

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

Date: Wednesday, 24 July 2024
Time: 1.00pm
Meeting Room: Waiheke Local Board office
Venue: 10 Belgium Street
Ostend
Waiheke

Waiheke Local Board

OPEN AGENDA

MEMBERSHIP

Chairperson	Cath Handley
Deputy Chairperson	Kylee Matthews
Members	Bianca Ranson
	Robin Tucker
	Paul Walden

(Quorum 3 members)

Lorraine Gropper
Local Board Advisor

18 July 2024

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1 Nau mai | Welcome

The meeting will be opened with a karakia.

2 Ngā Tamōtanga | Apologies

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

3 Te Whakapuaki i te Whai Pānga | 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 Te Whakaū i ngā Āmiki | Confirmation of Minutes

That the Waiheke Local Board:

- a) whakaū / confirm the ordinary minutes of its meeting, held on Wednesday, 26 June 2024, as a true and correct record.

5 He Tamōtanga Motuhake | Leave of Absence

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

6 Te Mihi | Acknowledgements

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

7 Ngā Petihana | Petitions

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

8 Ngā Tono Whakaaturanga | 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 Waiheke Local Board. This means that details relating to deputations can be included in the published agenda. Total speaking time per deputation is ten minutes or as resolved by the meeting.

8.1 Deputation - Raukauri Music Therapy Trust

Te take mō te pūrongo

Purpose of the report

1. The Raukauri Music Therapy Trust will update members on activities and achievements enabled by Waiheke local board funding and thank the board for its support.

Whakarāpopototanga matua **Executive summary**

2. Raukatauri Music Therapy Trust operates in Auckland but has an outreach programme at Waiheke schools.
3. The Trust has received funding from the Waiheke Local Grants programme since 2019.
4. The Trust wishes to update members on how the funding has been used and thank the board for its consistent support.

Ngā tūtohunga **Recommendation**

That the Waiheke Local Board:

- a) thank Raukatauri Music Therapy Trust and its representative for updating them on the Trust's work and for acknowledging the board's funding support.

9 Te Matapaki Tūmatanui | 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 three minutes per speaker is allowed, following which there may be questions from members.

Public forum requests will be considered at the meeting.

10 Ngā Pakihi Autaia | 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.”

Chairperson's report

File No.: CP2024/09857

Te take mō te pūrongo

Purpose of the report

1. To provide Chairperson Cath Handley with an opportunity to update the local board on the projects and issues she has been involved with and to draw the board's attention to any other matters of interest.

Ngā tūtohunga

Recommendation

That the Waiheke Local Board:

- a) receive Chairperson Cath Handley's verbal report.

Ngā tāpirihanga

Attachments

There are no attachments for this report.

Ngā kaihaina

Signatories

Author	Amelia Lawley - Democracy Advisor
Authoriser	Janine Geddes – Acting Local Area Manager

Response to Ombudsman's recommendation to open workshops by default

File No.: CP2024/09744

Item 12

Te take mō te pūrongo Purpose of the report

1. To respond to the recommendations made in the Ombudsman's report '[Open for business](#)' in relation to transparency and workshop practices.

Whakarāpopototanga matua Executive summary

2. Local board workshops are informal, non-decision-making meetings used for discussions and refining options before formal board decisions.
3. The standard approach to workshops is that they are closed however, the decision to open a workshop can be made by each local board. Currently, six boards allow public observation, and eight release workshop materials proactively.
4. In October 2023, the Ombudsman released a report which found no evidence of decision-making occurring in workshops but noted practices that could undermine transparency. The Ombudsman recommended that workshops should be open by default, with any closures justified on a case-by-case basis.
5. Local boards generally follow best practices aligned with many of the Ombudsman's recommendations, such as publishing workshop records and releasing information proactively. However, there is variation in how this is applied.
6. In light of the Ombudsman's report, local board elected members and senior staff with experience in open workshops were asked to provide their views. They reported:
 - risks to opening workshops, such as breaching confidentiality, discouraging free and frank discussions, causing public confusion about whether a decision is being made and potential disruption of subsequent community engagement and governance processes; public attendance is also very low for those local boards that do hold open workshops
 - benefits of opening workshops, such as supporting transparency and holding elected members accountable, increasing public awareness of council matters, and enabling community connection; there is also a level of public expectation that the Ombudsman's recommendations will be adopted.
7. To meet the Ombudsman's expectations for transparency, it is recommended local board workshops default to being open. Staff will update the Best Practice Guidance for the 2025-28 term.
8. Some methods for opening workshops include in-person attendance, live streaming or recording. Staff will explore feasible options if workshops are open.
9. At its 27 June meeting, the Governing Body agreed that from 1 September 2024 the default setting for its workshops will be open to the public unless the relevant chairperson considers it is reasonable to close a workshop in a particular case. It also agreed that the way the workshop will be made open to the public is by recording the workshop and uploading that video to the council's website.
10. If workshops default to being open, staff will need a period to implement it to ensure staff are properly briefed and systems are in place to deliver. Alternatively, the board may wish to implement this for the start of the 2025-2028 term.

11. The chairperson can open or close a workshop without a board resolution, as it is an informal meeting. However, a decision helps to confirm support of the local board.

