I hereby give notice that an extraordinary meeting of the Auckland Domain Committee will be held on:

**Date:** Monday, 12 October 2020  
**Time:** 11.30am  
**Meeting Room:** via Skype  
**Venue:**

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**Kōmiti o te Papa Rēhia o Pukekawa / Auckland Domain Committee**

**OPEN AGENDA**

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**MEMBERSHIP**

**Chairperson**  
Cr Desley Simpson, JP

**Deputy Chairperson**  
Adriana Avendano Christie

**Members**  
Member Renata Blair  
Member Alexandra Bonham  
Cr Pippa Coom  
Member Hon Tau Henare  
Cr Sharon Stewart, QSM  
Member Sarah Trotman, (ONZM)

(Quorum members)

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Sonja Tomovska  
Kaitohutohu Mana Whakahaere / Governance Advisor

6 October 2020

Contact Telephone: 021 615 961  
Email: Sonja.Tomovska@aucklandcouncil.govt.nz  
Website: www.aucklandcouncil.govt.nz

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

Background

The Auckland Domain is an important regional park and also has areas within it managed by the Waitematā Local Board. This committee is set up jointly by the Governing Body and Waitematā Local Board to co-ordinate decisions relating to the Domain.

Responsibilities

Decision-making responsibility for parks, recreation and community services and activities in Auckland Domain including those anticipated in the Auckland Domain Act 1987, which are the responsibility of the Governing Body or the Waitematā Local Board.

Powers

All powers of the Governing Body and Waitematā Local Board necessary to perform the committee’s responsibilities including those powers conferred on Auckland Council pursuant to the Auckland Domain Act 1987.

Except:

(a) powers that the Governing Body cannot delegate or has retained to itself (section 2)
(b) where a matter is the responsibility of another committee or local board
(c) the approval of expenditure that is not contained within approved budgets
(d) the approval of expenditure of more than $2 million
(e) the approval of final policy
(f) deciding significant matters for which there is high public interest, and which are controversial.
Exclusion of the public – who needs to leave the meeting

Members of the public

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

Those who are not members of the public

General principles

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

Members of the meeting

- The members of the meeting remain (all Governing Body members if the meeting is a Governing Body meeting; all members of the committee if the meeting is a committee meeting).
- However, standing orders require that a councillor who has a pecuniary conflict of interest leave the room.
- All councillors have the right to attend any meeting of a committee and councillors who are not members of a committee may remain, subject to any limitations in standing orders.

Independent Māori Statutory Board

- Members of the Independent Māori Statutory Board who are appointed members of the committee remain.
- Independent Māori Statutory Board members and staff remain if this is necessary in order for them to perform their role.

Staff

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

Local Board members

- Local Board members who need to hear the matter being discussed in order to perform their role may remain. This will usually be if the matter affects, or is relevant to, a particular Local Board area.

Council Controlled Organisations

- Representatives of a Council Controlled Organisation can remain only if required to for discussion of a matter relevant to the Council Controlled Organisation.
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1 **Apologies**

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

2 **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.

3 **Petitions**

There is no petitions section.

4 **Public Input**

There is no public input section.

5 **Local Board Input**

There is no local board input section.

6 **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.”
Te take mō te pūrongo
Purpose of the report
1. To endorse the extension of the current parking management agreement with the Auckland Bowling Club to 31 March 2021.

Whakarāpopototanga matua
Executive summary
2. The Auckland Council has an Operation and Management Agreement with Auckland Bowling Club for them to manage the council land in the Grafton Mews area that forms part of Auckland Domain adjacent to the club’s leased site. This agreement was set up in 2017 with a number of extensions being granted. The current expiry date of the agreement is 31 October 2020 with the intention a new car parking management regime was being introduced.

3. A further extension of this agreement is now required to consider legal claims and proceedings from the club. An extension of the agreement is important to ensure continuity of the car park management.

