need to be cut by 20 per cent.

**Recommendation**

a) That this report be received.
Governance Forward Work Calendar

File No.: CP2020/09135

Te take mō te pūrongo
Purpose of the report
1. To present the Ōrākei Local Board with a governance forward work calendar.

Whakarāpopototanga matua
Executive summary
2. This report contains the governance forward work calendar, a schedule of items that will come before the Ōrākei 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 to the agenda report.
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.

Ngā tūtohunga
Recommendation/s
That the Ōrākei Local Board:
a) note the draft governance forward work calendar as at July 2020.

Ngā tāpirihanga
Attachments

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<thead>
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<tbody>
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<td>A1</td>
<td>Governance Forward Work Calendar - July 2020</td>
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Ngā kaihaina
Signatories

<table>
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<tr>
<th>Author</th>
<th>Authoriser</th>
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<tbody>
<tr>
<td>Kim Lawgun - Democracy Advisor</td>
<td>Adam Milina - Relationship Manager - Albert-Eden &amp; Ōrākei Local Boards</td>
</tr>
<tr>
<td>Meeting (workshop or business meeting)</td>
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Te take mō te pūrongo
Purpose of the report
1. To note the records for the Ōrākei Local Board workshops held following the previous business meeting.

Whakarāpopototanga matua
Executive summary
2. Local Board workshops are an informal forum held primarily for information or discussion purposes, as the case may be, and at which no resolutions or decisions are made.
3. Attached are copies of the records for the Ōrākei Local Board workshops held on 11 June and 25 June 2020.

Ngā tūtohunga
Recommendation
That the Ōrākei Local Board records for the workshops held on 11 June and 25 June 2020 be noted.

Ngā tāpirihanga
Attachments
<table>
<thead>
<tr>
<th>No.</th>
<th>Title</th>
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<tbody>
<tr>
<td>A</td>
<td>Ōrākei Local Board workshop record - 11 June 2020</td>
<td>107</td>
</tr>
<tr>
<td>B</td>
<td>Ōrākei Local Board workshop record - 25 June 2020</td>
<td>109</td>
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Ngā kaihaina
Signatories
<p>| | |</p>
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<tbody>
<tr>
<td>Author</td>
<td>Kim Lawgun - Democracy Advisor</td>
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<tr>
<td>Authoriser</td>
<td>Adam Milina - Relationship Manager - Albert-Eden &amp; Ōrākei Local Boards</td>
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## Workshop Item

<table>
<thead>
<tr>
<th>Workshop Item</th>
<th>Governance role</th>
<th>Summary of Discussions</th>
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<tbody>
<tr>
<td>Local Board 2019/2020 Round Two</td>
<td>What is the local boards governance role with regards to the item being worked up:</td>
<td>Grant staff were in attendance to facilitate the Board’s review and discussion of the applications received during Round Two of the 2019/2020 Quick Response and Tree Protection Grants.</td>
</tr>
</tbody>
</table>
| Quick Response and Tree Protection Grants | **Presenter**<br>Ann Kuruvilla, Grants Advisor. |  - Local initiatives/specific decisions  
  - Oversight and monitoring  
  - Keeping informed. |                                                                                      |
<p>| Healthy Waters Update            | What is the local boards governance role with regards to the item being worked up: | Healthy Waters staff were in attendance to provide the Board with an update on the proposal to convert urban sites into gardens. The concept seeks to meet sustainability objectives such as improved water quality. |</p>
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<th>Workshop Item</th>
<th>Governance role</th>
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| Adam Schellhammer, Senior Healthy Waters Specialist | • Local initiatives/specific decisions  
• Oversight and monitoring  
• Keeping informed | quality, detention and native flora and engage local community members through environmental education. |
| Theresa Pearce, Senior Healthy Waters Specialist. | | |

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<tr>
<th>Workshop Item</th>
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<th>Summary of Discussions</th>
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</thead>
</table>
| Emergency Budget Update | What is the local boards governance role with regards to the item being workedshoped:  
• Local initiatives/specific decisions  
• Oversight and Monitoring  
• Keeping informed. | Finance staff were in attendance to provide the Board with an update on the Emergency Budget and facilitate discussion of the local context and implications. |
| Presenter | Audrey Gan, Lead Financial Advisor. | |

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| Proposed amendments to the Alcohol Control Bylaw 2014 | What is the local boards governance role with regards to the item being workedshoped:  
• Local initiatives/specific decisions  
• Oversight and Monitoring  
• Keeping informed. | Policy staff were in attendance to provide the Board with an update on the draft proposed amendments to the Alcohol Control Bylaw 2014 and enable the Board to make an informed decision at a business meeting prior to 10 July 2020. A decision will be sought on what (if any) input the Board may wish to provide to the Regulatory Committee about the proposal. The Regulatory Committee, at its meeting on 4 August 2020, will decide whether to recommend the proposal be adopted for public consultation. |
| Presenter | Paul Wilson, Senior Policy Manager. | |