Ngā tūtohunga Recommendation/s

That the Waiheke Local Board:

- a) tuhi ā-taipitopito / note that to meet transparency, the Ombudsman expects workshops to be open by default.
- b) whakaae / agree that workshops will be open to the public by default, unless the chairperson deems it reasonable to close a specific workshop.
- c) tuhi ā-taipitopito / note that staff are preparing guidance to support an open by default approach into the Best Practice Guidance for the 2025 term.

Horopaki Context

Defining workshops

12. The Governance Manual ([Section 10.8](#)) defines elected member workshops as:
- informal, non-decision-making meetings, which are generally closed to the public or media. Workshops support the decision-making process by informing elected members on items prior to making a formal decision.
 - a mechanism for staff to seek informal guidance from elected members to improve future advice, including identifying information gaps and discussing options for policy development.
13. Local boards use workshops for informal discussions, brainstorming, scoping draft proposals, unpacking complex topics and refining options for a final decision. Workshops are typically used to enable discussion between elected members, and between elected members and staff. Workshops are also used for cross local board collaboration and for joint discussions between the Governing Body and local board members.
14. Workshops are not used for decision-making and this is made clear to members when elected.

LGOIMA requirements

15. The Local Government Information and Meetings Act 1987 (LGOIMA) promotes the open and public transaction of business at meetings of local authorities.
16. LGOIMA states that a meeting at which no resolutions or decisions are made, is not a *meeting* for the purposes of setting requirements for local authority meetings. Therefore, there is no statutory requirement that a non-decision-making workshop be open to the public, notified in advance and have minutes taken.
17. Although not required, local boards may hold non-decision-making workshops in open and invite members of the public, media or stakeholders to attend.
18. Through each term's induction process, elected members are reminded of their obligations to be open and transparent in decision-making. It is made clear to elected members that closed workshops do not replace the decision-making meetings.

Current local board practice

19. Six local boards allow public observation at their workshops. They are Devonport-Takapuna, Kaipātiki, Waitākere Ranges, Hibiscus and Bays, Rodney and Waitemātā.
20. While the driver for this practice is to demonstrate a commitment to openness and transparency, public attendance has been low.

21. Eight local boards have adopted the practice of proactively releasing workshop materials. They are Devonport-Takapuna, Hibiscus and Bays, Kaipātiki, Puketāpapa, Rodney, Waiheke, Waitākere Ranges and Waitemātā.

Best practice guidance

22. At the start of the 2022-2025 term, the Local Board Services Best Practices Review 2022 recommended that workshops should be closed to the public because:
- a non-public setting can better facilitate and support free and frank exchanges between staff and elected members
 - workshops do not provide opportunity for the public to give input (in the way that the business meeting provides for a public forum), so the role of the public in the workshop would only be to bear witness to the informal discussions
 - attending a workshop may not provide a complete picture of council processes or may lead to some premature assumptions about decisions and projects
 - workshops provide a safe space for elected members to assess the overall progress, measure the effectiveness of its work programme and reflect on their own effectiveness as a local board. This type of exercise is unlikely to be robust and less likely to be authentic if done with a public audience.

Ombudsman's findings

23. In October 2023, the Ombudsman released a report, [Open for business](#), detailing the investigation into the actions and decisions of eight councils regarding both council meetings held under LGOIMA and workshops (and other informal meetings) to which LGOIMA meeting provisions do not apply.
24. The Ombudsman's review was carried out using their powers under the Ombudsman Act 1975 which allows the Ombudsman to review any act or omission by a local authority – except for a decision made by a full council (i.e., a decision by the Governing Body or a committee of the whole).
25. The purpose of the investigation was to test concerns that councils were using workshops and other informal meetings to make decisions.
26. The eight councils investigated were Rotorua Lakes Council, Taranaki Regional Council, Taupō District Council, Palmerston North City Council, Rangitīkei District Council, Waimakariri District Council, Timaru District Council and Clutha District Council.
27. The Ombudsman's report highlights the requirement under the Local Government Act 2002 (LGA) for a local authority to “conduct its business in an open, transparent, and democratically accountable manner”. It also highlights the requirement in the LGOIMA that anything taking place or provided to any meeting is “official information” and subject to the principle of availability, unless there is a good reason to withhold it.
28. The Ombudsman found no evidence of decisions being made in workshops. They did see workshop practices that in their opinion were “counter to the principles of openness and could contribute to a public perception that workshops are not being used in the right way”. These examples included not advertising workshops or having all workshops closed to the public.
29. The Ombudsman also cautioned against using workshops to include a significant component of determination, such as a substantial narrowing of options prior to public consultation.
30. The Ombudsman has provided three principles of good administrative practice, which they consider should guide council workshops:

- Councils have a general discretion to advertise and undertake all meetings in public, and this is consistent with the principle in the LGA that councils should conduct their business in an open, transparent, and democratically accountable manner.
- A general policy of not publicising / closing all non-decision-making meetings, such as workshops, may be unreasonable and / or contrary to law. The Ombudsman can assess this on a case-by-case basis.
- Using closed workshops to do “everything but” make a final decision could be seen as undermining the principles in the LGA and purposes of the LGOIMA and may be unreasonable in terms of the Ombudsmen Act 1975.