4. The Auckland Domain Committee is being asked to endorse the extension to 31 March 2021.

Ngā tūtohunga
Recommendation/s
That the Auckland Domain Committee:

a) endorse a further extension of the Car Park Operation and Management Agreement between Auckland Council and the Auckland Bowling Club, for a period of five months, up until 31 March 2021. This extension shall be on similar terms and conditions as the existing agreement, and

b) delegate authority to the General Manager Parks, Sport and Recreation to approve a further extension of up to three months of the Agreement referred to in clause a), if required.

Horopaki
Context
5. The Auckland Bowling Club (the club) have a license for an area of the Auckland Domain adjacent to a carpark at 100 Stanley St. The carpark currently has approximately 75 parking spaces, nine of which sit within the club’s leased area.

6. In May 2017 the Auckland Domain Committee resolved to enter into a Car Park Operation and Management Agreement (agreement) with the club. This was to put some structure around the practice of the club leasing the majority of the car parks to local health and business entities which had been operating without consent for some time. The agreement was set up as a temporary arrangement with the knowledge that a longer-term solution was required to manage the parking area.
7. A number of extensions have been provided to the agreement to enable the development of an alternate management solution. The latest extension is until 31 October 2020.

8. On 29 November 2018 the Auckland Domain Committee agreed to endorse parking charges in Grafton Mews subject to normal Auckland Transport (AT) consultation processes and net revenue being returned to the domain (Resolution number ADC/2018/36). This included the parking area in 100 Stanley Street managed by the club. It is anticipated, given the pressure on this parking area from the surrounding commercial area and university, and the precedent of past parking fees, that this is the most effective form or managing this parking area.

Tātaritanga me ngā tohutohu
Analysis and advice

9. Auckland Transport (AT) have completed their processes for the implementation of parking charges and was ready to take over the management in November 2020. However, both Council and AT have received legal claims from the bowling club with regards to the implementation of parking charges by AT. Dealing with these legal claims and associated issues will likely take several months, which means that AT is not able to take over the management of the carpark in November.

10. A further extension of the agreement is now necessary to bridge the gap between the current agreement concluding and the new arrangement potentially being put in place. It is recommended that this be formally endorsed by the Auckland Domain Committee.

Tauākī whakaaweawe āhuarangi
Climate impact statement

11. The purpose of this report to extend an existing management agreement for parking in the Grafton Mews area. It is not proposing any change to the current status and therefore would not result in a climate impact.

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

12. This report largely reflects a ‘business as usual’ operational activity and is considered to be in line with council group activities.

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

13. The extension to the club’s parking management agreement till 31 October 2020 was supported by the members of the Waitematā Local Board on the Auckland Domain Committee.

Tauākī whakaaweawe Māori
Māori impact statement

14. This proposed extension to the agreement is largely about operation of the car park, so it is not proposed to specifically engage mana whenua on this.

Ngā ritenga ā-pūtea
Financial implications

15. The extension of the agreement will mean the current arrangement of council receiving a percentage of the parking revenue collected by the club will continue for an additional five months.
Auckland Domain Committee  
12 October 2020

Ngā raru tūpono me ngā whakamaurutanga  
Risks and mitigations

16. The extension of the current management arrangement for five months will ensure continuity of the management of the carpark and minimise any risks associated with a gap between the current agreement concluding and the new arrangement potentially being put in place.

17. The extension will also provide time to deal with the current legal claims and associated issues and minimises the risk that further proceedings are brought against Auckland Council and Auckland Transport by the bowling club in the interim.

Ngā koringa ā-muri  
Next steps

18. The next steps are:
   - To advise the bowling club that they are able to maintain operation of the car park to the end of March 2021.
   - Respond to the legal claims received.
   - Continue to work with Auckland Transport on the consideration of changes to carparking in Grafton Mews in line with previous Auckland Domain Committee resolutions.

Ngā tāpirihanga  
Attachments

There are no attachments for this report.

Ngā kaihaina  
Signatories

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<th>Martin van Jaarsveld - Manager Community Parks &amp; Places</th>
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<tr>
<td>Authorisers</td>
<td>Mace Ward - General Manager Parks, Sports and Recreation</td>
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