The workshop concluded at 5.00pm.
### Orakei Local Board Workshop Record

Workshop record of the Orakei Local Board held in the Orakei Local Board office meeting room on Thursday, 25 June 2020 commencing at 12.00 noon

### PRESENT

<table>
<thead>
<tr>
<th>Chairman:</th>
<th>Scott Milne</th>
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<tbody>
<tr>
<td>Members:</td>
<td>Colin Davis from 12.50pm</td>
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<td>Troy Elliott</td>
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<td></td>
<td>Sarah Powrie</td>
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<td>Margaret Voyce</td>
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<td>David Wong from 1.00pm</td>
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<tr>
<td>Apologies:</td>
<td>Troy Churton for absence</td>
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<td>Colin Davis for lateness</td>
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<td></td>
<td>David Wong for lateness</td>
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<tr>
<td>Also present:</td>
<td>Adam Milina, Relationship Manager</td>
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<td></td>
<td>Suzanne Weld, Senior Local Board Advisor</td>
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<td>Nick Palmisano, Local Board Advisor</td>
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<td>Kim Lawgun, Democracy Advisor</td>
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<td>Lucia Davis, Strategic Broker</td>
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<td>Audrey Gan, Lead Financial Advisor</td>
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<th>Summary of Discussions</th>
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</thead>
<tbody>
<tr>
<td>Parks, Sports and Recreation update</td>
<td>What is the local boards governance role with regards to the item being workshoped:</td>
<td>Parks, Sports and Recreation staff were in attendance to provide an update to the Board on The Landing’s activities, operations and financial position.</td>
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<tr>
<td>Presenters:</td>
<td>Kim O'Neill, Head of Property and Commercial Business</td>
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<td>Rob Gear, PSR Portfolio Manager</td>
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<td>David Barker, Parks and Places Team Leader</td>
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<td></td>
<td>Jacquie Thompson Fell, Parks and Places Specialist</td>
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<td></td>
<td>Local initiatives/specific decisions</td>
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<td>Oversight and monitoring</td>
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<td>Keeping informed.</td>
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<td>Workshop Item</td>
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<tr>
<td>Work Programme Workshop 5</td>
<td>What is the local boards governance role with regards to the item being workshopped:</td>
<td>Customer and Community Services Lead Team staff were in attendance to provide an update to the Board regarding Asset Based Services (ABS) and Operational Expenditure (OPEX).</td>
</tr>
<tr>
<td>Presenters:</td>
<td>• Oversight and monitoring</td>
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<tr>
<td>Claudia Wyss, Director Customer &amp; Community Services</td>
<td>• Keeping informed.</td>
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<td>Christine Olsen, Community Empowerment Manager</td>
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<tr>
<td>Kim Taunga, Head of Community Libraries South and East (via Skype)</td>
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<td>Mark Bowater, Head of Parks Services (via Skype)</td>
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<td>Rob Cairns, Head of Investment Programme and Advice</td>
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<td>Justine Haves, Head of Service and Asset Planning</td>
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<tr>
<td>Work Programme Workshop 5</td>
<td>What is the local boards governance role with regards to the item being workshopped:</td>
<td>Staff were in attendance to facilitate discussion and to seek direction from the Board for potential revisions to the work programme priorities as proposed by departments ahead of Workshop 8 in July 2020.</td>
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<td>Presenters:</td>
<td>• Local initiatives/specific decisions</td>
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<tr>
<td>Suzanne Weld, Senior Local Board Advisor</td>
<td>• Oversight and Monitoring</td>
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<tr>
<td>Nick Palmasano, Local Board Advisor</td>
<td>• Keeping informed.</td>
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<td>Audrey Gan, Lead Financial Advisor</td>
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<tr>
<td>Katrina Morgan, Work Programme Lead, Ōrākei</td>
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<tr>
<td>Mark Miller, Manager Area Operations</td>
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<tr>
<td>Valerie Vui, Community Lease Specialist</td>
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<td>Debbie Ashton, Manager Library Operations</td>
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<td>Rob Gair, PSR Portfolio Manager</td>
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<td>Jacqui Thompson-Feil, Parks and Places Specialist</td>
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<td>Emma Cowie, I&amp;S Relationship Advisor</td>
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<tr>
<td>Tania Utley, Service and Asset Planning Specialist</td>
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<td>Lucia Davis, Strategic Broker</td>
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<td>Marieke Numan, Arts and Culture Advisor</td>
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<td>Leanne Roche, Event Development Manager</td>
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<td>Kate Holst, Manager Community Led Places</td>
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<td>Workshop Item</td>
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<td>Summary of Discussions</td>
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<tr>
<td>Work Programme Workshop 5 – Community Facilities</td>
<td>What is the local boards governance role with regards to the item being workshopped:</td>
<td>Staff were in attendance to facilitate discussion and to seek direction from the Board for potential revisions to the Community Facilities work programme priorities as proposed by Community Facilities staff ahead of Workshop 8 in July 2020.</td>
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The workshop concluded at 6.20pm.