Tātaritanga me ngā tohutohu Analysis and advice

Aligning to the Ombudsman’s recommendation

31. The Ombudsman reports that workshops should be open by default as a matter of good practice. Open workshops are consistent with the principles of transparency, openness, and accountability.
32. The Ombudsman recognises there may be good reasons to close a workshop to the public, and that LGOIMA doesn’t require workshops to be open.
33. The six key recommendations made by the Ombudsman in respect of council workshops are:
 - adopt a principle of openness by default for all workshops, including a clear commitment to record a clear basis for closure where justified, on a case-by-case basis
 - publicise times, dates, venues, and subject matters of all workshops in advance, including a rationale for closing them, where applicable
 - provide clear audit trails of all workshops and internal guidance for the keeping of records of workshop proceedings
 - publish workshop records on the council website as soon as practicable
 - formalise a process for considering the release of information from closed workshops
 - consider sign-posting on the council website that members of the public can complain to the ombudsman in relation to the administration of workshops.
34. The Ombudsman’s report is not legally binding on the council. But the Ombudsman has made it clear that open by default is the best practice approach, and they will be closely monitoring decisions on these matters.
35. To meet the Ombudsman’s expectations that workshops are seen to be open, transparent and democratically accountable, it is recommended local boards have a default setting of open for workshops.

How local boards currently adhere to the recommendations

36. Local boards individually set their own meeting practices in accordance with LGOIMA.
37. Local Board Services identifies that many of the existing practices already meet the Ombudsman’s expectations. This includes:
 - having a standing report on business meeting agendas which notes the record of any workshops held since the previous meeting
 - posting agendas on the council’s website with as much advance notice as possible before meeting dates
 - clear and robust practices for keeping of meeting minutes and drafting of public

- exclusion resolutions
- publication of workshop records on the council's website as soon as practicable after the workshop
 - actively releasing confidential information as soon as practicable, when the reason for withholding has passed
 - restating information in subsequent open meetings and keeping records of the workshop.
38. In principle, the holding of closed workshops does not mean that workshops are secret or inconsistent with the principles of transparency and openness. Any lack of transparency can be addressed through the proactive release of workshop information (where possible), restating information in subsequent open meetings and keeping records of the workshop.
39. Governing Body workshops are currently closed to public observation. To address transparency, workshop records are proactively published as part of its next meeting agenda, including presentations and other documentation discussed or made accessible.
40. At its 27 June meeting, the Governing Body agreed that from 1 September 2024 the default setting for its workshops will be open to the public unless the relevant chairperson considers it is reasonable to close a workshop in a particular case. They also agreed that the way the workshop will be made open to the public is by recording the workshop and uploading that video to the council's website.
41. Staff will incorporate the Ombudsman's recommendations into the next Local Board Services Best Practice Review, which will inform induction for the 2025-2028 term.

How to implement open workshops

42. Options for open workshops include:
- opening the workshop so the public can attend in-person
 - providing remote access via MS Teams link without the public present in the room
 - recording workshops without the public present and making available on Auckland Council's website.
43. Each method for conducting an open workshop has its own risks, benefits, and operational impacts. These are currently being investigated further for each option. The resulting guidance will be included in the 2025-2028 Best Practices Review.
44. Guidance will also include considerations for when to close workshops if operating under a default open workshop approach. The Ombudsman recognises that in some instances it will be reasonable to close workshops to the public and that this should be considered on a case-by-case basis.
45. Should any local boards choose to change to open workshops before the next term begins, staff will assist in this process.

Tauākī whakaaweawe āhuarangi Climate impact statement

46. The decisions in this report are not expected to have any significant impact on our climate objectives or targets. Staff have not quantified the impact of increased administrative requirements or the likely impact of increased travel requirements for in-person workshop observers.

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

47. As staff are seeking a political decision from local boards on their approach, there has not been a comprehensive consultation with the council group.
48. Senior Governance staff provided views which largely reflect the pros and cons highlighted by elected members with some additional concerns including:
 - low public attendance: the benefits of transparency are limited
 - communication challenges: keeping the public updated on workshop details can be difficult due to last-minute changes
 - reduced input opportunity: local boards may miss the chance to provide early input on topics not ready for public release
 - staff exposure: open workshops may make staff vulnerable to inappropriate behavior, especially as their faces are visible to the public and their names may be published by the media.
49. The Ombudsman's investigation had canvassed a few concerns and potential risks and concluded that while there are good reasons that exist for closing workshops, they did not consider controversy and complexity to be good reasons in themselves.
50. If the decision to open workshops is approved before next term, staff will need an implementation period to ensure the council group is properly briefed and supported.

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

51. Staff have gathered the views from some local board elected members with open workshops to understand their current experiences.

Benefits of open workshops

- Transparency and community connection: media access boosts public awareness of local board business, helps local board members gain recognition, and reduces reliance on social media.
- Access to information: even if public attendance is low, people appreciate the option which fosters a better understanding of decision-making and the ability to follow topics of interest.

Risks of open workshops

- Media sensationalism: can hinder effective governance by swaying decisions based on a few vocal individuals rather than the broader community.
- Public disruption: the presence of the public can alter interactions between board members and staff, leading to potential harassment of staff and reducing the willingness of staff to participate. Public interjections can derail workshop progress and disrupt important relationships, such as those with local iwi and community groups.
- Overemphasis: a small number of vocal attendees can gain disproportionate political influence, overshadowing the broader community's input.

52. Opinions on whether workshops should be open or closed varied. Some elected members preferred closed workshops to create a safe environment for staff, allowing for free and frank discussions in a more relaxed setting. They believed that open workshops often led to political posturing, which could harm the democratic process by giving undue influence to a

small number of voices. And they noted negative impacts on subsequent community engagement, such as when the media prematurely releases information. Overall, they felt that the benefits were outweighed by the disadvantages.

53. Conversely, other elected members argued that workshops should be open to ensure transparency and public trust. They believed that the presence of the public generally did not pose significant issues. These chairs felt that board members should be prepared to handle the political environment and potential media exposure and public scrutiny.

Tauākī whakaaweawe Māori Māori impact statement

54. Māori were not consulted on this report. There are no identified direct impacts on Māori arising from this report.
55. Open workshops would provide an opportunity for Māori to observe a workshop but would not provide for an opportunity to engage in the decision-making process and would not go beyond what is already available through invitation by a local board to engage directly on an issue.

Ngā ritenga ā-pūtea Financial implications

56. There will be financial implications to open workshops, depending on how they are conducted, including time and cost of enabling online access or potentially managing security at a physical meeting. These costs will vary by board, including what technology is currently used, so will need to be considered on a case by case basis.

Ngā raru tūpono me ngā whakamaurutanga Risks and mitigations

57. The Ombudsman's recommendations are non-binding. However, there may be reputational and/or political consequences arising from a failure to act where needed to respond to recommendations from the Ombudsman.
58. The Best Practice Review 2022 notes some risks that should be considered when opening a workshop, such as:
- increasing likelihood of breaching the LGOIMA and the Auckland Council Confidential Information Policy and Protocols through wilful or advertent 'disclosure of information for which good reason to withhold would exist'
 - discouraging free and frank exchange of views between members and provision of advice from staff, which is often necessary in the early stages of a project or idea
 - potentially creating misinformation or confusion in the community about the status of projects
 - increasing potential for Code of Conduct complaints about predetermination and conflicts of interest if elected members indicate specific preferences in a workshop
 - exposing staff to opportunities for harassment and complaints based on comments made when giving free and frank advice to elected members (note Auckland Council has obligations under the Health, Safety and Work Act 2015 to ensure staff are not put at risk while conducting their role).
59. There is also a risk that workshops can be called or cancelled at very short notice. This may impact on members of the public that may plan to attend. Staff will do all they can to keep advertised information about workshops current.
60. Local boards can review their approach in the future if opening workshops by default leads to unintended adverse consequences.

Ngā koringa ā-muri Next steps

61. If the local board decide to hold open workshops by default, staff will provide advice on practices, procedures, and information technology to support this decision.
62. If a local board requests to open their workshops before next term, staff will need an implementation period to ensure the council group is properly briefed and supported.

Ngā tāpirihanga Attachments

There are no attachments for this report.

Ngā kaihaina Signatories

Author	Alyson Roach - Senior Advisor Business Planning & Projects
Authorisers	Lou-Ann Ballantyne - General Manager Governance and Engagement Janine Geddes – Acting Local Area Manager

Kōkiri Agreement 2024-2025 - A plan for Auckland Transport project and programme engagement

File No.: CP2024/10082

Te take mō te pūrongo

Purpose of the report

1. To seek endorsement for the Waiheke Local Board Kōkiri Agreement 2024-2025, which provides a plan for Auckland Transport work programme engagement.

Whakarāpopototanga matua

Executive summary

2. The Auckland Transport Local Board Relationship Project (LBRP) aims to create a more structured and effective process for local boards to engage with and influence Auckland Transport projects and programmes.
3. Developing a Kōkiri Agreement is an annual process within the LBRP. It involves providing advice on Auckland Transport's plans, seeking feedback from the local board, responding to this feedback, and establishing an endorsed plan for engaging on work in the local board area.
4. This report presents the first annual Kōkiri Agreement (Attachment A) to the local board. Auckland Transport is seeking endorsement of the agreement.
5. Auckland Transport will report quarterly on the Kōkiri Agreement starting in September 2024.

Ngā tūtohunga

Recommendation

That the Waiheke Local Board:

- a) endorse the levels of engagement established by Auckland Transport in the Waiheke Local Board Kōkiri Agreement 2024-2025.

Horopaki

Context

Project Kōkiri

6. In mid-2023, Project Kōkiri was initiated to build a more structured and supportive relationship between local boards and Auckland Transport (AT).
7. Project Kōkiri is part of the Auckland Transport Local Board Relationship Project (LBRP) work, which responds to the *2020 Review of Auckland Council's Council-controlled Organisations*. The review highlighted the need for local boards and AT to work more meaningfully and collaboratively.
8. Since 2020, AT has taken steps to improve information flow and local board decision-making, including:
 - instituting an annual forward works programme briefing for all local boards
 - increasing the number of updates sent to local boards
 - providing local board insights in all project engagement
 - reporting on the CCO Joint Engagement Plan (2022-2023).
9. AT established the LBRP in mid-2023 to improve engagement with local boards. AT started an annual programme of interaction that provides a better basis for communication and for understanding roles, responsibilities, limitations, and opportunities.
10. The new process – outlined in Table One – takes learnings from the CCO Joint Engagement Plan and builds an annual engagement structure, with levels of engagement captured in the local board's Kōkiri Agreement (local board transport agreement).

Table One: Process for delivering Kōkiri Agreements

Oct-Nov 2023	AT provided local boards with advice about AT's work programme in the 2024-2025 financial year (forward work programme brief).
March 2024	Local boards provided formal feedback on AT's work programme, including stating: <ul style="list-style-type: none"> a) the level of engagement preferred on a particular project or programme b) any projects that were not presented in the forward works programme that the local board would like AT to consider c) if there are projects that the local board does not believe the community will support.
May 2024	AT responded to these requests in a memo (Attachment B).
July 2024	This report seeks endorsement of the local board's Kōkiri Agreement (Attachment A).
Ongoing	AT will provide quarterly progress reports about the projects and programmes in the Kōkiri Agreement, starting September 2024.

11. Auckland Transport aims for local boards to have a clear structure for engagement. This provides opportunities for local boards to influence Auckland Transport's work programme through organised formal feedback.

Tātaritanga me ngā tohutohu Analysis and advice

12. The Kōkiri Agreement prioritises the projects or programmes that are most important to the local board. This clear prioritisation provides Auckland Transport with valuable insights into the local board's transport-related objectives, in addition to the objectives provided in the local board plan. AT reviews this input to inform its planning and, if necessary, to offer better explanations for why certain projects or programmes cannot be delivered.
13. Auckland Transport's planning has some flexibility, and with clear information about expectations, the organisation can better meet the needs of local boards and the communities they serve.
14. The LBRP and Kōkiri Agreements aim to enhance communication between Auckland Transport and local boards, fostering better relationships and improved local outcomes. Endorsement by the local board signifies mutual commitment to the project. If a local board chooses not to endorse the agreement, AT will continue to deliver upon the expectations established in the agreement, including reporting quarterly on progress.
15. Local boards will have opportunity to provide formal views on the contents of the Kōkiri Agreement through this report and subsequent quarterly reports.

Tauākī whakaaweawe āhuarangi Climate impact statement

16. Auckland Transport engages closely with the council on developing strategy, actions and measures to support the outcomes sought by the Auckland Plan 2050, Te-Tāruke-ā-Tāwhiri: Auckland's Climate Plan and the council's priorities.

17. AT reviews the potential climate impacts of all projects and works hard to minimise carbon emissions. AT's work programme has been influenced by council direction through Te-Tāruke-ā-Tāwhiri: Auckland's Climate Plan.

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

18. Project Kōkiri was developed working closely with local board staff from the Auckland Council's Governance and Engagement Department.
19. Project Kōkiri is a product of the Local Board Relationship Project which was in response to a 2022 'Letter of Expectation' directive from the mayor that stated in part that:
"The Statement of Intent 2023-2026 must set out how AT will achieve closer Local Board involvement in the design and planning stage of local transport projects that affect their communities."
20. Project Kōkiri aims to meet this direction and seeks local board feedback regularly. AT also surveys local board members quarterly about engagement, providing an indication of satisfaction. Auckland Transport has reported regularly on the project to the Local Board Chair's Forum.
21. Further, this work relies on historical engagement with both Auckland Council and with other CCOs and builds off the Joint CCO Engagement Plans 2022-2023.
22. AT will use the Kōkiri Agreement to inform internal teams delivering projects and programmes about the local board's priorities and expectations for engagement.

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

23. AT provided the local board with a forward works programme briefing on 6 March 2024 to receive quality advice on the work programme.
24. The response from both elected members and staff supporting local boards has been positive. Local boards have been specifically supportive of the large amount and quality of information provided in the briefings, the detailed discussion with subject matter experts, and attendance at workshops by AT executive leaders.
25. This local board provided its feedback on the proposed programme and their priorities in a business meeting report on 27 March 2024.
26. AT responded to this formal feedback by memorandum (Attachment B).

Tauākī whakaaweawe Māori Māori impact statement

27. Auckland Transport is committed to meeting its responsibilities under Te Tiriti o Waitangi and its broader legal obligations in being more responsible or effective to Māori.
28. AT's Māori Responsiveness Plan outlines the commitment to 19 mana whenua iwi in delivering effective and well-designed transport policy and solutions for Auckland. We also recognise mataawaka and their representative bodies and our desire to foster a relationship with them. This plan is available on the Auckland Transport website - <https://at.govt.nz/about-us/transport-plans-strategies/maori-responsiveness-plan/#about>

Ngā ritenga ā-pūtea Financial implications

29. This decision has no financial implications for the local board because Auckland Transport funds all projects and programmes.
30. Local boards do have a discretionary transport budget through the local board transport capital funds, and these projects are included in the Kōkiri Agreement. However, their financial implications are reported separately.

Ngā raru tūpono me ngā whakamaurutanga Risks and mitigations

31. Delays in making decisions on this programme of work could result in significant financial costs for Auckland Transport and consequently, for the ratepayer.

Ngā koringa ā-muri Next steps

32. Auckland Transport will use the Kōkiri Agreement to inform internal teams delivering projects and programmes about the local board's priorities and expectations for engagement.
33. AT will report on the Kōkiri Agreement quarterly, starting in September 2024.
34. In October or November 2024, AT will conduct its annual forward work programme process to develop the Kōkiri Agreement 2025-2026.

Ngā tāpirihanga Attachments

No.	Title	Page
A	Waiheke Local Board Kōkiri Agreement 2024-2025	23
B	AT memo: Response to local board feedback towards development of local board transport plan (Kōkiri Agreement)	33

Ngā kaihaina Signatories

Authors	Ben Stallworthy – Principal Advisor Strategic Relationships, Auckland Transport
Authorisers	Lou-Ann Ballantyne - General Manager Governance and Engagement Janine Geddes – Acting Local Area Manager

Approval of the Waiheke Local Board Auckland Emergency Management work programme 2024/2025

File No.: CP2024/09994

Te take mō te pūrongo Purpose of the report

1. To approve the 2024/2025 Waiheke Local Board Auckland Emergency Management work programme and its associated budget.

Whakarāpopototanga matua Executive summary

2. This report presents the board's Auckland Emergency Management work programme and associated budgets for approval for delivery within the 2024/2025 financial year (see Attachment A).
3. The work programme responds to the following objective that the local board identified in the Waiheke Local Board Plan 2023:

Our People:

- Periodically review Waiheke and Rakino's Emergency Response Plans in association with Auckland Emergency Management, the community, and emergency response networks.

Our Environment:

- Respond to the challenge of climate change.

4. The board provided feedback to staff on the projects it would like to fund in a series of workshops. The board indicated its support for the following regionally-funded project:
 - Local Board, community and business emergency response plans and resilience programme.
5. The proposed work programme has a total value of \$5,000, which can be funded from within the board's draft locally driven initiatives (LDI) budget for the 2024/2025 financial year.
6. Updates on the delivery of this work programme will be provided through the board's quarterly performance reports.

Ngā tūtohunga Recommendation

That the Waiheke Local Board:

- a) approve the Auckland Emergency Management work programme 2024/2025 (Attachment A to the agenda report).

Horopaki Context

- Each year, the local board decides which activities to allocate its annual budget toward, through a series of workshops. The local board feedback in these workshops have informed the work programme.
- The work programme responds to the outcomes and objectives that the local board identified in the Waiheke Local Board Plan 2023. The specific objective reflected in the work programme is:

Our People:

- Periodically review Waiheke and Rakino's Emergency Response Plans in association with Auckland Emergency Management, the community, and emergency response networks.

Our Environment:

- Respond to the challenge of climate change.

Tātaritanga me ngā tohutohu Analysis and advice

- The proposed activities for delivery as part of the board's Auckland Emergency Management work programme 2024/2025 are detailed below. See Attachment A for further detail.

Waiheke Local Board, community and business emergency response plans and resilience programme

- Increase disaster awareness, adopt readiness and response plans and implementation after approval, and in collaboration with the Waiheke Local Board and the community. This includes the following allocation:
 - Resiliency training to residents' associations to support community resiliency for emergency response (\$5,000).

Tauākī whakaaweawe āhuarangi Climate impact statement

- Table 1 outlines the activities in the 2024/2025 work programme that have an impact on greenhouse gas emissions or contribute towards climate change adaptation.

Table 1: Climate impact assessment of proposed activities

Activity name	Climate impact
Waiheke Local Board, community and business emergency response plans and resilience programme	Positive impact on our resilience to climate change, as this works increases community readiness to respond emergencies and the impacts of climate change

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

- The work programme was developed through a collaborative approach by operational council departments, with each department represented in the integrated team that presented the draft work programme to the local board at a series of workshops.

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

13. The proposed Auckland Emergency Management work programme has been considered by the local board in a series of workshops from October 2023 to May 2024. The views expressed by local board members during the workshops have informed the recommended work programme.
14. The activities in the proposed work programme align with the Waiheke Local Board Plan 2023 outcomes.

Tauākī whakaaweawe Māori Māori impact statement

15. Where aspects of the proposed work programme are anticipated to have a significant impact on activity of importance to Māori then appropriate engagement will be undertaken.

Ngā ritenga ā-pūtea Financial implications

16. The proposed Auckland Emergency Management work programme budget for 2024/2025 is \$5,0000 of the boards locally driven initiatives (LDI) operational budget. This amount can be accommodated within the board's total draft budget for 2024/2025.

Ngā raru tūpono me ngā whakamaurutanga Risks and mitigations

17. Where a work programme activity cannot be completed on time or to budget, due to unforeseen circumstances, this will be signalled to the local board at the earliest opportunity.

Ngā koringa ā-muri Next steps

18. Delivery of the activity in the approved work programme will commence on 1 July 2024 and continue until 30 June 2025. Activity progress will be reported to the local board on a quarterly basis.
19. Where the work programme identifies further decisions and milestones for each activity, these will be brought to the local board when appropriate.

Ngā tāpirihanga Attachment

No.	Title	Page
A↓	Waiheke Local Board AEM work programme 24/25	43

Ngā kaihaina Signatories

Author	Zoe Marr – Community Planning and Readiness Manager
Authorisers	Anna Wallace – Head of Planning Lou-Ann Ballantyne - General Manager Governance and Engagement Janine Geddes – Acting Local Area Manager

Item 14

Local Board input into Council's submission on Making it easier to build granny flats (MBIE)

File No.: CP2024/10362

Te take mō te pūrongo Purpose of the report

1. To enable the local board to provide its feedback into Council's submission on the central government proposal called 'Making it easier to build granny flats' (MBIE).

Whakarāpopototanga matua Executive summary

2. The Ministry of Business, Innovation and Employment and the Ministry for the Environment are seeking feedback on options to make it easier to build small, self-contained and detached houses, commonly known as 'granny flats' on a property with an existing home on it. The aim is to potentially allow these flats to be built without requiring building or resource consents, provided they meet specific health, safety, and quality standards.
3. In this consultation, the government is proposing changes to the Building Act 2004 and Resource Management Act. This includes adding a new schedule to the Building Act 2004 to exempt granny flats up to 60 square meters from needing a building consent. Additionally, under the Resource Management Act, a National Environmental Standard is proposed, which would enable the construction of 'minor residential units' without the requirement for a resource consent.
4. Council's draft submission will be circulated to board members on 26 July, which is after the Waiheke local board ordinary business meeting.
5. The government's submission period ends on Monday, 12 August 2024

Ngā tūhonga Recommendation

That the Waiheke Local Board:

- a) whakarite / provide feedback on the central government proposal called 'Making it easier to build granny flats'.

Ngā tāpirihanga Attachments

There are no attachments for this report.

Ngā kaihaina Signatories

Author	Lorraine Gropper - Local Board Advisor
Authoriser	Janine Geddes – Acting Local Area Manager

Addition to the 2024 Waiheke Local Board meeting schedule

File No.: CP2024/09694

Te take mō te pūrongo

Purpose of the report

1. To seek approval for one meeting date to be added to the 2024 Waiheke Local Board meeting schedule in order to accommodate the 2023/2024 Annual Report prior to it being adopted by the Governing Body on 26 September 2024.

Whakarāpopototanga matua

Executive summary

2. The Waiheke Local Board adopted its 2022-2025 meeting schedule during its 23 November 2022 business meeting.
3. At that time the specific times and dates for meetings for local board decision-making in relation to annual reporting was unknown.
4. The local board is being asked to approve one extraordinary meeting date as an addition to the 2022-2025 Waiheke Local Board meeting schedule, so that the 2023/2024 Annual Report can be adopted by the Governing Body.

Ngā tūtohunga

Recommendation

That the Waiheke Local Board:

- a) approve the addition of one business meeting date to the 2022-2025 Waiheke Local Board meeting schedule to accommodate the Annual Report timeframes as follows:
 - i) Wednesday 11 September 2024, 3:30pm.

Horopaki

Context

5. The Local Government Act 2002 (LGA) and the Local Government Official Information and Meetings Act 1987 (LGOIMA) have requirements regarding local board meeting schedules.
6. In summary, adopting a meeting schedule helps meet the requirements of:
 - clause 19, Schedule 7 of the LGA on general provisions for meetings, which requires the chief executive to give notice in writing to each local board member of the time and place of meetings. Such notification may be provided by the adoption of a schedule of business meetings.
 - sections 46, 46(A) and 47 in Part 7 of the LGOIMA, which requires that meetings are publicly notified, agendas and reports are available at least two working days before a meeting and that local board meetings are open to the public.
7. The Waiheke Local Board adopted its 2022-2025 business meeting schedule during its 23 November 2022 business meeting.
8. The timeframes for local board decision-making in relation to annual reporting were unavailable when the meeting schedule was originally adopted.

9. The board is being asked to make decisions by 19 September 2024 prior to Governing Body adopting the Auckland Council Annual Report 2023/2024. This timeframe is outside the board's normal meeting cycle.

Tātaritanga me ngā tohutohu Analysis and advice

10. The local board has two choices:
- i) Add the meeting as an addition to the meeting schedule
 - or
 - ii) Add the meeting as an extraordinary meeting.
11. For option one, statutory requirements allow enough time for this meeting to be scheduled as an addition to the meeting schedule and other topics may be considered as per any other ordinary meeting.
12. For option two, only the specific topic the Annual Report 2023/2024 may be considered for which the meeting is being held.
13. Since there is enough time to meet statutory requirements, staff recommend option one, approving this meeting as an addition to the meeting schedule, as it allows more flexibility for the local board to consider a range of issues. This requires a decision of the local board.

Tauākī whakaaweawe āhuarangi Climate impact statement

14. This decision is procedural in nature and any climate impacts will be negligible. The decision is unlikely to result in any identifiable changes to greenhouse gas emissions. The effects of climate change will not impact the decision's implementation.

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

15. There is no specific impact for the council group from this report.

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

16. This report requests the local board's decision to schedule an additional meeting and consider whether to approve it as an extraordinary meeting or an addition to the meeting schedule.

Tauākī whakaaweawe Māori Māori impact statement

17. There is no specific impact for Māori arising from this report. Local boards work with Māori on projects and initiatives of shared interest.

Ngā ritenga ā-pūtea Financial implications

18. There are no financial implications in relation to this report apart from the standard costs associated with servicing a business meeting.

Ngā raru tūpono me ngā whakamaurutanga Risks and mitigations

19. If the local board decides not to add this business meeting to their schedule this would result in the input of this local board not being able to be presented to the Governing Body.
20. The annual report is a legislatively required document. It is audited by Audit New Zealand who assess if the report represents information fairly and consistently, and that the financial statements comply with accounting standard PBE FRS-43: Summary Financial Statements. Failure to demonstrate this could result in a qualified audit opinion.

Ngā koringa ā-muri Next steps

21. Implement the processes associated with preparing for business meetings.

Ngā tāpirihanga Attachments

There are no attachments for this report.

Ngā kaihaina Signatories

Author	Amelia Lawley - Democracy Advisor
Authoriser	Janine Geddes – Acting Local Area Manager

Record of urgent decisions - July 2024

File No.: CP2024/10314

Te take mō te pūrongo

Purpose of the report

1. To note the resolutions made under urgency on 9 July 2024.

Whakarāpopototanga matua

Executive summary

2. On 9 July 2024, the Waiheke Local Board resolved through urgent decision its feedback to the Draft Land Transport Rule Setting of Speed Limits 2024 to be incorporated into the Auckland Council submission (Attachment A).

Ngā tūtohunga

Recommendation

That the Waiheke Local Board:

- a) note the resolutions made under urgency on 9 July 2024 (Attachment A).

Ngā tāpirihanga

Attachment

No.	Title	Page
A	Urgent decision feedback draft Land Transport Rule Setting of Speed Limits 2024	53

Ngā kaihaina

Signatories

Author	Amelia Lawley - Democracy Advisor
Authoriser	Janine Geddes – Acting Local Area Manager

Waiheke Local Board - Resource Consent Applications - July 2024

File No.: CP2024/09854

Item 18

Whakarāpopototanga matua Executive summary

Attached is the list of resource consent applications related to Waiheke Island and inner Hauraki Gulf islands received from 17 June to 14 July 2024.

Ngā tūtohunga Recommendation

That the Waiheke Local Board:

- a) note the list of resource consents applications (Attachment A) related to Waiheke Island and inner Hauraki Gulf islands 17 June to 14 July 2024.

Ngā tāpirihanga Attachment

No.	Title	Page
A	Resource consents lodged July 2024	61

Ngā kaihaina Signatories

Author	Amelia Lawley - Democracy Advisor
Authoriser	Janine Geddes – Acting Local Area Manager

Waiheke Local Board - Hōtaka Kaupapa Policy Schedule - July 2024

File No.: CP2024/09855

Te take mō te pūrongo Purpose of the report

1. To present the Waiheke Local Board Hōtaka Kaupapa – Policy Schedule.

Whakarāpopototanga matua Executive summary

2. The Hōtaka Kaupapa – Policy Schedule, formerly called the Waiheke Local Board Governance Forward Work Calendar, is appended to the report as Attachment A. The policy schedule is updated monthly, reported to business meetings and distributed to council staff for reference and information only.
3. The Hōtaka Kaupapa / governance forward work calendars aim to support local boards' governance role by:
 - ensuring advice on meeting agendas is driven by local board priorities
 - clarifying what advice is expected and when
 - clarifying the rationale for reports
4. The calendar also aims to provide guidance for staff supporting local boards and greater transparency for the public.

Ngā tūtohunga Recommendation

That the Waiheke Local Board:

- a) note / tuhi ā-taipitopito the Hōtaka Kaupapa – Policy Schedule for the political term 2022-2025 as at 26 June 2024.

Ngā tāpirihanga Attachment

No.	Title	Page
A	Hōtaka Kaupapa – Policy Schedule	65

Ngā kaihaina Signatories

Author	Amelia Lawley - Democracy Advisor
Authoriser	Janine Geddes – Acting Local Area Manager

Waiheke Local Board - Workshop record - July 2024

File No.: CP2024/09856

Te take mō te pūrongo Purpose of the report

1. To note the Waiheke Local Board proceedings taken at the workshop held on 3 July 2024.

Whakarāpopototanga matua Executive summary

<https://acintranet.aklc.govt.nz/EN/workingatcouncil/techandtools/infocouncil/Pages/ExecutiveSummary.aspx>

2. Under section 12.1 of the current Standing Orders of the Waiheke Local Board, workshops convened by the local board shall be closed to the public. However, the proceedings of every workshop shall record the names of members attending and a statement summarising the nature of the information received, and nature of matters discussed.
3. The purpose of the local board's workshops is for the provision of information and local board members discussion. No resolutions or formal decisions are made during the local board's workshops.
4. The record of proceedings for the local board's workshop held on 3 July 2024 is appended to the report.
5. These can also be viewed at this link <https://www.aucklandcouncil.govt.nz/about-auckland-council/how-auckland-council-works/local-boards/all-local-boards/waiheke-local-board/Pages/waiheke-local-board-public-and-business-meetings.aspx>

Ngā tūtohunga Recommendation

That the Waiheke Local Board:

- a) note the record of proceedings for the local board workshop held on 3 July 2024.

Ngā tāpirihanga Attachment

No.	Title	Page
A ↓	Workshop proceedings July 2024	69

Ngā kaihaina Signatories

Author	Amelia Lawley - Democracy Advisor
Authoriser	Janine Geddes – Acting Local Board Manager

